

MEMOIRS

OF

THE LIFE

OF

WILLIAM WIRT,

50 ATTORNEY-GENERAL OF THE UNITED STATES.

BY

JOHN P. KENNEDY.

A NEW AND REVISED EDITION.

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IN TWO VOLUMES.

VOL. I.  
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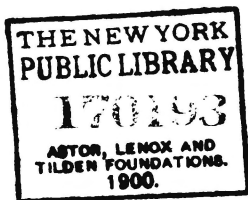
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## PREFACE TO THE NEW EDITION.



THE rapid sale of the first edition of these Memoirs brings a very agreeable testimony to the appreciation which the public has made of the character of him whose life I have attempted to illustrate.

In the preparation of the present edition, I have found necessity and opportunity for a revision of my work, which has enabled me to make some emendations; to correct some errors, both of the printer and my own; and now to offer it to the public in a condition, I hope, more worthy of that kind reception it has already met with.

J. P. KENNEDY.

BALTIMORE, December, 1849.

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“HERE LIES MILDRED,

DAUGHTER OF GEORGE AND LUCY GILMER, WIFE OF WILLIAM WIRT.

She was born August 15th, 1772, married May 28th, 1795, and died September 17th, 1799.

Come round her tomb each object of desire,  
 Each purer frame inflamed with purer fire,  
 Be all that 's good, that cheers and softens life,  
 The tender sister, daughter, friend and wife,  
 And when your virtues you have counted o'er,  
 Then view this marble and be vain no more”\*

Thus closed a short episode in his life, which comprehended some five years of early manhood, illustrated by his first access of that circle of friends who became the solace of his after days, and by the experience of the purest of all delights, the associations of the domestic hearth, its affections and its virtues.

The bitterness of that misfortune which broke in upon this period of content, for a time suspended his practice, and drove him to other scenes and occupations. He went to Richmond, where the Legislature was in session. His friends in that body persuaded him to become a candidate for the post of clerk of the House of Delegates. The emoluments of this office were sufficient for his comfortable support; and the duties belonging to it were not so engrossing but that he might pursue his profession whilst he held it. The office itself was one of sufficient consideration to be regarded by a young man, to whom all public station was new, as an advancement in the career of life. It had been occupied in past time, by Chancellor Wythe, by Edmund Randolph, and others of name and fame in the State. Wirt was elected, and forthwith entered upon its duties.

This appointment was so far serviceable to him that it brought him into acquaintance with some of the most distinguished men of the day. Mr. Madison, whom he had previously known, Mr. Giles, Mr. Taylor of Caroline, and Mr. Nicholas, were members of the Legislature at this session. Patrick Henry had also been elected to a seat

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\* I am almost afraid to claim these verses as original. But I believe they were written by Mr. Wirt. If my reader, more conversant than I am with the stores of this kind of literature, should be able to trace them to another author, he will excuse my error. They resemble in style and structure some few poetical effusions of Mr. W., which have come to my hands.

against a difficulty, it was I, in that matter. But my stammering became at last a martyr to perseverance; and, except when I get some of my youthful fires lighted, I can manage to be pretty intelligible now."

This was his recollection, after the lapse of many years, and was always pleasantly dwelt upon by him, as coupled with the reflection how completely he had vanquished these difficulties of enunciation, by careful attention and judicious practice.



## CHAPTER VII.

1802—1803

ELECTED TO THE POST OF CHANCELLOR—VALUE OF THIS APPOINTMENT—REASONS FOR ACCEPTING IT—COL. ROBERT GAMBLE—COURTSHIP—A THEATRICAL INCIDENT—SECOND MARRIAGE—REMOVES TO WILLIAMSBURG—LETTERS TO CARR—RESIGNS THE CHANCELLORSHIP, AND DETERMINES TO GO TO NORFOLK.

In the session of the Legislature which terminated in the winter of 1802, the last of the three sessions in which Wirt was the clerk of the House of Delegates, an act was passed for dividing the Chancery jurisdiction of the State into three districts. Heretofore the whole of this jurisdiction had been vested in a single Chancellor; and the venerable George Wythe had, for a long period, discharged its duties, with a fidelity and learned skill which have placed him in the rank of the most eminent jurists of the country. The increasing business of the court, however, had now rendered it indispensable that the labour should be distributed, and the Legislature had therefore passed the act to which I have referred.

The clerk of the House was agreeably surprised, before the close of this session, to find that the Legislature had selected him for one of these new appointments. He was altogether ignorant of their purpose to confer this honour upon him, until the moment when he was requested to withdraw from the House of Delegates, in order that his

## TO DABNEY CARR. . . . .

RICHMOND, February 13, 1803.

CARISSIME CURRUS:

\* \* \* \* \*

This honour of being a Chancellor is a very empty thing, stomachically speaking; that is, although a man be full of honour his stomach may be empty; or, in other words, honour will not go to market and buy a peck of potatoes. On fifteen hundred dollars a year, I can live, but if death comes how will my wife and family live? Her father and mother perhaps dead, her sisters and brothers dispersed to the ends of the earth, what will become of her? This is the only rub that clogs the wheels of my bliss, but it is in my power to remove even this rub, and, in the event of my death, in a few years to leave my wife and children independent of the frowns or smiles of the world.

What I have to ask you, then, is, shall I, for the sake of a little empty honour, forego the pleasure of this independence? a pleasure which would soothe me even in the hour of death; or shall I, for the sake of attaining this blessed independence, and the contentment and dignity of mind which belong to it, renounce at once the starving honour which I now possess? You may see, from the terms in which I state the case, that my own mind is in favour of the latter renunciation. Nevertheless, it would give me great satisfaction that my friends, too, approved of my plans.

The counsels of my friends in Virginia and Kentucky, press me with fervour to the latter country. There is an uncommon crisis in the superior courts of that State, and I am very strongly tempted to take advantage of it. I would go to the bar, and bend all the powers of my soul and body to the profession for fifteen years. In that time, I have no doubt, I should have amassed a sufficiency of wealth, to enable me to retire into the lap of my family, and give up my latter days to ease.

In the course of my business there, too, it would be my study so to unite my dignity with my interest as, in my old age, to be able to lead my sons (if I am blessed with sons) upon the theatre of life, so as to pre-engage for them the respect and confidence of the world, that they might never blush at the mention of their father's name, unless it were a blush of reflected honour and virtuous emulation. These are the scenes which dance before my delighted imagination, which I believe by no means chimerical; on the contrary, if I enjoy my natural health, I have no doubt (from the actual experience of others in the same State) of my ability to realize them. Such is the prospect on one hand. On the other, it is possible that I may, like Mr. Wythe, grow old in judicial honours and Roman poverty. I may die beloved, revered almost to canonization by my country,

and my wife and children, as they beg for bread, may have to boast that they were mine. Honour and glory are indeed among the strongest attractions, but the most towering glory becomes dust in the balance when poised against the happiness of my family.

