

*A SELECTION OF LETTERS*

*of Attorneys-General of the*

*United States in the*

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*Edited by HOWELL J. HEANEY\**

The legal autographs in The Hampton L. Carson Collection include more than one hundred letters of Attorneys-General of the United States, for having served as Attorney-General of Pennsylvania Mr. Carson had a special sympathy for that office at both the state and national level. The selection published here ranges from Edmund Randolph, the first Attorney-General of the United States, to George W. Wickersham, a contemporary of Mr. Carson's, and from legal opinion to the sad plea of Randolph, broken in health and fortune, for a clerkship. Amongst the liveliest of the letters is that written by Wayne MacVeagh to Mr. Carson on the latter's appointment as Attorney-General of Pennsylvania. It is as direct as MacVeagh's opening remarks at the dinner given him by the bar of Philadelphia on his return from Rome as Ambassador to Italy: "When I look about me and see so many lawyers who never will be judges, and so many judges who never were lawyers, I know I am back in Pennsylvania."

\*Bibliographer, Rare Book Department, The Free Library of Philadelphia.

BONAPARTE, Charles Joseph, 1851-1921. Attorney-General, 1906-1909.

To RANDALL HAGNER.

Baltimore, Sept. 5th. 1879

Dear Mr. Hagner,

I am in receipt of your letter of yesterday. I regret very much the miscarriage of the Law suit upon the technical ground you mention, for, although I had pretty well given up since your last letter any hope of making the debt out of Dr. or Mrs. L., I did not expect that Snead or Mr. Caperton would become liable for costs. In the last named contingency, however, you must let me know the amount and I will immediately send it to you. I venture to make two suggestions which may possibly avert the catastrophe. In Maryland, a declaration can be amended by making new parties to the suit and merely continuing it as to the old parties: cannot this be done in the District? It is also necessary here to file a plea in abatement by the rule day and verify it by affidavit, and great care is necessary in its form, as it cannot be amended: is it not possible to either move to strike out this plea for want of some necessary formality, or else demur to it for technical insufficiency. At all events, I do not wish you to bring another suit against the Laws, but, if you cannot get out of this difficulty, just let me pay the costs and return the papers to Mr. Snead.

I am, Sir,

Yours very respectfully,

Charles J. Bonaparte

Randall Hagner Esqr.

BRADFORD, William, 1755-1795. Attorney-General, 1794-1795.

To JOHN NICHOLSON, Comptroller-General of Pennsylvania.

Third Street, [Philadelphia] Sept 4, 1784

Sir.

I have considered the case of Col Jno. Proctor as you state it in your letter to me. I agree with you that the circumstances mentioned are strong presumptions in favor of Mr Nesbit, and such as Mr. Proctor must answer and explain away, before he can *finally* get rid of the charge.

But however the *fact* may be, I am of opinion That All disputes between two public Officers, respecting money charged by the one to the other & whether it has been actually received or not, ought to be determined by a trial by Jury, if demanded. At Common Law no one can be compelled to account, before it has been determined by a Jury or confessed by the deft. that he is the bailiff or receiver of the Platf's monies † &c. This priviledge exists when the public is interested, as well as where citizens alone are concerned, unless it be *expressly* taken away. The Comptroller General has authority "to call upon all persons who have been or shall be possessed "of monies &c" belonging to the Commonwealth & have not

accounted for the same." He, therefore, can have no jurisdiction over any but the *receivers of public monies* goods &c. and whether any man is *such* or not, is a fact proper for the intervention of a jury, where-ever it is denied.

It would be extending the powers of the Comptroller Gen<sup>1</sup> too far, & might in some future day give rise to great oppressions, were we to construe the Act<sup>1</sup> so as to make him the sole judge, without appeal, between two public officers, one of whom alleges & the other denies the receipt of public money. The oath of the one who would exonerate himself, can be no evidence against the other: & where there is only presumptive proof it seems the proper business of a jury to decide. A receipt of the party may be considered as his *express confession* & gives the Comptroller Jurisdiction: but even here if it be asserted that this receipt is forged, it would be improper for the Comptroller to determine on it. The Case of Marshall Edwards is a strong proof of the propriety of referring matters of this kind to the decision of the ordinary tribunals.

