A GUIDE TO THE MICROFILM EDITION OF THE

William Wirt Papers

by John B. Boles

(From the Maryland Historical Society)

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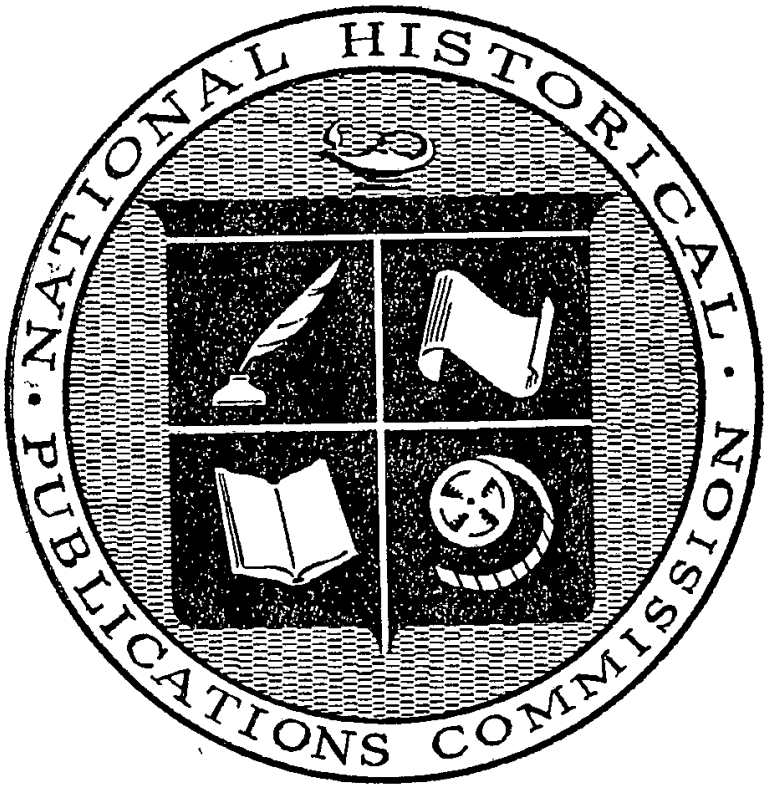

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CONTENTS

This pamphlet is intended to serve as a guide for the users of the microfilm edition of the William Wirt Papers as well as those desiring information on its contents prior to acquisition.

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INTRODUCTION

The Maryland Historical Society, with the cooperation and sponsorship of the National Historical Publications Commission, takes pride in making available to a wider public its rich collection of William Wirt papers. William Wirt was a man of notable talents. Not only was he a successful author, essayist, and historian, but he was perhaps more famous as a popular orator and eminent lawyer. He capped his legal career by serving twelve important years (1817–1829) as Attorney General of the United States. In both his private and public careers he participated in almost every significant litigation from the Callender trial in 1800 to the Cherokee cases of 1831–1832. He also ran unsuccessfully for the presidency in 1832 on the Anti-Masonic ticket. Wirt was away from his family on legal business much of the year, and conducted a voluminous correspondence with Mrs. Wirt. His extensive letters and papers, and those of his immediate family, provide an invaluable insight into the cultural, social, political, and legal history of the nation for over three event-filled decades.

This microfilm publication includes only the Wirt papers that are owned by the Maryland Historical Society. The Society's collection is the largest and hitherto the least used. This project should make the Wirt papers better known.

The editor is indebted to many persons for their aid and advice. P. William Filby, Librarian of the Society, initiated the project, and with Fred Shelley of the National Historical Publications Commission made the entire project both feasible and ultimately a reality. T. Wistar Brown of Scholarly Resources, Inc., Wilmington, Delaware, extended expert photographic advice. Evelyn and Irving Paxton, Anthony J. Gonzales, and Bayly Ellen Marks gave freely of their time, enthusiasm, and experience. Edward G. Howard, Consultant on Rare Books to the Society, carefully read the pamphlet and made incisive suggestions. Harold R. Manakee, Director of the Society, also gave me the benefit of a helpful reading. Nancy Boles, Curator of Manuscripts at the Society, served most ably as Project Director and most encouragingly as my wife. Cheryl Florie was indispensable in helping prepare the manuscripts for filming, typing targets, and operating the camera. The project would have been long delayed without her cheerful assistance. Upon me must fall ultimate responsibility for any errors that might remain.

Although the papers and correspondence of the prolific William Wirt and his immediate family are deposited in a wide variety of libraries, the largest and in many ways most valuable collection is housed at the Maryland Historical Society in Baltimore. In May 1952 Mrs. John M. Cates gave the Society two Wirt letterbooks for the years 1806–1816 and 1832–1834, together with a half dozen letters. This valuable gift was appropriately complemented six years later when Mrs. W. Bladen Lowndes, Sr., made her previous deposit of approximately 7,500 Wirt items a permanent gift. In 1961 these papers were sorted and arranged in twenty-six boxes by Kenneth R. Bowling, which made them more useful to scholars. Mrs. Wirt, at her husband's suggestion, had carefully sewn many of the letters together into packets. Bowling properly unstitched those dealing with public matters and filed them chronologically. In preparation for filming, all the rest of the letters were unstitched and filed chronologically. The papers which were not correspondence—essays, poems, notes, legal briefs—were sorted and filed under appropriate categories. Just prior to filming the material filled fifty-three boxes.