If you think it right that I should resign, the questions which remain are, when shall I do so, and in what country shall I resume the practice of law?

As to this *when*? I am thirty years of age; fifteen years more will make me forty-five. In my opinion, a man of forty-five ought to be able to work or play as he pleases. I have no notion of toiling on till I am too old or too infirm to enjoy even retirement:—so that I have no time to lose.

As to the *where*? In Virginia, the most popular lawyer in the State merely makes the ends of the year meet,—I mean Edmund Randolph. I have this from the gentleman who keeps his books. Virginia, therefore, is not the country for my purpose. The federal city is not to my taste, or interest. It would require too much time there to take root. In the soil of Kentucky, every thing flourishes with rapidity. Besides, I love the ardent character of the State; and, moreover, it is a country calculated to give a man his choice of modes of life. Land being cheap and fertile, he may farm it on his country-seat, or dash away, when his wealth will authorise it, in the circles of the gay, or float his commercial speculations down the Mississippi. This latter view of the subject is meant to apply to the various views of those to whom I shall, with the blessing of heaven, give my name.

Pray let me have your thoughts at large on this subject.

\* \* \* \* \*

Heaven preserve you,

Your friend,

WM. WIRT.

TO DABNEY CARR

WILLIAMSBURG, March 20, 1803.

\* \* \* \* \*

You speak of my removal to Kentucky like a friend. The separation from many who are dear to me will be painful. It is a pain which I seem to have been destined to suffer more frequently than almost any body else equally fond of friends. From the time I first left my native roof (at the age of seven) I have lived nowhere, except merely long enough to let my affections take a firm root, when, either want or calamity has torn me up, and wafted me into some strange and distant soil. Eight or ten times I have experienced this fate:—and although a separation from those whom I love and who love me, however often repeated, would still be painful, I derive comfort from



the thought that my stars have never yet thrown me upon a soil too cold or barren for friendship and love. And besides, were I to remain here, I should be almost as much lost to you and my other beloved friends in Albemarle, as if I were on the banks of the Ohio. I owe you, my dear friend, a detail of the reasons which actuate me in this measure, and I render it with pleasure.

If I had nothing else to consider but the immediate support of my family, I should be obliged to resign my Chancellorship. Although you cry out "*qui fit Mæcenas*," it is not caprice, but the iron hand of want, which impels me to this resignation. It is true that by rejecting every social advance from the inhabitants here, which I should be obliged to do, since I could not return them; by immuring myself, from day to day and forever, within the solitary walls of my own house, my salary might be sufficient to purchase bread and meat, and such raiment as such a life might require; but these are conditions which I choose not to impose either on others or myself. Another consideration, replete with terror, is that, as my salary depends on my own life, my death would throw my wife and children on the charity of a cold and selfish world. All these things considered, and also that I am now in the prime of life, I would ask whether it would not be mean, little, and worthy of eternal infamy, to sit quietly down against the light of conscience, and see these misfortunes coming upon me, one after another, in direful succession? Would you think a man worthy of your friendship who should be capable of such disgraceful indolence?

The resignation of the Chancellorship becoming thus inevitable, the only remaining question is, where shall I resume the practice of my profession? The answer clearly is, in that country where I can, with most certainty, achieve the object for which I resign. That is, a support for my family, independent of the world and of my own life. You understand me. This is a question which I have deliberately considered—not in the delirium of a Kentucky fever, "*hissing hot, Master Brooke*," but with all the scrupulous, conscientious coolness of which my mind is capable.

You ask, why quit the State which has adopted, which has fostered me, which has raised me to its honours? It is the partiality of your friendship which puts this question. I am sure that it is very immaterial to Virginia where I reside.

\*             \*             \*             \*             \*

I throw this point entirely out of the question, and consider simply the interests of my family: to this I am determined that every feeling of private attachment and prepossession for Virginia shall bend. Knowing, as I have done experimentally, the agony to which the want of wealth, or at least independence, exposes any mind not devoid of sensibility, it becomes a point of conscience, in the first place, and

soon an object of pleasurable, of delightful pursuit, to shelter those who are dear to me from all danger of the like torment. Having once effected this purpose, death, who would be to me now a king of terrors indeed, would become merely a master of ceremonies to introduce me into the apartments above.

You ask me how many you could name who are now amassing at the bar, in this country, wealth as fast as their hearts can desire, or quite fast enough? I answer, I don't know how many you could name. W., it is true, made a fortune.— C. is also making a fortune.— With the exception of these two, there is not another individual who has hitherto done this at the bar of these courts, or who is now in the way of doing so. I am not sure of John Taylor of Caroline. He, however, practised at a most auspicious period; such a one as does not now exist. Baker, Innes, Pendleton, Wythe, Marshall, Washington and others,—what have they made *by the profession*? Not more than the most ordinary lawyer in Kentucky is able to do in five or six years.

\* \* \* \* \*

Between ourselves, I was thirty years old the eighth day of last November. Have I any time to lose? and, considering “the uncertainty of life and the certainty of death,” is it not the highest wisdom to improve every flying moment to the best advantage? Ten years of life would do but little here. In Kentucky, they might and probably would make my family affluent.

For the first time in my life (and with shame I confess it) I look forward, my dear Dabney, with a thoughtful mind, and a heart aching with uncertainty, to the years that lie before me. I cannot abide the reflection that the time shall ever come when my conscience shall reproach me with having neglected the interests and happiness of my family; with having involved, by my want of energy and enterprise, a lovely and innocent wife, with a group of tender and helpless children, in want and misery.

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But Hope, like an angel of peace, whispers to my heart that this shall not be. She does, indeed, sketch some most brilliant and ravishing scenes to my waking as well as sleeping fancy. Wealth, fame, respect, the love of my fellow-citizens, she designs with the boldness and grandeur of an Angelo, while, with all the softness and sweetness of Titian's pencil, she draws my wife and a circle of blooming, beautiful and smiling cherubs, happy as innocence and peace and plenty can make them.

\* \* \* \* \*

Your friend,

WM. WIRT.

The Chancellorship was resigned in May, 1803, and the project of the emigration to Kentucky abandoned. Wirt now determined to take up his abode in Norfolk, in accordance with Mr. Tazewell's advice, although, for the present, he still resided in Williamsburg.

## TO DABNEY CARR.

RICHMOND, June 6, 1803.