I would therefore, in the present case, recommend a feigned issue in the Supreme Court, or Court of Com: pleas, for the purpose of determining whether the money in dispute has been received by Col. Jno. Proctor: or whether Mr Nesbit is still chargeable with it.

I am Sir  
Your most Obed sert.  
Wm Bradford Jun

Jno Nicholson Esq

† And if this general Question be determined against him, yet if before the Auditor he deny any article of the Acct. it must be determined in Court.  
[Addressed on verso of last leaf:] John Nicholson Esq. [Endorsed:] Sepr 4h 1784 from Wm Bradford Atty General [of Pennsylvania]

<sup>1</sup> "An Act for Methodizing the Department of Accounts . . .," 10 Mitchell and Flanders, *Statutes at Large of Pennsylvania from 1682 to 1801*, 448.

—  
CUSHING, Caleb, 1800-1879. Attorney-General, 1853-1857.

To GOVERNOR GEORGE N. BRIGGS of Massachusetts.

Newbury Port 27 Nov. 1846.

Dear Sir:

I have received your favor of the 21st.

I have been reflecting on the point you suggested to me, and I venture to lay before you some thoughts in regard thereto.

It would appear, in examining the three Acts of Congress on the subject,<sup>2</sup> and comparing them with the Constitution of the United States, that the Volunteers have in part the character of Militia, and in part not. If they were *wholly* Militia, then the appointment of *all* the officers would belong to the States, U.S. Cons. art 1, s. 8.

Without going into this inquiry, however, the doubt presented may, it seems to me, be resolved in another way.

Congress, in providing for the organization of the Volunteers, has, out of delicacy to the States, and in the spirit of respect for the State authority, devolved certain functions on the respective Governors.

If the Volunteers are Militia, then the power and the duty of a Governor to organise and officer a *regiment* raised in his State are of course undeniable.

If the Volunteers are not Militia, then I refer these Acts of Congress, so far as concerns the question of constitutional authority, to the power of Congress "to declare war" and "to raise and support armies"; in a word, to the *War Power*.

And, in the exercise of the War Power, I think Congress has the right to invoke the cooperation of any & all citizens of the Union, including the Governors of the States, for the performance of any lawful act.

Permit me to present one other point to your consideration.

Of the twenty-eight Governors, eighteen at least have already accepted the functions, and performed the acts, imposed upon and required of them by Congress.

Their authority, it is true, does not decide a constitutional question; but is it not deserving of weight in the solution of a doubt?

If Massachusetts alone should, upon any allegation of constitutional scruple, refuse to execute the Acts of Congress, I fear we shall incur the same irredeemable odium for the next thirty years on that account, which we have suffered under during the last thirty years on account of the constitutional difficulties raised by Governor Strong in the war with Great Britain.

I intend to have the honor of conferring with you in regard to the whole matter, on the 2nd of December.

Meanwhile I am  
Very respectfully  
Your friend & sert  
C Cushing

Governor Briggs

P.S. I notice a very childish quibble in the Acts on the word *appoint*; which is a constitutional word, & comprehends *commission*. See this very case in the militia clause of Art. 1, s. 8. See also the appointment clauses, in Art. 2, s. 2.

<sup>2</sup> Probably 9 Minot, *Statutes at Large and Treaties of the United States from December 1, 1845, to March 3, 1851*, 9, 17, and 20, acts of May 13, June 18, and June 26, 1846.

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LEGARÉ, Hugh Swinton, 1797-1843. Attorney-General, 1841-1843.

To THOMAS N. REYNOLDS.

