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OFFICE OF THE CLERK,

# Supreme Court of the United States,
# Washington, D.C.

Apl. 7, 1896.

A.W. Tourgee, Esq.,

Mayville, N.Y.

Sir;

Yours of the 4th inst, in relation to case of Plessy vs. Ferguson, Judge, No. 210 of Oct. Term, 1895, duly received. I wrote you yesterday stating that case would be first for hearing on the 13th inst.

Where local counsel appear in a case here this office supposes that they are advised as to whether associate counsel desire to argue the case and will give them notice of the time for the hearing. I have no doubt that I told Mr Phillips that the other counsel in the case would submit. What I meant was that counsel for the other side would submit the case, they having notified me at the time that they would not make an oral argument.

Yours truly,

James H. McKenney,

per H.C.M.