

Private

Bladenboro N.C.

Aug. 11 1868.

Hon. A. W. Touge

Raleigh N.C.

Dr. Sir,

I received some days ago a chapter of "Fees" for Sheriffs, Solicitors &c and desire to know if the latter is to receive no other compensation than what is there provided for?

If not the office will not be worth near as much as under the old law.

More than half of what were the paying cases formerly, (Assault & Battery &c, where the opt. was glad to submit his case and pay his fine) will now come up before a magistrate and be settled by him. I have been told this by several gentlemen who have been Solicitors heretofore, and unless a salary is also added, no republican can afford to be Solicitor.

When I received the nomination it was said that with the New Hanover dockets - the district would be one of the best, which I have no reason to doubt -

But - it is through necessary now to have a Special Court for Wilmington which will cover this district the poorest.

Before I left Raleigh, the Gov. said he would make the appointment of Solicitor as soon as he was officially informed of the vacancy by Judge Russell. I also had put in the "Act to provide for the qualification of officers newly elected", a section requiring any Solicitor elect to qualify within twenty days after notice from the Judge to appear & in case of failure to qualify the Judge should report the vacancy to the Gov.

Thinking it was all right now as it was entirely in Russell's hands I came home and asked him to notify Richardson. Received his reply to day, in which he states, that under a great sense of the necessity of maintaining the high character of the Bench of N.C. and of his own incompetency he had tendered his resignation to Gov. Holden (except he tendered it on condition he should be made Solicitor) but that Gov. He declines to accept whereupon he (Judge R.) insisted that he should have the aid of a

well known lawyer as Solicitor, or that the place should remain vacant till after the Fall circuit, &c.

But considering that I had received the nomination of the party he thought I should be provided for, and had asked the Gov. to offer me the appointment of Solicitor to Special Court for Wilmington &c. Now I want your opinion and advice.

Not of a Judge, but - friend.

If the salary(?) fees &c. are to be the same for the two positions, I am inclined to prefer the City, as I can probably get the City business. The position I have had in my mind was that of Judge of this Special Court when it should have been established. But I had no idea it would be brought up so soon for I think there is at present no need of it.

The Special Court is only for ~~Misdemeanors~~. But if it has ^{the} jurisdiction of a Magistrate it will make the position of Solicitor better, and of Judge the more arduous.

It will not be a hard place for a Judge and I think I should have it.

You have kindly expressed some interest in my making a noise in the world, or because I didn't; and for my silence in the Convention I have this excuse to offer to you, (as one whose opinion I care more for than that of the many,) during the first of the Con., I was completely upset in my mind by hearing some distressing news that for weeks ~~that~~ prevented me from doing any thing requiring thought. I could not sleep ~~might~~ in "speak" days. The last week or ten days it was too late to talk.

After wading through so much I fear you will have but an indistinct idea of what I ask which is —

From what you know of the compensation of Dist. Sol. and from what you know of the Special Court bill which Solicitorship will pay the best?

Respectfully,
Yours &c.

A. W. Fisher

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Blasdenboro
N.C.