

Mobile Jan'y 8, 1858.

My Dear Sir,

I have more than once thought of writing you a friendly letter, and often of the pleasure I should take, if I could occasionally ^{converse} ~~consult~~ with ^{matters} ~~subjects~~ that I know ^{might} ~~would~~ be mutually in-
-teresting to us. ^{An occasion} ~~A matter~~ ^{a subject} ~~in particular~~ ^{prompts me} ~~now exists~~ ^{which} ~~which will~~ ^{induces me to write you,} ~~for~~ ^{I think it may} ~~attract your attention~~ ^{and may} ~~interest you and it may~~ ^{lead to suggestions} that will benefit me.

For the last two years I have been engaged in the prosecution of a suit in Equity in the Circuit Court of the U. S. here, which is now depending on appeal in the Sup. Ct. at Washington, and which though important to the parties to it, has become still more so on account of certain other proceedings which have resulted from it, or rather have been based upon it.

These other matters involve the acts of a judge of the Sup. Court of the U. S. with reference to my client and to myself especially - that will probably require me to ask for his impeachment of high misdemeanors in office.

A short statement of the facts ~~as follows~~ will enable you to understand the points involved -

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In 1855 I filed a bill to set aside a deed as

obtained by fraud and mainly through the advice of John A. Campbell while he was a Lawyer in practice here - The amount involved is about \$150,000, - and the bill necessarily reflects severely upon the conduct of Campbell - Campbell was a principal witness for the defendants - and the defence was conducted in the most extraordinary manner. As soon as the bill was filed a copy was sent to Judge Campbell at Washington - and he prepared and sent back a long written statement in which which statement covered the whole defence & shaped it - The answers were drawn to conform to it - and one of them referred to it as an exhibit - and then the deposition of Campbell was taken to sustain the answers.

The cause came to a hearing last Spring, and after a decree was rendered by Judge Gayle - the District Judge - Campbell also sitting on the bench - read an opinion and made a decree - fining my client \$1000, - and fining me \$1000, and revoking my license to practice in the U. S. Circuit Court for an alleged contempt of Court - This decree was not founded on any disrespect to the Court in its presence or elsewhere - but solely upon the record of the suit in Equity - The assumption is

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that to file a bill in the U. S. Cir. Court which reflects upon the conduct of one of the judges before he was elevated to the bench is a contempt of Court - This decree & opinion was all prepared and pronounced with out notice or warning of any kind - founded on a statement of facts prepared by the judge to suit himself - & made a part of the record. - There was from this no appeal and the fines have accordingly been paid under protest.

I will send you a printed record of all that is material in the suit in Equity, and as the contempt is founded solely on that you can judge what foundation it has -

I have as yet prepared no answer to the opinion of Judge Campbell in the contempt case - as I have not wished to do any thing to prejudice the suit which is now before the Sup. Ct. and may perhaps come up this term.

This matter of contempt may never have occupied your thoughts - the law is pretty thoroughly investigated in the arguments in the case of Judge Reek.

If you have time to think of this matter I should be pleased to hear from you as to your impressions about it. The matter has occasioned no little discussion & concern among the

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members of the bar & others in this State & Louisiana - and the general opinion is that it is a high handed outrage on individual rights - I know it to be a piece of arbitrary vindictiveness - wholly unsustained upon facts and law - and only paralleled, I think, in the proceedings of the Star Chamber and of the campaign of the infamous Jeffries.

It was my fortune or misfortune, in most of my suits, while Campbell was at the bar, to have him as my opponent - seven or eight of these suits or more - were severely litigated and pending for years - and his naturally morose & vindictive nature became exasperated at my general success - Three of these controversies were pending for ten years -

To turn from this subject - let me now ask your opinion of Clifford who is nominated to Curtis' place? - My impressions of him are unfavorable for that office. And if he is not confirmed who will probably be the man. I feel a deep interest in this - on account of the suit referred to -

With regards to your wife & daughter
I am ever your friend
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