Only the items contained in the William Wirt Papers (MS. 1011) and the William Wirt Letterbooks (MS. 1014) at the Maryland Historical Society have been filmed. There are several letters to or from Wirt in other Society collections, for example, the Glenn Papers (MS. 1017) and the John Pendleton Kennedy Papers (MS. 1336). There are very useful Wirt papers at the Library of Congress, the National Archives, Duke University, the Virginia State Library, the Southern Historical Collection at the University of North Carolina, and the James Monroe Memorial Foundation, Fredericksburg, Virginia. There is scattered Wirt correspondence at numerous other libraries. The University of Virginia's Alderman Library has unusually good complementary material, especially in such collections as the Francis Walker Gilmer Correspondence and the Joseph Carrington Papers.

Neither time, money, nor space permitted the Maryland Historical Society to collect copies of all extant Wirt material and thus present a complete microfilm edition of the papers of William Wirt. Because of the obvious problems involved, the National Historical Publications Commission seldom finances attempts to collect all the extant material for microfilming. Nevertheless, the 8,000-odd items filmed in twenty-four rolls represent the major group of Wirt papers, a collection astonishingly rich in both scope and depth.

BIOGRAPHICAL SKETCH OF WILLIAM WIRT

William Wirt, widely known as a literary symbol of the Old Dominion, was born November 8, 1772, in the small Maryland village of Bladensburg, near present-day Washington. He was the sixth and last child of Jacob and Henrietta Wirt, of Swiss and German ancestry respectively, who operated a tavern in Bladensburg. Before he was eight years old both his parents had died, so, with the help of a small inheritance, William was reared by his uncle, Jasper Wirt, and a family friend, Peter Carnes, who eventually married William's oldest sister. William was a handsome, vivacious youth whose sparkling blue eyes, musical talents, and bouncy disposition quickly endeared him to potential benefactors. Characteristically he won as a child the applause of weary revolutionary soldiers by his spirited drumming.

After a brief period of schooling in his home village, young William was sent to a classical academy near Georgetown, but after less than a year he transferred to another school in Charles County, Maryland. Not until 1783, when he moved to the Reverend James Hunt's academy in Montgomery County, did he find a congenial place of learning. The kind Hunt opened his modest library to his students and often performed simple scientific experiments for them. He more than anyone else ignited in Wirt a lifelong enthusiasm for literature and learning. Already Wirt showed a happy skill at finding good mentors, a skill which served him well after 1787, when Hunt's school closed. Wirt, then fifteen, his patrimony exhausted, had happened to befriend a younger classmate, Ninian Edwards, who would one day be Governor of Illinois. Ninian, understanding William's homeless plight, showed his father a specimen of William's writing. So impressed was the gentlemanly Benjamin Edwards that he offered William a home under the guise of a tutorship to Ninian. Benjamin Edwards was well read, dignified, and versed in politics, and recognizing unusual promise in William, he showered affection and fatherly advice on the boy. Indeed, Benjamin Edwards was to be the truest father William Wirt ever knew. Mr. Edwards guided his reading, inspired him to study law, and encouraged him to overcome a certain timidity in speaking.

In late 1789, after twenty happy months in the Edwards household, Wirt visited the Carneses, now living in Georgia, for reasons both of family and health. The warm southern winter restored him to vigor; he returned to Maryland in the spring of 1790 determined to enter the bar. After a whirlwind course of study first in Montgomery County with William P. Hunt, the son of his former teacher, and then, moving to Virginia in 1792, a five-month period of reading law in the office of Thomas Swann, William Wirt was ready to enter his chosen profession. Through some combination of competence and bluff he passed the Virginia bar examination despite not meeting the year residency requirement, and consequently opened his legal career in Culpeper County, near Albemarle County. Legend has it that his

beginning library consisted of one copy of Blackstone, a two-volume *Don Quixote,* and an edition of *Tristram Shandy,* but he brought with him more substantial intellectual baggage. Even though he still had difficulty in public speech, his brilliant personality won friends if not cases.

Piedmont Virginia was a fortuitous location for beginning a career, for this nature-endowed neighborhood claimed a marvelous company of gifted men. Wirt quickly became almost a member of the family of Dr. George Gilmer, an aristocratic gentleman of great learning, humanity, and hospitality. Gilmer introduced Wirt to his library and friends. Thus the young transplanted lawyer soon discussed law and literature with Virginia intelligentsia like Jefferson, Madison, Monroe, and Dabney Carr. In this choice circle Wirt's talents bloomed. His marriage to Dr. Gilmer's daughter Mildred in 1795 assured his entrance into Virginia society.

Wirt was now on the road to success, the possessor of a quick mind, infectious personality, and good connections. He made friends for life with Dabney Carr, Junior, Francis Walker Gilmer, and Peachy Gilmer. Yet at times his conviviality and the frolicsome company of lawyers riding circuit led him into excess. A carefree attitude overcame his natural sagacity. But this golden era of youthful extravagance was short-lived. In September 1799, his beloved Mildred suddenly died. Wirt's joyful life collapsed around him. To escape sad reminders of happier days he moved to Richmond, where he was soon elected clerk of the Virginia House of Delegates. A new phase of his career was opening.

Richmond was an exciting city, teeming with cultivated lawyers, good bookstores, flashy rhetoric, a lively press, political gossip. The Alien and Sedition Acts had given new importance to politics, and Wirt entered into this relatively cosmopolitan world with zeal. He gained quick local fame by his unusual actions in the celebrated libel case against James Callender; his new-found confidence in his oratory was exhibited on July 4, 1800, when he delivered the anniversary address for the Richmond democratic party. He seemed to lose his sadness in rapid absorption into the city's political and social life. In fact, the rich diversion offered by Richmond society threatened to ruin him in dissipation, and it was with some sense of relief in 1802 that he accepted a unanimous appointment as Chancellor of the Eastern District of Virginia, for the appointment required residence in sedate Williamsburg. Luckily also for his subsequent career, Wirt in September married the eminently sensible daughter of a prominent Richmond merchant, Robert Gamble. With his newly won bride Elizabeth, William Wirt moved to Williamsburg in November of 1802.

