

Queensboro Ky
9 May 1963

Hon. J. R. Morton
Dear Sir

I hope you will not deem it
impertinent in a stranger to offer a suggestion.
The Court of Appeals in Powers or Commonwealth
held that Judge Cantrell must vacate the bench
the Commonwealth did not ask a rehearing upon that
point, the term during which that judgment was
rendered has expired, that Court has no power to
correct its judgment on that point however erro-
neous it might be; as between the parties to that
case, it is res adjudicata, tho in another case
between different parties, the Court of course
could overrule Powers or Commonwealth, yet it cannot
in the slightest degree modify its present judg-
ment, so far as either the Commonwealth or Powers
may be interested -

Why not simply protest against Cantrell's
usurpation, and when Powers may be convicted
apply to US Courts for his discharge, because
convicted "without due process of law"?