

1 - You say that, in the letters referred to, as having been sent you by me, ~~fact upon certain~~ have insinuated certain charges against your official conduct - In this your Excellency is certainly in error as a reference to my letters will show. I have never addressed to you, a letter containing the very slightest reflection upon your conduct in any particular, private or official -

2 - You say that ~~there~~ several letters have been received at your office from me complaining that you have not pardoned certain colored men &c -

Again your Excellency is in error, as I think. ~~It would be very difficult for you to know~~ I certainly, know of no communication made by me to your Excellency, or officially addressed to any ^{of the opinion that under no circumstances,} ~~word~~ making any complaint as to this matter, except that I have again and again addressed you upon the subject and have received no answer.

Until yours of the 16th I had received no official communication, ^{whatever} upon the subject from you. Mr. Neathery indeed did write me a private letter - neither signed as Priv. Sec. nor official in its character, but private friendly and even peculiar. To this I replied. To this you evidently allude and from this you quote - In regard to this

I submit the following considerations

First - The letter being a private one, written in the freedom and peculiarity of private intercourse, ought not to be made the basis of a deliberate personal assault

such as you have made upon me in your letter of the 16th without an explanation being previously asked of me.

Second - The context being of a light and pleasant character - an unprejudiced person, unblinded by passion, must have known that there was little of the seriousness about my remarks in regard to your Excellency's conduct, which is ~~unbecoming~~ should be required to provoke an epistle like that which I have received -

Third - It should be remembered that the private letter in question, was provoked to some extent, by a neglect on your part of the common courtesy of both private and official life, in neglecting to answer my repeated communications upon this subject extending over the period of a year or nearly so, and by your final refusal even to consider an application which I had made in perfect good faith, and pressed upon your notice in full confidence of the same upon your part - excusing a neglect which seems to have been intentional -

Fourth - In regard to the statements contained in my letter - (though I do not consider you as entitled to any explanation of them by reason of your unjustifiable assault) I will say that I had no more idea of reflecting in ~~any~~ circumstances upon your merits than I had of its falling into your hands - and of course no idea of giving any affront - I did disapprove of your

error in persistently closing your
mind to other consideration of mat-
ters which I deemed of some im-
portance - and which I had pressed
upon your attention with earnestness
and respect - I thought it was due to the
common justice and courtesy that they
should be considered at least - While I
never doubted ~~your intentions~~ ^{the motives} which prompt-
ed your conduct in either of the ~~respects~~ ^{matters re-}
ferred to, I did disapprove your official
conduct and intended in a personal
interview to inform you of that fact and
my reasons therefor - as you have obtained
that knowledge surreptitiously and chosen
to make it the ground of a personal
which will probably preclude further inter-
course, I will take this occasion to add
that I am still of the opinion that your
course is erroneous; and ~~also that I~~ ^{should also add}
~~others have~~ ^{others have}
~~made the only mistake~~ ^{which seems to have arisen in}
the contrast ~~you so much object to~~
without expressing the same confidence
in your integrity - I repeat again, ~~on this~~
~~occasion~~, my entire confidence in your
official ~~conduct~~ ^{integrity and purity of motive} ~~conduct~~ ^{conduct}, except as far as it may
be colored by a persistent determination
not to abandon an opinion or yield to
conviction - which in its results ^{may} ~~may~~
frequently approximate ^{very close to} injustice -

Fifth - You seem to intimate that I am moved in this by motives of a political nature. The insinuation severely shows how illogical one can be when he has thoroughly determined to provoke ill feeling. I did wish that you - individually and personally - should gain some credit by seeming to grant this favor to these men almost crushed - instead of allowing it to be thought or claimed, to have been begged out of you by your opponents. It would puzzle your Excellency to imagine any interest which I could possibly have, personal or political, in this matter. It seems to me absurd that I could be thought to have any interest other than a love of justice - You might, perhaps make political capital out of it. I certainly could not - Your insinuation that their color influences me seems ridiculous when applied to one who has at least the merit of being as white as your Excellency, and professes the same political faith.