The Chancellorship was a distinct honor, but it brought more accolades than money. Because Wirt felt pressed to maintain his bride in the style to which she was accustomed, he seriously considered moving to booming

Kentucky where life was more primitive but the rewards sweet. Only the hesitancy of his cultured wife and the offer of a law partnership by talented Littleton Waller Tazewell in prosperous Norfolk convinced Wirt to tie his career to Virginia. A married man again, Wirt worried about assuring his present and future dependents a comfortable life. It was because he worried about his income that he resigned the Chancellorship in May 1803, and accepted Tazewell's offer. For the rest of his life Wirt was bound to the necessity of earning a living. He would never find himself able to retire to a life of writing and thinking. But his mind and pen were too creative to remain confined to legal briefs.

August 1803 found Wirt and his wife in Richmond, escaping the fevers that plagued Norfolk in the summer and awaiting the birth of their first child. To relieve his anxiety, the father-to-be whiled away the hours writing a series of letters as though he were a concealed British spy describing Virginia manners and peccadilloes. Wirt submitted one of his essays to the *Virginia Argus* almost tongue-in-cheek; no one was more surprised than he when the anonymously printed essay, and its sequels, proved enormously successful. From September through October all Richmond seemed spellbound by the well written, mildly critical *Letters of the British Spy*. Essentially a paean to oratory, the essays with their succinct thumbnail critiques of contemporary figures were so popular they were immediately published in book form, quickly going through many editions. Wirt was correctly guessed to be their author, and indeed the ten essays displayed several of his characteristics: skillfully done but not really original; concerned with oratory as a conscious art form; spriteful but a little overdrawn. Wirt correctly gauged their worth while he basked in fame, promptly calculating the merit of additional literary productions. Perhaps, he wondered aloud in a letter to Dabney Carr, Virginians were ripe for an updated Plutarch.

For the next decade and a half Wirt managed to combine a distinguished legal with a promising literary career. In August 1804, another series of anonymous essays began appearing in the Richmond *Enquirer*. Written by a group of minor literati, "The Rainbow Association," of which Wirt was a leader, the first ten were published as a book in late 1804. Like *The British Spy, The Rainbow: First Series* consisted of essays slightly rationalistic in tone, but the southern mood seemed to be changing, for these never achieved the success of their forerunners. Although sixteen more "Rainbow" essays appeared in the *Enquirer* through the spring of 1805, they were never reprinted.

Wirt was already at work searching for material for his prospective biography of Patrick Henry when he moved back to Richmond in mid-1806. His legal fame, aided by a rare gift of eloquence and his literary promise,

catapulted him into national prominence in 1807 when the Government chose him to aid in prosecuting the treason indictment of Aaron Burr. Burr possessed an uncanny charisma that almost concealed the boldness of the plot charged against him. The political eyes of the nation were focused on the judicial stage in Richmond, for here was a cast sure to be explosive: Aaron Burr, Luther Martin, "the Federal bulldog," William Wirt, John Marshall—and back in the wings, Thomas Jefferson himself. The arguments were tangled and beautiful, and although Burr won his case, Wirt won the crowd. His romanticised fantasy of an Edenic West, the innocent world of a victimized Burr accomplice, Blennerhasset, immediately became a memorized peroration. Even the defense had been captivated by Wirt's words. His future seemed unlimited.

In the midst of a concurrent patriotic outburst following the Chesapeake-Leopard affair of June 22, 1807, Wirt briefly dreamed of military glory, but this escaped him. Yet in 1808, when Jefferson's chosen successor, James Madison, met unexpected resistance in Virginia, Wirt engaged in political warfare. Here he was successful, for his caustic essays in the *Enquirer* blasted the opposition to Madison. Even Jefferson wanted Wirt to enter the national political arena, but Wirt refused. National politics offered too little money and too much pain; a two-year stint in the Virginia legislature, 1808–1810, only convinced Wirt that politics was not his future. The law and writing were more to his liking. In 1810 he was composing more articles in Madison's defense and planning "moral and literary essays" to inspire the youth of Virginia. Another series of didactic essays began appearing in the *Enquirer,* and these, showing a definite shift toward romanticism, were much more popular than *The Rainbow*. Wirt wrote most of these "Old Bachelor" essays, and coordinated the writing of the rest. Thirty-three were eventually serialized, 1810–1813, and *The Old Bachelor* (1814) was into its third edition by 1818.

During these years of happy residence in Richmond, Wirt seemed to find success at everything except his study of Patrick Henry. Wirt's busy legal duties left little time for historical research, and Henry was an enigma at best. To complicate matters, Patrick Henry had left no archival records; because his career was so controversial, his contemporaries gave very contradictory accounts of him. Wirt found "truth" impossible to recapture and dullness hard to escape. His solution was romanticized history and didactic fustian. Before the vogue of Sir Walter Scott and homegrown plantation novels, Wirt recognized the attractiveness of the romantic view. He portrayed Henry as the perfect hero for present-day youth to emulate. Wirt had written doubtful history but sure myth, and his mythologized Patrick Henry has lived ever since enshrined in the popular American pantheon.

Appropriately the *Sketches of the Life and Character of Patrick Henry*

was published the very year, 1817, Wirt reached the apex of his legal career, appointment as Attorney General of the United States. From this date the press of his legal career never permitted him to return to the literary pursuits he dreamed of; from this date financial necessity and official duties kept him bound to the law.