\* \* \* \* \*

Well, sir, you have heard that I have disrobed myself of the Chancellor's furs, and I feel much the cooler and lighter for it. Not but that there was some awkwardness in coming down to conflict with men, to whom, a few days before, my dictum was the law. The pride was a false one, and I revenged myself on it. I feel little triumph in being thus able to get out of myself, to survey, from an intellectual distance, the workings of my own heart, to discern and to chastise its errors.

The man who can thus make an impartial and candid friend of himself, has gained a great point in the reformation and perfection of his character.

Thus it is that a man balances the account of his feelings; mortification presents her charge, and vanity raises a countervailing item.

You are aware that I am already done with the Kentucky project. I heard, very lately, that there was no *cash* in that state; that fees were paid in horses, cows and sheep, and that the eminence of their lawyers was estimated by the size of their drove, on their return from their circuits: while, on the other hand, I was drawn to Norfolk by the attractions of her bank.

The single experiment which I have made, justifies this latter move. I have been to one District Court, at the town of Suffolk, received cash two hundred and eleven dollars, and received other business, from substantial merchants, making the whole amount of the trip five hundred and twenty-eight dollars, which I consider as no ill omen of my future success. In one word, I am assured, and I have every reason to believe it, that my annual income will be twelve hundred pounds, on one-half of which I can maintain my family, even were it much larger than it is. Two or three years' practice will put me in the possession of cash which, in such a place as Norfolk, I shall be able to turn over to the greatest advantage; and, all things considered, I do not think the hope extravagant, that by the time I am forty, or, at farthest, forty-five, I shall be able to retire from the bar, in ease and independence, and spend the remainder of my life in the bosom of my family, and in whatever part of the country I please,—

## TO DABNEY CARR.

NORFOLK, January 16, 1804.

MY DEAR AMINADAB :

Yours, of the 31st ult., reached me by the last mail. I am rejoiced that this silence is at last broken. I was several times on the point of breaking it myself, although, as you acknowledge, you were a letter in my debt; but some perverse circumstance always thwarted the intention. Indeed, like Martha, I have been busy about many things; though I hope that, like Mary, I have chosen the better part.

This is Sunday, so you must allow me to be a little scriptural. But waving with you the *why* and the *wherefore*, I rejoice at this resurrection of our correspondence, and I trust that no wintry circumstance will ever again occur to suspend its pulse of life even for a moment. Mark, sir, how metaphorical I am! But, in plain and sober earnest, I look to you as one of those few well-trying and dearly-beloved friends who will often relax my "brow of care," and checker, with soft and genial light, the dusky path of life. I look forward, with a kind of plaintive pleasure, to the period when, after my bones are in the grave, my children, in turning over my old letters, will meet with yours and my dear Peachy's,\* and, with eyes swimming with tears, hang over your warm and affecting expressions of love and friendship. It is this that touches my heart; it is this pathetic prospect, connected with the present enjoyment of your intercourse, that fortifies me against the chances of the world, and new strings my system for the labours of my profession. But for the domestic joys which encircle me, and the conviction that I have a few valuable friends by whom I am known and beloved, I should be the poorest wretch for business that ever groaned upon the earth. How can men toil as I see them doing here; business in their heads, business in their hearts, business forever in their faces, without one palpitation to tell them what love and friendship mean? Not, my dearest sir, that I would turn my back on any business, however herculean, but I must unbend and refresh whenever the voice of pure affection calls me. Often, my dear Dabney, may yours call me! You will find my heart ever ready to echo you.—But to answer you, in order.

I come, in order, to a certain author y'clept the British Spy. I shall not be either so unfriendly or so childishly affected as to deny the brat to be my own. To the world, however, I do not choose to make any such proclamation, for divers obvious reasons. Indeed, I gain nothing by this silence. The *thing* is as generally and confidently imputed to me, as if my name were in the title-page. For

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\*Mr. Peachy Gilmer, an elder brother of Francis Walker.

you are to understand that, very far beyond my expectations, the printer has found it his interest, not only to bind it up in a pamphlet, but to issue a second edition. It is meet that I give you some account of the rise and progress of this affair.

I was in Richmond, attending on a business with whose painful anxieties experience has made you acquainted. It was to divert my own mind, during this period of uneasiness and alarm, that I began to write. But after the project was thus started, I will acknowledge to you, my friend, that there were secondary considerations which supported and warmed me throughout the enterprise. I was gratified by the encomiums which were generally pronounced on the composition, and I was still more delicately gratified in observing the pleasure with which my wife heard those encomiums. I was flattered by the circumstance that, while the world applauded, it concurred in imputing the production to me; and this without any other evidence than that of the work itself. For the imputation proved, at least, that the world had not a disadvantageous opinion of my understanding. I adopted the character of a British Spy, because I thought that such a title, in a republican paper, would excite more attention, curiosity, and interest than any other: and having adopted that character, as an author I was bound to support it. I endeavoured to forget myself; to fancy myself the character which I had assumed; to imagine how, as a Briton, I should be struck with Richmond, its landscapes, its public characters, its manners, together with the political sentiments and moral complexion of the Virginians generally. I succeeded so well that in several parts of the country, particularly in Gloucester, and in the neighbourhood of Norfolk, the people went so far as to declare that they had seen the very foreigner, (and a Briton he was, too,) who had written the letters. The editor of a paper in Massachusetts, by whom the letters were republished, declared his opinion that the author was an American who had received his education in Great Britain, and had now returned to his native country. Otherwise he could not account for the union of British prejudice with the intimate knowledge of this country, which was manifested in the work. You may be sure that I was not a little tickled with these sagacious guesses. Unfortunately, however, in my zeal to support my adopted character, I forgot myself too far in some of the letters. Hence the strictures on the entertainers of Dunmore's son; hence the portraits of living characters, which I drew with a mind as perfectly absorbed in the contemplation of the originals, and as *forgettive* of personal consequences "as if I had really belonged to another planet;" and, upon my honour, with as little ill-will towards either of the gentlemen. It was not until it appeared in print that the letter portraying R — and W — startled me. Then the indiscretion stared me full in the face; but "the die was cast,"—and, to make the worst of it, I had merely published imprudent truths. But I had made enemies of

the gentlemen themselves, with all their connexions and dependencies. To W—— I have made some atonement in the last edition, because of the magnanimity with which he viewed the publication; but to R—— I have not offered, and I never will offer, an expiation. He had the vanity to declare that the whole work, although it embraced such a variety of topics, had one sole design, and that was to degrade him; was weak enough to mention, in one of his arguments before Mr. Wythe, “the scrutinizing eye of the British Spy,” and to express to his brethren his wish that the British Spy was practising at that bar. This has been told me on unquestionable authority. In his last wish he has been in a measure gratified. He was called to the bar of the Suffolk District Court in an important case in which I opposed him. The question was a legal one, and the argument, of course, addressed to the court. He had the conclusion, and, as Tyler and Prentis were the judges, I was a little uneasy lest the weight of R——’s name, added to the authoritative manner of his speaking, should have an undue effect on their honours; for this reason I thought myself authorised to express this apprehension, which I did with the highest compliments to his eloquence. I went farther, and anticipated, as well as I could, not only the matter but the very manner of the replies which I supposed he would make to my argument. I am told that all this was most strikingly in the spirit, style, and manner of the British Spy. I had, however, no intention to wound his feelings, but merely to do justice to my cause, and give it fair play before the court.

