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LETTERS
OF
ARTHUR W. MACHEN
WITH
BIOGRAPHICAL SKETCH

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COMPILED BY
ARTHUR W. MACHEN, JR.

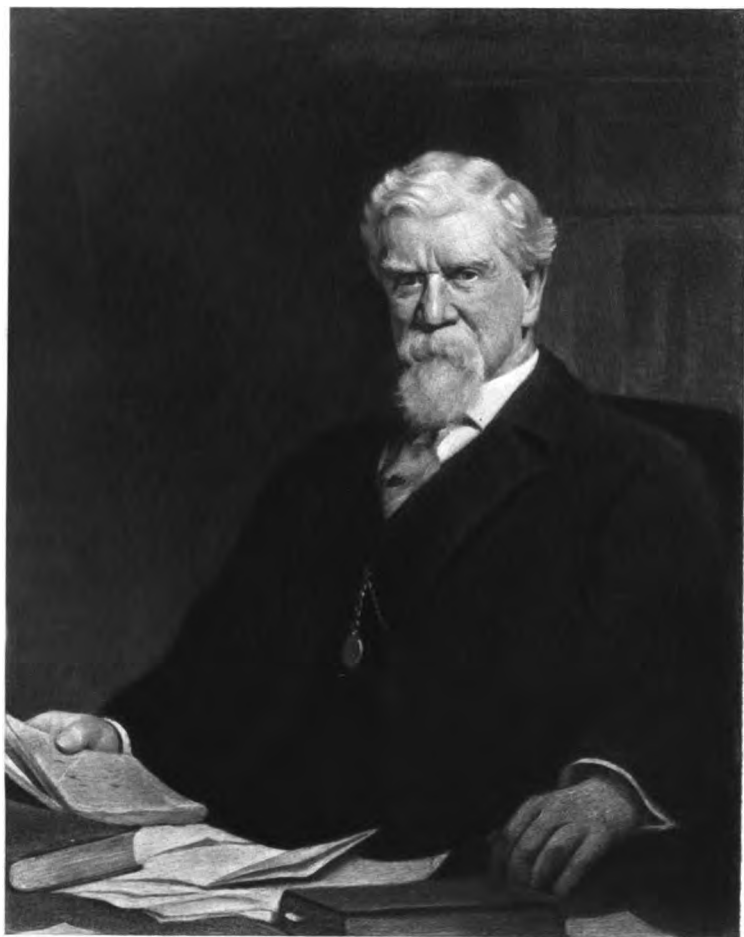
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ARTHUR W. MACHEN, AT 80 YEARS OF AGE

From a Portrait by Thomas C. Corner



Arthur W. Machen

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PREFACE

This volume had its origin in a belief that the most appropriate memorial of my father would be a collection of his stories and reviews, which, having been written anonymously in his youth as a means of support while preparing for the bar, were unknown even to his best friends, together with some excerpts from his beautiful letters to members of his family and others. What was begun as a brief biographical introduction to the stories and essays, and as a thread of narrative on which to string extracts from his letters, has grown into this rather full history of his life, particularly of his early life. A short account is prefixed of his family, and especially of his father, whom he loved and revered and to whose memory he was to the day of his death deeply devoted.

Some of the letters possess no little general or historic interest; and, perhaps, from this material, a book, or at least a small pamphlet or article, that would have been not uninteresting to the general public, might have been prepared. But by deliberate choice this matter has been overlaid with details that can hardly be of interest outside the family. This volume of letters and biography is, therefore, designed primarily for my father's family and a few personal friends; and if it should come to the hands of any outside that circle, I beg them to remember the object which has been in view in its preparation, and not to infer the existence of any vain idea that all the details of family history here recorded would attract or deserve any general attention.

The volume deals chiefly with my father's earlier life—his youthful struggles and his rise to professional eminence. Several reasons for this restriction may be mentioned. In the first place, matters which have passed into history, for

those of us who survive, could be more appropriately narrated than those of which the survivors have a personal recollection. Moreover, the interesting series of letters which passed between himself and his father necessarily came to an end with the latter's death in 1863; and of his letters written in later years, the most deserving of preservation are of too intimate a character to print, relating as they do to persons who are happily still living. Finally, his earlier years were spent in a by-gone civilization—that of the Border States of the South prior to the Civil War—and therefore an intrinsic interest attaches to trivialities of every-day household life which would be commonplace if a revolution in social conditions had not occurred.

A. W. M., JR.

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CHAPTER I

LEWIS H. MACHEN

Lewis Henry Machen,¹ father of Arthur W. Machen, was born in Maryland² on February 22, 1790.³ He was the only son, surviving childhood, of Thomas Machen, who was born in Virginia in February, 1750, and died in Washington, D. C., on May 17, 1809, and of Ann Lewis, his wife, who was born on December 31, 1754, and died in Washington, D. C., on February 13, 1810.⁴

Besides Lewis H. Machen and another son, Henry, who died in infancy, the couple had three children, all girls, namely, Elizabeth, who married a cousin, Vincent L. Lewis, and

¹ The middle name was inserted by himself for euphony, at some time after 1806, when in a letter quoted below he signs his name without the middle initial, and before 1809, after which he customarily uses it.

² In a letter to A. W. M., December 15, 1855, L. H. M., refers to himself as "a Marylander by birth."

³ Strange as it may seem, he could only approximate the date of his birth. On March 15, 1857, he wrote to his son, "I have recently entered upon a period which, judging from the best information I could obtain from my mother after my father's death and associating circumstances—for the family record was lost in frequent removals,—commenced my sixty-eighth year." It seems to have been the custom in the family to keep children in ignorance of their exact age; for James P. Machen, in a letter written about the time of attaining his majority, mentioned that he had only just discovered his exact age by perusal of a family record, which until then had been carefully kept from him. (*Letter J. P. M. to A. W. M., December 29, 1851.*)

⁴ The dates are taken from tombstones in the Congressional Cemetery, Washington. A tradition of the origin of the family is evidenced by a letter from Thomas W. Machen, of New Bern, North Carolina, undoubtedly a somewhat remote cousin, dated August 29, 1828, to L. H. M., "We were antiently from Wales—the first of the name of Machen who immigrated to America was of an Welsh extract and settled on the River Rappahanoc, Virginia." By Wales is doubtless meant the Welsh border, where the name is still favourably known.

moved to Kentucky, where she died on August 17, 1826, leaving several children; Mary, who died unmarried in early womanhood and will be hereafter more particularly referred to; and Rebecca, who spent most of her life in Kentucky with the family of her sister Elizabeth, and died unmarried on March 2, 1855.⁵

Lewis H. Machen, although an earnest patriot and a thorough believer in republican institutions was not destitute of modest pride in a respectable ancestry. He writes:

L. H. Machen to his son A. W. Machen.

Washington, July 19, 1852.

Although I believe the merit of any family stock will depend on the utility and character of their labours, and would much prefer making mine a starting point, with the motto *altiora in votis*, than with unambitious inactivity reposing on a name which others have acquired by strenuous exertions and noble deeds, I am still gratified to find that the families, on both sides, from which I am descended are among the respectable classes of the English gentry.

Of his immediate ancestors and connections on his father's side, he writes as follows, in the same letter from which the above quotation is taken:

From what I inadvertently gathered when young, my father with two brothers and a sister were in infancy when *their* father died. In consequence, the boys were thrown early, unprovided, upon the world. The oldest, Henry, became a farmer or planter

⁵ Taken from letter of *L. H. M. to A. W. M., March 23, 1855*. She suffered from a severe affliction, and for a time attended an asylum, or school, for the deaf and dumb at Danville, Ky. From the training there received, she seems to have derived considerable benefit. A cousin, William B. Lewis, of Nashville, Tenn., in offering Lewis H. Machen a letter of introduction to Andrew Jackson, adds: "You will discover in this introductory letter, that I have spoken of you as the brother of Rebecca; my motive for doing so is in consequence of the regard that the General and Mrs. Jackson both have for her. He will be pleased, I have no doubt, in learning that you are her brother." (*Letter Wm. B. Lewis to L. H. M., February 7, 1824.*)

in the Upper District (Greenville) of South Carolina, and has left behind him a numerous family. The second, John, remained unmarried, grew up, I presume, in an agricultural country without much ambition or exertion, served in the War of the Revolution, derived some assistance and support from my father, and upon his decease was assisted by me to wend his way to his elder brother in South Carolina, having in his possession the bounty land, etc., given to those who had served through the War. No doubt he found with his brother a comfortable home. The sister, Mary, upon whose memory my father seemed to dwell with pleasure, married a Col. Wood, who became an active partizan officer in the Revolutionary War, and rendered himself so obnoxious to the Tories that they surrounded him in his house, and inflicted upon him, a prisoner, one of those cold-blooded murders which too often mark the progress of a civil war.

My own sister Mary was named after her; and if the latter bore a resemblance to the former, Mrs. Wood was no common woman. My sister was tall, elegantly formed, of winning and gracious manners, with a large expressive blue eye, and was fitted to adorn any society. Her memory was retentive—her voice melodious and of uncommon compass. Her letters evince a strong intellect, and a natural and easy flow of thought, and her spirit was far more aspiring than her position would seem to authorise. She died at an early age (24), after forming a matrimonial engagement with one who afterwards became a minister in the Episcopal Church, and gave before her departure a striking exhibition of a genuine work of Divine Grace upon the heart.

If not greatly mistaken in the recollections of childhood (for the facts themselves never struck my father as sufficiently important to reduce them to writing or to speak of them with any formality), my grandfather (by my father) had been the Clerk of the Court in Dumfries, Va.⁶ On his decease, his children

⁶ The published lists of clerks of court in Virginia do not contain the name of any Machen; but an agreement between the titular Clerk of Prince William County, of which Dumfries was then the county seat, and one Thomas Machen, whereby the latter agreed to perform the duties of the office for a period of seven years from February 7th, 1763, is recorded in Deed Book Q of the Land Records in Prince William County Clerk's office. This may have been Lewis H. Machen's grandfather.

being young, his wife married again; the property he left was appropriated by the husband to his own use, and became the subject of subsequent litigation by Henry Machen (my father declining to participate in the incidental vexation and expenses); and in this state of orphanage my father was bound as an apprentice⁷ to a man named Moony, by whom he was treated with some rigour if not severity, but whom he afterwards assisted and forgave.

The education of my father was necessarily defective.⁸ His handwriting, however, was uncommonly neat and plain. His own reflections supplied in some measure the want of extensive intellectual culture. He had an inherent self-respect. His apparel always exhibited love of neatness. Though loved by those with whom he was in the habit of daily intercourse, he was the intimate associate of very few. In truth, though few were more exempt from pride, he found, out of his family, little congeniality of sentiment in those around him. But the characteristics by which he was distinguished above any other person I have ever known, were benevolence, disinterestedness and unswerving integrity. His time, his means, were at the command of others. If wealth was denied him, whatever his labour could bestow was freely given; and this generosity and disregard of self made him too often the victim of the cupidity and selfishness of others. His name was proverbial, in his day, with those who knew him, for goodness, benevolence and honesty; and whatever his origin may have been—and however overlooked by a world which too often estimates character by successful acquisition,—I shall ever esteem it an honour to have had a father who, while not deficient in natural strength of intellect, far excelled the generality of men in the noblest qualities of the heart. Though modest and unassuming, there was something in him which impressed

⁷ As the records of Prince William County contain no articles of any such such apprenticeship, it is to be presumed that a mere placing of the minor under the care and tutelage of Moony was meant.

⁸ What the expression meant to Lewis H. Machen, who was himself remarkably well-read, is shown by the fact that in a letter to A. W. M., dated August 6, 1852, he uses very similar language in reference to General Washington.



THOMAS MACHEN, ABOUT 1808

From a Portrait Medallion



everyone with whom he was associated with respect. During the time I knew him he was a regular attendant upon the Episcopal Service: and, in the latter period of his life especially, the Bible was his constant solace and support.

One trait in his character was too striking to be forgotten or omitted. He loved the highest excellence in everything. Carelessness and negligence were his aversion; and whatever he undertook he performed with scrupulous nicety.

This last-mentioned trait descended to his son, and to his grandson, my father. With very limited means, my grandfather always insisted that whatever he had should be the very best. The same trait was equally noteworthy in my father. Whatever he was concerned with—a piece of furniture, a suit of clothes, a book, an engraving, a brief, or a bill in equity—he always insisted upon the very best. If he gave a present—even a toy to one of his children,—he invariably sought out the very best of its kind. Like his father and his grandfather *“he loved the highest excellence in everything.”*

The exact date at which Thomas Machen established his household in Washington is difficult to ascertain. He owned till his death a house in Alexandria. In my grandfather's childhood the family had made “frequent removals;”⁹ and as stated above, he himself was born in Maryland. They resided in Washington at least as early as the beginning of the year 1806,¹⁰ and in that city my grandfather's early life

⁹ See *supra* p. 1, note 3.

¹⁰ This is apparent from the following boyish letter of my grandfather addressed to “Mr. David Lewis, Loudoun County, Virginia:”

“Washington, February 26, 1806.

Dear Uncle

It was with great satisfaction, that I recd. your letter this day, informing me of your health and that of our friends, and had scarcely finished reading your letter when Uncle James', Uncle Joseph's, and Mr. Elgin's waggons arrived.

It is impossible for any one at this period of the session, to tell accurately the time when Congress will adjourn—some think it will not adjourn till May,

was spent,¹¹ although he always regarded himself as a Virginian and referred to Virginia as the State of his "earliest and strongest associations."¹² When a very small child, he had witnessed the laying of the corner stone of the first capitol by General Washington in 1793.¹³

While he was busily engaged in acquiring an education,—availing of all the means of mental improvement at his command by writing essays,¹⁴ by preparing speeches for delivery before a debating society,¹⁵ and by constant reading and study—his life was saddened, and his education interrupted, by the death of his father, Thomas Machen, on May 17,

but Mr. Fish, a member of Congress, who lives at our house, told me that he thought it would adjourn some time in the *beginning of April*, however, they have a great deal of business on hand, and it may be *later*, but not likely to be sooner. I have nothing particular to inform you of. There has just arrived Intelligence, that Buonaparte has suffered a severe defeat with the loss of 30 thousand men and that he is severely wounded, but this is greatly doubted at least by those who wish the contrary. I have nothing more to inform you of and as the waggons are just about starting must conclude myself.

Yrs. &c.

Lewis Machen.

P. S. Present my respects to Grand Father and Mother and please to remember me to Uncle Joseph and to all the rest of my friends. We are all very well and Father and Mother desire to be remembered to you.

L. M."

¹¹ In describing his emotions on leaving Washington, after the sale of his residence there, he writes: "If Washington had not been the city of my birth, it had been the theatre of my early studies, of my youthful anticipations, my ardent desires, my first and strongest attachments." (*L. H. M. to A. W. M. June 18, 1857.*)

¹² A letter from L. H. M. to Senator Rives of Virginia, September 12, 1836, addresses him as "the representative of that State where are still my earliest and strongest associations."

¹³ A letter to L. H. M., dated August 15, 1859, from S. Hayden, who was then writing or revising a book on George Washington as a mason thanks L. H. M. very warmly for a letter containing his personal recollection of the ceremonies.

¹⁴ An essay "On Female Education," written in January, 1809, is extant.

¹⁵ His "Speech in defence of Junius Brutus who presided over the trial of his sons for treason," which is among my father's papers, was composed in 1807.

1809. The personal estate consisted of a few negroes, household effects, one or two horses and cattle, and of little or nothing else.¹⁷ Lewis H. Machen was, in consequence, left with his mother and three unmarried sisters dependent upon him for support. Thus reduced to the necessity of earning a livelihood at once, he obtained employment as engrossing clerk in the office of the Secretary of the Senate.¹⁸ Although he devoted his spare time to studying law, in the hope of becoming a practising lawyer, yet he never felt able to forego his salary, and retained a connection with the office of the Secretary of the Senate for nearly fifty years.

Within eight months, on February 13, 1810, his mother, Mrs. Ann Machen, died. Not long afterwards, his eldest sister married, and moved, first to Tennessee and then to Kentucky whither his youngest sister, Rebecca either accompanied or followed her. The third sister, Mary, to whose memory my grandfather was deeply devoted, as shown by the loving words quoted above, died of tuberculosis at about the same time.¹⁹ My grandfather, writing to one

¹⁸ See tombstone in Congressional Cemetery, Washington. The Latin epitaph, evidently selected by L. H. M. is pathetic:

"Heu! genitorem

Omnis curae casusque levamen amitto."

¹⁷ See inventory in office of Register of Wills, Washington, D. C. L. H. M. wrote his son: "My father was ruined and his family impoverished by a confiding verbal partnership." (*L. H. M. to J. P. M., January 15, 1858.*)

¹⁸ "It is nearly twenty years, since, more from necessity than choice, I entered upon the duties of the office which I hold. Even then I felt how greatly I hazarded the objects which I had in view, and nothing but a strong moral necessity, even greater than that which has induced me to remain, prompted me to take it, for the benefit of those who had a claim to my protection and exertions." (*Letter L. H. M. to Senator Rives, September 12, 1836.*) A voucher among my grandfather's papers shows that he entered upon his duties on November 27, 1809, at a salary of \$1000 a year.

¹⁹ According to a memorandum purporting to be a copy of a copy of some earlier record, the date of her death was November 15, 1812, and the month of her birth was October, 1785. But according to a reiterated statement in my grandfather's own handwriting, she died on Sunday the 19th of the month (the year and the name of the month not given) and in the 24th year

E. M. Lowe,²⁰ described her last illness and death:

L. H. Machen to E. M. Lowe.

(Undated)

The energy and strength of mind never forsook [her]. Her judgment continued cool and decisive, and her memory tenacious. Never did she repine at the dispensations of Providence, or in periods of the greatest suffering discover the least peevishness, impatience or discontent. But, after life had long ceased to offer any source of enjoyment, and all she could hope was to mitigate the pangs of a protracted decease, she would appear to withdraw her mind entirely from herself, and enliven her friends by sallies of gaiety, or instruct them by the weight of her remarks. Equally removed from the frivolity of mirth, and the gloom of despondency, she always endeavoured to diffuse happiness, by a cheerful, serene and tranquil disposition.

She had been ever a firm believer in the truths of Christianity, and felt its practical influence and divine consolations. Sensible of her approaching dissolution, she on the evening of the 18th requested the administration of the sacrament which was given by Mr. B. Feeling only pity for those she left behind, without manifesting the least attachment to life or dread of futurity, she employed the remaining period in making the necessary dispositions of her property, distributing mementoes with her own hand to those of her friends who were present,²¹ endeavouring to console and tenderly bidding them adieu, and so far from discovering anything like anxiety or apprehension, looked forward with joy to the termination of suffering.

of her age. She certainly survived her father, who died in May, 1809, and she received a share of his estate, in October, 1911.

²⁰ Perhaps her fiancé.

²¹ Among these was a lock of her hair, which, in a paper inscribed "Mary Machen, taken from her head the day before she died," was sent to my grandfather years after with the following letter, the signature whereto is undecipherable, dated Washington, April 28, 1854: "My dear Sir:—In overhauling some papers I have again come across a little parcel herewith sent you. It is the hair of your late sister Mary, given to Miss Borrows the day before she died. Miss Susan intrusted me with it some time since with a request that I would hand it to you, remarking that you would no doubt value it as a memento of a sister long since departed, but whose memory and many virtues are with her as green and fresh as ever." The hair is still of a beautiful chestnut colour.

The following poem was composed by "G. W." for the *National Intelligencer*, though apparently never actually published:

To the Memory of Mary L. Machen who died of a Pulmonary Consumption at an Early Age.

Weep, weep, Columbia's virgins weep;
The lovely Mary's fate deplore,
Closed in grim death's eternal sleep,
Mary now rests to sigh no more.

In youth's gay morn this tender flower,
That flourished sweet to every eye,
Death tore from friendship's genial bower
And left to wither and to die.

Life's bauble joys her heart ne'er knew,
Save those which childhood's dreams bestow;
In pain from tender youth she grew,
The child of long protracted woe.

Perhaps Hope's visions danced awhile
In fancy's wild and wizzard sphere,
Provoked gay pleasure's warmest smile,
And banished sorrow's painful tear.

Yet this was but life's hectic glow,
The short wild throb of transient joy;
While nought remained but gloom and woe
To wound her peace, her bliss destroy.