When William Wirt accepted President Monroe's offer of the Attorney Generalship on November 13, 1817, he gained a position that had neither an office, clerks, nor records of previous decisions, and an inadequate salary. William Pinkney had even resigned the position three years earlier when he was asked merely to reside in Washington. To this apparently undistinguished office Wirt brought energy and administrative skill. He immediately began an elaborate system of record keeping,* and acquired office space and a clerk. Notwithstanding the limits of his position, Wirt could not have come to Washington at a more auspicious time. The War of 1812 had set into motion developments which matured American law. The conflict produced a number of admiralty and prize cases; the upsurge in home manufactures resulted in the growth of patent law; increased domestic trade gave rise to numerous commercial and contract cases. The law became more important than ever. If this were not enough, 1817 marked the midpoint of the judicial reign of John Marshall. Never again has there been such a magisterial Chief Justice, and perhaps never again would the Supreme Court play such a decisive role in American history. Wirt seized an inconsiderable office at an opportune time, turned it into one of dignity and respect, and took an important part in the whole series of great court decisions which so strengthened the position of the Federal Government.

Every student can name the important cases of this era, the *Dartmouth College Case, McCulloch* v. *Maryland, Gibbons* v. *Ogden.* Wirt participated in every one. In an era of great lawyers—William Pinkney, Littleton Waller Tazewell, Daniel Webster—Wirt was considered as good as the best. The concept of conflict of interest was then rudimentary, and in view of the small salary of his public office and the expenses of his large family, Wirt maintained a huge and lucrative private practice in addition to his federal one. He regarded the Attorney Generalship as meaning he was retained by the

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* Original official records available in the National Archives and Records Service, Washington, D. C., include the General Records of the Department of Justice (Record Group 60), especially the series of letters sent and received in the office of Attorney General, and the Records of the Supreme Court of the United States (Record Group 267). Two microfilm publications, pertinent to a study of Wirt, have been prepared from each of the record groups cited: Letters Sent by the Department of Justice: General and Miscellaneous, 1818 [1817]–1904, M-699, 29 rolls; Opinions of the Attorney General, 1817–1832, T-412, 3 rolls; Minutes of the Supreme Court, 1790–1950, M-215, 41 rolls; Appellate Case Files of the Supreme Court, 1792–1831, M-214, 96 rolls.

government as its attorney and that, while it had first claim on his time and talents, he was otherwise free to engage in private practice. As a matter of fact, the feasibility of so enhancing his private career was a dominant reason for his acceptance of Monroe's appointment. Wirt insisted on limiting his official duties strictly to the letter of the Judiciary Act of 1789 both because of Jeffersonian principle and because he needed time for his private practice. His prestige and oratorical fame attracted large fees; his ability and even disposition won him the respect and favor of all.

William Wirt arguing a case or delivering an address was a spectacle in an age that appreciated rhetoric. A large man, inclining toward dignified portliness, with a broad forehead, intriguing blue eyes, and sandy hair, Wirt was the physical image of eloquence. Yet his voice was his prize: soft but powerful, of great range, hauntingly melodious. With an artist's feel for sound and metaphor Wirt constructed verbal symphonies. Mixing poetry with law, literature with history, with a dash of wit and a ready smile, Wirt appealed to the intellect and emotions of his hearers. As competent as he was in *belles-lettres,* Wirt was an extremely hardworking legal scholar. Especially after he began practicing before the Supreme Court, he recognized that his frothy eloquence needed a firm legal foundation. Moreover, because he was regarded as such a "decent" person (unlike the vain Pinkney and often overbearing Webster), juries and the gallery believed him incapable of a disingenuous argument. Not a legal statesman who made precedents, Wirt instead followed precedents to great effect. In the courtroom he had amazing success and a popular following. But he did not have the impact on constitutional law that Marshall or Webster had.

Two incidents in 1826 exemplify the respect in which Wirt was held. Through an amazing quirk of history, John Adams and Thomas Jefferson both died on July 4, 1826, the fiftieth anniversary of the Declaration of Independence. William Wirt, of all the superb American orators then living, was chosen to deliver the official eulogy before a joint meeting of Congress. And this Wirt did with a flourish now distasteful but then in demand. Earlier that year Jefferson had offered Wirt both the professorship of law at the University of Virginia and an office created especially for him, the presidency of the university. Wirt declined the honors, and the conditional office of president was not realized until 1904.

Despite many rewards, offers, and requests for speaking and writing, Wirt remained immersed in the practice of law. As Attorney General Wirt considered himself a non-partisan government official. When John Quincy Adams became President in 1825, Wirt quite naturally continued, unruffled by the change in leadership. He was studiously apolitical; sometimes this led him to miss the political significance of legislative and judicial decisions. But by his lights he was serving the Federal Government, not men or regions.

The erstwhile Jeffersonian had unmistakably become a quiet nationalist: John Marshall had worked his subtle magic. Yet the non-partisan Attorney General passionately opposed the rise of Andrew Jackson, who seemed to Wirt hell-bent on devising his own—extra-legal—definitions of military and then presidential leadership. Wirt had held an unfavorable opinion of the headstrong general since 1818, when he had rashly invaded Florida and almost caused an international incident.

Jackson's actions and techniques in subsequent years only exacerbated Wirt's view. Wirt was a nationalist almost self-consciously of the school of 1776; he believed men of dignity and learning—natural aristocrats—should rule the nation, and nothing was more distasteful to him than the new political procedures of pandering to the popular whim. A leader should not "run" for office, but rather the people should somehow bestow the office upon him. Perhaps then there was a hint of the past and of cultural snobbery in Wirt's opposition to Jackson, who in 1824 had begun campaigning for the 1828 election. Nevertheless, the politically naive Wirt briefly considered trying to remain in office in 1829 after Jackson's election. Jackson, of course, a keen practitioner of politics, appointed his own man, John M. Berrien, Attorney General.