Apprehending, from the faces of the company, as well as from the mortified looks of R——, that I had gone beyond my purpose, and said more than the occasion justified, I spoke to him, and stated very sincerely the purpose of my remarks. He professed to be satisfied; but he was disconcerted and wounded, past all power of forgiving. He was so confounded, that in his argument he manifested nothing of the orator, nor even of himself, but the person and voice. His arguments were the very weakest his cause furnished; his order (to use an Irishism) was all confusion, and he is said to have made the very worst speech that he ever did make. In short, he disappointed every body, and lost a cause which he had declared himself, all over the country, sure to gain. If he had never been my enemy before, that one adventure would have made him so. He is, I suppose, implacable; but, as my heart acquits me of any premeditated injury, and as I fear him not, I am very little disturbed at his displeasure. Mr. W—— is not only reconciled, but, to all appearance, even partial to me, since he has been lately instrumental in promoting my professional benefit. Marshall, too, has given me a fee in a Chancery case. Perhaps they are pleased in running parallels between themselves and some great Roman, as Julius Cæsar, who, being severely libelled by Catullus, invited his libeller to supper and treated him so courteously,

that he was ever after his friend. Be it so. I am sure that I am no libeller in intention; and, if I am not blinded by partiality, the portraits in question are marked with candour and benevolence. With regard to the justifiability of the thing, I am not yet convinced that established lawyers are not proper game for the press, *so far as concerns their talents*; nor am I clear that the procedure was wrong on the ground of public utility. That it was indiscreet, I am willing to admit, and I heartily wish I had let them alone. Yet I am very sure that a great part of the public interest excited by the Spy, is imputable to those portraits of prominent characters. For my own part, I declare sincerely, that when I shall have reached that age in which I may be supposed to have touched the zenith of my mind, I should be so far from being displeased, that I should be gratified in seeing my intellectual portrait set in a popular work.

It was alleged, by a writer in the Examiner, under the signature of Cato, that, "in a professional point of view, the Spy was ungenerous, because it was an attempt in the author to degrade the talents of competitors whom he ought to have met only on equal terms."

Now, the fact is, that they are no competitors of mine. I do not practise in the same court with any of them, and whether they are deified or damned, my revenue will be the same. How, then, is my *interest* involved in the affair; even if I were capable of being influenced, in such a case, by so sordid a principle?

I cannot help being surprised at what you tell me relative to the opinion of my political apostasy. I am not, indeed, surprised that such an opinion should exist; for, after the dereliction of B——, almost any suspicions of this nature, about *any body*, are pardonable. But what *I am* surprised at is, that any man, however "young," who deserves to be "highly esteemed for intellect," should believe the British Spy to contain evidence of my apostasy.

For the purpose of personal concealment, as well as for the purpose of keeping alive the public curiosity, it was my business to maintain the character which I had assumed, and therefore the sentiments of the Spy are those of a Briton. Would it not have been absurd to clothe a Briton with the opinions and feelings of a Virginian and a Republican?

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I am glad that you, yourself, have viewed this subject in a proper light. No, my dear Dabney, I am not changed. If I were basely disposed to apostatise, I should at least have more cunning than to choose this time for it, when the refulgence of the administration has struck its enemies blind and dumb. Those who suppose me an apostate, pay as poor a compliment to my understanding, as they do to the rectitude of my heart. But I am not angry with them for it; since, from what America has exhibited in some of her leading

characters, each man in the community has a right to exclaim with Cato, "the world has grown so wicked, that I am surprised at nothing."

Your remarks on the Spy, as a writer, are, I think, rather the sentiments of a friend, than the opinions of a critic. Let me give you my opinion of those letters. Putting aside the traits by which the author sustains his dramatic character, his sentiments are generally just, and sometimes display the man of feeling. But his disquisitions are too desultory, and the topics too lightly touched to contain much of the useful. The letters bespeak a mind rather frolicsome and sprightly, than thoughtful and penetrating; and therefore a mind qualified to amuse, for the moment, but not to benefit either its proprietor, or the world, by the depth and utility of its researches. The style, although sometimes happy, is sometimes, also, careless and poor; and, still more frequently, overloaded with epithets; and its inequality proves either that the author wanted time or industry or taste to give it, throughout, a more even tenor. Yet these letters are certainly superior to the trash with which we are so frequently gorged through the medium of the press.

Such is the character which, if I were a critical reviewer, and were reviewing this work, I should certainly give of it; and yet, I cannot but confess that if a critic of reputation were to draw such a character, I should be as much mortified as if it were unjust. Strange, inconsistent creature is man! But enough of the Spy, — except that I will tell you I was very near drawing the character of "the Honourable Thomas" in it. I had the outlines fixed in my mind, but I found, on the experiment, that in finishing up the portrait, I should be obliged, either to sacrifice the unity of my assumed character, or to dilute some of the colours in the most unpardonable manner. I had another consideration. He was the President, with a considerable train of patronage; and, by the time which I had fixed for the insertion of his portrait, I had begun to be suspected as the author of the Spy. I knew, therefore, that political malignity and meanness would ascribe the sketch to motives which I disdain. On all which accounts, citizen Thomas has escaped being butchered by my partiality for him.

You are beginning, by this time, to accuse me of egotism; but, between friends, there is no such thing; for, friends are one and indivisible. Besides, I have said nothing more than what I thought necessary to vindicate myself against aspersions which you have, no doubt, read, and which, perhaps, form a part of that torrent of abuse which has been, and still is, pouring out against me.

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Little did I dream of such serious consequences from what, to me, seemed an innocent sport; much less did I dream that those trifles would have survived the newspaper ephemera of the day; and least



of all, that they would have been perpetuated and extended by a second edition of the pamphlet. O tempora!

\* \* \* \* \*

Excuse my *brevity*, and believe me

Your friend,

WM. WIRT.

TO DABNEY CARR.

NORFOLK, June 8, 1804.