Now death's last lingering pain is o'er,
The angel spirit's fled on high,
Life's feverish dream she feels no more,
She died to live, no more to die.

Ye fairy elves that nightly play
Along the winding murmuring stream,
That love the moon's pellucid ray,
And flutter in the orient beam:

Oh, sport not on the grassy bed,
Where low in peace loved Mary lies,
Let friendship then, by silence led,
Breathe to her manes his sacred sighs.

And when sweet twilight's mellow scene
Appears with clouds of varied hue,
Oh, let affection haunt her green,
And bid the noisy world adieu.²²

On October 15, 1812, Lewis H. Machen married Miss Cynthia Pease, daughter of Lewis and Hannah Pease, of Connecticut.²³ There was no issue of this marriage. Shortly afterwards, on June 29, 1814, he purchased a small farm comprising about seventy acres in Prince George's County, Maryland, some eight miles from the Capitol and near the boundary of Montgomery County.²⁴ Here he established his residence.

An earnest advocate of a vigorous prosecution of the War of 1812 he was commissioned by President Madison, on May 6, 1813, a Captain of Infantry in the First Regiment of the Militia of the District of Columbia, but on establishing his residence on his farm in Maryland in the summer of 1814, he automatically lost his command.

A few weeks later, on the approach of the British to Washington, by his energy, good judgment and presence of mind, the archives and secret documents of the Senate were removed from the Capitol, and thus prevented from falling into the hands of the enemy, or, from destruction in the conflagration which consumed the Capitol. He himself, in a letter written in 1836 to set forth his claims to appointment as Secretary of the Senate, gives the following vivid narrative of this incident:

²² These verses were found carefully preserved for more than a hundred years, among some private papers belonging to L. H. M. Enclosed in the paper yellow with age, was an evidently contemporaneous and faded wreath made of the spurs of larkspur.

²³ The date and the names of her parents are taken from what purports to be a copy of a copy of a family record.

²⁴ See Land Records of Prince George's County.

L. H. Machen to Wm. C. Rives.

Washington, September 12, 1836.

It may perhaps be said that the higher offices of the government, or indeed the appointments such as the one I now solicit, should be filled by those only who have some claim upon the country, or who have had the fortune to obtain an enviable reputation. In point of reputation, I can make no boast, for it has never yet been my fortune to be placed in a sphere where fame was to be acquired. But perhaps on the score of service, I may be allowed to put in, on this occasion, an humble claim. It is to me, providentially, that the Senate and the Country are indebted for the preservation of records, the loss of which no money could restore, and which, if lost, would have reflected a deeper and more indelible disgrace than the burning of a hundred capitols or the capture of every seaboard city of the land.

It would be tedious and unprofitable to dwell on all the circumstances of an event too deeply impressed upon my mind ever to be forgotten. Its prominent points, however, I will briefly relate.

In the spring of the year 1814, I was induced to purchase a farm and residence in the country, eight miles distant from Washington, as a means, not only of recreation, but of support, in aid of my salary; and when the militia of the City was called out during the summer of that year, my residence in Maryland prevented me from legally holding and exercising the commission of Captain. Thus debarred from militia duty in Washington, except as a volunteer, and not enrolled in Maryland, I hesitated whether to join the ranks of the Company I had commanded, or to keep myself at liberty to assist, if necessary, in any duty which the office might require. I determined on the latter.

A few days before the invasion of Washington by the enemy, in riding to the office I met a waggoner whom I knew, and enquired whether in case of an emergency I could obtain or hire the waggon which he drove. He gave me an affirmative answer.

The Monday preceding the approach of the British, all in the City was doubt, confusion and dismay. The male citizens were under arms. Business was suspended. Every means of trans-

portation was either engaged or in use: and no certain intelligence of the enemy was either communicated or known.

The executive offices still remained untouched. No one appeared to give directions for the removal of anything pertaining to the Capitol. The Secretary of the Senate had recently died: the Principal Clerk was absent at the Springs, and Mr. McDonald and myself, who were alone in charge, were both young men, naturally unprepared for an emergency like this.

In this situation, I proposed to him, early in the morning of that day, steps for the removal of the papers. He hesitated, and we agreed to wait for further intelligence. About 12 o'clock, I told him that my mind was made up; and that if he did not concur with me in removing the papers, I would assume the entire responsibility on myself. He then assented to the removal, but said that the means were wanting. I informed him of what had passed between Mr. Schofield's waggoner and myself. I then proceeded to Mr. Schofield's residence near the Eastern turnpike gate. Mr. Schofield was from home; the waggoner equivocated or refused. I informed the waggoner, whom I well knew, that the case would admit of neither denial nor delay; and that if he did not willingly comply with his engagement, I would impress it on the part of the United States. Supposing that I had some authority, he yielded, and I then found that the horses had been secreted. By thus going myself instead of sending, the waggoner was ready at the Capitol at two o'clock.

Mr. McDonald, when I left him, departed to make some provision for his family, who then resided about two miles distant from the Capitol; and he was prevented from returning during the day.

Aided only by the waggoner, and the faithful messenger, Tobias, I succeeded, with all the personal effort which the emergency demanded, in filling the waggon with the records and papers which I considered most valuable. The first object of attention were the original files and manuscript records. The second, the printed books. When the body of the waggon was entirely full, I departed for my residence in the country, just as the sun was approaching the western horizon.

When near the old Bank of the United States on F street, my

sensations cannot well be described at perceiving that an overload had occasioned one of the wheels to give way. With some difficulty and after some delay, I procured another, which happened to be at a deserted blacksmith's shop in the vicinity. Though the opening of the hub was too small, I was enabled to proceed by removing the iron cleats from the axle. Anxiety for the papers induced me to proceed with the waggon until beyond the suburbs of the City. I then left the waggoner, with directions to follow to my dwelling, arriving there about ten o'clock at night. I listened to every sound, but I heard no tread of approaching horses. After a feverish and sleepless night, I arose early in the morning; still the waggon had not come. It was then and not before that I felt the full weight of the responsibility I had assumed. Proceeding immediately in the direction of the place where I had departed from it, I found it, two miles distant from my residence, overturned and crippled;—an accident produced by one wheel running over a stump in descending a hill. Here I was joined about ten o'clock by Mr. McDonald. For some hours we scoured the country around in quest of a suitable vehicle, and at length obtaining one, Mr. McDonald accompanied the papers to Brookeville, as a place of greater security than my own residence. There they remained until the approaching meeting of Congress.

Among the papers thus preserved were the confidential and executive proceedings of the Senate, and if I do not greatly mistake they constituted, at that time, the only evidence in existence of the executive doings and votes of the Senate for a period of twenty-five years. The value of these books, files and documents thus preserved, was partially discovered in the recent compilation and publication ordered by the Senate of the Executive Journal and Congressional documents. The Capitol has been restored, the library more than equalled, but what would have been said at home and abroad—what would have been the tinge of every American countenance—if the executive history of the Senate for a period of twenty-five years had been blotted forever from the memory or knowledge of man?

It is far from my wish to assume to myself more than may be proper. From the merit of Mr. McDonald I wish not to detract.

A train of fortunate, or rather providential, circumstances induced and enabled me to procure perhaps the only conveyance at that time obtainable. All that was saved was deposited in the waggon by *my exertions* and by *my directions*; and it is certain that if the impending danger had proved less real, and the confidential papers of the office (one of which I knew to contain the number and positions of the entire American Military Force)—thus withdrawn from the place of legitimate deposit, and exposed in an open waggon to the contingencies of transportation by night,—had been subjected by my means to damage and loss without competent orders from a superior, the full weight of responsibility would have fallen on me, and the motives with which I acted would not have provided a shield against public opprobrium, if not deprivation of office.

On October 15th of the following year, 1815, my grandfather's first wife died.²⁵

After remaining a widower for a little over a year, he married my grandmother, Miss Caroline Webster, a native of New Hampshire. Her father, Toppan Webster, was residing at the time in Washington.²⁶ Her mother, née Elizabeth Flagg, was the daughter of John Flagg, of Waterville, Massachusetts.²⁷ Born on November 2, 1788, she spent her childhood in Portsmouth, N. H., in the family of an aunt or uncle, as her father and mother were separated, and ultimately divorced. Her husband referred to her as "the best of wives," and she possessed in an eminent degree the admiration as well as the affection of her children. Her calm spirit, "in trials unperplexed," and the soundness of her intuition, as well as the purity and strength of her religious faith, were perhaps her truest characteristics.

²⁵ Taken from a memorandum in L. H. M.'s handwriting.

²⁶ He was born in Chester, N. H., in 1756, and was the son of Col. John Webster, (born 1714, and died 1784) and Sarah, his wife, née Toppan. Toppan Webster died on September 25, 1821, and was buried in the Congressional Cemetery in Washington.

²⁷ Born October 20, 1694.

TOPPAN WEBSTER, ABOUT 1806

From a Portrait by St. Mémin



In writing to a cousin, in the latter part of the year 1816, she announced her engagement and approaching marriage, and described her future husband:

Miss Caroline Webster to Mrs. Sarah Jewett Orne.

Washington City, October 3, 1816.

. We have had a good deal of sickness and trouble since I last wrote you, my dear cousin. I was absent from home near six months on account of indisposition. The journey had a very beneficial effect, and I am now much better. Soon after my return my Father's wife was taken ill, and died about a month since. She was much afflicted for many years, and I must say I thought it a blessing when the breath left the body, as I have not a doubt but it was a happy change for her. She was a practical Christian.

Our family now is very small, and I think it probable will soon be less, as I have some thought of leaving it. From the letter I wrote Mrs. Parrotte a few weeks ago, I suppose you have learnt there was something of the kind on foot. Yes, Sally, it is decreed that I am to be Caroline Webster but a short time longer. The cousin I am going to give you I think you will not be ashamed to acknowledge should you ever see him, which I most sincerely hope you may. Did I know how, I would describe him to you; but love they say is blind, so very likely I should give you a too flattering picture. He is a Virginian by birth,²⁸ but is now a resident of Washington, and has a clerkship in Mr. Cutts' office. He is just about my age, was married when very young to an amiable but very delicate girl, who was also a Yankee. He has been a widower eighteen months.²⁹ I was introduced to them both soon after my arrival in the City, and frequently visited at the house. Should never wish to enjoy more perfect happiness than they did. He has been trying for about eight months past to ingratiate himself into my favour. So, after duly considering the matter, I have consented to take him for better or for worse. The time when is not yet determined on, but expect the period is not very distant. He has been in Philadelphia since this day week. Have had two very interesting letters from him,

²⁸ An inaccuracy. See *supra*, pp. 1, and 5-6.

²⁹ A slight exaggeration.

and expect to see him in a few days. I will give you his name at large, it is Lewis H. Machen.

You see, my dear Sally, I am treating you with a little more confidence than you did me on a similar occasion. But I forgive you; only write and tell me you are perfectly happy, it is all I ask.

I should be very sorry to leave Father, if I had not every reason to think he will soon have his loss made up. I don't believe he will live single six months. Should he marry the person I think he will, I promise myself much pleasure and satisfaction from the connexion. She is a very pretty, amiable girl, a cousin to his last wife. We have been intimate friends for some time. She has been with me ever since her death, and I expect will stay till after I am married.

For a few years after his second marriage, my grandfather lived with his growing family in a rented house, although at the same time he was somewhat active, to the extent of his limited means, as a purchaser and seller of real estate in Washington. In 1819 or 1820, he acquired half of the "square" bounded by Maryland Avenue, 10th, 11th and C streets, southwest. He bought in that location because he believed—unfortunately for him erroneously—that Maryland Avenue, leading from the Capitol to Virginia, the most important State in the Union, was destined to be the chief street in the City. So confident was he of this, that in order to obtain funds for the purchase he sold land which has since become incalculably more valuable in other parts of Washington.

In 1821-1822, he proceeded to erect upon this lot, embracing about half an acre of ground, a commodious brick double house at a cost of \$4,585.89.²⁰ He subsequently made improvements to the house and garden bringing the total cost to \$5,775.13. The ground stood him \$2,775. The house, was still standing twenty-five or thirty years ago, but has

²⁰ With characteristic orderliness, he preserved all the bills for the work and a memorandum showing the total cost.

now been torn down, and a block of dwelling houses erected on its site. The Baltimore and Potomac Railroad now runs in front of the lot on Maryland Avenue.

In this house Lewis H. Machen and his growing family lived for more than twenty years. Here my father and his brother James were born, and spent their childhood. Here, too, their father gathered his notable library; and in the ample grounds by which the dwelling was surrounded, indulged his fondness for agriculture by planting vines and fruit trees. In particular, the apricots and crab-apples (used in making crab-apple jelly) always evoked unmeasured encomiums, in after years, from both his sons. A letter from a friend written in 1835 gives the following picture of this homestead in the marshy ground along the Potomac:

A. J. Stansbury to L. H. Machen.

Philadelphia, March 31, 1835.

My thoughts very naturally run about in the frog swamp, and as naturally strike my neighbour's hospitable door. I ascend the steps which Mrs. Durity has often trod, and there I find the philosopher in his study, the antiquarian amidst his books, the kind and beloved parent in the happy circle of his children. I see little Arthur with tasselled cap, and honest James with his bluff face and deliberate pace, to say nothing of a younger personage, of whom my chief knowledge is that he takes Morison's pills. I see also a retiring lady, who "does good by stealth and blushes to find it fame," a kind neighbour and a very skillful doctress. I see a noble piano too, with extra keys, that wants nothing but somebody to play on it.¹ It were long to tell of the arbours, and the swings, and the gravel walks, and the choice grapes and the golden plums and the blushing apricots and the melting pears and the prickly raspberry vines which stretch out in the rear, filling a vista that would gladden the gardener's eye, and might inspire Pope to sing of a second Stowe.

¹ This noble piano is still in the possession of the family. Miss Emmeline Machen, for whose use it was primarily intended, was, at the writing of this letter, at school in Greenfield, Mass., so that the piano, it could be said, "wants somebody to play on it."

Over all this pleasant scene my mind circles like one of the little humming birds which often haunt it. And then I follow my fellow labourer into the Sunday School and see him passing from class to class, dropping a word here and a hint there, and watching with anxious heart the aspect of the moral nursery. I hope you had a pleasant and a profitable hour last Sabbath morning. I thought often of you, and of every thing surrounding you, and tried to lift my heart to God for help and a blessing.

Always ambitious, Lewis H. Machen was never satisfied with a mere clerical position, however pleasant to one of his temperament might be the opportunities which it afforded of making the acquaintance of eminent men and of observing political movements. Soon after his marriage to Miss Caroline Webster, he seems to have contemplated moving to Kentucky and opening an office as lawyer in that State; but an uncle, Thomas Lewis, who had previously removed West gave a very discouraging picture of the condition of legal practice in Kentucky in the first part of the last century,²² and the plan was abandoned.

²² The letter referred to is as follows:—

Vincent Lewis', Nelson County, Ky.
October 30th, 1817.

Dr Nephew,

. I really am at a loss whether to advise you to move Westward or not. Perhaps by giving you the outlines of the business of a lawyer in this State, you can determine yourself whether you ought to move to this State or not, if you move at all.

The merchants here are not in the habit of crediting out their goods to any considerable amount unless it be to very punctual customers, and all sums under \$50 being recoverable before a single justice, there is little or no collecting business for a lawyer. The land titles of the country being a good deal disputed, and the laws under which the various calimants derive their title being a good deal complicated, a lawyer in that kind of litigation has a great deal to do, but one coming here from any other part of the world, and who means to become a land lawyer, has his studies to begin anew, and but very few, either natives or foreigners, ever arise to the first degree of *eminence*. I can point out a few gentlemen of this State who you have seen in Congress who have succeeded well as land lawyers, to-wit, John Pope, Henry Clay, Isham Talbot, Jesse Bledsoe, Geo. M. Bibb and Martin D. Hardin: Ben Hardin,

Upon the election of Andrew Jackson as United States Senator from Tennessee in 1824, Lewis H. Machen, pursuant to his ambition for promotion or a transference to some other field of labour, sought an introduction to the popular hero from a cousin, William B. Lewis, who had left

and all the others you have seen from this State, are mere second and third rates. Law suits about land generally involve property to a very great amount, seldom less than \$2000 or \$3000—frequently \$10,000 to \$20,000 and in some few instances to the value of \$200,000, and no man will commence a suit without engaging one and often two of the best lawyers; the defendants must get as many, equally as good if possible; hence it follows that none but first rate lawyers, as well in abilities, as to knowledge, can make anything as a land lawyer. Almost all the disputes are between conflicting claims under different grants from the State of Virginia or this State; not who is the real heir at law or devisee under the same grant, for I have never known one suit in this State to determine who was the real heir under the English rule of descents; some few suits have indeed been brought by widows for their right of dower, but such instances are rare. And yet go to any Circuit Court, almost, in the State, and you will see from 10 to 20 lawyers attending. The whole State is laid off into about 12 Circuits; each Circuit containing several counties (from 3 to 8).

A young man to commence and end his studies in this State and commence practice at 22 or 23 years of age, if he has good talents, will for the first 5 or 6 years make enough to maintain *himself*; in the course of 5 or 6 years more he may lay up something, and after 10 or 12 years he may marry. Of course one-half of the lawyers that ever have appeared or perhaps ever will appear at the Kentucky Bar have lived or must live single for life, unless they should have been or shall be fortunate enough to get a judgeship. And the salary of a judge will at once show the disheartening prospects of a lawyer except of the first class, a judge's salary until about 6 years ago was \$750, at which time it was raised to \$1000 and 2 years ago it was raised to \$1200 (the Court of Appeals to \$1500). A judge has upon an average about 4 counties in his Circuit, each county holding 3 terms a year and from 1 to 5 weeks at a term, so that a judge is or ought to be industriously engaged from 35 to 45 weeks in every year, and yet the office, when a vacancy happens, is sought for with avidity.

The situation and prospects of a merchant (or shop keeper) has become for the last 3 or 4 years but little better than that of a second rate lawyer.

Yet this may emphatically be called a good *poor man's* country; but to live independent a farmer ought to make almost every article of necessity within his own family; but not one man in 20 has or can make money by a farm; the produce of the earth is too low and the price of labour too high to make anything that way, more than a plentiful support.

I should, however, think if you could get a place in some of the land offices in Western Territories or New States upon a salary that would barely main-

Virginia to take up a residence in Nashville, and who, during Jackson's administration was generally recognized as the confidential adviser of the president. Mr. Lewis responded very cordially, and eulogized the new senator:

Wm. B. Lewis to L. H. Machen.

Nashville, February 7, 1824.

Should the circumstances occur you seem to anticipate, you need be under no apprehension that family connections or influential friends will have any weight with General Jackson, unconnected with merit, or in the absence of the requisite qualifications—such considerations are too paltry and selfish for a person of his enlarged and liberal mind. Those who are best acquainted with the General know that merit and qualifications *alone* are the considerations by which he is influenced, and these he will always patronise and support, whether possessed by the wealthy or the indigent—more generally giving preference to the latter when there is an equal degree of merit. Should he be pleased with you, on an acquaintance, and I have no doubt but he will, you will find him a warm and decided friend always ready and willing to serve you on all proper occasions. You will find nothing repulsive in his manner—on the contrary he is inviting, open, warm, candid and sincere. He is a man of the people—lives and acts for the community at large, knows no distinction save that bottomed upon merit, and is an open and avowed enemy to intrigue and intriguers.

tain your family for a few years, avenues would open during that time, by or thro' which you could make money—you would frequently perhaps have opportunity of procuring lands upon low terms and then a few years selling them at good prices. Many have made money in that way, and some few immense fortunes. And the greatest fields now open for that sort of speculation are the Missouri and Alabama Territories, and the State lately erected out of the Mississippi Territory. And I should suppose that either of those Territories, to take the country generally, is as healthy as the City of Washington or the Town of Alexandria; some spots of them as much so as any others in America.

Your relations are, I believe, all well in this State. Remember me affectionately to your wife.

Yours affectionately,
Thomas Lewis.