Sixth - You state that you are informed on good Republican authority - that these men were misled into a submission by a promise that judgment would be suspended and that this arrangement was made with the advice and consent of the Presiding Judge

No greater charge could be made against any one occupying my position than this - It is not only an act of the greatest judicial impropriety but of the most extreme and despicable personal perfidy - I should have been surprised at such a charge from any enemy except Joe Turner from whom it would be perfectly characteristic - I would not notice it if it came from him any more than if he had accused me of kissing an elephant which would be no more absurd - Coming from your Excellency it becomes sufficiently dignified perhaps as to be worthy of my notice -

I have therefore to say, that if any one, Re-

publican or Democrat, high or low, gave
your Excellency such information, such person
has either stated that in regard to which he
had no knowledge or he is a deliberate, ma-
licious and infamous liar.

Permit - You state that this information is "en-
tirely credited" by you -

Your Excellency is not to be en-
vied in the possession of a credu-
lity which can believe a man in an
honorable position, will perform an act
of unutterable meanness without any con-
ceivable motive, I might regard the matter
differently if the act were one ~~which~~ for which
a reasonable motive could be assigned, but
that is utterly impossible - A man might per-
haps be bribed to consent to such an arrang-
ment but what should induce him to consent
and then refuse to comply with such arrang-
ment - It is too ridiculous - I have only to say
that if your Excellency believes any such
statement, it is your honorable duty to
report me to the Legislature for impeachment -
Indeed I am not sure that it would not be your
duty to call an Extra Session for that purpose -
So knowing a fool, and as foolish a knave as this
would imply me to be, should not be allowed
to remain upon the bench a day longer than
could be avoided -

In conclusion, I have to regret that your Ex-
cellency has chosen to fasten a quarrel upon me
by ~~recourse~~ ^{recourse} of the contents of a private letter
to another and
never designed for your eye; the context of which showed
that they were neither malicious nor angry, but on the
other hand disclosed an intention to counsel with you
in regard to the acts complained of, - and in any point
of view - are susceptible of an explanation ~~wholly~~ quite
consistent, with an earnest support and friendly regard
for your Excellency - ~~I have never been the recipient of~~
I have never enjoyed intimate personal relations
with your Excellency; - I had known you mainly
through your public acts - From them I had inferred
a sturdy uprightness and honesty of purpose as well

an utter fearlessness of consequences, which
had impressed me with admiration and
esteem and converted me, from a some-
what lukewarm supporter, to an ardent
advocate of your "official conduct" and course.
I did not surrender any right to disapprove, cen-
sure or condemn, nor do I ever intend so to do
with regard to yourself or any one else in an offi-
cial position. Unlike many I had found little in
your course to condemn and such had been the
hue and cry raised as to some of those that I
had regarded you as unjustly assailed, so that I
have very rarely expressed even regret at your
course - The letter which I wrote Weathering may
have been indiscreet even to a third party, but
I considered him so thoroughly informed as to my
sentiments and feelings in regard to your Excellency
that there would be no danger of misin-
struction on his part - I know nothing how you
became possessed of its contents nor does it mat-
ter now - The character and intent of your letter
seem unmistakable - By it I am cut off from any
communication with you upon any other subject
except what the law requires from my official posi-
tion, while you choose to entertain such sentiments.

You are perhaps old enough to lose friends
without regret and have such a surplus of sup-
porters that you can afford to transform them into
enemies with unhesitating abuse, but I am
so young that I cannot lightly yield my re-
spect for me I have esteemed nor surrendered
any pride in one I have followed -

Laurensin qm

Your Excellency's Oth Servt

Carthage

Draft of letter enclosed
is to have been sent

To Gov.

CHAUTAUQU COUNTY HISTORICAL SOCIETY 2013