\* \* \* \* \*

You will acquit me of the poor vanity of boasting of the pressure of business. In the Borough of Norfolk every drone feels the pressure of business. This pressure often, too, depends less on the quantum of business than on the strength and dexterity of the agent. If I had given more of my time to the books and practice of my profession, I should have less investigation and toil to undergo now; but I used to think it enough to have a tolerable understanding of that kind of business which usually occurred in the middle country. I had not the noble and generous emulation which should have incited me to master the science of law in all its departments. The consequence is, that being transplanted to the shores of the Atlantic, where the questions grow almost entirely out of commerce, I have fallen into a business totally new to me, and every case calls for elaborate examination. But I deserve the addition of this labour, and willingly do penance for my past idleness. The principal inconvenience resulting from it is, that I have no time left for reading; and now, most perversely, because it is impracticable, I am stung with a restless passion for the acquirement of science. In this dilemma I have no refuge or consolation, except in very distant prospect. I look on, perhaps with fond delusion, to the time when I shall be able to retreat from the toil of business; when, in the bosom of my own family, I shall find the joys of ease, independence, and domestic bliss—become a very epicure in literary luxuries, and *perhaps* raise some monument to my name, to which my posterity, at least, may look with pleasure. I grant it, sir—it is extremely visionary—it most probably never will come to pass—but possibly it may, and the possibility, remote as it is, reflects a cheering ray to gild the darkness of the present moment. Not, indeed, that the present moment is as dark as Egypt once was. It is true, that I have yet to struggle into notice; I have yet a fortune to make, a family to provide for—a family who, if my life were terminated in any short time, would be thrown on the charity of the world. It is this reflection that wraps my soul in gloom, and the horror is deepened, when I consider the climate of Norfolk, and remember that I am yet a stranger to it. To think of this, and then

## CHAPTER XII.

1806.

REMOVES TO RICHMOND.—A PROFESSIONAL CASE OF CONSCIENCE.  
—DEFENCE OF SWINNEY.—CHANCELLOR WYTHE.—JUDGE CABELL.—LETTER TO MRS. W. ON SWINNEY'S CASE.—FONDNESS FOR MUSIC.—LETTER TO F. W. GILMER.—RECOLLECTIONS OF PEN PARK.

His dwelling-place is now once more in Richmond. His return to the bar there is signalized by a case of conscience, the proposing of which shows that he had now reached that point in his profession in which, no longer impelled by hard necessity, he might debate with himself a question of casuistry, upon the merits of taking employment in a criminal cause, wherein he had reason to believe the criminal unworthy of defence. This is a new era in his forensic life. It is an incident which does not always arrive in the career of even eminent lawyers. The point has often been a debated question. The better opinion of the bar seems generally to have settled it on the side of their own interest; much to the gratification of culprits, who, however steeped in iniquity, find no lack of energetic and skilful defence from the brightest, if not the best, lights of the profession. A trial is regarded as a species of tourney, in which the champions are expected to show their prowess—to use a phrase of the British Spy—in “forensic digladiation,” as little concerned with the intrinsic right or wrong of the accusation, as the knights of the ancient tilting-yard were with the real merits of the beauty of their respective mistresses. The laws of chivalry placed the true knight in a category somewhat resembling that of Captain Absolute. “Zounds, sirrah, the lady shall be as ugly as I choose: she shall have a hump on each shoulder; she shall be as crooked as the crescent; her one eye shall roll like the bull’s in Coxe’s Museum; she shall have a skin like a mummy, and the beard of a Jew,—she shall be all this,—and you shall ogle

her all day and sit up all night to write sonnets on her beauty." The question of conscience ordinarily fares no better in the courts, in the customary tilting there in defence of suspected innocence.

The case which now exercised the mediation of Wirt was that of a man, by the name of Swinney, charged with the crime of poisoning the venerable Chancellor Wythe, who had just died in Richmond, under circumstances which led to a strong suspicion of the guilt of the accused. Chancellor Wythe was one of the best men the country ever produced. Distinguished for the simplicity of his character, his bland and amiable manners, his uprightness and steadfast devotion to duty, he was universally beloved in the society of Richmond.

I am indebted to a most estimable lady, the wife of Judge Cabell, of Richmond, the President of the Court of Appeals of Virginia,\* to both of whom frequent reference will be found in these memoirs, for some recollections of the Chancellor which very agreeably confirm what has been often said of his gentle and philanthropic temper; and which will also afford melancholy testimony as to the foul deed which is supposed to have terminated his life.

This lady, in a letter to her sister, Mrs. Wirt, says:—"You and I may remember the trouble he gave himself to entertain the visiters of his young niece, Miss Nelson, who lived with him a few years. She and all of us were almost children, and few grown men would have found any interest in staying in the room where we were. But the good old gentleman brought forth his philosophical apparatus and amused us by exhibiting experiments, which we did not well comprehend, it is true, but he tried to make us do so, and we felt elevated by such attentions from so great a man.

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\* William H. Cabell, the gentleman here alluded to, now at the head of the Bench of Virginia, crowned with the richest honours of a ripe old age, and surrounded by an affectionate circle of friends, married Agnes, the eldest daughter of Col. Gamble, and sister of Mrs. Wirt. He represented Amherst county in the Legislature of Virginia from 1795 to 1805, except during three years of this interval. In 1805 he was elected Governor of the State, and at the expiration of three years was appointed to the Bench of the General Court. He was transferred, in 1811, to the Court of Appeals, of which he is at this time (1849) the President. The connection between him and Mr. Wirt, laid the foundation of an intimate friendship, which was increased with every succeeding year until death dissolved it. Many proofs of this may be found in the correspondence to which our narrative hereafter refers. In this intimacy, it will be seen also, that Joseph Cabell, the brother of the Judge, largely participated.

“To test the theory that there was no natural inferiority of intellect in the negro, compared with the white man, he had one of his own servant boys and one of his nephews both educated exactly alike. I believe, however, that neither of them did much credit to their teacher.

“The young men who studied law with him, or who were occupied in his service, were all devoted to him. Henry Clay was one of them. The Chancellor lived to a very old age. In his appearance he was thin, rather tall, but stooped from age and debility, as he walked to and from the Capitol to his own house. He generally lived alone, but in his latter years he had a nephew with him to whom he intended to bequeath his estate. This was Swinney. The common belief was that this man, being impatient for his uncle’s money, poisoned him. He was tried for his life. Mr. Wirt was his lawyer, and he was acquitted. Yet there was but little doubt of his guilt in the minds of most persons. The cook said that he came into the kitchen and dropped something white into the coffee-pot, making some excuse to her for doing so. She and another servant partook of the coffee. I have heard that the latter died in consequence. The coffee-grounds being thrown out, some fowls ate of them and died. The unhappy old gentleman lived long enough after taking the coffee to alter his will, so that the suspected man got no portion of his estate at last. The coffee-grounds were examined, and arsenic was found in abundance mingled with them.”