Notwithstanding this favourable introduction, Lewis H. Machen soon contracted a hearty political antipathy to Andrew Jackson; and in the presidential campaign of 1828 he wrote for the *National Intelligencer* a series of strong, not to say violent, articles in support of the Whig or Anti-Jackson candidate, John Quincy Adams. These articles appeared pseudonymously, under the signatures "Henry," "Lowndes," and "Philo Lowndes;" but my grandfather's authorship was widely known or suspected," and the Secretary of the Senate, his superior officer, strenuously objected to his partisanship, doubtless fearing lest he himself should be included in the condemnation of his subordinate by the successful Democracy. My grandfather, though threatened with loss of office, refused to forego his right as a citizen to use his pen in support of the policies and candidates which seemed to him conducive to the welfare of the country. He himself prepared and preserved a contemporaneous report of the conversation on the subject between himself and the Secretary of the Senate:

Saturday, October, 1828.

A conversation took place today between Mr. Lowrie, the Secretary of the Senate, and myself, which from the circumstances that led to it, the tenor, and the possible result, requires me to preserve an account of it. The following therefore is the substance, as nearly as I can recollect, entered on the night of the same day.

Mr. Lowrie had written to me, at the suggestion of an anonymous writer, respecting my contributions to the public, on the presidential election, and intimated his *decided disapproval*. I replied denying his control over my private affairs. See these letters.—

"The articles attracted considerable attention at the time. For example, P. W. Fendall, a well known Washingtonian, wrote to their author: "A gentleman from Savannah has paid me the high compliment of ascribing to me the essays of Henry; and has requested a copy from me. I promised him to apply to the author for one. You would therefore oblige me by sending me a copy if you can. I think they were published in pamphlet form or some of them were." (*P. W. Fendall to L. H. M., April 7, 1835.*)

Walter Lowrie to L. H. Machen.

Butler, 15th September, 1828.

Sir:

It has been intimated to me, within a few days past, that you are engaged in writing for the public prints on the subject of the presidential election. I hope the intimation is not correct. With the sentiments and preferences of any of the gentlemen in my office, I have nothing to do; but I do most decidedly disapprove of any of them writing on either side of the present contest.

Yours respectfully,

Walter Lowrie.

L. H. Machen to Walter Lowrie.

Washington, September 23, 1828.

Sir:

I received yesterday your favour dated Butler, Sept. 15, in which you apprise me that it has been intimated to you that I am engaged in writing for the public prints, on the subject of the Presidential election, and express your decided disapprobation of any written expression of opinion, by the gentlemen *serving the Government* in the office over which you preside, in either side of the present contest.

As an indication of the wishes of one, holding the relation of my official superior, for whose opinion I have always entertained the highest regard, I shall give to your communication a most respectful consideration.

I think it probable, however, that your informant has misled you as to the extent or nature of my contributions to the public. I am no stipendiary of any public print whatever, and the little I have contributed to the public, through the medium of one, I shall neither be ashamed nor unwilling to avow.

Upon entering the public office, I engaged to perform, to the best of my ability, a known and prescribed duty; to conform to the instructions of the head of the office relating to that duty; and to receive as an equivalent for the services thus rendered, not as a consideration for rights abandoned, the compensation which might be allowed by law. But I never did engage to become an automaton or a machine; to look on unmoved, or without effort, when I

should see the republic institution of my country in danger, or to surrender a single right of an American citizen.

In the office and during the hours devoted to its duties, I acknowledge and obey an official superior. When my official duty has closed, I stand on an equal footing with any man that breathes. In the hours of relaxation from the toil and drudgery of office, my thoughts shall wander as discursive as the air; my opinions, uncontrolled by human authority, shall be embodied in any form my judgment shall approve; and while others are extinguishing life in dissipation, or permitting their faculties to grow torpid from disuse, it shall be my endeavour to treasure up these precious fragments of existence, and devote them to objects which I may deem beneficial to my family or society, and pleasing to that Being who has the time of all at his command.

I am, Sir, respectfully,

Your Obedient Servant

L. H. Machen.

Mr. Lowrie arrived in the City Thursday Evening, October—. Friday Evening, Green, the Editor, had an interview with him on subject. Saturday (this day) Mr. Lowrie entered the room in which I was engaged, and, taking a seat near me, commenced:

Mr. L. I should be glad to know, Mr. Machen, the extent of your contributions to the papers.

Mr. M. I cannot conceive, Sir, that anyone can have a right to request so full a development of my private concerns. Should you have, however, any personal interest in any article of which I may be suspected as the writer, I shall not hesitate to say whether I am or not.

Mr. L. I did not suppose from your letter that you wished concealment. I am not solicitous to know, and perhaps it is best that I should not.

Mr. M. Nor am I anxious for concealment; and that which I might be inclined voluntarily to communicate to you, as to one I might consider a friend—I might be unwilling to communicate if required. I have frequently communicated my thoughts on passing events. I endeavoured twenty years ago to resist the election of Mr. Clinton, in opposition to Mr. Madison. In 1812

I addressed the leading Federalists in Congress, on the consequences of their unwarranted opposition to measures necessary to the prosecution of the war, and at all times since have considered it a right, never abandoned and which I will never abandon, to express my sentiments on the public topics of the day.

Mr. L. Your right is not disputed, but the prudence of exercising or waiving this right may be a subject for reflection. You cannot be aware, I am sure, of the excitement which prevails. Whichever party succeeds, an entire sweep will certainly take place; and I supposed when public feeling was so much excited, it was the desire (or the wish or the intention) of all in this office to preserve a neutral course.

Mr. M. Whatever may be the intention of one party, should they succeed, the course to which you allude has not heretofore been the practice of Mr. Adams, and I am persuaded no one, under his administration, would be prosecuted or punished for the assertion of his rights, or the expression of his opinions.

Mr. L. Such seems to have already been the course of both parties. Mr. Livingston, a man of learning and talents, has been left out for his adherence to one side. Mr. Chandler, a vigilant and faithful Representative, will be.

Mr. M. These can hardly be considered as analogous cases. Mr. Livingston and Mr. Chandler hold honourable trusts, and the people have a perfect right to elect such only as they please, and such only as may reflect their will. My duties are ministerial only, they can be performed without reference to my opinions.

Mr. L. Judge Clark too was removed, for similar grounds.

Mr. M. The case of Judge Clark, I admit, is more in point. But what odium has his removal universally excited? All who have been concerned in it will be covered with lasting disgrace, and the time is not distant before they will deeply regret it.

Mr. L. You cannot be aware of the good feelings entertained for you by Mr. Van Buren and Mr. Calhoun, Mr. Macon and Mr. McLane. Mr. Calhoun requested me to give you the manual to prepare, as most competent in the office—said he had given you trouble—and that he would use his influence to have you liberally compensated. Mr. Van Buren also urged me to give you all the extra writing.

Mr. M. I am sensible of their kindness and would wish to cultivate and deserve their friendship. But I have had frequent opportunity to notice Mr. Van Buren's liberality of sentiment, and I am sure that neither would expect me to abandon my opinion, or neglect what I conceive my duty to society, to gain their favourable notice.

Mr. L. But how will you approach them, or how can they approach you, when they have reason to believe that you apply the term *faction* to the party to which they belong, and speak of them as *desperate* or *unprincipled* or despairing.

Mr. M. I am not aware of having used such terms, even to their party, certainly not to them individually; and had I—and had I—these terms do not approach in harshness many of those which are daily lavished on the party to which I belong, and I know not why my feelings may not be as sentimental as those of Senators themselves.

Mr. L. General Green, an elective officer of the Senate, and conducting a leading paper of a great party, represents, in an interview he had yesterday with me on the subject, that your language to him has been personal and reproachful.

Mr. M. They have been as much so as I could make them, and still less than he deserved. He first endeavoured to point me out as the writer of *anonymous communications*, which no honourable man would have attempted without my sanction or permission; he ascribed to me motives and actions not only false, but abhorrent to my feelings. He charged me with fraud and forgery, garbling documents, suppressions and mutilations. I replied, vindicated myself, and applied to him intentionally, an epithet to which when used by Sparhawk he appeared most sensitive. I expected a similar assault, and was prepared to meet it. He was the aggressor and I acted only on the defensive.

Mr. L. This subject has occasioned me more pain and anxiety than any other since my appointment. I have to you and to your family the kindest feelings, but I have already received more than twenty letters on the subject, besides the one anonymously written, saying that I must do something.

Mr. M. I cannot perceive how you can have the least difficulty. You have only to say that I am not accountable to you for my

private conduct—and that my appointment *by name* was authorised by a Resolution of the Senate.

Mr. L. But the Senators themselves, will interfere, I am certain at the convening of the Senate.

Mr. M. I cannot imagine that five Senators can be found who would say a word upon the subject. If, Sir, there is a single Senator who—after twenty years of faithful performance of my duty—after spending the prime of life in a subordinate station without the possibility of advancement, without even a pretext for charging me with neglect of duty, violation of confidence, or a single act that can affect my moral character—would yet attempt to remove me for the exercise of my private right and the frank expression of my independent opinions, I should like to know him.

Mr. L. You appear to be as ignorant of the world as a child. When I received your letter I expected nothing less than that you should propose (or be prepared, or intend) to vacate your situation.

Mr. M. Sir, when I first entered this office, I did not intend to make it my permanent support. I resolved, if practicable, to become independent of it, if I should wish at any time to leave it. I therefore devoted my nights and a portion of my days to study, and prepared myself for admission to the bar. During the last winter, too, I had the offer to accept the conducting of a paper in this place, but I declined the offer, because while I remain attached to the office, I thought I would not be able to do justice to myself and to it.

Feeling, therefore, that I was not dependent upon the office for my support, I have never truckled, I have never fawned, I have never expressed to any Senator a word that I did not believe to be true.

But if the time has arrived when the expression of opinions is to be regarded as a crime, I should glory in becoming the martyr.

Some other conversation took place on the subject of the business of the office, in which I endeavoured to satisfy him that the imputations upon me or the office were frivolous and unfounded.

This insistence upon what he conceived to be his rights as a citizen did not operate to his advantage. The Democrats were successful in the presidential election, but he did

not lose his office. On the contrary, eight years later, on December 3, 1836, the same Mr. Lowrie who had taken him to task for his public advocacy of the unsuccessful candidate promoted him to be "Principal Clerk of the Senate"—a position which he held until 1859.

Shortly before this promotion, in the autumn of 1836, he learned of the intention of the Secretary of the Senate to resign, and aspired to election to the vacancy. With that end in view, he wrote to a number of the Senators whom he had reason to count among his friends, but the replies, while almost without exception expressing high personal regard, contained few, if any, unconditional pledges of support.

Indeed, the rival candidates were men of considerable political influence, and even included one former senator. Always ambitious and aspiring, and therefore sensitive about his occupancy of a subordinate position, my grandfather, during his canvass for the secretaryship suggested that a failure to select him for the higher office would be deemed such a slight that self-respect would require him to resign the lower. However, although failing to receive the election as secretary, he retained his clerkship.

In 1832, Washington was visited with an epidemic of Asiatic cholera. Referring to this pestilence, Lewis H. Machen wrote:—

L. H. Machen to Walter Lowrie.

Washington, September 4, 1832.

It is at length becoming alarming both from the virulence of the disease and the number of its victims. It is not *now* confined to the intemperate and the vicious, and the lowest number of deaths from it yesterday was twenty,—they probably exceeded thirty. When I went to the market last Saturday, I was shocked at hearing that the corpse of a person who had been taken in the night was lying there exposed to public view.

And again some days later:

L. H. Machen to Walter Lowrie.

Washington, September 15, 1832.

You will receive before this reaches you my letter of the 8th inst, in which I gave you some account of the state of this City. Altho' the disease has extended its ravages to other parts, it has not on the whole, abated since that time. Fewer cases are reported within the last three days—but the number of private practice has increased. The greatest mortality, at first, was in the vicinity of the Post Office. That part is now comparatively free from the pestilence: and it is now more destructive on F. Street (leading east from the Bank of the Metropolis) and on the Capitol Hill. A few days ago, almost every one in the neighbourhood where I reside appeared slightly affected.

It is certain that in Baltimore the public papers have given no idea of the reality. I have conversed with those who have persons in their families who have arrived from Baltimore—and the accounts which they narrate show the appalling progress of a frightful pestilence. A captain of a steam boat plying to this place, while remaining in Baltimore one night, hearing the frequent rap of the physician, the ringing of little bells and the constant passing of the hearses bearing away the dead, took the earliest stage without waiting for his vessel: and soon after his arrival, the physician in this neighbourhood, being called to see him, found his nerves so strongly excited that he thought it prudent to compose him until his impressions could be partially effaced.

Even in our city, the mortality in some tenements has been so great that their destruction has been required as the means of abating a dangerous nuisance. Near General Green's Printing Office, one tenement, inhabited by blacks, all or nearly all of whom have died, has been rased: another owned by the Bank of the Metropolis, inhabited by a coloured family of cleanly and industrious habits and excellent character, has also been destroyed; and some others have been ordered to be cleansed and closed up. In these places, three—four—five of a family have successively taken the disease. In a house between me and the river, a man was brought who was seized while at work. He lived but a few hours. His sister who attended him was immediately seized and in a few

hours died: those acquainted with the circumstances either deserted the house or waited for others to perform the proper offices. An improper delay took place in requiring the interposition of the police officer—and thirty-six hours elapsed between the decease and the interment. Soon after, the driver of the cart—which bore away the remains—sickened and died; and within a day or two after, a young woman in a house very near it was seized violently and did not survive twenty-four hours.

I heard an instance of a strong and robust man who had been induced to bear away, in a wheel barrow, the remains of a person who had died—and who, in two hours after, was himself no more.

If then, the disease is not contagious in life, it appears exceedingly contagious if interment is improperly delayed.

In 1843, Lewis H. Machen bought a farm of some 725 acres near Centreville in Fairfax County, Virginia, about twenty-five or thirty miles from Washington. In former years the place had, I have understood, belonged to some of his ancestors, and was then owned by the wife of one of his uncles, Coleman Lewis by name, and her six or eight children. It was named "Walney" by my father.³⁴ The name is that of a small island off the coast of Lancashire, which my father found mentioned in Camden's *Brittania*, but it was selected on account of the magnificent walnut trees in front of the mansion house. At least one of my grandfather's objects in buying the place was to secure for his two boys the benefits of country life. Like Dr. Johnson, he was in the habit of composing written prayers; and on the occasion of this purchase he wrote a prayer which has been found tucked away among his papers and which reveals the conscientious motives actuating him in this important step:—

O Almighty God—Thou alone possessest all knowledge and all power. Thou raisest up and Thou castest down. Thou establishest families on the earth and settest bounds to their habitations.

³⁴ Other names suggested, and used for a time were "Rockland" and "Rock Ridge," but "Walney" alone survived.

Thy blessing maketh rich, and thy frown withereth their possessions and taketh away their highest happiness. In grateful acknowledgment of thy undeserved favour, of thy repeated interposition, and of thy distinguished mercies, I would this night come and throw myself before thy footstool and humbly beseech thy direction and blessing. In seeking what may be for the temporal good of my companion and children I would not be unmindful of their eternal interests. May I be led to the adoption of that course which will contribute most to their happiness and to the advancement of thy kingdom on earth. In seeking a habitation where they can live in peace, health, and security from harm, may I find one also where they can be most useful to those around them. In my darkness, ignorance and perplexity, wilt thou be pleased, Oh Almighty Father, to guide by thy counsel and overrule by thy divine and unerring interposition, and may that decision which I am about to make be such as may conduce to thy glory, and contribute to the well-being of the remotest descendant of that family with which thou hast blest me. All which I humbly implore, for the sake of Jesus Christ my Lord and my Redeemer. Amen.

May 23, 1843.

For some years the farm had been sadly neglected; and great was the expenditure of time, labour and money required to bring it into a high state of cultivation, and to fit the principal mansion house—there were two on the land, besides a smaller and very old stone house, and several tenant houses—for the abode of the family.

After the purchase of the farm, my grandfather rented his town house, and moved his residence to Walney. During the sessions of Congress he boarded in Washington, while his family remained at Walney the year round. At that time, this part of Fairfax County was the home of many pleasant neighbours; but although the family enjoyed this agreeable society, and although the out-of-door life was probably beneficial to the health of the two boys, the farm never proved financially profitable. Only with the greatest difficulty was it possible to derive a sustenance from the farming operations.

Slave labour was almost the only resource for the cultivation of the farm, but as the family owned at most one or two household servants and had not sufficient means to purchase others, it was necessary to hire from other slave-owners a sufficient number of negroes to work the farm. One or two were hired from relatives in Loudoun County, particularly Miss Martha J. Lewis, of the Gum Spring; but most were hired in the open market at Christmas time for the ensuing year. Consequently, there was almost always a change of servants at the first of every year; and the confusion incident to the change, together with the privilege, then exercised by all negroes as a right, of taking a holiday at Christmas, made that season of the year peculiarly trying, especially to the female members of the household. The references to this incident of a state of society which has ceased to exist are interesting. For example, James P. Machen reports:

J. P. Machen to his Father.

Walney, January 1, 1850.

I attended the hiring to-day in Centreville, and hired one man for \$65, who belonged to Com. Jones near Georgetown though Mr. Love hired him to me. I have also another one at \$70, besides Henry, who is owned by Mr. Love, that I hired two or three weeks ago.

At the same season, two years later, he writes:

J. P. Machen to his Father.

Walney, January 2, 1852.

Hiring is over, and we are supplied with, excepting John, an entirely new set: whether the change is for the better will be more easily determined after a few months' trial. We thought it best to hire Joe, although we had to pay \$50 for him. We also have his wife from Mrs. Brett at \$45; two other men are hired at \$65 each, one from S. Reid and the other from Mr. Grigsby; also a woman from Mrs. Mason at \$40. I thought of taking John into

the field this year, and making an ox-driver of him if possible, and Ma will supply his place in the house by a little girl from Cousin Martha's.

Wages are exorbitantly high—that is certain, and at the hiring some men even went for \$90 and \$100. Whether farmers can afford to pay the present price, is a matter of some doubt: many think they cannot, but labour of some kind must be had, and can any better and cheaper than slave be obtained?

In December 1853, the member of the family then in charge of the farm, visited several markets in his efforts to secure servants for the ensuing year:

J. P. Machen to his Father.

Walney, December 31, 1853.

On Thursday I went to the hiring at Groveton and secured a girl for the house at \$30. Yesterday rode to the Court House through a heavy snow-storm, and engaged Jack from his master at \$95, and another man, probably better in some respects than Jack, for the same. Some were asking \$120 for hands, but I heard of none that went for over a hundred. We get Jinny again at \$55. For a cook we will probably have a woman belonging to Mr. E. S. Plummer, the price to be determined next Monday—the hiring day at Centreville.

In 1855, good servants seemed to have been secured but at still higher prices:

J. P. Machen to his Father.

January 3, 1855.

I had, I think, very good success on New Year's day engaging servants. Though I did not get Jenny's son William, I hired another William who is said to be as capable a hand as there is in the county; the price, however, was high—\$110. Good hands could be obtained for no less—indeed some went for \$120, and George told me that at Dranesville \$150 was in a number of instances given. To pay such prices and save ourselves, it is evident that we must have more work done than heretofore.

Unfortunately, a new set was necessary at the end of the year:

J. P. Machen to his Brother.

Walney, December 25, 1855.

The season has been so mild that we have hardly been aware of the approach of Christmas, but the leave-taking and departure of those with whom we have been in daily contact for a year, together with the calls upon our purse, have made us rather uncomfortably conscious of the fact. We have had, taking all together, a good set with us this year, and I am sorry to lose so many. Mrs. Brett requires Jinny for her own use and Joe will probably go at the same time; George is to be sold, and Phillis will have a young one, and William I do not care to keep. So, when you come again there will be a very considerable change.

The worries incident to these annual hirings can be imagined:

J. P. Machen to his Brother.

Walney, January 3, 1851.

The "awful time," Christmas week, is at length over, and no one is more thankful than I. If Mr. Thompson²⁸ had not been here I really do not know what I should have done. Dilcy had gone never to return, and of course I had to milk the whole week, we not being able to procure anyone else. All male hands left Christmas Eve, without by your leave, or anything else. . . . I considered myself fortunate in being able to hire Henry and two others at \$75 each. . . . I am very sorry that I did not hire all other men at the Court House. At Centreville the hirelings were few and indifferent. The prices ranged from \$70 to \$85. Not being able to do better, I hired a free man for \$65 and \$5 if he behaves himself.

