

Fulton, Mo. December 22, 1841.

DEAR SIR:

I take the liberty of addressing you on a subject, personally, I admit, of some interest to myself (holding the office of U. S. Marshall,) but as I sincerely believe, more particularly effecting the interest of the citizens of the other States of the Union.

The object, as I understand, of giving to the federal judiciary jurisdiction in the States respectively, by the creation of Circuit and District courts, besides the facility it extends to the Government in the punishment of offenders, collections of its dues, &c., is mainly designed to give to non-resident suitors fair and impartial trials in their litigation with citizens of the District where the court is situate and to remove, altogether, the influence of local or sectional prejudice.

If I am not mistaken as to the objects of the establishment of those courts, the amendment that I am about to suggest to the Act of Congress, giving to Missouri a Circuit court is, I think, imperiously demanded.

We have but one annual term of our Circuit Court, [holden on the first Monday of April,] consequently the length of time necessary to close suits instituted in it is so considerable that suitors are forced of necessity, never of choice, into the State Courts, where the business is more summary, if not more conformable to right and justice.

This State of things might and perhaps does, operate with great oppression upon non-resident litigants from a variety of causes (to wit) a feeble and unreliable State judiciary, and improper and unjust legislation on the part of our State.

The history of the obliquities of State Legislature, and their liabilities to indulge in caprice and passion, frequently subversive of existing contracts, and in violation of every principle of justice are too familiar to you to require of me a more particular indication.

I should have before remarked that the organi-

zation of our Circuit Court, almost entirely robbed the District court of jurisdiction, and that that Court, now is a mere nullity.

It follows, therefore, that if there exists a necessity for the exercise of Federal adjudication in our State, that we shall have a competent number of terms, at least one other, which is the amendment I propose.

During the latter part of the Administration of Mr. Van Buren, a petition, embodying all the arguments in favor of the measure was gotten up, and signed by our best and most influential citizens, and placed in the hands of our Representatives in Congress, and thereupon, as I understand, a bill for the additional term passed the Senate without opposition, but by the negligence of our members in the popular branch was permitted to slumber on the Clerk's table undisturbed to the end of the Session.

I fear now, however, that as the election of Gen. Harrison has placed in office at least one individual in Missouri, not of the most agreeable odor to our representatives, that the measure will not receive from them the same hearty support as before, and I have to ask at your hands that you will extend to us a measure of justice, that I am not altogether satisfied our own immediate members, will award to us; although I will jog their memories, and convict them of inconsistency if they refuse their support. If you regard the application just, be pleased to enlist all the support you can, and you will confer a favor that will long be cherished in grateful memory by

Your friend and very

Obedient servant,

WM. HENRY RUSSELL.

N. B. The petition that induced the passage of the Senate bill, to which I have alluded above, I presume can be found on the files. This letter had better not be seen by our Representatives, as it might provoke an opposition that I do not desire.

W. H. R.