A private lawyer again after twelve years in Washington, Wirt moved his large family and huge legal practice to congenial Baltimore. Still his name and fame attracted many cases and high fees. He was popular in "the Monumental City," and in mid-1830 there were even some requests that he run for the Baltimore congressional seat. Wirt, however, would hear nothing of it, for he abhorred the idea of campaigning and was weary of the recriminations of national politics. Even his involvement in the politically motivated Peck impeachment trial was painful. Events in the nation were going against Wirt's ideals; demagoguery, he felt, was replacing merit. A melancholic apprehension that had mostly remained submerged in his personality since the day he first conceived his inspirational Patrick Henry biography came almost to dominate him. The death in January 1831 of his favorite daughter Agnes cast a pall over his last years from which he never completely recovered.

Soon after this, in March 1831, Wirt became involved in one of his most touchy cases. Out of a long-time devotion to the cause of Indians, and possibly his dislike of Jackson, Wirt undertook to defend the rights of the Cherokees against Georgia's encroachments. The Jacksonians were committed to a callous expulsion of all Indians to the westward, so in a real sense Wirt was entering a political fracas. Against this background Wirt's career in 1831 took an unexpected turn. The apolitical man almost innocently became the Anti-Masonic candidate for president.

The Anti-Mason Party was a conglomeration of Jackson foes who had

congealed around opposition to Masonry after the mysterious murder of one William Morgan for revealing the fraternity's secrets. Many Anti-Masons were also strong nationalists who favored Clay's American System and the Bank of the United States. Assembling in Baltimore on September 26, 1831, as the first national nominating convention, the Anti-Masonic delegates were confident Judge John McLean of Ohio would be their candidate. But McLean refused, and so did John Marshall. Desperately looking around for an honorable candidate who had no obvious liabilities, the convention leaders looked to William Wirt. On September 28 he was offered the nomination, and within several hours he wrote his acceptance.

Wirt knew he was no politician in the Jacksonian sense; he honestly had no ambition for the office. Yet he believed that a "good" man had to run against Jackson, hoping all the while that the Anti-Masons would sensibly switch their support to Henry Clay, or that the National Republicans would choose another viable candidate the Anti-Masons could accept. Wirt was inept in the thicket of presidential politics: his transitory dreams of potentially being a conciliatory candidate around whom Jackson's defeat could be effected were naive. The National Republicans chose Clay, the Anti-Masons refused to shift to him as Wirt had hoped, and Jackson won in a landslide. Perhaps Wirt had tried to re-enact Patrick Henry's courageous re-entry into politics late in life for conscience' sake. For whatever reason, Wirt vastly miscalculated the political tide. Certainly it seemed to him in late 1832 that the nation had forsaken the republican ideals of the founding fathers and accepted the tyranny of the majority.

More melancholy than ever in his life, Wirt in the midst of the campaign year had resigned himself to Jackson's victory and returned to arguing the cause of the Cherokee Indians. His eloquence moved moralists and John Marshall, but left Old Hickory untouched. It was with a sense of resignation in late 1832 that Wirt returned to conventional law and his beloved family. Surely for him the age of Jackson represented an unhappy revolution; in terms of his ideals, the world was turned upside down. Yet, as he wrote his friends, he had been blessed with more fame and a happier home than he really deserved. His religious interests rekindled as he settled into a comfortable routine in Baltimore. His gracious and gifted wife Elizabeth, with whom he had corresponded so voluminously and candidly during the many years when his practice had carried him away from home; his cultured children, several now married; his devoted friends; all these made Wirt's last months rich and rewarding. His innately sunny disposition once again surfaced; his genuine nobility of character conquered what might have been bitterness. In 1833, in cooperation with one of his sons-in-law, Wirt tried to promote a free-labor German immigrant colony on his Florida lands, but the experiment never proved successful.

Yet even in the face of this final defeat, Wirt in early 1834 in his sixty-second year could reflect on a life far more spectacular than he could have dreamed of half a century before as an obscure Maryland orphan. Content in such reflections, William Wirt died peacefully after a short illness in Washington, where he had been preparing for a case, on February 18, 1834. The Supreme Court, hearing of his death, adjourned, and Marshall himself pronounced a moving eulogy. Impressive burial ceremonies, attended by most of official Washington, were held on February 20. The next morning, as the Speaker called the House of Representatives to order, John Quincy Adams, then a delegate from Massachusetts, arose to pay his respects to Wirt. Dismissing a eulogy, Adams wanted the Journal of the House simply to mention the respect almost universally felt for the late Attorney General. "If a mind stored with all the learning appropriate to the profession of the law," he pronounced,

> and decorated with all the elegance of classical literature—if a spirit imbued with the sensibilities of a lofty patriotism, and chastened by the meditations of a profound philosophy—if a brilliant imagination, a discerning intellect, a sound judgment, an indefatigable capacity, and vigorous energy of application, vivified with an ease and rapidity of elocution, copious without redundance, and select without affectation—if all these, unified with a sportive vein of humor, an inoffensive temper, and an angelic purity of heart—if all these, in their combination, are the qualities suitable for an Attorney General of the United States, in him they were all eminently combined.*

Wirt's had been a life as remarkable and enigmatic in its own way as that of his cultural model, Patrick Henry. And each, perhaps, has been more remembered by later generations for what he said, and how he said it, than for what he did.

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* *Register of Debates in Congress*, 23 Cong., 1 Sess., vol. 10, part 2, pp. 2758–59. Adams' judgment of Wirt may have been inflated by his very low opinion of the incumbent Jackson administration.