At such a time of confusion, the farm presented its least attractive side:

²⁸ An overseer.

Mrs. Caroline Machen to her Husband.

Walney, December 24, 1856.

Walney presents rather a gloomy aspect during Christmas week, particularly the last part and two or three days in January. The servants are half crazy, and the weather generally cold and stormy. It is a great pity that there is not a different arrangement about hiring servants.

It is not surprising, therefore, that objection was interposed to receiving guests at Christmas:

Mrs. Caroline Machen to her Husband.

Walney, December 13, 1854.

I fear we shall be worse off the coming Christmas than we have ever been—no one even to bring wood and water, and certainly no one to go to the station for visitors. I wish it were different; any other time I should love to see Mr. Blagden at Walney.

Notwithstanding the usually open door of Southern hospitality, a cousin, Edward Orne of Philadelphia, is warned against coming to Walney with his bride at such a season:—

J. P. Machen to his Brother.

Walney, December 10, 1853.

Ma has just written a letter to Edward telling him that the house will be turned topsy-turvy in January, and that he mustn't think of bringing his bride here at that season, and if it were you or I, we would fare no better. She devotes a whole sheet to the subject without a paragraph, and if he can come in the face of it all, he has more temerity than I should like to have in my composition.

The inconveniences were not even confined to the farm but extended to public conveyances:

L. H. Machen to A. W. Machen.

Walney, December 31, 1850.

Every servant has been away. This being the Virginia Saturday, the negro has by courtesy the inside seats of stage coaches,

and the whites by necessity the outside. The darkies alone can frolic, dance and keep Holy Time between Christmas and New Year's and one or two days before and after. Since Christmas Eve, Ma and Emme have alternately boiled the kettle. A cold turkey and boiled beef have sufficed for snacks. The proffered visit of Mr. Lockwood has been politely declined. One neighbour has been kindly requested not to stay to dinner: and on the whole, fuel being scarce, the weather cold, and James withal milking cows or hunting servants for the year, I have had to enjoy the prospect of cattle roaming without shelter and sheep grazing upon snow.

The theoretical hardships and the practical leniency of American slavery—so difficult for the North to understand or believe—were both sometimes illustrated at these hirings. For example, a Northern man would be apt to shudder at the possibility of the rending of a mother from her child exhibited in the following letter:

Mrs. Caroline Machen to her Husband.

Walney, January 1, 1844.

I gave a charge to get a woman without husband or child. At one o'clock Arthur returned with the information that such a one could not be found who had any character; but that Mr. James, who saw you when you came up in the waggon had a woman that he recommended as a good cook, cleanly and honest. Three such good qualities, added to the circumstances of my having to do the principal part of the cooking and not feeling very well in consequence of my cold, induced me to waive my objections to the husband. Mr. James owns the man and says he is very clever. She had a child, a girl, about seven years old, which he said we might take or not as we pleased. If Harriet had not been here I should have had no objection, but as it is I shall decline.

But the indulgence of the owner as shown in the sequel removes any cause for sentimental sympathy:—

Mrs. Caroline Machen to her Husband.

Walney, January 6, 1844.

On Thursday Mr. James came with two women and a little girl. He said the one I had engaged was unwilling to come without the child, and he had brought their own cook that I might take my choice. Both had husbands, and he could say nothing in favour of the one without a child. I thought of the two evils the girl was preferable to a bad man. But if I could have avoided it I would have taken neither.

The responsibilities which slavery cast upon a conscientious Christian master are exhibited by remarks called forth by the death of a negro:—

L. H. Machen to J. P. Machen.

Washington, November 16, 1857.

I this morning received yours of the 14th, and the painful though not unexpected information that Joe was no more. I endeavoured in some degree to instruct and warn him. I told him he and I would have to account to God for the discharge of my duty to him—imperfectly performed I had no doubt—and he for the manner he had received the warning voice. It is now over. I sincerely hope and pray that Jinny, Lucy and Albert as well as Jack, Wesley and Charles, may no longer refuse to listen to the Gospel call, and, so far as they can, cease to harden their hearts against the invitation of infinite Wisdom, Mercy and Love.

The purchase of stock, like the hiring of servants, was a perennial trouble. My grandfather narrates how in 1851 the difficulties were surmounted with the aid of a Quaker neighbour who guided him through Western Virginia in search of cattle:

L. H. Machen to A. W. Machen.

Walney, November 7, 1851.

My dear Son:

My kind friend and neighbour Mr. Haight, having proffered going with me in pursuit of stock, as I have previously informed you, we fixed on Monday last for the purpose.

It proved a bleak and windy day. Dark though not heavy clouds indicated wind rather than rain, and although not disagreeably cold, overcoats and gloves were not uncomfortable.

As Mr. Haight could not ride on horseback, I provided our carryall and two horses (Bob and Selim) for our conveyance; and, in order to provide for bringing the cattle (if we should purchase any) George accompanied us.

Near Aldie, overtaking Cap. Moore in the road, we received from him the most discouraging intelligence. He was returning from Leesburg; said that no cattle was for sale in the vicinity of that place; that General Rush (or Russ) had the day before visited the grazing districts of Salem and Upperville on an errand similar to our own; that although there had been a number in the neighbourhood of Middleburg, the graziers and drovers had for three or four weeks been contending with each other; the former insisting on a reduction of price, the latter refusing, on the ground of inability without great loss; until finally, a few of the drovers fell in their prices, others sold on terms less injurious to themselves, and three large drovers returned to the West from whence they had come, without effecting a sale.

The necessary consequence of the return of these three drovers was to deter others from coming, diminish the usual supply, and put the graziers to a strong competition among themselves.

At Middleburg the information received from Cap. Moore was confirmed. A remnant only of one drove was in the vicinity of Rector Town and a drove of small cattle had been at Salem a few days before. General Asa Rogers advised that we should go eight miles distant to Joseph Nichols's—who, having been at the Friends' Meeting House the previous day, could give precise and accurate intelligence concerning the demand and the supply.

Instead of going to Salem, we dined at Middleburg and proceeded to Friend Nichol's. It was an hour after sundown when we arrived. Mr. Nichols had just himself returned with 40 head of cattle which he had purchased. His accounts were similar to all we had heard. He knew of only a small remnant of 40 head which had been two days before for sale two miles distant, but which he thought it highly probable had been by that time, disposed of. He thought our best and only chance would be at Rector Town and Salem.

The prospect being so discouraging, and the prices so high—Mr.

Nichols and three others having given \$2.25 gross,—I felt strongly disposed to return homeward, the next morning, as I came.

Friend Haight then proposed to Friend Nichols that he should guide us by the nearest route through the mountainous country between the Snigersville Turnpike and the Winchester Pike to Rector Town. I could hardly reconcile it to my sense of justice to impose so great a sacrifice of time on one who had already received and entertained us in the most kind and liberal manner. Friend Haight was inflexible, and I had to yield. After an early breakfast we started—George rode the horse of Mr. Nichols. Mr. Nichols took the reins, as best qualified for the rough carriage roads of this mountainous region, and, after inquiring of every one we met on the way, boys and men, for cattle on the market, we reached Rector's Cross Roads without an encouraging word. After passing that point about a mile on the Winchester Road, on our way to Rector Town, we met a gentleman who informed us he had passed a drove of three or four hundred which has just come in from Lee County (the most remote south-west county of Virginia, 400 miles distant). Driving a mile or two further we met the drove. Causing it to halt for examination, we found three-fourths of them small and poor, but from forty to sixty of the *top*, quite passable.

After different propositions made and declined, finding we could do no better, I agreed to take 31 of the choice at \$2.25 per hundred. They were weighed at Rector's Cross Roads, and we reached Middleburg with them after dusk.

Thus far, although the price was high, all was as well, considering the state of the market and the lateness of the season, as we could have expected. But when we first met the cattle, getting out of the carriage and proceeding on foot to arrest their progress, I met with a slight mishap. The two days ride, in a mode to which I was not accustomed, with the unusual chilliness of the weather, had probably caused some numbness in my extremities. Just as I was deliberately turning round on foot, with my cloak around me, the toe of my right foot came in contact with the heel of my left, and produced an inclination backward. After some ineffectual attempts to recover an upright position, perceiving that I *must* fall, I extended my left arm (which was under my cloak) to break its force. That arm then receiving the weight of my body was turned under me, and the consequence was a very obvious dislocation of the elbow.

Rising immediately, I called to Friend Nichols who was not far off. As he approached I informed him of my condition, and asked him to draw the lower extremity of the arm into the socket. His fear of hurting me too much caused his attempt to fail. Friend Haight and another gentleman by the name of Lake in the meantime approached. I requested my coat to be removed. Mr. Lake having more strength than friend Haight then drew the arm with the force in his power, and the lower joint of the arm was drawn into the proper socket. All was done within five minutes after the accident occurred. The perfect resumption of the two parts into their original position was evident from the outward appearance of the arm, and the slight *snap* which the reduction occasioned. Camphorated spirits were soon applied; and although some swelling and inflammation have taken place, I returned home the next day (Mr. Haight driving) without much inconvenience.

Thus I am detained from Washington three or four days longer than I had expected.

My principal object when I commenced this letter was to mention to you, for your future remembrance, the hospitality of Friend Nichols and his wife when under his roof; his cheerful readiness to leave his home and business to promote the objects of a stranger who had no claims upon him; the labour which he took in driving the carriage from his residence to Middleburg during the whole day; the judgment which he, in conjunction with Mr. Haight, displayed in selecting the cattle, and his uncommonly kind attentions to me during the time.

I feel also towards Friend Haight, for his friendly assistance after my mishap, a weight of gratitude I cannot express.

If this incident has no other effect, I hope it will have that of making me disposed to think less of myself and more of others; and to render the services to all, friend, enemy or stranger, which it may be in my power to confer in my brief journey through life, not expecting a return.

Though the pain in your Ma's left side is not removed, her cough is nearly well and her general health seems better. Emme is as well as usual.

Your late letter, after so long a silence, gave us all great pleasure.

Your affectionate father,

L. H. Machen.

As the years wore on and party strife became more bitter, efforts were not lacking to oust Lewis H. Machen from his office. The matter was complicated by a difference in politics; he was a Whig, the majority of the Senate as well as his own superior officer, the Secretary, were Democrats. In the autumn of 1851 and even earlier, he was aware that machinations were on foot to displace him.³⁶ In the spring of 1855, the envy of his position became more pronounced, and he wrote to his son, then just getting into practice in Baltimore:—

L. H. Machen to A. W. Machen.

Washington, March 7, 1855.

There are those in Washington who look with some envy on the little privilege I enjoy of residing some portion of the year in the country. Whatever can be urged against me will be done. No doubt my office has been an object to which some longing appetites have been directed. The idea of my having served in it—and they suppose enjoyed it—forty years and more is itself appalling! Will he *never* die? Can he not be made to resign? Is he to have a fee—simple or a life estate in it? Can no method be devised to undermine or dispossess him? How desirable it would be just now to have so convenient a position—as, to hear the debates, see the action of the legislature, become familiar with public men, see the secret springs of government, sit at ease and witness the contests of party, the conflicts of interests and the weaknesses of human nature, and then to retire during the recess, to retire into the coun-

³⁶ "While in Washington, I called upon a Senator detained by sickness, and learned from him as well as others, that great efforts will be made next session to go into an election of officers, and produce some changes which, if commenced, will be pretty general. My situation, particularly, was greatly desired last session by two individuals; and by combining together, they may aim at the position of the Secretary and myself; I should, however, at my time of life, and with the prospects before you, not be greatly disquieted under any circumstances. Placing my confidence still in that almighty and merciful Being who has hitherto led me along the journey of life, I shall endeavour to do my duty each day and receive with thankfulness what he is pleased to bestow." (*L. H. M. from Walney to A. W. M. at Cambridge, October 2, 1851*).

try to enjoy philosophic leisure—an annual salary of \$2400 for only six months' service! It is surely time that this monopoly should cease. The thought of good fortune like this inspires envy. The political cormorant who thinks every office created as mere sports of party is driven to frenzy at the obstinacy or fate by which he is retained while *better men*, cringing sycophants, and another class I will not characterize in a letter, could supply his place. You will recollect your having asked me two years ago by what means I had incurred the enmity of Since that time although the power and influence of some individuals are not so great as then, it is easy to see by external signs, that the dispositions of the heart are not changed. During these exhibitions, I have, I trust, turned to another source for enjoyment. I am willing to confide in Him whose providence has placed me where I am.

Although the attempts to oust him from office were not at this time successful, yet in December of the same year, a Mr. Hickey, a junior appointee holding a subordinate position in the office of the Secretary of the Senate, succeeded, by taking advantage of the absence of the Secretary from the chamber, in securing the passage of a resolution elevating himself to the position of "Chief Clerk," (my grandfather's title being "Principal Clerk"), at a salary of \$2,500 as against my grandfather's slightly lower one. My grandfather construed this action of the Senate as promoting his junior and inferior over his head;—and this notwithstanding that Senator Rives of Virginia, Senator Pratt of Maryland (the author of the obnoxious resolution), and Senator Bright, President *pro tempore* of the Senate, all assured him that they had been deceived as to the object and effect of the resolution, and that no reflection upon him or discourtesy to him had been intended.³⁷ Notwithstanding these assurances, he still felt the passage of the resolution as a slight and a disgrace, and he imagined,—with what little cause can readily be conceived—that his friends avoided his society in consequence:

³⁷ Taken from a letter of L. H. M. to A. W. M., December 15, 1855.

L. H. Machen to A. W. Machen.

Washington, April 7, 1856.

I have been but twice into company since the resolution was passed—and at each time I escaped with as little notice as possible. The slow and moving finger of scorn may not be pointed upon me, but I feel that a vote of degradation has been passed which requires from me something more than a silent and tame acquiescence.

Again and again his wife urges him to put aside such morbid thoughts, and to mingle in society as before:

Mrs. Caroline Machen to her Husband.

Walney, February 25, 1856.

I cannot imagine why you should think that was any barrier to permit your joining in a social circle anywhere. What has transpired at the office surely casts no stigma upon your character, and therefore cannot lower your standing in society; the obloquy in the opinion of every person of good sense must fall upon the one who so far demeans himself as to act the hypocrite to obtain an unjust advantage over his associate in office.

And again:

Walney, March 28, 1856.

I was glad to learn that your health permitted you to join an evening party—but why quit it so early? You have talents and information to compete in conversation with the best of them, and I would have taken my part for an hour or so longer, after taking the trouble to dress and get there. I think I can imagine what your answer would be, but I cannot agree with you in opinion, and cannot believe that any of your friends would. What have you done to lessen your standing in society? Nothing; and is it not wrong to indulge such feelings as you express in the letter now before me? For my own part, I feel that a great wrong has been done you; and I cannot but hope, and believe, that a kind Providence will overrule events in some way so that justice be done in your favour. In the meantime, pray keep up your spirits and let

us enjoy the blessings that are left us, for they are numerous; and may our hearts ever be lifted up in gratitude to that Being who has showered so much good upon our earthly pilgrimage.

And yet again:

Walney, May 5, 1856.

When you calmly and dispassionately review the subject, can you for one moment suppose that any honourable person would think the less of you for being the victim of such treachery? Surely not. Then why let it depress your spirits?

Notwithstanding all the encouragements of his wife and family, the incident continued to prey upon his mind. With advancing years, his health, too, began to fail; and before two years had passed, the movement to force his resignation became open and persistent. Finally, in May, 1859, he yielded to the pressure,²² and resigned. He lacked but seven months of rounding out a half century in the service of the Senate.

During this long period, he enjoyed almost unrivalled opportunities for observing the rise and fall of parties and of leaders, and the characteristics of public men. His strong intellect and well-informed mind was not slow to avail of his opportunities. Few men, probably, have had so extensive an acquaintance with the great political leaders of the country. In his youth, he saw the last of the statesmen of the Revolutionary era; in middle life, he came into intimate contact with the giants of the constructive period of American history; and in his old age, he was brought in touch with the statesmen, North and South, of the times of Civil War.

Unfortunately, he left no collection of his reminiscences, so that much that would be interesting perished with him.

²² The strength of this pressure may be gathered from L. H. M.'s remark apropos of some allegations of errors or omissions in the journal. "If I had the eyes of Argos, the arms of Briareus, and the ears of a mole, I could not escape the efforts of detractors." (*L. H. M. to J. P. M., January 17, 1859.*)

Sometimes, however, particularly in his letters to my father, some comparison between different notable men or some picturesque recollection is preserved.

In early life, in 1816, in writing to his future wife, Miss Caroline Webster, he contrasted the eloquence of John Randolph and William Pinkney, as exhibited in a debate upon a constitutional question:

L. H. Machen to Miss Caroline Webster.

Undated, but written from Washington, in 1816.

The proceedings of Congress are now assuming an interesting aspect. Reports have been made on a system of internal duties and the establishment of a national Bank, both of which subjects will no doubt excite an able and protracted discussion. On a bill to carry into effect the late convention with Great Britain, an unexpected debate has arisen on a constitutional question of great importance. The power to make and conclude treaties being vested in the President and Senate, and treaties being declared by the *Constitution* to be the supreme law of the land, it becomes a question whether the provisions of a treaty inconsistent with former laws are in themselves sufficient to repeal those laws; or whether it is not necessary that an act should be passed by *both branches of the National Legislature* before the treaty can take effect.

Among those who have taken a part in this discussion none are more distinguished than Mr. Randolph and Mr. Pinkney. The former takes the old Republican ground, that the President and Senate cannot by treaty do away the positive enactments of law. The latter, with some leading Republicans and nearly all the Federalists, supports the contrary opinion.

Mr. Randolph and Mr. Pinkney possess great oratorical powers, but differ in their peculiar excellence. Randolph, cool and collected, is seldom agitated, or even warmed, by his subject. Desultory, and perhaps superficial, incapable of the higher species of eloquence, seldom attempting alone logical deduction and never with success, he yet seizes the attention by the fascination of his manner, communicates his ideas with great clearness, and gives to the subject every grace which an intimate acquaintance with

classic literature seldom fails to impart. Those who desire profound investigation would return from Mr. Randolph disappointed; but for cool yet cutting sarcasm, severity of retort, quickness of reply, the play of fancy and corruscations of wit, he has scarcely a superior.

Pinkney, ardent, and energetic, would give even to mathematical subjects the colourings of passion. His conceptions are clear, his language chaste and impressive; every word he utters appears necessary to his subject; he leads you directly to the point under consideration; and while delighted with the variety of illustration and beauty of imagery which obey the call of a vigorous fancy, you are never apprehensive of being lost, however far he may carry you, and follow, without fear, the guidance of his comprehensive, discriminating mind. His great excellency consists in the close and deep investigation of abstract truth; whatever may be the subject of discussion, he recurs to first principles which all are ready to admit, and leads imperceptibly to the conclusions he wishes to establish. His memory, astonishingly faithful and retentive, selects with ease from every department of knowledge the materials for argument and illustration, and by turns persuasive and impassioned, he leaves no time to reflect on the elegance of diction or correctness of sentiments, but carries away his hearers with a burst of impetuous oratory.

Thus, although both excel, they have scarcely a point of resemblance. The chief wish of Randolph would appear to be to please; of Pinkney to convince. Randolph never adheres to the subject in debate. Without the least regard to method he pursues the meteors of his own fancy, and often appears to lose all the traces of his flight. Pinkney never wanders from his subject while attempting to adorn it. He collects no extraneous matter, nor leaves you without being either convinced by his arguments or astonished at their ingenuity. Randolph would perhaps be the most attractive popular speaker; Pinkney the greatest senator or lawyer. While the one would be content to gratify his sarcastic humour, or cull the flowrets of fancy, the other would aim to convince the understanding. Randolph, like the rainbow, would please by the beauty and variety of his hues; Pinkney, like the foaming cataract, impresses you with a sense of sublimity and power.

Their private characters have perhaps some influence upon their public exertions. Mr. Randolph's strong prejudices and envenomed disposition render his shafts harmless, even with those disposed to admit his integrity and independence; while Pinkney wants that undeviating rectitude and excellence of moral character which can alone impart authority to reason, charms to eloquence, and dignity to truth.

In much later life, he described in the following terms the eloquence of several orators whom he had known:

L. H. Machen to A. W. Machen.

Washington, February 16, 1851.