Charleston 23 April 1840

My dear Sir,

I am quite ashamed of my remissness in not acknowledging, long ere this, how much I am indebted to you for your two favors which I received

in the course of the winter, as well as for the books. These latter came to hand not very long ago—the Thucydides was just what I wanted & it happened to arrive when I stood most in need of it, for I was writing a paper for the New York Review, in which I had occasion to be very critical in my notice of the great historian. The “Demosthenes” of Becker is not precisely the work I wanted, tho’ so much like it in name as easily to be mistaken for it & so much on the same subject as almost entirely to take its place. Still I should be glad to have the work—an *earlier* one of the same author—I spoke of. It is simply Demosthenes as *Redner u Staatsmann*—Schriftsteller being omitted. This last work you sent me containing however, I dare say very much the same things—of course improved by subsequent research.

I dare say you find Munich an agreeable residence. Poor young Drayton Grimké & McMillan King seemed to be very much pleased with the society & other advantages of that city. I spent but a few days there, myself, but was charmed with its situation as well as with the architectural improvements of the town.

As to your studies, if you look forward to the study of law, you ought to make yourself master of the Civil [Law] while you are in Germany. It will be an immense advantage to you when you come to study the common law, for after all the differences between the Codes of nations are not very great—& they reflect infinite light mutually upon one another. If medicine is to be your future profession, of course, you will pursue another course—the physical sciences ought in that case, to engross your attention—especially botany & chemistry. Of course, you will find time to cultivate, as secondary objects, however, other branches of knowledge, but at any rate, I would have you study political & literary history, for which your knowledge of the German will furnish you with immense facilities. Don’t neglect Latin. It is easy to acquire a thorough knowledge of it, by writing it occasionally. Translate first into English, & then back into Latin; & you will then find yourself master of all the idioms & refinements of a tongue, which is a key to a world of knowledge from which you will be otherwise wholly shut out.

If you see the New York Review of July, you will [read?] in it the leading article “on the Constitutional History of Greece” & “the Democracy of Athens,” which is by me. I should like to know whether the learned men of Germany think such things worthy of their notice. I published in the 10th No. of the same work an article on Roman Legislation of which the main object was to bring to the notice of our American public, some of the learned works of the *actual* schools of Germany. I made two or three slight mistakes—but they are inevitable in periodical literature, which is always hasty.

I have no idea of entering the political arena again tho’ my experience has abundantly convinced me how little one’s purposes & wishes have to do with shaping one’s destinies. My private circumstances, however, imperatively demand my attention to some sort of business & I have none to go to, but the law. I have argued this winter some causes of importance.

Pray write to me. You have so much the advantage in the intelligence you have to communicate. You know what a sombre monotony our life is:

nothing (except troubles) ever occurs here.

Remember me, if you please, to your *compagnon de voyage* & believe me very faithfully

Y<sup>r</sup> friend & humble ser<sup>t</sup>  
H. S. Legaré

[Addressed on verso of last leaf to:] Tho<sup>s</sup> N. Reynolds, Esq<sup>r</sup>



MacVEAGH, Wayne, 1833-1917. Attorney-General, 1881.

TO HAMPTON L. CARSON.

Law Offices of Wayne MacVeagh, Frederic D. McKenney

John Spalding Flannery 1317 F. Street, N. W.

Washington, D. C. January 21: 1903.

*Confidential*

My dear Carson:

There are no pitfalls before you—unless you make them which I am sure you will not do—and whenever you feel in need of absolutely disinterested advice from a real friend, ask me for it without the slightest hesitation. Even if you do not see your way to take it, such talk often clears up a subject.

You start with one immense advantage—S[amuel] W. P[enny-packer] is at heart *a thoroughly honest man*. Not always wise—nor always correct in his diagnosis of a political situation—who is?—but at bottom wishing to do his *duty*, as it is given to him to see it—and, thank God, with no itching of his palm.

And you have another immense advantage. You are *his* choice for the place. I frankly confess I did not suppose at first that he would feel able to take his Atty: Gen: from Philada, and I wrote him a line commending Warren<sup>3</sup> as I was told it was to be either Rodgers of Pittsburgh<sup>4</sup> or Warren, and I knew Warren was a vast improvement on Rodgers, but nobody else could have rendered him the service you can—for he knows you *thoroughly* and you know him *thoroughly*,—and you both desire the welfare of the State.