This little sketch presents the outlines of the case, as it was developed at the trial and in the investigations of the day.

Wirt’s doubts, to which I have alluded, upon the propriety of engaging in the defence of Swinney, are told in the following letter written from Williamsburg, after he had engaged his house in Richmond, and in the moments of his removal thither.

TO MRS. WIRT.

WILLIAMSBURG, July 13, 1806.

\* \* \* \* \*

“I have had an application made to me yesterday, which embarrasses me not a little, and I wish your advice upon it. I dare say you have heard me say that I hoped no one would undertake the de-

fence of Swinney, but that he would be left to the fate which he seemed so justly to merit. Judge Nelson, himself, has changed, a good deal, the course of my opinions on this subject, by stating that there was a difference in the opinion of the faculty in Richmond as to the cause of Mr. Wythe's death, and that the eminent McClurg, amongst others, had pronounced that his death was caused simply by bile and not by poison. I had concluded that his innocence was possible, and, therefore, that it would not be so horrible a thing to defend him as, at first, I had thought it. But I had scarcely made up my mind on this subject, little supposing that any application would be made to me. Yesterday, however, a Major A. M., a very respectable gentleman, and an uncle to Swinney on the mother's side, came down in the stage from Richmond, and made that application in a manner which affected me very sensibly. He stated the distress and distraction of his sister, the mother of Swinney; said it was the wish of the young man to be defended by me, and that if I would undertake it, it would give peace to his relations. What shall I do? If there is no moral or professional impropriety in it, I know that it might be done in a manner which would avert the displeasure of every one from me, and give me a splendid *debut* in the metropolis. Judge Nelson says I ought not to hesitate a moment to do it; that no one can justly censure me for it; and, for his own part, he thinks it highly proper that the young man should be defended. Being himself a relation of Judge Wythe's, and having the most delicate sense of propriety, I am disposed to confide very much in his opinion. But I told Major M., I would take time to consider of it, and give him an answer, at the farthest, in a month. I beg you, my dear B., to consider this subject, and collect, if you can conveniently in conversation, the opinions of your parents and Cabell, and let me hear the result. My conduct through life is more important to you and your children than even to myself; for to my own heart I mean to stand justified by doing nothing that I think wrong. But, for your sakes, I wish to do nothing that the *world* shall think wrong. I would not have you or them subject to one reproach hereafter because of me."

\* \* \* \* \*

On such a question as is here proposed—indeed on most questions of conduct or duty,—the sensibility of an intelligent and virtuous woman is often worth more than all the dialectics of the most accomplished casuist, to discern what it best becomes us to do in a matter that touches our reputation. Her feelings are but the quick perceptions of a heart that reasons better than the mind. Guided by the instinctive love, characteristic of her sex, of what is beautiful, not less in moral than in physical life, she lights upon her conclusion with a rapidity and a truth which outstrip all argument in speed, and

often, in equal degree, surpass it in wisdom. When this judgment is stimulated by the affectionate anxiety of a wife, it is even less apt to stray into error: the very tenderness of her relation renders it the more impartial.

How it fared in regard to Swinney's case, is told in a passage from a letter written within ten days after the last. \* \* \*

"I shall defend young Swinney under your counsel. My conscience is perfectly clear, from the accounts I hear of the conflicting evidence. Judge Nelson again repeats, on consideration, the opinion he before gave me as to the perfect propriety of the step."

Swinney, as we have seen, was tried and acquitted. I have no record to furnish me the grounds of this acquittal, much less to enable me to say any thing of "*the splendid debut*" which Wirt anticipated.

It is not unlikely that the trial terminated in favour of the accused from a defect in the evidence, by no means unusual in those states, whose statutory law disqualifies a witness from giving testimony, upon objections founded merely in the race or blood of the person acquainted with the facts. The cook in this case, who seems to have been, perhaps, the only direct witness, we may conjecture, was a negro, and forbidden to be heard in a court of justice. If this be the real cause of the acquittal, it presents a very striking and cogent example of the impolicy of a law so prevalent in the United States. It may well be questioned, whether more inconvenience and mischief do not result from such legal restraints as disable our familiar servants from testifying to the thousand transactions in which our interest is concerned, and under circumstances that scarcely admit of other testimony, than can be compensated by any supposed good which may properly be ascribed to the disqualification. Is there, in fact, any just ground of policy in shutting off the only testimony by which innocence may be proved, guilt established, or common matters of right determined? Are not courts and juries sufficiently able to judge of the credibility of a witness in every case?

We pass from these speculations to the regular course of our narrative.

Wirt was passionately fond of music, and devoted a portion of his time to its cultivation throughout every period of his life. The

waves were closing over my head, and cutting me off from all that delights me. To be buried in law for eight or ten years, without the power of opening a book of taste for a single day! "O horrible! horrible! most horrible!" O for that wealth that would enable me to wander at large through the fields of general literature, as whim or feeling might direct, for days and weeks and months together, and thus to raise, enlighten, and refine my mind and heart, until I became a fit inhabitant for those brighter fields of light that lie above us!

Do you think that a fellow, after *wrangling and crangling* (as Daniel Call says) for twenty or thirty years on this earth, is fit to go to heaven? Don't you think he would be perpetually disturbing the inhabitants by putting cases of law, and that he would be miserable for the want of a dispute? If so, well may it be said, "Wo unto you, ye lawyers!"—The which "wo" I think it might be wise in us to interpret quadrupedantically, and cease from our wicked labours. But what can we do? "Ay!—there's the rub that makes calamity of so long life; that makes us rather bear the ills we have, than fly to others that we know not of." But more of this anon. For the present, with love to Mrs. C. and your children, not forgetting Frank, adieu. I am alone,—my wife is gone back to Cabell's,—but, nevertheless,

Your friend,

WM. WIRT.

TO DABNEY CARR.

RICHMOND, December 17, 1810.

MY DEAR FRIEND:

A bill introduced by Blackburn to increase the number of Judges in the Court of Appeals has been made the order of this day.

This measure, I apprehend, is too important to be disposed of immediately; but I consider it as the harbinger of all the great measures of the session, and the signal for debate. I would recommend it to you, therefore, to be here in the course of this week, or at all events, by Sunday.

I am told that, in point of abilities, we have a better House now than we have had for several years. Those who make it so must, however, be all young men, except Colonel Monroe; and of the young men our system of education is too defective to expect much. How little does it resemble a Roman senate!

