

Post to Leno 11<sup>th</sup> 1839

Your letter by the last waggon was by mail handed  
handed to me yesterday by Mr Bigelow whose store  
I hope has become the depository I regret you  
have got into collision with a set of people such  
as you mention & I find from Raymond who is  
now in town that they have been consulting Cousin  
James & from he could hear distinctly he is dis-  
posed to think Shelton's gave them a pretty correct  
opinion except that he says you were obliged to keep  
up fences to keep off others cattle which is clearly  
wrong but this between ourselves. The law in this  
state is that no man is required to keep fences to keep  
off others. Every man must take care he does not trespass  
on his neighbours - Inally here there is a law to the effect  
of Shelton's opinion it being an unsettled County &  
much spare land it was thought right that people  
might turn out their own cattle & so their owners were  
obliged to fence for protection but it is local in its  
application.

As I cannot de-  
note the particulars

I can only say in general

to move & take away any fence found on my premises  
which was put there since I became the owner & that  
would reduce the neighbours possession of any part  
of my land to what it was originally & when you  
consulted Mr Sany about Ecks possession of your land

A fence extending from the opposite side of the road from  
the spring & running obliquely down to the Creek in a  
N or N W direction was put there since I owned it  
whether on my land or not I am not sure, it may have  
been put there as a line fence but if so it should  
be a line fence for if on my premises it is mine  
& so in relation to all others if there be any. As regards  
Eck running his fence across the road to the spring  
I presume he has the same right to close that road  
that I have to close the old road leading up from the pond  
but his doing so does not give Garber or any one else  
a right to make another road higher up in my field  
Ecks rights cannot compel me to allow a trespass