Dear Bush

Dowd wants you to continue the Statesman to Peter Rash Coffadeliah Neshoba Co Miss. and discontinue it as to B Daily of DoKalb Miss. I will be responsible for the subscription and hand it to you the first time I am down or sent it the first chance I get.

I see by the last issue of the Statesman that you say that Boise will continue to hold the courts under the present commission until the legislature provide for the qualification of the State Judges, and the later enter the office in this district and add "as defined by the Constitution." You say I will do the same. That is correct with the exception of the phrase I have quoted. So much of the Constitution as Districts the State may be said to be in abeyance until the Territorial judges are superceded. If the Ter. judges can continue to hold courts at all, they must hold them throughout the district to which by the Territorial law they have been assigned. It may be said that Boise has been super-ceded as fer Judge in so much of his District as is embraced in the State District to which Wait has been elected. But I think that is more plunsible than correct. The whole law remains in force, it is not inconsistent with the Constitution, there being no necessity, in fact no possiblility of giving effect to the provision of that instrument Districting the state until there is a state judge qualified to hold courts therein. It may be said that Wait has qualified, -if he has done so in pursuance and by authority of the Constitution then Boise should also, and the Tor. law districting the Ter. would expire in whole.

But the position that Boise and myself occupy is that the Judges cannot qualify until provision is made to that effect by the Assembly. This is not intended for the public. Stratton was here today and takes the same view of it.

I suppose Indiana will have the distinguished honor of furnishing us another great man. It may be a mistake but I incline to think it is true. Our delegation from first to last have so many conflicting promises on the subject, that to disappoint all and lay the blame on old Buck will be the most impartial way out of the difficulty. Well, "whatever is to be will be", and "whatever is is right" in the long rum. I read Olney's letter. It was well written for the purpose for which it was intended. It reminded me that when he thought Pratt was about to go down he writ a letter against him.

Do you want Wesmith to be a candidate for the Senate at the coming election?

## Your friend

## Deady

P.S. April 4th Dan Stowart was here today and tells me that at the Winchester Convention on Saturday resolutions were passed sustaining Lane and Smith. He offered to amend by inserting Grover, but Martin opposed it because he had not stood up to Lane and the amendment was voted down. I believe a resolution was passed denouncing the clique.

Dear Buth. Funouks April 30 1854. Dowd wants you to continue the Statesman h Piter Rush Coffa delinh Nishoba bo Miss, and discontinue it as to B Daily of Dekall Miss. I will be responselle for the subscription and hand it to you the first time I am down or send it the first chance I get. I one to the tast essere of the Statesman that you say that boise will Continue whold the Courts under the mesent Commission until the legislature provide for the qualification of the State Judges, and dulater only the office, and de State Judges, and dulater by the boustetulion." I we say twee de the Same, that is correct with the Exception of the phrase I have gooted. So much of the Constitution as District the State many be Said to be in abeyance until the Territorial Judys are superceded. If the Ler Judges can continue Thold court at all, they must hold them More hout the district towhich by the Levelorial law they have been assigned. It may be Jaid that Boise has been superteded as Ter Judge in so much of his District as is Unitraced in the State District bowhich has

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TS April 6th That a letter from my Luter (Mas Elera Knott) the other day in which the complaint that she has not re- cered the States= mun forsome time, I super how you have got weil of it on your dead head list and shuch it off. There of found whay you for it Severaltimed which you have always declined I with you was let send it to her again and I will have for it when to