Of course you will encounter a great many scoundrels in and about the Legislature; but you need not quarrel with anybody. They will soon learn, without your telling them, that you are neither a scoundrel nor willing to be the tool of scoundrels; but above all be *good natured* and in all *non-essentials* be as flexible and agreeable as possible.

And when in doubt go to the Governor and talk frankly. If you differ—as you sometimes will—yield to him as he is your Chief—unless it involves your self-respect. If it involves that *in the most infinitesimal degree*, don’t yield; but consult me or somebody like me, so as to be very sure it *does* involve it.

But I trust no such occasion will ever arise. All the same if it does, let me know for your future has now become of importance to the State in which I was born—have always lived—and will be buried—and which I love.

Sincerely yours,  
Wayne MacVeagh

Hampton L. Carson Esq:

<sup>3</sup> Everett Warren of Scranton.

<sup>4</sup> William B. Rodgers.



RANDOLPH, Edmund, 1753-1813. Attorney-General, 1789-1794.

To GOVERNOR HENRY LEE of Virginia.

Phila. Feby. 10, 1793.

Sir

I have endeavoured from the moment of receiving your excellency's favor, on Wednesday last, to snatch an opportunity from public business, to answer it. But it has been hitherto out of my power.

When I first entered into my present office, in the beginning of the year 1790, I instituted a suit against the state of Maryland. About a twelvemonth ago, I sued the state of Georgia also. New York has also been made a defendant, and it is meditated to summon Massachusetts. Thus you perceive, sir, that the expectation of some gentlemen of the law is, that this idea, against which my country remonstrates, will be supported. My conscience and judgment involve me in that number.

Pursuing this conviction, I urged on tuesday last before the supreme Court of the United States the reasons, on which it was founded. Georgia refused to submit in the most distant manner to the jurisdiction, even by permitting an argument to be offered against it. Whether your excellency will not hold this to be the dignified line of conduct, I shall not presume to decide.

Should this be your sentiment at present, and at a future day a contrary measure should be taken, Mr. Ingersoll, the attorney-general of Pennsylvania, has assured me, at my instance, that he will keep himself open for the service of Virginia, should she think proper to employ him. Your confidence can be nowhere better placed.

If the Indiana cause should proceed to a hearing on its merits, two questions will arise; 1. Whether the decision of our legislature in 1779 has not shut up every other inquiry; and 2. Whether Virginia has or has not wrested the rights of the company.

Upon the first I am decidedly of opinion, that Virginia is impregnable, it being an axiom with me that every complete act of any state before the adoption of the federal constitution is uncontrollable by any power upon earth.

On the second, I can say nothing; having once advocated the claim before our house of delegates.

Suffer me then to tender my humble exertions, so far as relates to the rights of sovereignty, which cut off future investigation; and while I offer them, with the deepest gratitude towards my native country, to request you to believe, that I am sir,

with sincere respect and esteem  
yr. excy's mo. ob. serv.

E. R.

His excy H. L.

governor of the state of Virginia

P.S. If your excellency will excuse me, I will suggest the propriety of your remaining here, until the supreme court shall give their opinions upon the Georgia question. You will then be able to direct any measure, which may be expedient.



RANDOLPH, Edmund, 1753-1813. Attorney-General, 1789-1794.

To JUDGE SPENCER ROANE, a judge of the Supreme Court of Appeals of Virginia.

Wednesday night [After March 6, 1810.]

Dear sir

I have just heard, that my old friend John Brown died about two hours ago.

Such is the condition of my fortunes and the imbecility of my body, that my income is reduced to a pittance. It is probable indeed, that had an addition been made to your court at the last session, I should have been associated with you; but my stroke has annihilated the idea. If you approve, I am desirous of succeeding Brown; since Mr. Robinson has now entered into an extensive commercial scheme, which must absorb him.