William Wirt was such an important figure in early nineteenth century America that mention of him can be found in a wide range of books and manuscripts. This selective bibliography can mention only a few of the printed sources. The most convenient beginning place is Thomas Perkins Abernethy's sketch in the *Dictionary of American Biography,* XX, 418–21. Still the only full length study of Wirt is John P. Kennedy's laudatory *Memoirs of the Life of William Wirt,* 2 vols. (Philadelphia, 1849; revised ed., 1850), the most valuable feature of which is the publication of many Wirt letters. Another good sample of Wirt's correspondence, this time to Ninian Edwards, may be found in Ninian Wirt Edwards, *History of Illinois, from 1778 to 1833; and Life and Times of Ninian Edwards* (Chicago, 1870), pp. 404–76. A colorful interpretation of Wirt is given by Vernon L. Parrington, *Main Currents in American Thought,* 2 vols. (New York, 1927), II, 30–35. William R. Taylor provides a more sophisticated view in his *Cavalier and Yankee; the Old South and American National Character* (New York, 1961), pp. 67–94.

Several of Wirt's contemporaries published studies of him. The earliest were Francis Walker Gilmer's *Sketches of American Orators* (Baltimore, 1816), written in the style of Wirt's *British Spy,* and the more substantial "Biographical Sketch of William Wirt," written by Peter Cruse as an introduction to the tenth edition of *The Letters of the British Spy* (New York, 1832), pp. [9]–91. Another first-person account appears in F. W. Thomas, *John Randolph, of Roanoke, and Other Sketches of Character, Including William Wirt* (Philadelphia, 1853). For the opinions of a brilliant but biased commentator, see the *Memoirs of John Quincy Adams, Comprising Portions of His Diary From 1795 to 1848,* ed. Charles Francis Adams, 12 vols. (Philadelphia, 1874–1877). One should also consult two eulogies, John P. Kennedy's *Discourse on the Life and Character of William Wirt* (Baltimore, 1834), and Samuel L. Southard, *A Discourse on the Professional Character and Virtues of the Late William Wirt* (Washington, 1834).

Luckily a recent study by Joseph Charles Burke, "William Wirt: Attorney General and Constitutional Lawyer" (Ph.D. diss., Indiana University, 1965) puts the legal aspect of Wirt's career in scholarly perspective. Valuable secondary accounts which also discuss Wirt within a wide framework are Charles Warren, *A History of the American Bar* (Boston, 1911), and his *Supreme Court in United States History,* 3 vols. (Boston, 1923); and Leonard D. White, *The Jeffersonians: A Study in Administrative History, 1801–1829* (New York, 1951). For Wirt's emerging anti-Jackson sentiment, see the recent article by Marvin R. Cain, "William Wirt against Andrew Jackson: Reflection on an Era," *Mid-America: An Historical Quarterly,* 47 (April, 1965), 113–38. The earlier work by Samuel Rhea Gammon, Jr., *The Presidential Campaign of 1832* (Baltimore, 1922), is still useful. Of

course there is a great abundance of historical literature for this whole period, as the works of Henry Adams, George Dangerfield, and Arthur M. Schlesinger, Jr., indicate.

Perhaps the best starting place for Wirt's literary career is Frank P. Cauble, "William Wirt and His Friends: A Study in Southern Culture, 1772–1834," (Ph.D. diss., University of North Carolina, 1933), which is detailed though not particularly interpretative. Richard Beale Davis in many works has portrayed the whole cultural generation of which Wirt was a part. See, for example, his *Francis Walker Gilmer: Life and Learning in Jefferson's Virginia* (Richmond, 1939), esp. pp. 41–119; and *Intellectual Life in Jefferson's Virginia, 1790–1830* (Chapel Hill, 1964). And one should not miss Jay B. Hubbell's definitive work, *The South in American Literature, 1607–1900* (Durham, 1954). There have been specialized essays on Wirt's individual literary efforts. Again see Hubbell, "William Wirt and the Familiar Essay in Virginia," *William and Mary Quarterly,* 2d ser., 23 (January, 1943), 136–52; and Davis's "Introduction" to the Southern Literary Classics edition of the *British Spy* (Chapel Hill, 1970), pp. [vii]–xx. Wirt's romanticized biography of Patrick Henry has received two excellent critiques, Bernard Mayo's *Myths and Men* (Athens, Ga., 1959), and William R. Taylor, "William Wirt and the Legend of the Old South," *William and Mary Quarterly,* 3d ser., 14 (October, 1957), 477–93. There is also an article on Mrs. Wirt's gift volume, *Flora's Dictionary:* see Sarah P. Stetson, "Mrs. Wirt and the Language of Flowers," *Virginia Magazine of History and Biography,* 57 (October, 1949), 376–89.

Even with a substantial literature of secondary sources, there has still not been a modern interpretative biography of William Wirt. Perhaps this microfilm publication will contribute toward filling this important gap. Wirt's life certainly has much to reveal about early nineteenth century American culture and politics.

Most of the William Wirt Papers at the Maryland Historical Society are what might best be termed personal correspondence. The earliest letters concern Wirt's youth, and deal with family and educational matters. The letters grow successively more interesting to the historian as Wirt becomes a lawyer, moves to Richmond, takes part in the political, legal, and literary life there, participates in the Burr trial, eventually moves on to Washington, the Attorney Generalship, and a presidential nomination. Most of the letters are either to and from Wirt's second wife, Elizabeth Washington Gamble Wirt, and later their children, or his personal friends. Several hundred letters are copies, the originals of which are either lost or in other libraries, made in preparation for John Pendleton Kennedy's *Memoirs of the Life of William Wirt.* On many of these Kennedy imposed obvious editorial changes and omissions, providing the reader with an example of nineteenth century editorial practices. The copies have been filmed with targets identifying them.