Can you conceive any pleasure superior to the enjoyment of hearing a debate, on a great public measure, conducted by such men as Cicero, Cato, Cæsar, and their compeers;—that pleasure which Sallust so often tasted, and of which he has left us such brilliant specimens? What stores of knowledge had those men; what funds of argument, illustration and ornament; what powers of persuasion, what force of reason, what striking and impressive action, what articulate and melo-

dious elocution!—yet each speaker marked with a character of his own, which distinguished him from all the world,—the sportive amenity of Cicero, the god-like dignity of Cato.

How interesting must it have been to listen to Julius Cæsar, and watch the sly operations of that ambition which he must have curbed with so much difficulty! I think it is Plutarch who tells us that Cicero said of Cæsar, “that when he saw him adjusting his locks with so much care, he could not help regarding him with some degree of contempt, as a fop and a trifler; but when he heard him speak, he trembled for his country!” or something to this effect.

But, without going back to Rome, how little does any House that we have had for some years past resemble the House in which Jefferson, Pendleton, Henry, Richard H. Lee, Wythe, Bland and others were members; or the Convention which ratified the Constitution; or the Assembly of '99–1800, in which Madison, Giles, John Taylor of Caroline, Brent, Swann, Tazewell and Taylor of Norfolk were members!

Yet, without any extraordinary prejudice in favour of antiquity, I apprehend that we have never yet, by any of our Houses, matched a Roman senate *as a whole*. The system of education at Rome seems to have been such a one as to turn out *every young man* accomplished, at all points, for the service of his country. And when a young man was emulous of any thing extraordinary, he visited and received the instructions of every foreign school distinguished for science or eloquence,—as we see in the example of Cicero,—and thus extracted and mingled the sweets of every exotic and indigenous flower.

When will our young men ever take these pains? For I persuade myself that nothing is necessary but a general exertion, “a heave together,” aided by a judicious course of education, to make the people of this country equal to any in the world, ancient or modern.

In the few instances of eminent exertion which have occurred, a weight of mind has been attained which has rarely, if ever, been surpassed; that is to say, the exertion has produced the effect which was aimed at—knowledge, strength, discrimination; but this exertion has never been pointed with such success at the art of public debating, as to bring us near old Rome.

I see, in the last number of Rees' Cyclopædia, a remark extracted from Thilwall's Lectures on Elocution, which seems to me very just: he says that our inferiority to the ancient orators consists not in the substance of what we say, but in the manner of it—that is, in elocution, which includes every thing that relates to the delivery, more particularly the articulation and intonations of the voice, together with the time, as musicians call it.

To this purpose, what engines were the public schools of eloquence among the Romans, and still more, perhaps, the extemporaneous lectures of the travelling philosophers from Greece! What whetstones



to the emulation of young men, the splendid examples of rhetoric which those philosophers were every day exhibiting, and the raptures of applause with which they were heard! Compared with such incentives as these, how dull and low is every thing we see in this country! — a jig upon the banjo of an ash-covered negro, compared with an anthem on Handel's organ!

I am still of the opinion that an extemporaneous lecturer, well fitted for the office, might perform wonders for the young men of this country. What might not Ogilvie have done, if his enthusiasm had been backed by the genius and mellifluous eloquence of Plato!

It is true that experimental philosophy and revelation have taken away the themes of the Roman and Grecian philosophers, in a very great degree; but themes enough still remain in physics, ethics, politics, &c. Think of such a man as Parson Waddell, the master of a school of eloquence!

Here I am betrayed into an essay, when I only sat down to announce to you that I thought it was time for you to come hither. It is well enough, however, to keep down your expectations, and prevent such another disappointment as you experienced last winter at Washington.

Some years ago, Ritchie drew a character of Tazewell, in which he accounted for the deficiency of the State Legislature, by saying that all our talents had gone into Congress. What would he be able to tell an observer, now, who should travel with him from Richmond to Washington, so as to see both Houses? But enough of this.

We shall look for you about Friday, and thenceforward till we see you.

I expect Peachy also; and Billy Pope is to be in town at the same time. He is full of anticipation.

Remember us affectionately to Mrs. C.; and give my love to your brothers.

WM. WIRT.

TO DABNEY CARR.

RICHMOND, December 24, 1810.

MY DEAR FRIEND:

Your two favours of the 18th and 20th were brought me yesterday morning, while at breakfast. And although the intelligence that we were not to see you till the 10th January was a drawback, to which I am not yet reconciled, I read both your letters, but especially the last, with unusual pleasure.

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I shall immediately announce your day, both to Pope and Peachy.

The author of the essays on the United States Bank, is a very intimate friend of mine, and one who is very strongly disposed, and

This is a poor return for your long kind letter; but you are good-natured, and must therefore expect to be imposed on.

We all join in love to you.

Your ever affectionate friend,

WM. WIRT.

The scheme of writing biography was yet kept alive, as a project of future accomplishment. That scheme, as the reader is aware, embraced the purpose of a series of lives of the most eminent Virginians. It ultimately resulted in the production of the volume containing the biography of Henry. The rest of the plan was abandoned. The motives which led to this restriction of the scheme, are most probably those which are suggested in the following letter of Judge Tucker, whom Wirt had frequently consulted on the subject. The Judge, as we have remarked, was a man of letters, of extensive reading and observation, and one who had had many opportunities to become acquainted with the principal personages embraced in the biographical scheme. The letter of Wirt to him upon this occasion, I have not seen. It is probable it was not preserved. But this reply to it, contains some just remarks upon the difficulties belonging to the task in view, and which were doubtless felt by Wirt, in the further contemplation of this scheme, to an extent which induced the abandonment of his purpose.

#### ST. GEORGE TUCKER TO WM. WIRT.

WILLIAMSBURG, April 4, 1813.

MY DEAR SIR:

\* \* \* \* \*

American biography, at least since the conclusion of the peace of 1783, is a subject which promises as little entertainment as any other in the literary world. Our scene of action is so perfectly domestic, as to afford neither novelty nor variety. Even the biographer of Washington has been reproached with imposing upon his readers the history of a nation, instead of the life of an individual. Parson Weems has, indeed, tried to supply the defect; but I never got further than half the first paragraph:—"George Washington, (says that most renowned biographer,) the illustrious founder of the American Nation, was the first son of ——— Washington, by a *second* marriage: a circumstance, (says this profound divine, moralist and biographer,) of itself sufficient to reconcile the scruples of tender consciences upon that subject." I do not pretend that I have given you a literal

transcript of the passage; but, I believe the substance is correct. I shut the book as soon as I had read it, and have no desire to see any more of it.