I am tortured while I write thus, at the remembrance of what I was, what I might have been and what I am; I speak in confidence, which I am sure of, when I place it in you;—not wishing that the affair should be made a thing of eclat as yet at least. I tremble, lest the agitation, into which I am thrown, by a hasty and tempestuous review of my follies, and extravagance should produce a visit from that complaint, which, if it had forborne its hostility for three years, would have left me, in a pecuniary view independent.

I am dear sir  
Your friend

Edm: Randolph.

[Addressed on verso of second leaf:] The honble Judge Roane [Endorsed:] E: Randolph [soliciting?] a clerkship melanch. reverse

RODNEY, Caesar Augustus, 1772-1824. Attorney-General, 1807-1811.

TO AN UNNAMED CORRESPONDENT.

Wilmington April 9. 1804.

Honored & Dear Sir,

I received with great pleasure & satisfaction your friendly & affectionate communication enclosing the paper we have so anxiously sought after, as it will effectually seal the lips of slander itself.

We have not much news with us or much of local importance. Burr's pamphlet has been republished here, at the Federal press. What madness or folly prompted to this I am at a loss to conceive. It will have a very different tendency from that, which they imputed. I applaud & admire the decision which has marked the conduct of the administration in reference to the late unfortunate affair at Tripoli & I flatter myself it will win the approbation of every good man in the community. I find the impeachment of Chase is a popular thing even with some Federal lawyers who cannot but admit its justice & propriety.

Permit me to remark if there be negotiations pending with England, that provision should be made for cases of capture subsequent to Jay's Treaty similar to what was made in that instrument for cases occurring before its execution. If you recollect the neglect of this was one of the charges [against?] Jay. I hope we shall be able to preserve our preponderance at the next state election. Bayard declines taking the field & they are at a loss what to do. It is whispered, that he means to take Wells's<sup>5</sup> place in the Senate.

Every most Affec<sup>y</sup> & sincerely

C. A. Rodney

<sup>5</sup> William H. Wells resigned as Senator from Delaware November 6, 1804, and James A. Bayard was elected to fill the vacancy and took his seat January 15, 1805.

RUSH, Richard, 1780-1859. Attorney-General, 1814-1817.

TO HENRY DILWORTH GILPIN, Attorney-General, 1840-1841.

Sydenham—January 13. 1840.

My dear sir:

I was going to enclose the within letter to our friend Major Barker; but seeing for the first time in my paper this morning your appointment as Attorney General of the U. States, I change my purpose that I may hasten to offer you my cordial congratulations on so signal a mark of the President's confidence. It is truly a most important and dignified post. Of the public advantages of the appointment, none will doubt, and I ardently hope it may be productive of corresponding happiness to yourself in all ways.

Mrs. R. and all of us at Sydenham join in these feelings, adding our congratulations also to Mrs. Gilpin; and I beg you

My dear dear sir  
to believe me Always  
sincerely yours  
Richard Rush

Hon: H. D. Gilpin.

RUSH, Richard, 1780-1859. Attorney-General, 1814-1817.

TO CHARLES JAMES FAULKNER, Representative from Virginia, on  
Secretary of State Marcy's Handling of the Koszta Case.

Sydenham, near Philadelphia,

January 23rd. 1854.

My dear sir,

Your letter of the 19th instant did not get to my hands until Saturday night and the first thing I do this morning is to acknowledge it, premising how little able I feel to afford you any useful suggestions on the subject to which it refers; you, who are at the focus of our national affairs and so well able to turn to the best account all the political light surrounding you.

