

Department of Justice
Washington. 25th Nov 1873

Wm C. W. Foye

Dear Sir

I shall not see you at
Orange, there, my memory suggests that I have
very little business, & that no body has much!
The only matter I am interested in is that Gen
Hobson have his case removed - the A. & P. case
of Turner's. I had had a paper prepared an affidavit
to be considered by you upon that point; but as
the State was not ready at last but I was not
able to present it. It is a matter so much of
course that I will not trouble myself to attend
to, unless, even with the prospect of seeing yourself
as part of the consideration.

I hope to see you at Petersburg. I cannot say
that the prospect of being at P. should be closed

amongst hopes, but, take it altogether, the Judge, the
Bar, the landlady & landlady - I believe I will stand to
it as a "hope".

I find my place pleasant. There has been no press
of business for me, - & yet enough to give me a taste of
the quality of the office. It suits my inclinations & my
previous occupations very well indeed. For a lawyer I think
it the best office in the U.S.. The pay might be larger
with some advantage, but I hope to have time enough at
my disposal, after a short while, to obtain then practice.
That was one inducement to take the place which de-
sire, honorable things to be, would not have tempted
me away from W.C.. If I succeed in my hopes as
above, then I shall be entirely pleased. This way of
having printed records placed before you upon which to
make up briefs in Court of Error is quite as pleasant
work as a lawyer who dislikes jury practice & then hurry.
Scouring of seams, chairs & cushions, in backrooms, immediately
above a kitchen with the smell of breakfast part sinking,

with their cold air, towards the floor, which that of dinner
to come prevails enough the hot air near the ceiling; so
that a man rising from his chair, passes from the exercise
of necessary into that of anticipation, - from reflections on
breakfast, to meditations on dinner - I may think to me
who wishes to graduate at such schools, this board dispensation
is very agreeable.

I derive these a legal revolution of years in an
opinion with Bryan & Wheel, & the Conf. D. Bond, has been
endorsed by the Supreme Court at the present term. That
tribunal modifies the Kingston case, from Alabama, so
far as to hold that a Bond issued by a rebel government is
void as a consideration for a note given in payment for
it. The opinion is elaborate. They restrict the Kingston
case within just such limits as you suggested. The case
arose upon an Arkansas Note Bond issued during the War.
They (Field, J.) take up the former decision & show
what it means & what only. The trouble about getting
that doctrine into practice between Bryan & Wheel

was with as the Bond was given in payment - with
Cupid. money, for Lockville, - a total disclaimer of
it & avoidance - might have opened the way to the
plaintiff's falling back upon some other equivalent for his
land. Suborning with, as the jury found, there was the
transaction which Bryan said, I am a little dubbi-
ous about the way in which "the old thing works".

I hope with this bitter winter leaves you in
good health. I had an attack of the Spizoo, con-
tracted in N.C. at Christmas, which was by long odds
the worst cold I ever had; keeping us, me until
middle of February.

Remember me if you please, to Mrs. Frazier,
who I think is very well - & the hairs, no less.

Yours very truly
J. H. Phillips