Some possess from the gift of nature a fluency of delivery, and a flexibility, fullness and melody of voice which fills every auditor with pleasure and surprise, and imparts almost irresistible force to what, from others, would awaken no emotion. I have known such in my time. Summerfield³⁹ was remarkable for a sweetness and melody of voice which penetrated the heart; Randolph⁴⁰ for a clearness and distinction which riveted attention; and Mason⁴¹ for a fullness and depth well suited to the soul-stirring truths which he delivered; while Clay still survives so many of his contemporaries to exhibit a propriety of emphasis, a variety of cadence, and at times a sweetness and compass of voice which, with his matter, have rendered him the greatest of modern orators.

Incidentally, he vividly describes Rufus Choate's restless physical activity and Chief Justice Marshall's favourite forms of exercise:

L. H. Machen to A. W. Machen.

Washington, March 27, 1856.

While Mr. Choate evinced great mental activity, he seldom occupied a chair during the sittings of the Senate; was continually

³⁹ The distinguished preacher of the Moravian connection who died in 1825.

⁴⁰ John Randolph of Roanoke.

⁴¹ A clergyman?

in motion, and probably counteracted or mitigated, the continued action of the brain by a proportionate exercise of the physical frame.

Judge Marshall, I know, was a great walker, and usually employed his vacations in the game of quoits in which he excelled. He was, I believe, the president of the Quoit Club at Richmond.

In urging his son not to confine himself to a sitting posture when writing, he mentions incidentally the habits in that regard of John Quincy Adams as well as Rufus Choate:

L. H. Machen to A. W. Machen.

Walney, June 25, 1860.

I am now desirous of impressing on you the importance of preventing, when young, the difficulty which I now experience from too long, and too unremitted, a confinement to a desk when not in a standing position. Mr. Otis, formerly Secretary of the Senate, had a standing table, and thus preserved his strength and activity, as long as he remained in office, that is, until his last sickness. I purchased the standing table which Mr. Adams used for many years while Secretary of State, and he probably had another which he used when at home. Mr. Choate had a standing table behind the President's chair at which he wrote. He rarely sat. I intend to stand altogether as soon as I am able to bear the cold in the library.

He mentions with apparent approbation the custom of several eminent senators to dispense with notes:

L. H. Machen to A. W. Machen.

Washington, April 8, 1856.

I observe that Mr. Seward⁴² although an attentive listener, takes no written notes. This reminds me that Mr. Clayton⁴³ neither in elaborate speeches nor in instantaneous reply, uses a written note, but relies wholly on memory; William Pinkney and Mr. Calhoun never used notes. In the former, it was most remarkable

⁴² William H. Seward, of New York.

⁴³ John M. Clayton, of Delaware, one of L. H. M.'s best friends.

that he could recite names and dates from the records of appeal cases without reading them, and it was often a matter of surprise to me that he never whilst speaking referred to a note. Mr. Clayton has informed me that whilst a practitioner at the bar, and when witnesses were under examination, he relied wholly on memory for their evidence; and that if any question arose between himself and the opposing counsel as to the evidence given, a reference to the judge's notes was nearly uniformly in his favour. Mr. Clayton had been trained in the Litchfield Law School, where a reliance on memory was recommended, and at that time more than at present observed. His remark to me was that his memory was faithful because trusted to.

He watched the debates critically and intelligently, and his judgments were often singularly accurate, particularly in reference to new members. For example, he predicted the future eminence of Judah P. Benjamin upon his first appearance in the Senate:

L. H. Machen to A. W. Machen.

Washington, May 24, 1854.

The debate during the whole day was spirited; at first, somewhat personal, between Bell and Tombs and Badger; at other times, eloquent and able. Mr. Wade, of Ohio, a Whig Freesoiler, was bold, frank, caustic; Benjamin, a young member from Louisiana, rose at once to the first rank, in a speech of real eloquence. Seward maintained his character for general ability and philosophic deduction; Douglas, Sumner, Weller, Cass and Chase, for vituperative denunciation or intellectual gladiatorship; and Mr. Clayton, for clear, masterly argument, on the constitutional rights of citizens of the United States (instead of foreigners unnaturalized) to hold office. Some of the speeches—those, for instance, of Bell, Clayton, Benjamin, Wade, Seward and Chase—will be read hereafter with care, and benefit, by the reflecting part of the country.

A few months later, he wrote in greater detail, and still more enthusiastically, of the young Louisianian:

L. H. Machen to A. W. Machen.

Washington, July 20, 1854.

I pointed out to you when here Mr. Benjamin, who is quite a young man, though a senator. I understood that he has accumulated, already, by his profession as a lawyer, a large property. I am not surprised at this. I have never known anyone who possesses in a higher degree that faculty of mind which is essential to professional eminence. His statements are clear, compact, without unnecessary verbiage, and in language so pure and forcible that they require little more to enforce them. It would be worth attention to notice them, in the *Globe*; and for this purpose I will send you some of his reported remarks.

In forwarding a copy of a speech of Senator Rives, of Virginia, delivered before the Young Men's Christian Association of Richmond shortly after retiring from the Senate, Lewis H. Machen utters an encomium upon that statesman:—

L. H. Machen to A. W. Machen.

Washington, July 13, 1856.

At a time of general declension, not to say infidelity, it is the testimonial of one to the truths of Christianity who when he first appeared upon the stage of action, in the House of Representatives, was considered by discerning men as one who would be most likely to redeem the waning character of Virginia, and maintain the name she had required by the eminent ability of a Madison in the services of contemporaneous statesmen; and while in the Senate his last speech on the necessities for union among the States gained for him the tribute publicly given to him by Mr. Clayton, in the Senate a few days ago, of being the first statesman of the age.

The deliberate opinions of one trained like him under the eye of Madison, and after serving his country with distinguished ability as a legislator, diplomat and statesman, now retiring upon his paternal acres, not to enjoy a literary leisure but to perform the active duties of the citizen and the Christian, may well deserve the consideration of the reflective young men of the country.

I should greatly desire to merit and enjoy the intimacy of such

a man; but if from untoward circumstances this be denied to me, I hope *your* efforts for your country, and successful labours in a noble profession, will place you in a rank with those whom a grateful prosperity will remember.

Himself an ardent Whig, my grandfather was saddened by the nomination of Gen. Scott in preference to Daniel Webster in 1852, and in that connection preserves a remark of Webster's which, perhaps, would otherwise be lost:

L. H. Machen to A. W. Machen.

Washington, June 22, 1852.

Again the Military has triumphed over the Civil. New York has deserted her own son; the Whigs in pursuit of power, have deserted principles; and the South has proved recreant to her truest interests. Webster should certainly have received every Southern vote. How hollow and contemptible the passing of a complimentary resolution—thus doing everything (as he in my hearing once told another) in his favour but vote for him.

Indeed, he had a high opinion of Franklin Pierce, whom he had known as senator, and looked with complacency upon his election in preference to Scott:

L. H. Machen to J. P. Machen.

Washington, June 5, 1852.

The balloting in Baltimore is still going on. The 26th ballot is the last I heard of. Cass has got down to 26 votes—not to rise again. Buchanan and Douglas stand highest, the former about 100 the last 80. It is possible that the voting will close to-day without a nomination, and that some one not yet voted for will be taken up to-morrow. This may be Franklin Pierce of New Hampshire; and if we are to have a Democratic president, I know of no one whom I would prefer.

L. H. Machen to J. P. Machen.

Washington, June 7, 1852.

The nomination of Gen'l Franklin Pierce, of New Hampshire, for the Presidency will take most persons by surprise. I have

had a very high opinion of him when he was in the Senate, and think that, if elected, he will perform the duties as satisfactorily as anyone the Democratic Convention could have selected. Indeed, for one, I am exceedingly glad that the executive power may thus (if the Democratic party prevail), be placed in hands as able and safe.

As late as 1856, after nearly fifty years of close observation and in spite of the tendency of an old man to become *landator temporis acti*, he records his opinion that the average ability is as high as ever:

L. H. Machen to A. W. Machen.

Washington, March 27, 1856.

I think it will be found that although the Senate has lost a Webster, Clay and Calhoun, the average talent in the Senate will not be less than at any former period. Certainly some new members are not inferior to their predecessors.

Nevertheless, he was not without appreciation of the absurdly trivial character of some debates in the House of Representatives if not in the Senate:

L. H. Machen to A. W. Machen.

Washington, April 19, 1852.

To give you an idea of the usual exercises, patriotic efforts, and elevated objects of the Representatives of the American people in Congress assembled, I will accompany this with a record of the proceedings of *one day*. The Speaker presiding over a body composed, for the most part, of stump orators and county court lawyers, who have acquired the inveterate habit of sharpening their wits on weak judges, credulous juries, country bumpkins and pot-house politicians, I have read the proceedings in the same way that I would examine the court trials, caucus meetings, and general advertisements in a San Francisco newspaper. To be present at a two days' discussion whether the Executive Documents and Legislative Reports should be printed or not before the termination of the session, and, if printed at all, by whom,

would surely afford an edifying spectacle to one desirous of knowing the statesman-like attainments required in the legislative department of a model republic.

Daniel Webster he always admired and revered. In writing to a friend in 1830, he gives the following interesting contemporary description of the circumstances and of the famous speech in reply to Hayne and of the effect produced at the time upon himself and other auditors:

L. H. Machen to W. Slade.

Washington, January 30, 1830.

Within a few days a debate has unexpectedly arisen in the Senate, which, by an unusual latitude, has involved topics that no one, at its commencement, could have foreseen, and, in its progress, has awakened more interest than any I have ever witnessed except the Declaration of War and the Missouri Question. The subject was a motion, by Mr. Foote, to inquire into the expediency of arresting the surveys of the public lands which are now going on, at a great expense to the Union, although millions upon millions of acres remain unsold. Upon this motion Col. Benton, the professed champion of the West, obtained a vigorous ally in Genl. Hayne, who, in a speech well prepared for the purpose, referred to the oppressive policy which in his opinion had been pursued by the General Government in the settlement of the Western States, and censured in strong language the efforts which he alleged had been made by the Eastern States to prevent their population, and retain them in a state of poverty, weakness and dependence. Mr. Webster, in a reply, characterized by ability, eloquence and animation, vindicated the policy of the General Government towards the Western States, as liberal and parental; justified the particular acts which had received the concurrence of Eastern votes; and showed that the firm foundations of Western happiness and prosperity had been laid by Eastern men, who, rejecting the principles and the measures of the South, had succeeded in excluding the taint of slavery from a large portion of the Territory, and securing to the people the survey of lands previous to location and settlement. This defence was masterly and con-

clusive. But not content with vindicating ably the land of his nativity, he imitated the skill of Scipio, who contended for empire on the plains of Zama. He adverted to the recent opinions of the South, so adverse to the favourite measures of the West, and introduced a speech of the Hon. Mr. McDuffie, the present chairman of the Committee of Finance, whose talents, influence, and directness of purpose he at once admitted, in which he opposed an appropriation for the Cumberland, and deprecated the adoption of any Act which would present additional inducements to Western emigration, and tend to withdraw the population of the South into the vortex of the Mississippi.

This able reply drew from General Hayne another speech of still greater length, in which he endeavoured to support his former propositions; culled from Eastern pamphlets with which he had been furnished, the inflammatory expressions which had been used in the days of embargo and war; referred to the proceedings of the Hartford Convention; attributed to the East the tariff, the fruitful mother of every abomination; and endeavoured to convict Mr. Webster of the inconsistency of having opposed the Tariff of 1824-5, and supported that of 1828.

It was supposed, by some, that the main objects of this formidable attack were in the first place to alienate the Western from the Eastern States by the tender of a Southern largess to the first, and by decrying the last; and in the next place to diminish the influence of Mr. Webster by charging him with high-toned federalism; connecting his name, however unjustly, with the Hartford Conventionists; and assailing his character for sincerity and consistency. So ardent was the encounter, and so sharp the missiles, that an intense anxiety was produced lest a single individual, assailed by a disciplined and directed corps, should suffer in his well earned reputation.

When it was known that on the day succeeding this Philippic, Mr. Webster would probably reply, the Senate Chambers and Galleries were filled almost an hour before the time at which the Senate assembled. To accommodate the ladies who thronged the vestibules, not only the lobbies and passages below were filled with chairs, but even Senators had the gallantry to yield their seats; and, still, many were seen standing during the whole of the

day. When Mr. Webster commenced his reply I never witnessed a more breathless attention. Amidst the visible excitement which prevailed, he arose, collected, and, apparently, unmoved. He continued, for three hours, during the first day, and displayed powers which, great as I knew him, I was not aware that he possessed. The missiles discharged against him fell harmless at his feet, or were returned with deadly energy. He moved onward without pretension, and apparently with no unusual effort, and yet fixed the earnest attention of every spectator by the unostentatious display of every species of eloquence. In narrative, he was clear, vigorous and unimpassioned. In self-vindication, he elevated himself while he depressed his adversary. In dignified but cutting sarcasm, he filled his auditory with his own emotions, or excited their compassion for his fallen opponent. He continued the next day for three hours more; and still the time seemed short to all who heard him. It was then that the peculiar characteristics of his mind were more strongly displayed than before. He reviewed the history of parties—and the various subjects which at times had agitated the public counsels; traced the commencement and progress of the protecting policy, and the adopted system of internal improvements; discussed as became a statesman and constitutional lawyer the power and the right of one or more states to oppose or nullify an act of Congress; and portrayed the consequences of disunion in language eloquent and glowing, and in a manner which will never be forgotten by the most insensible of those who heard. Never, I assure you, was there ever, in our country, a more felicitous display of moral and intellectual greatness.

The discomfiture of General Hayne, and indeed of the small party who are now known as the adherents of Mr. Calhoun, was apparent. The Vice-President⁴⁴ was evidently goaded to the quick; and at one time was thrown from off his guard. When Mr. Webster referred, with admirable point, to the *lead* which South Carolina once took in the career of internal improvements, and to the position he at that time held, as an humble *follower*, he asked whether if his leader, discovering *new lights*, which were not visible to others, were to turn abruptly from this path, it would not, nevertheless, be the duty of the individual who had

⁴⁴ John C. Calhoun.

adopted his opinions, and hitherto followed his example, when the reason for this change was not apparent, to pursue his uniform, direct and onward course—an irresistible impulse pervaded the whole audience, and the Vice-President, in a moment of forgetfulness of the relation in which he stood to the Senate, arrested the Speaker with the inquiry whether Mr. Webster meant to attribute to the Chair a change in his opinions? With great self-possession, Mr. Webster replied *certainly not*, especially in a place where the gentleman was not allowed even the privilege of reply.

At the close of his speech, but one sentiment of unmixed admiration pervaded the most numerous assemblage I had ever witnessed at any debate in the Senate. It was universally conceded that Mr. Webster had not only maintained his established reputation, but had made an additional and no inconsiderable advance towards the summit of oratorical excellence. A gentleman of great natural endowments, whose opinions are entitled to great respect as a scholar and Christian, assured me that he had formed no just conception, until he heard Mr. Webster, of the capacity of the human mind.

In 1841, when Webster resigned his seat in the Senate, in order to become Secretary of State in William Henry Harrison's cabinet, the announcement of his resignation was the occasion of a sharp debate, which is passed over with only a few general words in the report in the *Congressional Globe*⁴⁶ but is recorded at considerable length in a letter written the same day by Lewis H. Machen, who as an ardent Whig

⁴⁶ The passage in the *Globe* is as follows:

"The Vice-President submitted the following letter to the Senate: (Here follows Webster's formal letter of resignation.)

"Mr. Cuthbert and Mr. Wright simultaneously arose, but the former gentleman obtaining the floor, expressed his regret that the Senator from Massachusetts was not present to explain or retract certain opinions heretofore expressed by him on a subject of vital interest to the southern section of the Union.

"An animated debate followed, in which Messrs. Clay of Kentucky, Preston, Cuthbert and Rives participated, and which was terminated by a successful motion for adjournment.

"And the Senate adjourned." (*Congressional Globe*, 2nd Session, 26th Congress, p. 199.)

and admirer of Webster was keen to detect a political animus in the attack upon him, while a feeling of sadness could not be suppressed at the great New Englander's retirement from an office so admirably suited to his talents:

L. H. Machen to Gov. John Davis, of Massachusetts.

Washington, February 22, 1841.

Dear Sir:

The interesting events of this day in the Senate have prompted me to communicate them, not from the vain wish of becoming your correspondent, but to apprize you, at once, of a plan of operations against Mr. Webster, as the most prominent member of the new administration. I remember very well that a similar course was pursued against Mr. Clay when he was the prominent member of Mr. Adams' administration, though the ground of attack was dissimilar.

At the close of an interesting discussion upon a motion by Mr. Crittenden for leave to bring in a bill to prohibit federal officers from interfering with elections, Mr. Webster's letter, stating in a few words nothing more than that he had resigned his seat in the Senate, to take effect this day, and that the Executive of Massachusetts had been informed of the vacancy, Mr. Cuthbert arose, under some apparent excitement, and said that he regretted that the Hon. Senator was not then present: that he was desirous of obtaining from him precise information touching his opinions on a subject of vital interest to the South; that he would be glad to know from the Senator whether his opinions had undergone the change which his friends had ascribed to him: for that on entering the elevated station to which he was called, nothing short of absolute certainty would satisfy those for whom he acted.

Mr. Clay, (Kentucky), immediately rejoined: said that he regretted that the Senator should have taken this occasion to raise a doubt on the subject, or assail by innuendo an absent Senator, who if present would have been so able to defend himself; and, after pronouncing a tribute to Mr. Webster's legislative career, and to an intellect and acquirement which would reflect honour on any age and any country, he added that he was happy to assure the Senator that the opinions always entertained by Mr. Webster, and

recently expressed in the most authentic form, were such as must give entire satisfaction to the Senator himself.

Mr. Cuthbert again rejoined that he would be happy to know that by any recent declarations Mr. Webster had made any atonement for opinions formerly expressed; that these opinions tended to the annihilation of the South; and that he had possessed the evidence of their having been unequivocally expressed. He referred to Mr. Rives as himself pressing Mr. Webster on a former occasion with having entertained those opinions.

Mr. Rives peremptorily denied his having done so. Mr. Cuthbert reiterated his assertion. Mr. Rives, with great decision and some warmth, reaffirmed his denial, and said that having been informed by the Senator himself of what he then stated, and certainly knowing nothing that could add to Mr. Cuthbert's unsupported declaration, he could never have done more than unite in the inquiry which might have been made by Mr. Cuthbert on a former occasion. During this explanation between Mr. Rives and Mr. Cuthbert, Mr. Rives addressed Mr. C. as his honourable friend. When Mr. C. interrupting him, said, "Friend no longer." Mr. Rives immediately rejoined, "Be it so—if the Senator desires it"—and, using only the term "Senator," finished his remarks.

Mr. Preston in a most impressive and *eloquent* manner, declared that Mr. Webster's expressed opinions were perfectly satisfactory to him, and he believed would be satisfactory to the entire South. He united in the just tribute which had been rendered to his extraordinary ability by Mr. Clay, and repeated the declaration given by Mr. Webster at Alexandria and Richmond, and which, *ipsis verbis*, had been repeated in Massachusetts, &c, &c, (I would here attempt to recall something of the language of his eloquent flight if my object were not only to give merely the idea).

In the course of these frequent and animated rejoinders, I understood Mr. Cuthbert to allege that Mr. Webster had given his opinion that the General Government possessed the power (under the constitutional provision to regulate commerce) to prohibit the sale and removal of slaves between the States; that he had possessed himself of the authentic evidence of this fact; that he had used his exertions to obtain possession of this evidence before Mr. Webster should leave the Senate; and that he expected to receive it in a few days.

So far, certainly, this attack has proved abortive, or must recoil upon those who may have concerted it. Mr. Webster was placed by Mr. Clay and Mr. Preston on elevated ground; the unappropriateness of the occasion must be apparent to every one: and its injustice without the ability to produce the proof cannot but be felt by every honourable man, either North or South.

It shows, however, the desperate efforts which will be made from the very beginning to recover lost power. Vigour and unanimity, however, with a just administration of affairs, will, I hope, render these efforts wholly unavailing. * * * *

This day was one to me of painful interest. The Senate Room is the great theatre for the exertion and display of Mr. Webster's uncommon powers. I could not but call back numerous and important occasions in which I had witnessed their exertion. It was at least probable that I should witness them in a similar way no more. It recalled, too, the long period, nearly thirty years, when I had eagerly watched every occasion when I could be allowed the privilege to hear—privileges which thousands would have envied—but not sufficiently valued or improved.