In few words I proceed however to say, that Mr. Marcy's letter on the Koszta Case, was, as it appeared to me, a powerful one, and, taken altogether, also a guarded one. Its calm tone deserved commendation from all, and not less its patriotic tone. Much of its reasoning, if not the weight of its reasoning, and of its authorities, bore upon the question of domicil. This shield thrown over the citizen taking up a residence abroad, looks, as you intimate, rather to commercial than national objects. A different question opens when the enforcement of the latter may require the national arm to be stretched forth in vindication of the full natural or acquired allegiance indelibly impressed upon the citizen or subject of a country. The fact that Koszta had officially declared under oath before the proper tribunal his intention of becoming an American citizen; and that he had renounced allegiance to all other countries, especially Austria, coupled with his letter of safe-conduct from the ad-interim chargé d'affaires of the United States at Constantinople, may fairly be regarded as having given to him a quasi, incipient, nationality. His illegal and violent seizure and imprisonment at Smyrna by Austrian authority, placed the merits of his case favorably even before the European public to say nothing of our own. Hence the satisfaction with which nearly all our countrymen, including those who may not have had your friendly feelings towards the administration, and mine were like yours, hailed the stand it took for Koszta and in vindication of Captain Ingraham. Yet, foremost of all, we must strive to be in the right; more especially under our rapidly increasing power and with our ambitious tendencies. If in Mr. Marcy's

letter I could see an unqualified assertion that the insulated declaration to become an American citizen, however formally made as above, clothed the novitiate with rights of citizenship so ample and complete as to demand the interposition of our national power for his rescue, and if you take the first step you must be ready to take all, my humble assent would pause before concurring in such a principle. From your letter I infer that your's would too, from the consequences, as both of us must see, that might flow from its adoption into our system. As far as I am informed, it would be new to the code of nations and, I should say, not wisely new. It would clash also with our own past history when that profound international jurist and statesman, Mr. Madison, was in the Executive Chair. But I do not so read Mr. Marcy's letter. It is drawn up with care, and is to be read as a whole—in facts and law together. "*It is not contended*" he says, page 18 of the pamphlet copy, "that this initiatory step in the process of naturalization, invested him (Koszta) with all the civil rights of an American citizen; but it is sufficient for all the purposes of *this case* to show that he was clothed with an American nationality". That is, a nationality quoad *this precise case*. It is so I interpret this passage. The rather, when I combine it with the language seen in concluding parts of the letter, which is found to run thus:—that Austria could derive no authority from international law "to obstruct or interfere" with the right of the United States if they chose to exercise it "in effecting the liberation of Koszta". Again we find these emphatic words: that "Captain Ingham's interposition for his release, was *under the peculiar and extraordinary circumstances of the case*, right and proper". And, finally, that "the President did not see sufficient cause for disavowing the acts of the American agents complained of by Austria".

I have answered you my dear sir briefly that I might do it promptly. Pray take what little I say as at any rate a token of the good will in which I receive your letter. Desiring to offer my compliments to Mrs. Faulkner and your amiable daughters if now with you in Washington, the pleasure of my intercourse with whom last winter I do not forget,

I remain  
very truly  
and faithfully yours,  
Richard Rush

[At foot of first page:] Honorable

Charles Jas: Faulkner.

&c &c &c

WICKERSHAM, George Woodward, 1858-1936. Attorney-General, 1909-1913.

To HAMPTON L. CARSON. Typed letter, signed.

The Attorney General  
Washington

March 19, 1909.

Hampton L. Carson, Esq.,  
1336 Walnut Street,  
Philadelphia, Pa.

My dear Hampton:

I am very much gratified to receive your kind note of 18th instant. I lack that experience in public affairs which you have had in your career, and it is hard to do well in public life without some preliminary training. However, I am trying to regard it merely as a more extended law practice and to deal with the place on that basis. I must succeed or fail by proceeding on that plan.

With kindest regards, believe me to be,

Yours faithfully,  
Geo. W. Wickersham



WIRT, William, 1772-1834. Attorney-General, 1817-1829.

To JOHN E. HALL, lawyer and editor.

Richmond. Oct. 24. 1817.

Dear Sir

Ever since the arrival of yours of the 23<sup>rd</sup> Ult<sup>o</sup> I have been under a cross fire from our court of appeals and the federal district court, in which latter I prosecute for the U. S. The latter court rose on this day and I avail myself of the partial relief which its recess affords, to turn in on the pile of letters that have been accumulating on my hands, without answer, for the last three weeks. Yours is the first to which my feelings as well as duty point my attention. You have been extremely obliging in making so promptly the inquiries I requested. The instruments I wanted, were not for a public institution: they were for myself. I have a couple of children who are old enough to begin to enjoy the wonders of creation and I wished to enlarge the sphere of their enjoyment as well as information.

