

Department of Justice.

Washington 15 July 1874

Judge Touge

My dear Sir

I have now had an opportunity of reading the laws of the last Assembly & believe, in part, recd this morning, you refer. I had supposed by reading the 14 & 12 (especially as the latter is entitled after the 13) Sections of Art III of the Const., that an election for Gov could only happen once in 4 years. The implication in the 13th Section, giving the Leg. power to order an early election or recess (it is not here) itself making provision for a speedy election in case of vacancies in certain of the 4-year term offices (not including that of Gov.) is to the effect that the term of Gov. remains full until the old term is out.

At first blush it strikes me that the Genl
Cory has no power over the question - but as I
have not had time to consider it, I throw this
out with doubt, arising from your entire view.

The Governor's duties is a calamity. I will say
for Genl Bogden however that I anticipate
a respectable administration. He is careless in
his manners, & not very careful in his associations,
but I think in the main, that he is a good
citizen, and hope well for his discharge of the
high duties which have devolved upon him.
None the less however do I regret a disruption
which renders the next 2 1/2 years so much
more of a question than it was under Gov
Baldwell. We shall have a honest administra-
tion, an uneventful one, no collisions with the
Legislature, no extraordinary paragraphs in news-
papers, - but I shall believe an honest one & one
of which it is due to Mass not to be ashamed
Yours truly S. P. Phillips