Yet the general term "personal or family papers" gives an incorrect image of the value of the Wirt papers. The half century from 1785 to 1835 was a period when letterwriting was considered an art. People—and especially Wirt—took great pains in writing and keeping letters. How-to-do-it books on the epistolary art were common; much of the literature, like Wirt's own *British Spy,* was in the form of letters. Wirt possessed real literary skill, but unfortunately for modern readers the kind of prose then in favor was flowery, filled with classical allusions, and sometimes even ostentatious. But in his letters, where he was not writing for either the public or critics, Wirt's natural grace of style, colorful description, and good humor had free rein. The result, whether in the form of letters to his wife and children or to such close friends as Dabney Carr or Peachy Gilmer, is a magnificent correspondence. His candid, often gossipy letters are filled with information on Richmond, Washington, and Baltimore; people and cases Wirt was associated with; the events, political intrigues, personalities, and topics of conversation of the day. Every phase of Wirt's varied career, as outlined in the biographical sketch, is represented in his personal correspondence. Especially valuable is the detailed portrait of court and government life of the 1820's. Here we also see the inner man, mostly unconcealed by the polite conceits of his era. Emotions, motivations, insights are lying in store for the alert reader.

But the personal correspondence contains more than just an inside view of the public man. The Wirts were deeply in love, and had a large, "refined" family. Mrs. Wirt also became a best-selling author, for her gift book, *Flora's Dictionary,* went through several editions, each more ornate than the last. Because comparatively few southern figures preserved such an extensive family record, the Wirt papers portray a kind of domestic history

almost unique among ante-bellum Southerners. Family relations, child rearing, education, all are there in profusion. The children discuss their games and lessons with their father; he good-naturedly takes all they do very seriously. As the children grow up, and go to West Point or the University of Viriginia, or marry, or travel, the correspondence provides a continuing panorama of genteel society in the early national period.

The family correspondence continues after Wirt's death in 1834. Primarily that of Catharine Wirt Randall, his daughter, it presents an interesting account of the adult lives of the various Wirt children. The Wirt daughters married prominent men; Wirt's sons entered the professions. There is some interesting correspondence, first with Washington Irving, then with John P. Kennedy, as Catharine sought a proper biographer for her father.

At the conclusion of the regular personal correspondence there are some undated letters arranged by correspondent. Then there are two groups of letters from Wirt to Francis W. Gilmer (1818–1822) and Peachy Gilmer (1802–1833) respectively that have for convenience been filmed as letterbooks. They are copies, apparently made by or for Kennedy, and are written on consecutive pages which made an interfiled, normal chronological filming impossible. Following these are two genuine letterbooks, containing Wirt's professional and business correspondence for the years 1806–1816 and 1832–1834. Addressee indexes for these two letterbooks have been filmed at the beginning of each.

The remaining material, which fills two boxes, is an interesting miscellany. It begins with the various papers of the Wirts' first son, Robert G. Wirt (1805–1824). Robert was an introspective lad who had something like a nervous breakdown at West Point. The letters describing the academy and his subsequent illness are in the regular correspondence; here are filmed the boy's brief journal, essays, notebooks, and so forth. Traveling to Europe in 1824 searching for health, Robert died of what seems to have been a pulmonary disease.

The next items are of great interest but are tantalizingly incomplete. They consist of Wirt's legal, political, literary, and unpublished literary writings. Unfortunately notes and arguments for only a few cases exist in this collection. They are of course filmed, chronologically, in their entirety. Some scattered political writings, on such subjects as the Missouri Compromise, the nullification crisis, Wirt's Anti-Masonic presidential campaign, and on his opposition to Andrew Jackson and William H. Crawford, are filmed next. Drafts, fragments, several page proofs and the like relating to Wirt's published literary efforts appear next. Although in the regular correspondence there is a great deal concerning his *Sketches of the Life and Character of Patrick Henry,* there are in this collection no related notes or drafts.

There are, however, several unpublished essays, notes on various addresses, even some poetry. These conclude Wirt's miscellaneous writings.

Friends occasionally sent Wirt poems, and many unsolicited honors, such as memberships in college debating or literary societies, came in the mail. These items are filmed in obvious order. The collection continues with material written to or by the various members of the Wirt family. There are brief diaries, extracts from the Old Testament, assorted honors, sentimental poetry, and similar ephemera. The final group filmed has been termed an undefined "Miscellaneous." It contains items ranging from an account of Wirt's life carried in the June 4, 1841, issue of *The Florida Sentinel* to the signature of Justice Joseph Story. The very last items consist of completely undated material best described as odds and ends.

Microfilm publications sponsored by the National Historical Publications Commission lie between more normal microfilmed documents and costly letterpress editions. They require much more substantial targeting and organization than the former, and less editorial scaffolding than the latter. The purpose of the Microfilm Publication Program is to make available to scholars as quickly and inexpensively as possible, important documentary source materials, and to present them in such a format that the microfilm user has all the finding aids and advantages he would have if using the original materials in their home repositories.

This, then, has been the philosophy underlying the microfilm edition of the papers of William Wirt. The papers have been organized into what seems a logical arrangement: the correspondence, arranged chronologically, followed by the letterbooks, and concluding with a variety of miscellaneous items, as outlined above in the description of the papers. Envelopes and addresses have been filmed before the text of the letters; enclosures are filmed after the covering letter. Targets have been filmed which identify names, give dates when determinable, indicate missing, torn, or illegible pages, and contain any other information pertinent to the document filmed. When there are several letters of the same date, they have been filmed alphabetically by sender. Items dated only by the month are put at the end of that month; those dated only by year are put at the end of the year; sometimes completely undated letters are put at their approximate chronological location. All information supplied is indicated by brackets. Some undated letters for which approximate dates could not be assigned, have been filmed grouped by sender at the end of the regular correspondence. A small group of undated, unsigned, and fragmentary letters has been filmed at the very end of the miscellaneous material.