I sincerely trust that the important position in which he will be placed will contribute not less to his own reputation than to the good of his country.

As already mentioned, Lewis H. Machen was a Whig in politics, and as such distrusted and denounced the Democratic Party. Slavery he regarded as an evil, which, however, was more tolerable than its sudden abolition.⁴⁴ Consequently he was distressed to observe the growth, on the one side, of a pro-slavery party, and, on the other, of an

⁴⁴ On January 24, 1834, his daughter Emmeline, writing from boarding-school at Greenfield, Mass., after describing the attractions of a Yankee fellow-pupil, Miss Mary Webster, adds: "But one thing I must not omit to tell you, she is a thorough-going abolitionist. I fear this will not raise her *judgment* in your opinion; and I think if she were better acquainted with the African character she would not be so sanguine in her expectation of the good that would arise from immediate emancipation. But (as she does it most eloquently) I shall leave her to plead her own cause; she has long ago given up making *me* a convert."

abolition party. After listening to a debate in the Senate on the slavery question, he wrote:

L. H. Machen to A. W. Machen.

Washington, May 26, 1852.

The infatuation of some men is wonderful. Slavery is disappearing from natural causes, just as [speedily] as the order of Providence and the ultimate benefit of the inferior race will permit. Why will man put forth his puny and mischievous efforts either to hasten or retard an inevitable decree?

And again two years later:

Washington May 26, 1854.

I fear that the old lines of the Whig and Democratic parties will henceforward be broken up; that for some time hereafter there will be only two sectional parties—pro-slavery, anti-slavery—that the South has gained a dear victory; and that the result may be disastrous to the whole country.

Anything contemplating disunion, Lewis H. Machen always opposed with asperity. In 1850, he hailed the first mutterings of Southern secession with sorrow and denunciation, and acclaimed with joy the passage of the three compromise bills of that year:

L. H. Machen to A. W. Machen.

Washington, September 9, 1850.

To-day I am gratified by the approval of the three bills by the President. But while I write, the gratifying tidings have been spread with the rapidity of light throughout the land. We have escaped, by the merciful interposition of an overruling Providence, an impending calamity of the greatness of which no estimate can be found; and it now behoves every man, young and old, who loves his country to visit with the severest moral retribution in his power those who have seriously concocted and traitorously planned the dissolution of this Confederacy. That there are such, none will now deny. That there were, eight months ago I informed you

was my belief, although the mask which partially concealed the enormity of the crime was not then thrown off.

Although he hoped that the danger has been at least postponed, he recognized that it had not been removed; and yet he never dreamed of coercing seceding states, if secession should eventuate, but expected peaceful and economic causes to bring about a voluntary restoration of the Union:

L. H. Machen to A. W. Machen.

Washington, December 14, 1850.

The temperate firmness of the President's⁴⁷ message will tend greatly to disarm the extreme parties, North and South. South Carolina, it is true, seems bent upon secession and a Southern Confederacy. However disguised, I have no doubt of that having long been the object of some of her ambitious and leading statesmen, who have poisoned many well-meaning citizens with erroneous opinions concerning the feelings and acts of Northern men. This sentiment of hostility, once awakened, has been powerfully stimulated into activity by the loss of their former political ascendancy in the management of public affairs, and by the failure to convert the foreign acquisitions for which the war was urged on, as well as the extensive territory of Texas, into slave territory—or rather the failure to perpetuate the political control of the slave-holding states. But,—fixed and universal as this sentiment may be in South Carolina,—Virginia, Georgia, Tennessee and North Carolina, cannot be brought in to her measures; and I can hardly believe that South Carolina will secede alone. Should she ever do so, a brief trial of independency of the Union, increased taxation, and the loss of supplies from the adjoining states, and of revenue from import duties except those levied upon her own citizens, would soon make her as clamorous to get into the Union as she has been to get out.

The most exciting single incident of which the Senate Chamber was the scene in the years immediately preceding

⁴⁷ Millard Fillmore.

the Civil War was the assault upon Sumner by Preston B. Brooks, of South Carolina—an event which was the subject of somewhat extended correspondence between Lewis H. Machen and his son Arthur. At the time of Sumner's election to the Senate, the elder Machen was not disposed to think highly of his statesmanship:

L. H. Machen to A. W. Machen.

Walney, September 4, 1851.

I have perused the sketch of the biography of Sumner. It seems to confirm my impressions of his legal and literary attainments. Though written, evidently, by a friend, and perhaps a partial friend, it discloses traits worthy of commendation. I may doubt, however, whether in his last movements he has taken the path to the most enduring fame, and, if honest and sincere, is not misapplying his cultivated mind and distinguished ability. In practical statesmanship, the late J. Q. Adams was not the safest or wisest counsellor and guide.⁴⁴ Moses, acting from divine inspiration, adapted his laws to the times and circumstances in which he lived, and gave to the Jews statutes not absolutely perfect; and Paul, alike inspired, and the most exact, fearless and conscientious of men, wisely forebore from disturbing the social relations which were far beyond individual control, and must be left to those inevitable but unseen agencies which mould the character and institutions of a people.

The son, on the other hand, a few weeks afterward, writing from Cambridge, where he was then a law student, expressed a more lenient, or at least hopeful, view:

⁴⁴ This reference to John Quincy Adams might, taken alone, produce an erroneous impression as to L. H. M.'s opinion of that statesman. He had actively supported him for re-election to the presidency in 1828, and was personally attached to him. On his death he wrote, "Mr. Adams is no more; a great and good man, whose services will be long remembered, and whose great reputation as a scholar, negotiator, jurist, and executive magistrate, has been achieved mainly by labour and diligence." (*L. H. M. from Washington to J. P. M. at Walney, February 25, 1847.*)

A. W. Machen to his Father.

Cambridge, Mass., November 21, 1851.

Mr. Sumner, the senator elect, was here a few days since. By the way, he says he has a perfect recollection of you, and is under the impression he was introduced to you by Judge Story, of whom he was a protege and favourite. As I have mentioned before, he is a fine scholar, and I think his free-soilism will not prevent his settling into conservative statesmanship under the beneficial influences which office has upon minds which previously have had a disposition to be erratic.

Whether on account of the impulsive nature of youth, or of the more distinctly Southern atmosphere prevailing at Baltimore, as contrasted with the somewhat cosmopolitan surroundings at Washington, the younger man, however, when the years rolled around and Sumner was assaulted by Brooks, was much less inclined than his father to palliate if not to excuse the assault. The father's letter to his son narrating the occurrence is worth quoting in full:⁴⁹

L. H. Machen to A. W. Machen.

Washington, 21 May, 1856.

Dear Son:

I left this city last Saturday, and, proceeding in the cars from Alexandria, met Jack with a conveyance at Union Mills, and reached home at 10 o'clock. I had informed Mr. Blagden of my intention, and not being willing to return as soon as my official duty required, he rode on horseback and arrived in time for our usual dinner.

It was my original intention to return in the cars of Monday morning; but, after going to the cars Sunday evening—I found that the morning train was now omitted every Monday; I therefore returned home, took an early start, with Jack and the mules, and

⁴⁹ Before the actual assault, he had begun a letter giving his impression of the debate which provoked the attack; for the draft, evidently interrupted by the exciting occurrence, was preserved among his papers. In it, he criticised Sumner with more sharpness than in the letter written after his sympathy had been excited by the assault.

reached Washington by 11 o'clock, just in time to change my dress and enter the Senate Chamber, before the reading of the Journal.

I found, on entering the Senate Chamber, an unusually large audience; the Senate Gallery was filled with ladies; at a little later hour the vestibule and the doors were also crowded, and it was evident that some great effort was expected.

It soon occurred to me that the day had been assigned to Mr. Sumner on the Kansas subject. The spectacle before me was imposing. The large and brilliant audience; the calm that sometimes precedes the storm; the thrilling intelligence from Kansas that a kindred people were arrayed against each other—all contrasted strongly with the rural scene which had so recently occupied my mind. It seemed almost as if I was suddenly aroused from a delightful dream, in which imagination had decked the objects around me with what would only lead the mind to the contemplation of the power, the goodness and the love of the Almighty—to the contemplation of the intellectual and moral conflicts which would exhibit at once our unhappiness and our fall.

Mr. Sumner commenced at the appointed hour. Whether it was owing to the theme, the importance of the question, the earnestness of his manner, his evident preparation, or the power of eloquence—(the highest expression of mind)—to sway the minds of others, it certainly happened that Mr. Sumner commanded at that time an almost breathless attention. It was no crude, inartificial or extemporaneous effort. Prepared with the utmost care; delivered with grace, and dignity and force; self-relying and self-sustained—he exhibited for three hours a mind enriched with classical lore, and a memory so faithful, as to leave it doubtful whether it was possible that he had delivered only a *written* discourse.

After concluding one division, evidently with concerted understanding with his colleague, at four o'clock he yielded to his motion to adjourn.

The next day he continued for three hours, with apparently unabated strength; and unquestionably exhibited an ability and eloquence rarely equalled by Choate, and not exhibited since the palmy days of Webster.

It was, however, to me a matter of extreme regret that while he portrayed what *he* considered unjustifiable proceedings to pervert the apparent meaning of the Nebraska and Kansas act, in the fervid and strong language which any one, with his sentiments, ought to be at liberty in any free country to express, he yet indulged in expressions whose only effect, I thought, would be to irritate and wound. I was particularly sorry that he attempted then to retaliate on Judge Butler and Judge Douglas for expressions formerly used in debate, which (I suppose) had festered in his mind instead of having been magnanimously forgotten. He had been made the object of repeated denunciation; and, if strong and caustic and plain language was used by himself in an attempt to repel these reproaches, I do not think they were commensurate with the indignant and scornful rebukes which he afterwards received.

When he had closed his speech, however, of Tuesday—he was replied to by Mr. Cass, Mr. Mason and Mr. Douglas. This produced from Mr. Sumner another reply, in which he retorted with unmitigated severity.

Intending to send you the paper containing the whole, I leave you to judge of their propriety, expediency or justice.

To-day (Thursday) the announcement of the death of a Missouri Representative, occasioned the early adjournment of the Senate. Not long after, while some of the Senators remained in their seats (Mr. Sumner among the number), I went into the office, and while engaged at my desk, I discovered a movement among some persons nearest the door, as if something had occurred. I followed; and saw a cluster of men, and heard some voices in the Senate Chamber. When I entered, I saw two gentlemen highly excited—one of them exclaiming as if in reply, “The cane is broken into fragments. Let the persons who commit the insult incur the responsibility;” or something to that effect. One of the persons, thus most excited, was Mr. Brooks, a member of the House, and the nephew of Judge Butler of the Senate; the other, Mr. Kent, also a member of the House, and both from South Carolina. I soon after saw some persons raising a person from the floor, and learned that it was Mr. Sumner, who was struck over the head with a gutta percha cane. Mr. Sumner was thus assailed with apparent

premeditation, while sitting at his own table, with a pen in his hand. The assailant had had time to repeat his blows; for the individual who accompanied him endeavoured (and for some time must have succeeded in endeavouring) to prevent any interference.

Mr. Sumner, after being borne into the reception room, bled profusely—a physician or surgeon was immediately sent for. At first it was feared that the severity of the blow had fractured his skull; but before he was carried to his lodgings I learned that although the wound was severe there was no danger of a fatal termination.

I need not advert to the inevitable effect of such an outrage as this. Although I cannot sympathize in his aggressive abolition sentiments, Mr. Sumner has always appeared to me a *gentleman* of refined feelings, and generous impulses. I lament, for my country, that such an act as this, in the Senate Chamber, by two representatives of the people, has been committed, and for the South that her chivalry has been tarnished. If abolition principles receive a new and accelerated impulse, the South will have occasioned it.

Nothing but an early movement, in the House, of Southern Members to show their disapproval of this violent and criminal assault will satisfy every Northern State; or I shall be greatly mistaken in my judgment of future events.

Yr. affectionate father,

L. H. Machen.

On the following day, my grandfather wrote warning his son to regard as confidential what he had written:

L. H. Machen to A. W. Machen.

Washington, May 22, 1856.

I express myself with reserve and caution, even to you *in a letter*. With others, I shall hold no converse whatever. What I write to you is intended for yourself alone.

A few days later, he described an acrimonious discussion in the Senate on the subject of the assault:

L. H. Machen to A. W. Machen.

Washington, May 27, 1856.

The arrival to-day of Judge Butler, and a personal explanation from Mr. Douglas (respecting a reference to him by Mr. Sumner in his affidavit, published in the *Sun*), led to brief but very pointed remarks in the Senate from Mr. Wilson, Mr. Wade, Mr. Foster, and Mr. Butler, and a few words from Mr. Slidell and Mr. Toombs. Though arrested by a call for the special order (which was carried by yeas and nays) it is evident that when the report of the committee shall be made, the discussion respecting the assault upon Mr. Sumner, will be of an unpleasant nature.

Mr. Wade, a bold and ready member from Ohio, characterized the assault of Mr. Brooks, as *assassin-like*, and brutal; and Mr. Wilson as murderous and cowardly. These epithets drew from Mr. Butler a reproachful epithet he afterwards, in compliance with the wishes of his friends, recalled; but it will be well if the sting has not been left behind.

There never has been a time, in our short history, when more wisdom, self-control, and patriotism are needed, to control the rising elements of discord and individual strife. The country *may* be in no danger, but the atmosphere is surcharged with electricity, it requires only a careless spark to produce a widespread explosion.

To these letters my father replied in a tone much more hostile to Senator Sumner than his father had adopted.⁵⁰

A. W. Machen to his Father.

Cambridge, May 27, 1856.

My dear Father:

A letter from home informed me yesterday of some incidents connected with your visit there which the exciting scenes at Washington had I suppose banished from your mind. Your moonlight walk from Lee's Station, for instance, was more than you could have bargained for. I am rejoiced that you are able to go through such an exertion without ill consequences, but hope nevertheless you will not have occasion to repeat it.

⁵⁰ See also letter on the same subject from A. W. M. to Professor Parsons, quoted *infra* pp 70-74.

The late occurrence in the Senate Chamber is certainly deeply to be regretted; even the provocation cannot excuse such an attack in such a place. Yet it seems to me a very natural consequence of that provocation. *All* men's passions are not the compelled current of a force-pump—*all* men's manifestation of passion therefore, is not mechanical and subject to mechanical restraints. I have not seen any complete report of Mr. Sumner's speech, nor any report of any part of it that comes with certain marks of authenticity. But if an opinion is to be formed upon the extracts given some days ago by the correspondents of the *Herald* and of other papers which I have happened to fall in with, I should say that his speech—the denunciatory and personal part of it at least,—would appear to be a laboured effort at sarcasm by a man who has not the faculty of sarcasm from nature, but has sallied some morning from his closet into Quincy Market and picked up there the dirtiest pieces of Billingsgate he could fall in with—Billingsgate, all the more unseemly from contrast with the kid gloves with which he essayed to handle it. The language which he used in reference to individual senators to whom he was replying seems to me unbecoming the mouth of a gentleman anywhere; and his taunt flung at a Sovereign member of the National Confederacy was certainly unbecoming the mouth of a senator speaking in grave debate on the *floor* of the Senate. And what does it show most conspicuously? That this gentleman and man of scholarly accomplishment, who undertakes to stand in the gap and be the champion of great rights—the vindicator as he says of an outraged and deflowered Nationality—can do no better than use this great opportunity as an occasion for venting the bile which it now appears has been accumulating steadily for weeks and months—the unhealthy secretion of a sore and mortified personal vanity. Are such as these our great men? Is this the best that can be done towards filling the seat of Webster?

This is the way the thing strikes me looking on from this distance. —Can one help believing that all this turmoil—I do not mean of course this assault and battery at Washington—but the national tempest that is filling all our eyes with dust—that the whole of it, or all of it that is serious, is the work of mere unscrupulous and reckless intriguers who want to be lifted into power—into power

some of them—the abler part—into notoriety, others, whose wickedness has an equal alloy of folly. However, our Constitutional Government is too strong a fabric to be torn asunder by these frantic and silly hands. We may see it some of these still and sultry summer mornings tumble to pieces of its own weight.

Your affectionate son,

A. W. Machen.

Almost simultaneously, his father wrote a further explanation of his own attitude:

L. H. Machen to A. W. Machen.

Washington, May 28, 1856.

Perhaps the impression made upon me, on seeing Mr. Sumner bleeding profusely on the floor of the Senate Chamber, and lying nearly unconscious by the seat he occupied, awakened a stronger feeling of commiseration than if I had not known how utterly incapable he was, when seated, with his legs under the table,—the table being raised from its fastenings when he attempted to rise from his seat—and two wounds upon his bare head, either of which seemed sufficient to have stunned him, if not endangering his life.

Though I have, at times, admired his attainments and fervid declamation, no one has felt more than myself the injustice and wrong he has often done the South, when speaking of her institutions, and also how greatly he injured himself by the animosities he awakened. But even his mistakes and errors of judgment should, for the sake of perfect freedom of speech, and of debate, have rendered his person sacred from personal violence, much more his life from danger. His State must feel the blow inflicted upon him.

Nevertheless, Lewis H. Machen still entertained a rather more favourable opinion of Sumner than my father did, or most Southerners:⁴¹

⁴¹ James P. Machen denounced Sumner even more roundly than my father: "Since reading the speech of Mr. Sumner I have a still more thorough contempt for him and his coadjutors. A man who utters words in debate which he suppresses in his public speech—which he dares not subject to the criticism

L. H. Machen to A. W. Machen.

Washington, June 10, 1856.

There is not an American citizen with an intellect and soul adapted to this crisis who might not aspire to be the leader. * * * * Sumner, with great talent as an eloquent man, had not the greatness of soul enough to comprehend the importance of the occasion which presented itself. I send you, however, the speech he made—which, when you obliterate, or endeavour to forget, his offensive and unnecessary personalities, and give to it the earnestness of the living voice and flowing diction, you will read with pleasure, as well as regret that so much real ability was counteracted by an erroneous judgment or perturbed feelings.

A month later the same writer commends warmly a speech by Senator Hunter, of Virginia, on the assault case:

L. H. Machen to A. W. Machen.

Washington, July 8, 1856.

I herewith enclose a speech delivered by Mr. Hunter on the resolutions of Massachusetts on the assault on Mr. Sumner. I was pleased with his speech when delivered, although I could not concur with him in regarding it only a personal assault on Mr. Sumner, and no breach of the privilege of a Senator to be secure from all question for words spoken in debate. The tone and temper with which he replied to any allusion to himself, or the contumelious reflections of Mr. Sumner upon Virginia and the South, as well as to the reproach against a Southern institution, are alike honourable to him as a senator and as a man; and I could but wish that the professors at Cambridge could have the opportunity of perusing his defence of the State he so well represents.

In response to a suggestion of Professor Parsons, of the Harvard Law School, that a carefully prepared speech delivered by him at a public meeting held in Cambridge might

of the misguided men who placed him in the Senate—shows such mean and little spirit, that it should have placed him below the reach of any honourable man—even to inflict a chastisement so richly deserved.” *J. P. M. from Walney to L. H. M., July 18, 1856.*

be circulated in the South in order to demonstrate the conservatism of the School,⁵² my father wrote a much more elaborate statement of his opinions on the Sumner Case. This letter proves that notwithstanding his father's somewhat charitable judgment of Sumner he himself still adhered to a more distinctively Southern view of the incident:

A. W. Machen to Theophilus Parsons.

Baltimore, June 20, 1856.

My dear Professor:

The newspapers and your note arrived in due course of mail. Judge Parker also sent me two copies of the *Chronicle*, for which you will please present him my acknowledgments.

