

Gardner May 31. 1846

Genl.

Your favor is rec^d by this morning's mail; & I hasten to reply to it, that there may be no unnecessary misunderstanding in relation to the Mem^ors. Ex^{ts}. — The Ex^{ts} are on Juf^t's record in favor of Mr. Guley, & by his order, & of course are a proper charge by him as part cert^s of the ar^{re}sts. — same as if he were acting as Adv^o: an Ex^t. — of course my charge therefor is against him. Now I offend to you, that if Mr. G. would assign to me these Ex^{ts}. I would discharge my claim on him for all cert^s & & only upon the Ex^{ts}. for my pay — which would in fact be giving him, for said Ex^{ts}. whatever sum said cert^s would amount to — This you declined, saying they were to be sold at auction — I then told you I thought I might be in Boston about the time of sale, & if so would bid on those Ex^{ts}. which would be equal to said cert^s; & then discharge said cert^s which would pay my bid, & the tant amount to my first offer — I did attend the sale, & was denied the opportunity of purchasing them, or bidding upon them in any manner, & was understood between you & myself, by your auctioneer offering the whole Schedule at once: this he did upon the persuasion of two or 3 who were present, and against the express wish of me, who wanted to bid on his own debt, I however tried on the whole, till the sum went higher than what I was to give for the two referred to, & I left. — Now have I done any thing to forfeit my legal claim, on the P^lff