Probably a majority of all the letters written were between William Wirt and his wife Elizabeth. Although they both addressed and signed their letters in various ways—"Your husband to My dear love," "W. W. to my love," "Eliza to my dearest husband," "E. W. W. to my husband," etc.—no targets have been prepared for the variations. Their letters to each other are immediately recognizable however they addressed or signed them.

The collection has been filmed in format II-B (the sides of the letter perpendicular to the edges of the film) at a reduction ratio of 15 to 1. When an unusually large item required a different reduction ratio, the fact is indicated by an appropriate target. To make the year targets more noticeable, they have been filmed against a background of eyecatching diagonal stripes. Each frame is numbered by an automatic numbering device; the small numbers are located on the lower right side of the frame adjacent to the running target which names the collection and the repository.

Because much of the correspondence is with the Wirt children, they are

listed below:

Laura Henrietta, September 3, 1803–December 17, 1833; m. Thomas Randall, August 21, 1827.

Robert Gamble, January 31, 1805–October 31, 1824.

(Emily and Betsy were born, and died, sometime between the births of Robert and Elizabeth.)

Elizabeth Gamble, c. 1807–1808–?; m. Louis M. Goldsborough, November 1, 1831.

Catharine G., c. 1807–1808–?; m. Alexander Randall, September 22, 1841.

Rosa E., 1810–May 7, 1849; m. Dr. Alexander Robinson, 1832.

Ellen Tazewell, 1812–?; m. Edmund Brooke Vass, May, 1838, (d. September 28, 1839); m. 2d Dr. Charles McCormick, September, 1842.

Dabney Carr, c. 1814–1815–?

Agnes C., 1815–January, 1831.

Henry G., June 1, 1818–June 26, 1850; m. Louisa Anderson?, January 2, 1844.

William C., ?–?; m. Bettie S. Payne, March, 1845.

ROLL LIST

ROLL 1: August 13, 1786–June 27, 1810
ROLL 2: July 14, 1810–July 28, 1815
ROLL 3: August 7, 1815–May 15, 1820
ROLL 4: May 19, 1820–November 15, 1822
ROLL 5: November 16, 1822–May, 1824
ROLL 6: June 20, 1824–May 15, 1825
ROLL 7: May 16, 1825–May 20, 1826
ROLL 8: May 21–1826–January 25, 1827
ROLL 9: March 11, 1827–November 29, 1827
ROLL 10: December 3, 1827–May 31, 1828
ROLL 11: June 1, 1828–December 14, 1828
ROLL 12: December 16, 1828–January 31, 1830
ROLL 13: February 1, 1830–February 15, 1831
ROLL 14: February 16, 1831–January 14, 1832
ROLL 15: January 22, 1832–January, 1833
ROLL 16: February 1, 1833–February 27, 1834
ROLL 17: February (undated), 1834–October 21, 1836
ROLL 18: November 1, 1836–August, 1841
ROLL 19: September 11, 1841–September 15, 1843
ROLL 20: September 18, 1843–May 14, 1846
ROLL 21: June 2, 1846–April 10–11, 1850
ROLL 22: April 14, 1850—Undated correspondence between Mr. & Mrs. William C. Wirt and Mrs. Catharine W. Randall.
ROLL 23: Miscellaneous undated to Catharine W. Randall; letterbooks to Francis W. Gilmer and Peachy Gilmer; Wirt letterbooks, 1806–1816, 1832–1834; Papers of Robert G. Wirt; Wirt's legal papers through 1828.
ROLL 24: Continuing Wirt's legal papers, political papers, published literary papers, unpublished literary papers; miscellaneous material sent to Wirt; miscellaneous material written to or by members of the Wirt family; miscellaneous papers; completely undated material, fragments.

SELECTED LIST OF CORRESPONDENTS

John Adams
William H. Cabell
Peter Carnes
Dabney Carr
Salmon P. Chase
Henry Clay
Joseph Correa de Serra
Benjamin Edwards
Ninian B. Edwards
Edward Everett
Albert Gallatin
Robert Gamble
Francis W. Gilmer
George H. Gilmer
Peachy Gilmer
George Hay
Thomas Jefferson
Reverdy Johnson
John P. Kennedy
John H. B. Latrobe
James Madison
John Marshall
John McLean
Jonathan Meredith
James Monroe
Thomas H. Pope
William Pope
Thomas Randall
John Holt Rice
Joseph Story
Thomas Swann
Henry St. George Tucker
St. George Tucker
Severn Teackle Wallis
Robert Walsh, Jr.
Bushrod Washington
Daniel Webster

Most of the correspondence, however, is among the immediate members of the Wirt family.

Alien and Sedition Acts
Anti-Masonic candidacy of Wirt, 1832
Attorney General office
Burr Trial
Callender Trial
Cherokee Nation v. *Georgia*
Chesapeake-Leopard Affair
William H. Crawford
Dartmouth College Case
Florida land speculation and settlement
Gibbons v. *Ogden*
Andrew Jackson
Indian removal
Intellectual, legal, political, and social life in Richmond, Baltimore, and Washington
Letters of the British Spy
McCulloch v. *Maryland*
The Old Bachelor
Peck impeachment trial
William Pinkney
Practice of law, 1795–1834
The Rainbow: First Series
Second Bank of the United States
Sketches of the Life and Character of Patrick Henry
Springs of Virginia
Supreme Court, 1816–1834
War of 1812
Daniel Webster

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