I have not been inattentive to your suggestion. To make the conservative spirit of your speech properly appreciated by Southern readers would require some editorial introduction. For many reasons the *National Intelligencer* would be the best journal for the purpose, but such is the characteristic reserve and caution of that paper that before preparing an article I thought I would ascertain whether its conductors are disposed to bring up the subject in their columns. Owing to accidental circumstances (of which a letter just now received informs me) I have not yet learned their views. Another thing which has had an influence in holding me back is a doubt whether after all the best service to the Law School may not be to suffer its participation in the existing (late?) excitement to pass from public view as soon as possible. And to tell the truth, I have been withal so engrossed with specific performance as to be little inclined to abstract any time I can help from this main business till it is completed. The work of fitting together, reconciling and condensing takes more time than I had expected. Useful points are continually suggesting themselves which it seems a pity to pass over. However, I am now nearly through, excepting one or two reserved questions upon which the books are more than usually cloudy and unsatisfactory. How flimsy

⁵² "This Sumner and Kansas excitement has pervaded even Cambridge. I went to a meeting to say honestly what I thought, because it seemed to me there was rather more feeling than thinking. I send you half a dozen papers containing the report of the meeting, and if you think a report of my speech,

most of the text books—Adams and Batten included—are! Luckily the principal new case in which I have lately been engaged as counsel is one of specific performance, so that I have been able to devote the more time to the subject.

To say nothing of the eloquence of your speech, it seems to me marked by a truer and more philosophic perception of the real condition of the times than other addresses contained in the Report of Proceedings. Taking the most extreme Northern and Massachusetts view of the assault on Mr. Sumner, how does it differ in kind from the lawlessness which is acquiring every day a more undisputed reign in our country? Look for a moment at what is at once an example and a potent cause of this deplorable state of affairs. You have ably vindicated heretofore, and so has Judge Parker, and so have the admirable judiciary of Massachusetts, the claims of the Fugitive Slave Law. And what statute has stronger claims upon the implicit and cheerful obedience of the whole people, for is not the rendition of fugitives from service and labour interwoven most intimately with the fabric of our Federal Union—a part of its warp and its woof? Yet, for years have the great body of the population of the Northern States been in avowed and systematic disobedience to that law. Here we have no momentary act of a single rash and indiscreet man in-

or of parts of it, would show that our School, although sensible of the present peril, is not without reason, you can do about it whatever your convenience permits and you think best." *Theophilus Parsons to A. W. M.*, (undated), received June 9, 1856.

My father's interpretation of this suggestion is shown not merely by his reply (set forth in the text) but also, more explicitly, in a letter to his father:—

"Your gladly welcomed letters of the 10th and 12th inst. were duly received—as also, now at last, Mr. Sumner's speech. In connection with the last, I may mention that the two senior law professors at Harvard have sent me copies of the newspaper containing a full report of the speeches and proceedings at a meeting convened at Cambridge (at which they presided) to manifest the resentment of the men of Massachusetts of all parties at the assault upon their Senator. An intimation conveyed in a note from one of them leads me to suppose that they may expect of me to bring the matter in some way before the Southern people, so as to vindicate the conservatism of the Harvard Law School and explain how it is that its officers now appear in unaccustomed alliance with the foes of the Union and of the South." *A. W. M. to L. H. M.*, June 14, 1856.

flamed by great provocation, but the deliberate, continued and concerted violation of law by millions! To aggravate the crime by clothing it in the desecrated forms of law, State Legislatures enact *statutes* in opposition to the sovereign and constitutional law of the land. This, I suppose, by a fair imitation of excellent Professor Felton's epigrammatic period, may be described as elevating the infamy of the receiver of stolen goods to the respectability of the rebel and the traitor.

But to come to the present matter. The great difficulty in the way of a mutual understanding between the South and the conservative men of Massachusetts is the strange mistake which the latter make when they construe the assault and battery case, or breach of privilege case, or whatever kind of case it be, of Brooks and Sumner, into something in which the people of the South took part. I assure you there never was a notion more entirely groundless. We, at the South, know and feel that what Mr. Brooks did (whatever its character) was his own deed, done upon his own individual responsibility—an act of which the people of the Southern States were as merely spectators—disapproving spectators too—as they are of any transaction which a member of Congress, or other citizen, chooses to engage in of his own head and will. Conceive then how we must be astonished at hearing—not from the fanatical mob who a little while ago would have torn up the pavements of Boston to get weapons with which to assail the U. S. Marshal or the Supreme Court of their own State, but from grave and venerable men, the most stable in the land, something very like a proclamation of a crusade against those insolent tyrants, the Southern People. How it bewilders a plain man to be warned by such persons that the Southern People, as a community, are in the way by what they are doing at Washington of giving occasion for new deeds of Bunker Hill valour.

As soon as it is understood how perfectly aloof the people of the South stand from the rash and unjustifiable act of Mr. Brooks, but not till then, will it be understood that regarding the affair as a matter between A. & B., whatever A.'s offence may be in law we do not feel called upon to manifest any special sympathy for B., the sufferer, if his previous character and conduct were not such as we can approve of. The most sober and peace-loving

men among us see that Mr. Sumner was not impelled by sudden passion, but with the utmost deliberation and study collected a quantity of foul language, and, as if it were the choicest Attic salt, sprinkled his speeches all over with it; they see that he was guilty of an ungentlemanly abuse of the privileges of his position; they see that he prostituted a great public occasion to the purposes of a private spleen; and they see what according to the ordinary laws of human nature is the very natural consequence. As they had no part in the assault upon him, they willingly leave the question of the punishment of the assailant in the hands of the law. Can you ask more for Mr. Sumner? If you ask more for *Massachusetts*, in Heaven's name do not lower that great demand by intermingling Mr. Sumner's personal claims to consideration. *Massachusetts* deserves and has all respect; and if her dignity is wounded, there will be no disposition at the South to withhold the amplest reparation consistent with the private rights of individuals under the existing laws.

Mr. Brooks' own position is a matter for himself and his personal friends, but one remark I cannot forbear to make in this connection. Much as we may reprobate duelling, it is plain that every man who declares himself no subject of the so-called Code of Honour is bound upon every high principle to keep a guard over his conduct and to refrain as much as possible from giving an offence which, if given, he declines to be answerable for in the manner usual among those with whom he is associating. It is as cowardly as unchristian to act upon a different principle. The South Carolinian saw a professed non-combatant commit what he considered a flagrant offence of that kind which the law will not reach, but which deserved punishment. He undertook—not to engage in a contest, for Mr. Sumner was a non-combatant—but to administer *that punishment*. He did so, willing of course to meet all the consequences. Now, when a man, not stung by words spoken of himself, but resenting an insult offered to a near and aged relative, aggravated by an aspersion upon his State, voluntarily punishes the aggressor, and at the same time is willing and expects to give every man who chooses to take up the quarrel in the customary manner an opportunity of shooting him the next morning, you may describe him in any other terms you please, but it does seem to

me you cannot with due regard to the meaning of words say that what he has done proves him a coward.

Instead of finding fault too readily with us inoffensive Southerners, throw the blame of the present disjointed state of affairs at the door of our Northern President. Had a Southern statesman been at the head of the government, does any man believe we should have had an internecine war in Kansas or most of the other evils which wreck the country?

Let us all, North and South, show our good will by rescuing the government from that blundering monster, the Democratic Party, and placing at the head of it a man whom all can trust, Mr. Fillmore—not as a Know Nothing, but a tried Whig—a statesman and a patriot.

I am, my dear Professor,

Yours very truly,

A. W. Machen.

Professor Parsons seems not to have been offended by these opinions, taken as a whole; for he replied:

Theophilus Parsons to A. W. Machen.

Cambridge, June 24, 1856.

Do not for a moment think of giving added publicity to our doings here. I wished only that wherever it is known that we did anything in these sad and painful matters, the truth might be known. I never before wrote out a speech I was to make in public; but here I wrote every word, for I was anxious to see the truth as clearly as I could, and speak it as honestly as I could.

I am usually sanguine enough, and not—that I know of—excessively disposed to overvalue my own judgment; but it seems to me that you and I are right—substantially at least—that few think as we do—and that the prevalence of the error, of which either extremity bears a deadly weapon, threatens a wide and lasting mischief.

Whether or not history will accept the views of my grandfather on the Sumner Case in preference to those of my father, certain it is that the former accurately predicted the

actual outcome of the Kansas troubles; for in the midst of the turmoil, he wrote to my father:

L. H. Machen to A. W. Machen.

Washington, May 22, 1856.

The news to-day from Kansas is such as might, from previous accounts have been expected. If no others interfere, we may expect a short struggle, some bloodshed, and a suppression for a time of all resistance; but finally the free soil emigrants *will prevail*.

Less than a year after the assault, Preston Brooks, the assailant, died suddenly of croup. My grandfather has left a description of the proceedings in the Senate consequent upon his death, the funeral services in the House of Representatives and his own reflections thereon:

L. H. Machen to J. P. Machen.

Washington, January 29, 1857.

No business was transacted in the Senate until the message was received announcing the death of Mr. Brooks, communicating the resolutions by the house and inviting the Senate to attend the funeral at forty-five minutes past one o'clock. The senate immediately passed a resolution to attend the funeral. When that resolution was under consideration, addresses were made by Mr. Evans, Mr. Hunter and Mr. Toombs.

The address of Mr. Evans had been written carefully, and alluded to his family, his classical education, admission to the bar, his military services in Mexico as captain in the Palmetto Regiment, and his election as a representative. It was listened to with attention.

Mr. Hunter followed in an eloquent address, dwelling less on the incidents of his life, but more on the melancholy occasion which drew them together.

Mr. Toombs, who is an able man, commenced by reading a tribute to his memory; but when referring to his bereaved mother, wife and children, the broken hearts to whom this intelligence

would come with the suddenness of the electric shock, his feelings overpowered him, his voice gave way, and he sank speechless in the chair. For a few minutes all was still—not knowing whether he could proceed or not. He intimated gently to a senator seated next him (Mr. Pearce) his inability to proceed, who, rising, asked that the question might be taken on the resolution; and it was passed.

The Senate then had an informal recess until the time designated for going to the Representatives' chamber, and there they repaired walking in procession.

Mr. Mason, President *pro tempore*, was conducted to a seat on the right of the Speaker; the Secretary of the Senate to the right; the Sergeant at Arms of the Senate to his right. The clerk of the House and Sergeant at Arms of the House were seated correspondingly on the left. The members occupied seats in front; the senators on one quarter appropriate to them; some ladies mingled in the members. The President of the United States and President-elect were seated on the right of the chair; and for myself, I stood in the aisle fronting the chaplains, who occupied the seats usually filled by the Clerk of the House and his assistants.

Mr. Waldo, the aged chaplain of the House, commenced with prayer; then delivered in a firm and audible voice, without the least trepidation, a discourse from Luke 23:43, "Verily I say unto thee to-day shalt thou be with me in Paradise." He remarked on the inherent, simple, omnipotent power with which the Saviour spoke. He himself distinguished him from his unrepenting and equally guilty associate, granted his prayer and promised him an immortality of happiness. Why was this? First, the one evinced his fear of God. Second, he showed also his repentance. Third, he at the same time prays. Fourth, he believes. An exhortation followed that everyone in the numerous assembly should fear God, repent of sin, believe in Christ as able and willing to save.

The Rev. Mr. Hill, Chaplain of the Senate, concluded with prayer, and those who chose attended the remains to the Congressional burying ground.

It has not been a year since Mr. Brooks made the assault on Mr. Sumner. The former has rendered his great account. The latter, it is feared, survives only to prolong a lingering death.

Neither exhibited the forgiving spirit of the follower of Christ. May we all, like the penitent and believing malefactor, be brought to repentance, and to experience the benefit of his forgiveness.

Notwithstanding the stand taken by Lewis H. Machen in 1828 against any attempt to prevent him from expressing his sentiments, even under a pseudonym, upon the political issues of the day, yet in the exciting times preceding the Civil War he recognized the propriety of refraining from active politics, although always emphasizing his devotion to the Union and his loyalty to the rights of the South:

L. H. Machen to A. W. Machen.

Walney, October 6, 1856.

The recent intelligence from Kansas is most gratifying, and shows clearly what might have been done at an earlier period. I remember that when conversing with a distinguished gentleman on the condition of Kansas and the spreading discontents, I remarked that it appeared a very easy matter to terminate the strife. To his inquiring, "How?"—I replied, "By the exercise in the Executive of firmness and justice." . . . While I continue to hold my humble office in the government, I have thought it proper and becoming to abstain from mingling in the political strife. I have, therefore, attended no public meetings, and have refrained from any private or public discussions. But I do not consider myself absolved from the performance of my duty as a citizen of the Commonwealth, and, when the time for voting arrives, shall exercise my right of private judgment. For I consider my stake in whatever can affect the Union of the States, the rights of the Southern States, and the liberty and happiness of the whole country, equal to that of any other citizen.

Although devoid of the advantage of a collegiate education, Lewis H. Machen by constant reading and love of study acquired a wide culture, and a degree of literary knowledge far surpassing that of the average college graduate. Latin, French and Spanish he read with ease. Greek he

did not know; but such was his devotion to learning that he supplied his library with a complete set of the Greek classics in the original tongue in order that his sons might as they grew up be tempted to read them.

Love of good books was with him a mania. At the sale of Thomas Jefferson's private library after his death in 1825 he purchased a considerable number of volumes, among others, Bond's Horace, Tacitus, with an English translation interleaved by Jefferson himself, Homer, Thucydides, and a French translation of Cicero's letters. He was also a collector of early printed books including some incunabula.

In particular, he acquired a number of works from the famous collection of Dr. Kloss, the German bibliophile, a portion of which was brought to this country and sold in Washington. The library contained, in addition to the books from the Kloss collection, examples of almost all the famous presses of the sixteenth and seventeenth centuries—such as those of the Alduses, the Elzevirs, the Plantins, the Stephenses, etc.

Nor was his affection confined to the interiors of the volumes. On the contrary, he loved good bindings, and had many books bound under his own directions, chiefly in Russia leather or Morocco. Unfortunately, the Russia leather has almost without exception rotted away, but many of the books bound in straight-grained Morocco are still as good as new. He also acquired a few books bound by famous binders.

His artistic taste extended to illustrated books and engravings, of which he accumulated as large a collection as his means would permit. Unluckily, however, most of those were lost or destroyed in the Civil War. So far as his means permitted, he patronised artistic merit wherever he found it. For example, he bought a considerable number of paintings by Alvan Fisher, of Boston, upon the latter's visit to Washington in 1838. The artist upon returning to his home

sent a picture to each of several patrons as a testimonial of regard—including my grandfather, Henry Clay, and others.

He practised, and inculcated in his children, the duty of regular bodily exercise. Writing to my father when a law student at Cambridge, he says:

L. H. Machen to A. W. Machen.

Washington, September 21, 1850.

The German language, which you say you have commenced, will no doubt prove a useful acquisition. But let not this, or any attainment, encroach on the time set apart, and scrupulously appropriated, to mental relaxation and corporeal exercise. I should think it a fortunate circumstance if some imperative necessity required you to labour daily with axe, saw or spade, three or four hours. As many hours or more walking would not ensure as beneficial effects.

In the early period of my life, my inclination to read (I cannot call it study) prompted me to seclude myself from social enjoyment, and after confinement at the desk through the better part of the day, to remain in my chamber no small portion of the night. But it was my good fortune also to be compelled during this period to take some active exercise; and it was perhaps owing to the long distance I daily traversed on foot, the habit of daily bathing in the river during the summer, and some labour in a garden, to which I was accustomed from my sixteenth year, that I am now permitted to undergo any of the duties of life.

The result was that at sixty-six years of age, when he was once required to take a midnight walk of some ten miles in order to reach his home in the country, one of the coloured servants was moved to exclaim, "Old master is wuth all the men I ever seed of his age."⁶³

Indeed he imposed upon himself a somewhat rigid regimen. He was accustomed, on rising in the early morning,—so my father has told me,—to take a cold bath even in winter,

⁶³ Taken from letter from *Miss Emmeline Machen to A. W. M.*, May 23, 1856.

and to nerve himself for the plunge, and distract his mind from the cold, by singing, at the top of his voice, Bishop Ken's hymn,

Awake, my soul, and with the sun,
Thy daily stage of duty run.

He has left a written memorandum of the "daily course of duty" which he prescribed for himself, some time after 1821 but during the childhood of his daughter Emmeline, and therefore probably before 1830. It is as follows:

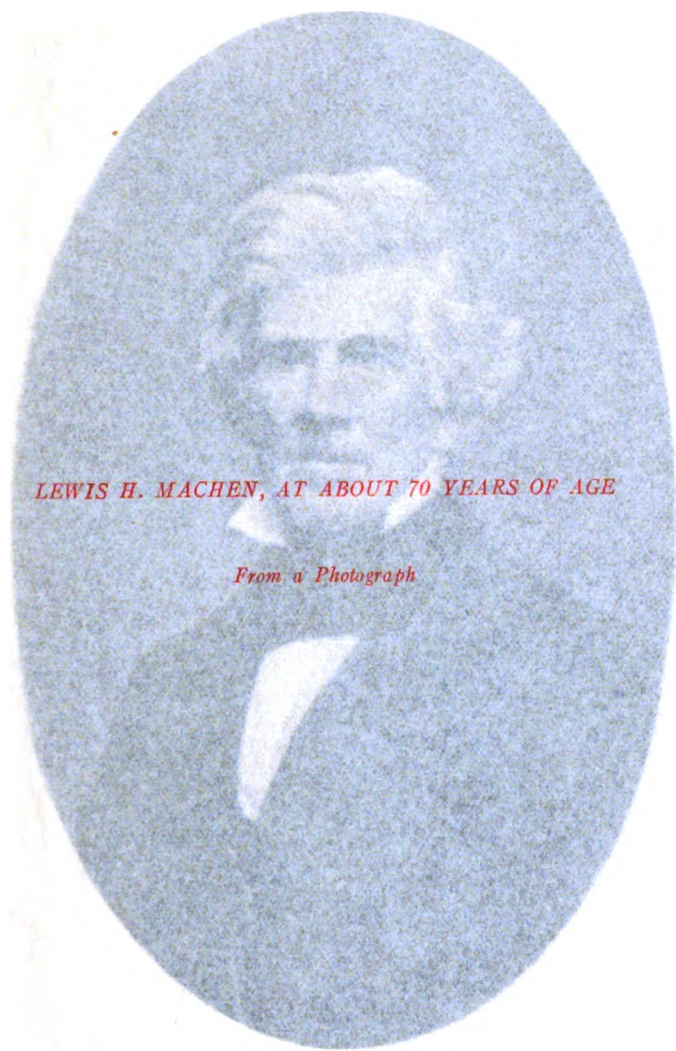
Exercise.....	2
do. in going, etc. to office.....	1
Office.....	4
Emmeline ⁴	4
Self study.....	4
Meals.....	1½
Sleep.....	6½
	<hr/>
	23
One for D. ⁴	1

The two hours to be devoted to exercise, he defines elsewhere on the same memorandum as "In garden and swimming for exercise." His habit of going swimming in the Potomac River, near which his residence on Maryland Avenue was situated, has been mentioned above. In the same paper, he specifies the particular hours of the day he proposed to allot to the several duties as follows:

Garden, from 5 to 6 a.m.
Emmeline, French, 6 to 7.
Office, 8 to 12.
Emmeline, 1 to 2 or 3—French, writing and arithmetic.
Emmeline, from 3½ to 5, Rehearsing.
Spanish, 5 to 7
At night, French and Latin.

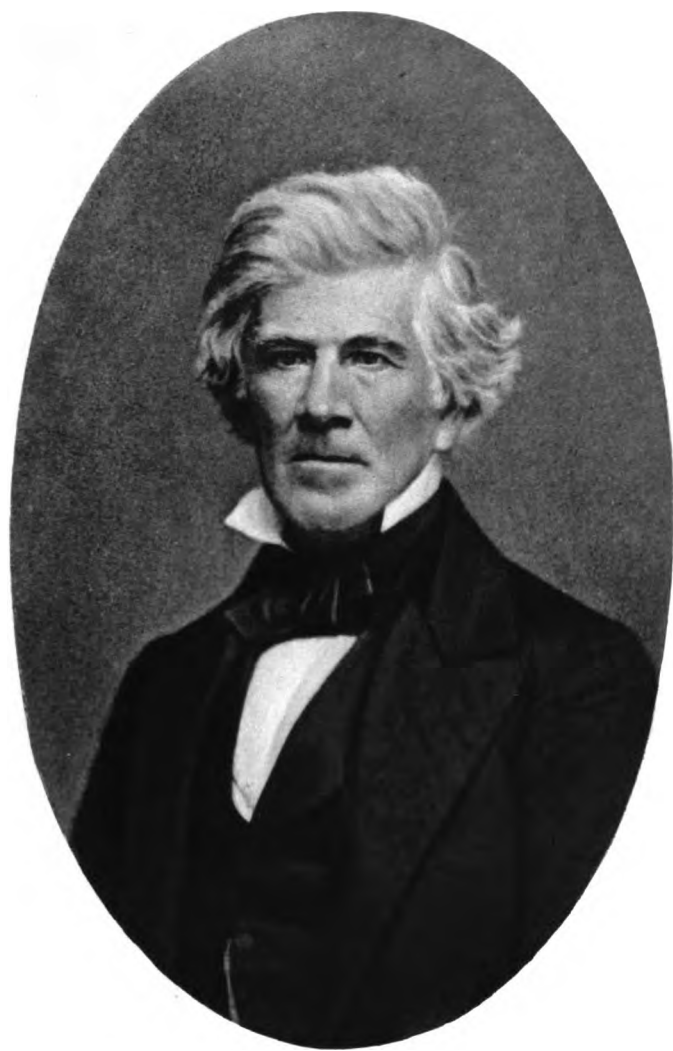
⁴ i.e., instructing his daughter Emmeline.