I thank you very sincerely for the offer to extend your inquiries to London in my behalf: but it is unnecessary and therefore improper to give you this trouble, because we have constant intercourse with that city from this place.—The anecdote in relation to Henry I had previously and, indeed, long since rec<sup>d</sup>—I had it on the very best authority and you will find it a little variant from your *version*. The impatience you express to see my book<sup>6</sup> is very kind; and the more so, as I fear it is the last kind thing which your conscience will permit you to say on the occasion. A friend writes me “that the literary hawks of the north, are whetting their beaks and talons, to pounce upon me.” Be it so: I shall “abide the pelting of the pitiless storm” with at least as much patience as poor old Lear, and am pretty certain that I shall not go quite mad on the occasion. I have been reading D’Israeli’s calamities of authors, which is, I think, a capital specific for impatience under the scourge of the critic; and persuade myself that I could almost bear a bed of live coals with as much fortitude as the Mexican hero, Guatamozin—to be sure, if I had my choice I sh<sup>d</sup> prefer a bed of roses—and so, I suspect w<sup>d</sup> he, too, have done, *maugre* all his magnanimity—but I must jest no more with you on the occasion, lest you sh<sup>d</sup> suspect me either of wooing your partiality on the one hand, or defying your censures, on the other—of neither of which courses, I beg you to be assured, am I seriously capable. My book was written under great personal disadvantages which are detailed in the preface, and a critic predisposed to censure w<sup>d</sup> have much less difficulty in finding vulnerable points, than one predisposed to applaud would have in finding subjects for his eulogy: this I think I may say to you without any suspicion of puerile affectation—for I think I know pretty well when I have succeeded and when not: and if I were, myself, to characterize my book by the endorsement of a single word, as we are told Yorick used to do his sermons, the boldest indorsement I c<sup>d</sup> presume to make [would be] “*passablement*,” merely. This, however, is *entre nous*—and you will please to consider it as addressed to Mr. Hall, the friend and correspondent, and not to Mr. Hall, the critic & editor of the Port-Folio—for I have no notion of having my head broken with my own consent, and much less of furnish<sup>g</sup> a stick to break it, myself.—You are very good to remember your promise to the O. B. Lucas<sup>7</sup> has some curious points about him. I have written to him, myself, and begged him to suspend the publication, ’till I could find time to make it a little less unworthy of the public favor—but he seems to be a gentleman pretty much of his own head, for if I understand him, he is determined neither to wait for me—nor any one else. Fitzwhyllson & Potter<sup>8</sup> have dissolved their partnership; the business is now conducted by the former solely—he is a very honest man—(*the Mayor of this city!*) apparently brisk & attentive to business, and, I believe, quite punctual. I have no high opinion of Mons<sup>r</sup> [     ]. I take him to be a full blooded Yankee, of the lower order. I have to thank you for the law reports, & the lay preacher<sup>9</sup>, which I found out, *by accident*,

a day or two ago, to be at Cottom’s. Dennie was certainly a very happy writer—& with your law reports I am so much pleased, that I must beg you to order me a compleat sett & let me know the price.

Y<sup>o</sup> obliged friend

W<sup>m</sup> Wirt

[Addressed:] John E. Hall Esq<sup>r</sup> Philadelphia

[Note on outer fold, in a hand other than Wirt’s:] Copy to Mr. Randolph

<sup>6</sup> *Sketches of the Life and Character of Patrick Henry*, Philadelphia, Published by James Webster, 1817.

<sup>7</sup> Probably Fielding Lucas, Jr., who published a number of editions of Wirt’s *The Letters of a British Spy* at Baltimore, including a “Sixth Edition” of 1817, as well as a new edition of Wirt’s *The Old Bachelor* in 1818.

<sup>8</sup> Fitzwhylson and Potter, Booksellers, of Richmond.

<sup>9</sup> Hall’s edition of *The Lay Preacher* by Joseph Dennie was published in 1817.



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