Terrell Nov 30th/87

Mr G. H. Mensing & Bro Galveston

Gentlemen & pinks You doubtless remember that I failed in business some years ago at this place (Terrell) & made an assignment for the benefit of my creditors in which you had a share & I conveyed all my property except my real homestead in Hunt County at Paynes Store adjoining the two tracts of land that I let you have — now the facts I wish to call your attention to is this I sold my 200 acres to Mr J H Cook ie the homestead adjoining yours & after some months one of my creditors who refused to come in the assignment sued me & getting Judgement Levied on the homestead & sold the same & bought it in & sued in the Federal Court for the land claiming that this Hunt County property was not my homestead & that the property that I lived on in Terrell was my homestead. Now gents you doubtless know that in the Summer before my failure I gave you a mortgage on the Terrell home & lot

I M Oldham being the trustee and that it was sold under the deed of trust & Baught in by you ie By (Esq Sayles) your atty & that the same was real & not a sham & further more you held the deed several years prior and then authorized me & sell the same for you & that they be me you sold it & J R Bird If you remember you told me I could have all over $400.00 I could get for the place - It is necessary in this suit & show that the County place was my homestead & that I did not own the one I lived on in Terrell as by assignment & thought we might need your testimony & show that you owned & paid that place I lived on in Terrell & deeded the same & J R Bird They show that I read part of the many you deeded & Bird & they therefore claim & urge that the sale by me & you under the deed of trust was fraudulent & that while you held the deed & title that it was not yours = but mine We want & prove by you that there was no fraud as between us and that there was no consideration that I had any interest in it and that you allowed me all over $400.00 for my services rendered & you in renting & [illegible]

& collecting the same and having various improvements made on your Hunt county Land = you further remember that while you owned the Terrell house & lot that you Mr G & H met with me & see your Land in Hunt county adjoining my homestead & that I claimed it as my home & that I was hoping the same & spoke of moving & it in the future - now my dear friends please do not fail & look this letter over and write me at once & by your please = I have nothing on earth & dear I have depended no man nor do not much & & if the homestead is taken away all is gone - hoping & hear from you soon I remain as ever Your obedient servant & friend

J & Payne

PS perhaps you would do well & ask Mr Sayle something about the matter as he was your attny & he sold the Terrell house & lot & bought it in for you = please excuse bad writing