This leads me to notice that part of your letter which relates to the subject of biography. How would you be able to give any entertainment to your readers, in the Life of Patrick Henry, without the aid of some of his speeches in the General Assembly, in Congress, in Convention, or in the Federal Court? What interest could be excited by his marrying a Miss ——, and afterwards a Miss D ——; and that somebody, whom I will not condescend to name, married one of his daughters, &c., &c., &c. No human being would feel the smallest interest in such a recital; and, I never heard any thing of him, except as connected with the public, that could amuse, for a moment. The same may be said of Lee, Pendleton and Wythe; and the same may be said of every other man, of *real merit*, in Virginia. They have all glided down the current of life so smoothly, (except as public men,) that nobody ever thought of noticing how they lived, or what they did; for, to live and act *like gentlemen*, was a thing once so common in Virginia, that nobody thought of noticing it.

It is clear to my apprehension, that unless a man has been distinguished as an orator, or a soldier, and has left behind him either copies or notes of his speeches, or military exploits, that you can scarcely glean enough out of his private life, though he may have lived beyond his grand climacteric, to fill half a dozen pages, that any body would trouble themselves to read.

I have known several characters, whose conduct, both in public and private life, I have esteemed models of human perfection and excellence: John Blair, General Thomas Nelson, John Page and Beverly Randolph, were men of the most exalted and immaculate virtues. I knew them all well, nay, *intimately*; yet, for the soul of me, I could not write ten pages of either, that would be read by one in fifty. Colonel Innes may be compared to an eagle in the air. You looked up at him with admiration and delight; but, as Solomon says, there are no traces of his exalted and majestic flight left behind. The only shadow of him that remains, is Robertson's *abridgment* of his speech in the Convention of Virginia, in 1788. That may be compared to the sparks which issue from a furnace, which is itself invisible.

I think it much to be regretted, that such men as I have mentioned above should descend to the grave, and be forgotten as soon as the earth is thrown upon their coffins. But so it is, my friend. Literary characters may leave their works behind them, as memorials of what they were; soldiers may obtain a niche in the temple of Fame, by some brilliant exploit; orators, whose speeches have been *preserved*, will be remembered through that medium; judges, whose opinions have been *reported*, may possibly be known to future judges and members of the bar; but the world cares little about them and if

they leave no *reports*, or meet with no *reporter* to record their opinions, &c., they sink into immediate oblivion. I very much doubt if a single speech of Richard H. Lee's can be produced at this day. Nevertheless, he was the most mellifluous orator that ever I listened to. Who knows any thing of Peyton Randolph, once the most popular man in Virginia, Speaker of the House of Burgesses, and President of Congress, from its first assembling to the day of his death? Who remembers Thompson Mason, esteemed the first lawyer at the bar?—or his brother, George Mason, of whom I have heard Mr. Madison (the present President) say, that he possessed the greatest talents for debate of any man he had ever seen, or heard speak. What is known of Dabney Carr, but that he made the motion for appointing committees of correspondence in 1773? Virginia has produced few men of finer talents, as I have repeatedly heard. I might name a number of others, highly respected and influential men in their day. The delegates to the first Congress, in 1774, were Peyton Randolph, Edmund Pendleton, Patrick Henry, George Washington, Richard H. Lee, Richard Bland and Benjamin Harrison. Jefferson, Wythe and Madison did not come in till afterwards. This alone may show what estimation the former were held in: yet how little is known of one-half of them at this day! The truth is, that Socrates himself would pass unnoticed and forgotten in Virginia, if he were not a *public* character, and some of his speeches preserved in a newspaper: the latter might keep his memory alive for a year or two, but not much longer.

Instead of an attempt at what might be called a biographical account of any of these persons, perhaps a delineation of their characters only, with here and there a speech or an anecdote, might answer. But anecdotes which might entertain, occur so seldom in private life, in Virginia, that they may be truly said to be

“*Rari nantes in gurgite vasto.*”

Upon the whole, I am inclined to think, biography in Virginia would at present be a hopeless undertaking, although a very interesting selection might be made of Virginia worthies, whose general characters deserve to be remembered and transmitted to the latest posterity. But the misfortune is, that few remain among us who have known and marked the outlines which ought to be traced; and still fewer are capable of giving the rudest sketch of them. I have repeatedly wished that my talent lay that way; but, I feel a thorough conviction that it does not. If we lived together, and in a daily intercourse, I could, perhaps, from time to time, recollect enough of such men as I have mentioned, and some others, to enable you to draw an outline of each, which you might fill up at leisure, from your own resources or the communications of others. But were I to take up my pen for that purpose, I should only betray my own incompetency.

You must be tired of this subject, from which I shall turn away to the "Path of Pleasure." I rejoice that you propose to resume it, and make little doubt you will *once more* acquire laurels in it, — or, as a gamester would say — "*throw doublets a second time.*" To be serious, I trust you will resume it, pursue it ardently, and arrive at a speedy and happy conclusion and termination of it. When finished, I beg to be favoured with a sight of it as early as possible, and pledge myself to do my best for a prologue and, possibly, an epilogue too. But I must have the play, itself, with me at the time, to aid my imagination.

\* \* \* \* \*  
Believe me ever, most warmly and most sincerely,  
Your friend,

S. G. TUCKER.

We have now some pictures of the war—an alarm at Richmond, in this extract from a letter to Mrs. Wirt, who is at Montevideo.

RICHMOND, June 29, 1813.

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I thank heaven, with heartfelt gratitude, that you have escaped the idle panic into which the city was thrown on yesterday about twelve o'clock. I was at the market-house, attending a common hall—when we were broken up by the violent ringing of the alarm-bell. The first idea that bolted into my mind was, that our old castle was on fire;—but before I had crossed the market-bridge, an alarm cannon was fired on the capitol hill—then another—and another. Here was the complete signal of invasion. The effect was such as you may conceive. The signal was perfectly understood;—every man had to rush with his musket, to the square:—even the "silver greys" [and parson Blair among them] flew to arms. The report ran that the British were at Rocket's—and we had heard from an authentic source, that they had disgraced themselves at Hampton, by excesses more atrocious and horrible than ever before befel a sacked town — of a nature so heart-sickening, that I do not choose to describe them to you:—they even excited the negroes to join them in these brutal excesses. What, think you, must have been the terrors and agonies of the women here, on the report that the same enemy was in their town? Doctor Foushee applied to me for our carriage to take his daughters to William Carter's, in Caroline county, to which I cheerfully agreed. Wagons were moving furniture from all parts of the town!—but I believe no ladies moved—for before they could prepare, the panic was dissipated. McR \* \* came rushing on the square with a pistol in each hand, crying out, "where are they, where are they?" to which the Governor answered, that they were at City Point;—and Mc——