⁴ This initial apparently stands for "devotions." The words as first written were, "One left for D.," but the word "left" was crossed out by L. H. M., doubtless because he did not think it fitting to imply that only such time as was not needed for secular affairs was to be dedicated to devotion.



LEWIS H. MACHEN, AT ABOUT 70 YEARS OF AGE

From a Photograph



In some other year, he prescribed for himself a daily routine which made a little more concession to human weaknesses:

5	Bible, etc.
5 to 6	Exercise and Garden.
7	Breakfast.
9 to 2	Office.
2	Dinner.
3 to 6	History.
6 to 7	Relax.
7	Supper.
7 to 9	Family
9	Prepare for bed.
9½ to 11	Poets.
11	Bible, etc.

In all things, his life was animated and guided by a tenacious Christian faith. Educated as an Episcopalian, he joined the Presbyterian Church in early manhood, largely because he believed the presbyterian form of church government to be more in harmony than episcopacy with our republican institutions. For a while, he was a member of the First Presbyterian Church of Washington. In 1832, he left that church, for some reason not disclosed; and not long afterwards he was ordained an elder in the Fourth, or Ninth Street, Presbyterian Church of that city. Upon the disruption of the Presbyterian Church of the United States in 1839 into the Old School and the New School, he adhered to the former, while the other members of the session of the Fourth Church, carrying with them a majority of the congregation, joined the seceding body. Being thus unable to continue a connection with what he regarded as a schismatic and heterodox communion, he sent to his brethren of the session a vigorous and brief letter demanding his dismissal to some congregation holding unabated the doctrines of the Westminster Confession. He had also prepared for this purpose a longer letter which although never actually transmitted to the addressees is yet more interesting by reason of

the details it contains of his religious biography than the shorter and stronger substitute for which he wisely rejected it. The longer draft is as follows:

*L. H. Machen to the Pastor and Elders of the 9th Street
Presbyterian Church.*

Washington, October 4, 1839.

Dearly beloved Brothers:

When it was first determined, by a vote of the Session, to disregard the recommendations of the highest Judicatory of the Presbyterian Church, in relation to the application of funds for education and missionary purposes, I perceived that so great a difference of opinion existed between the other members of the Session and myself as to render it doubtful whether a participation, on my part, in the deliberations of the Session, on questions involving either government or doctrine, would not lead to unprofitable discussion, and a waste of time and effort.

At a subsequent period, the recognition by the Session of a self-constituted body, claiming the name and authority of the General Assembly of the Presbyterian Church, in opposition to what I believed to be fact and law and justice, rendered it still more improbable that I should harmonize with brethren with whom, as a member of the Session, I might be called upon to act.

While the members of the Church, collectively, remained uncommitted on the pretensions set up by the ecclesiastical body which, seceding from the general assembly, conducted their proceedings in the 7th Philadelphia Church, I formed the determination to take no part, officially, in measures which I could not approve, to abstain from all unnecessary conflict of opinion, and to receive with deference the ordinary instructions of the pulpit, although sometimes compelled to hear opinions advanced both new and startling, and doctrines asserted wholly irreconcilable, in my judgment, with the Confession of Faith and the language and tenor of Scripture.

But the time has at length come when this acquiescence and silence can no longer be regarded as a duty, or a virtue. The manifestation of opinion, in the recent election of the Pastor of

the Church, leaves me no room to doubt the prevailing sentiment. By the choice which they made they distinctly ratified the acts of the Session, and gave their adhesion to the New School Assembly. To remain longer in their communion would neither conduce to the benefit of the Church, nor to my own spiritual improvement. If I attempted, while remaining, to check by reason, persuasion, or remonstrance, the force of the prevailing error or misapprehension, I should be regarded only as a refractory member, daring to resist the will of a majority and to think for himself. If I remained a silent and passive spectator, this apparent acquiescence would make me a participator in their acts, or, at least, render me a very equivocal supporter of the cause which my conscience approved.

I have therefore been compelled, by a sense of what is due to others as well as to myself, to retire from your communion.

It cannot be disguised that the Presbyterian Church is rent into two parties, differing essentially from each other on fundamental points; the one maintaining the Calvinistic doctrines of the Confession of Faith according to their obvious meaning; the other, either denying them altogether, or so explaining them as to make them in effect Arminian or Pelagian. Twenty years ago I assented to the Doctrines of the Confession of Faith, not without hesitation, but after the best examination in my power, and with a conviction of their conformity with the divine will, revealed in Scripture. Subsequent reflection and experience have furnished no cause for recantation. I shall adhere, then, to the standards of the Church, and to that division of its members which shall most unequivocally, and consistently, maintain them.

In pursuing this course, I am actuated by no unfriendly spirit, and I have felt the difficulties which surround the points in controversy. To reconcile the foreknowledge of God, and his absolute control over all events, with that free agency of man which makes him accountable for the moral conduct upon which these events apparently depend, is not the work of human reason. The brightest intellect has never yet penetrated the mysterious cloud which envelops this subject. Taught by experience the fallibility of my judgment, I bow with submission to that Divine Word which represents God as the moral governor of the world and the absolute disposer of events; operating by his spirit upon

the hearts of men; and, according to the councils of his own will making some of the fallen posterity of Adam vessels of wrath, and and others vessels of mercy. I do not impugn the sincerity, the purity of motive, or the ability, of those engaged in the propagation of opinions which many, equally sincere and pure and able, have deemed erroneous or pernicious. But forced by circumstances to take a position on one side or the other, I prefer submitting to any inconvenience, and sharing any obloquy, to a negative support, or actual abandonment of the cause of truth and vital Christianity.

In adopting an alternative which at best is painful, I can only pray the Great Head of the Church so to influence the hearts and guide the determination of his professing followers as to banish all discord, error, and self-delusion, and hasten his reign of universal righteousness and peace.

I remain,

Your affectionate brother in Christ,
L. H. Machen,
Late Elder in the 4th Presb. Church.

As the foregoing letter indicates, his religious belief was a reasoned faith. In a much later letter, he described in greater detail how he had become a Christian:

L. H. Machen to A. W. Machen.

Washington, June 4, 1854.

The cravings of my immortal nature sought some object of good which earth and time could not afford. I anxiously sought that good in the systems of heathen philosophy and the stupefying promises of modern rationalism and infidelity; but I found nothing to satisfy but the promises of the Gospel, and, thanks, everlasting thanks, to my merciful Creator, I obeyed the monitor within.

His intellect seized the essence of Christianity, and was quick to discern any shortcoming. For example in early life, upon the death of his first wife, he considered selecting as an epitaph the lines from Rogers' "Pleasures of Memory," ending,

What to thy soul its glad assurance gave,
Its hope in death, its triumph o'er the grave?
The sweet remembrance of unblemished youth,
The still inspiring voice of Innocence and Truth.

Later, however, he rejected these verses, writing beneath them, "There is something wanting—the consciousness of having an interest in a crucified Redeemer. This only did yield, this only can yield, either 'hope in death' or 'triumph o'er the grave.'"

Upon severing his connection with the Fourth Presbyterian Church of Washington in 1839, as mentioned above, he procured for himself, his wife and his daughter Emmeline, then about twenty-two years of age, a letter of dismissal to the Second Presbyterian Church of that city. He seems, however, never to have actually used this letter, as the original is still among his papers. For a while he apparently reverted to episcopacy, and certainly became a pew-holder in Trinity Church, Washington. A few years afterward he removed with his family to his farm in Fairfax County, Virginia, and, there being no Presbyterian Church in the neighbourhood, became a staunch supporter and vestryman of the Protestant Episcopal Church. He never gave up, however, his preference for the Presbyterian communion; and his son James, in announcing his decision to unite with the Episcopal Church thought some apology necessary:

J. P. Machen to his Father.

Walney, November 23, 1857.

It might perhaps be more consonant to your feelings for me to join the Presbyterian Church, but I feel that I act aright to do as I propose. It matters little about the name so the spirit of God is there, and to the Episcopal Church as it exists in Virginia I can find no objection.

His father, however, was overjoyed to see his son a member of either denomination:

L. H. Machen to J. P. Machen.

Washington, November 26, 1857.

In a letter which I wrote to your Ma yesterday I referred to some things which I considered special causes for thanksgiving; but I omitted one which I think of as much—perhaps more importance than all the rest—your having taken the Christian vows upon you and having enrolled yourself among the followers of the Lamb. I most earnestly pray that you may be found faithful, and hereafter obtain the crown of life. To the real disciple the yoke will be easy and the burden light. To the nominal Christian it will be heavy and galling.

Indeed when he himself was in Washington, during the Sessions of Congress he frequently attended services at Trinity Church. In 1854, however, he decided to unite with Dr. Eckard's Church, one of the constituent parts of what is now the New York Avenue Presbyterian Church. He asked his wife to join with him; and although she declined to do so, on the ground that, being seldom in Washington, she would not feel at home in the church, yet she advised him to follow his own inclinations;⁵⁷ and he accordingly became a member and later an elder in the Second Church, and, upon the consolidation, in the New York Avenue Church. This office he held until his resignation as Principal Clerk of the Senate in 1859.

Although Christian beliefs and Christian motives dominated his life, yet he was not an adherent of any religious

⁵⁷ "Yours of April 28th I have just read over, and with due deference to your judgment will give my own opinion and feelings on the subject. It would be a gratification to be united as a member in the Church to which you are attached; and if I resided or had a prospect of again becoming a resident of Washington, I would not hesitate to unite with Mr. Eckard's as a constant communicant. As I am now situated, however, I think I should prefer not doing so, as I should be among strangers and have no opportunity of acquiring a different feeling. The case is different with you. If I should be so happy as to be in Washington at any time on communion sabbath, it will afford me the greatest happiness to go forward with you and commemorate our Saviour's love." *Mrs. C. M. to her husband*, May 3, 1854.

fads or sects. He chose the sincere milk of the Word, in preference to any humanitarian or moralistic schemes. For example, he had no patience with the prohibition movement, and looked with disfavour upon the course of his son James in associating himself with a total abstinence society, writing on the subject as follows:

L. H. Machen to A. W. Machen.

Walney, September 20, 1856.

Your Ma and Emme are well and desire love. James is also well, but has, I find, a hobby in a Temperance Club. I could wish his Saturday evenings could be appropriated differently. His Ma, however, says that they might be appropriated to worse objects, and that it is his desire to do good.

His letters rarely exhibit much sense of humour; but he appears not to have been altogether destitute of that faculty, which was one of my father's most prominent characteristics. For example, he writes:

L. H. Machen to A. W. Machen.

Walney, September 9, 1854.

James has been engaged in threshing the wheat in the Centreville field since Monday. This necessary work is interrupted, after twelve o'clock today, by the advent of General Tom Thumb to Centreville, and a part of Barnum's Exhibition. From the efforts making to accommodate the anticipated visitors, I expect all disposable oats in the county will be purchased, and the threatened scarcity or famine, at least to quadrupeds, hastened by three months. Who would have believed that the ancient village of Centreville would ever have been thus honoured! As I now write, the road by us is thronged with spring waggons, carriages, persons on horseback, and pedestrians, who are hastening to the spectacle. That a panther and elephant should be seen in Centreville is not a subject for wonder; but that the special favourite of Parisian and London crowds should have held a levee at the sign of the eagle is one of those events which must stagger the credulity of the age.

CHAPTER II

BOYHOOD AND YOUTH OF ARTHUR W. MACHEN.

Arthur Webster Machen was born on July 20, 1827, in his father's mansion on Maryland Avenue in the City of Washington. The family at that time consisted of the two parents, a daughter Emmeline, and one son Thomas, who died during his brother Arthur's early childhood. Another son, James Patterson, was born on May 19, 1831. The only other children died in early infancy.¹

Arthur was a slender and sickly child. After he was grown, his mother, after referring to a dyspepsia from which he was never wholly free throughout his long life, adds:

Mrs. Caroline Machen to her Husband.

Walney, January 11, 1853.

The foundation was no doubt laid in that early sickness after the measles when like an infant he lay in my arms for many weeks. The poisonous medicines he took at that time I believe had more to do with it than the measles.

In the spring of 1830, when he was less than three years old, she wrote from Loudoun County, Virginia, where with her children she was visiting some of her husband's relatives, who were then very numerous in that part of the country:

¹ The full names and dates of birth and death of all the children, including those who lived to maturity, are (so far as known) as follows:

Emmeline Machen, born September 17, 1817, died May 30, 1887. Thomas Lewis Machen, born November 13, 1820, died in childhood. John Flagg Machen, born May 11, 1823, died May 4, 1824. Mary R. Machen, born May, 1825, died in infancy. Arthur Webster Machen, born July 20, 1827, died December 19, 1915. Charles H. Machen, born July, 1829, died in infancy. James Patterson Machen, born May 19, 1831, died October 6, 1913.

Mrs. Caroline Machen to her Husband.

Gum Spring, Va., May 8, 1830.

Arthur is, thank Heaven, wonderfully improved. I hear him laughing now quite heartily. He has walked round the yard and garden this morning, and is desirous of having on his slip and paddies for the first time. His cough continues troublesome. I have a great mind to quit giving him the Panacea³ for a while, and give him the cough drops. I don't like to mix them, not knowing of what they are composed. He still hangs upon me so, that I can hardly find time to write.

A few days later, she wrote:

Mrs. Caroline Machen to her Husband.

Gum Spring, May 11, 1830.

I embrace the opportunity while Arthur is taking his nap to write a few lines, for he will let me do nothing when he is awake but walk about with him. It's a great relief to me that he can walk about a little, for till yesterday and to-day he has not been out of my arms when awake more than ten minutes at a time since we left home. Today he has appeared quite cheerful and happy. His tongue is perfectly clear and he sleeps all night without waking. Poor little fellow, he is much reduced. . . . Arthur has just waked. I hear him asking for meat and potatoes; his appetite is very good. The other children are well. Charles⁴ is a great pet. Uncle Charles⁴ says he is one of the best children he ever saw.

And again:

Gum Spring, May 15, 1830.

Arthur has I think so far recovered as to receive no injury from a return to the city, at all events for a short time. . . . He is now pretty much in the state of health he was before he took that heavy cold. His liver does not perform its proper

³ Probably Morison's pills.

⁴ This child died a few weeks later.

⁴ Charles Lewis, brother of Ann Lewis who married Thomas Machen. .

function; yet he gains flesh, strength and spirits every day. You will rejoice to see the change in the dear little creature. He even tried to jump on both feet today.

Of some of these same occurrences, the elder sister, Emmeline Machen, then twelve years of age, wrote to her father a report in French, which showed more aspiration than achievement in that language:

Gum Spring, May 12, 1830.

Mon cher Pere,

. . . . Je rejois, et il vous donnera beacoup de plaisir aussi de voir notre petit Arthur, il est tant mieux. Charles Henri est tres gras. En moi même je pense que vous ne voirez pas beacoup de change, mais je sente tres bien. Ma chère Mère a été bien fatiguée parce qu' Arthur ne permettra pas que personne l'attende qu' elle, s'il peut possiblement l'avoir, mais elle a tenu sa santé tres bien. . . .

Nous eûmes une plaisante visite a tante Stovin's;⁵ elle nous recumes avec beacoup d'affection, et je l'aime beacoup, elle promet de venir nous voir la prochaine automme. Sa ferme est située au pied des Blue Ridge Montagnes, la vue autour est très charmant & je souhaitois que vous étiez là pour l'enjoir avec nous.

J' ai été a voir votre Grand-Mere, elle est en verite une vielle dame.⁶ Elle prenoit ma main et le tenoit très serre, et demand pourquoi vous n'alloit pas pour tante Rebecca Machen, et elle disoit qu'elle souhaitait qu'elle vivoit avec vous. Nous allames y diner aujourhiu; il faut que je conclus, parce qu' il est temps de preparer, avec l'espoir de vous voir en peu de jours, je reste votre,

Aimante fille,

Emmeline Machen.

⁵ Mrs. Charles James Stovin, née Mary Lewis. She was the sister of L. H. M.'s mother.

⁶ Elizabeth Lewis, widow of John Lewis (born November 12, 1731, died September 28, 1818) and daughter of Thomas Brown and Elizabeth Read, his wife. She was born August 3, 1737, and died on November 20, 1830, so that she was truly "une vielle dame." Her husband was the son of Vincent Lewis (born December 19, 1709, in Northumberland County, Virginia, and died on January 26, 1797, in Loudoun County, Virginia) and Ann Longwith, his wife. His father, William Lewis, emigrated from Wales to Northumberland County, Virginia, where he died.

Within a month, the younger brother Charles, about whom no concern was felt, was dead, while Arthur, again taken to the country to recuperate, this time to Fairfax Court House, was still improving:

Mrs. Caroline Machen to her Husband.

Fairfax Court House, June 10, 1830.

Arthur is certainly very much improved, appears quite cheerful during the day, and his rest has been undisturbed. I don't think he has had the least fever. His cough is still troublesome, but I think it will wear off as he regains his strength. He has asked for you several times, and says you must bring his horse, he wants to draw it about the rooms and show it to the lady.

And a week later:

Fairfax Court House, June 17, 1830.

Arthur is very much improved. He runs out so much that he is burnt quite brown, and is getting almost unmanageable. He carries a whip constantly, and uses it freely upon anyone who opposes him. I wish you could see him. If I check him the least, he tells me he is going to Washington City and won't come back any more. My heart overflows with gratitude when I view his sparkling eyes and animated movements.

All the children were brought up on Morison's pills as a sovereign remedy for every ill to which flesh is heir; and never throughout life did either of the two boys falter in the slightest in their trust in this remedy. The girl, Emmeline, on her first long absence from home, at a boarding school at Greenfield, Massachusetts, in 1834, signalled her heroic faith in the pills as follows:

Miss Emmeline Machen to her Mother.

Greenfield, Mass., December 12, 1834.

Last Sunday morning I felt quite badly, my head ached a good deal, and I thought if I were home Ma would like to have me take a dose of pills, and I waited until they had all gone to

church (for I didn't know but they would think me beside myself), took my box from its safe corner in my trunk, removed the envelope, placed fourteen pills all in a row, and I think if you had seen me you would have thought I had improved in taking pills. I do not know that I even made one wry face. How can I, dear Mother, ever make you the least return for your kindness, how many nights you have sat up to give me medicine. I can only love you and try to be less trouble in future,—however I really did not know that I could summon fortitude to prepare a dose of Morisonia for myself; they made me quite sick, but have relieved me, and you may be assured that I will take them just as if you were here, if I feel badly.

The earliest record of Arthur's studies, a letter from his sister to her father, written when he was six years of age, did not foreshadow his life-long devotion to books:

Miss Emmeline Machen to her Father.

Rockville, Md., September 10, 1833.

Arthur is very healthy and has a great appetite, but I fear will not progress much in his book. He is at the same place as when he started, and seems more adverse than ever to learning.

His first schoolteacher was a lady whom, as tradition says, he once pushed backwards against a stove, by grasping a rule with which she was advancing for the purpose of administering punishment.

His next teacher was an Irishman by the name of Shyne, whom he remembered as pacing the floor when exasperated by the pranks of his pupils, muttering to himself, "*Quem Deus, odit fecit pedagogum.*"

He next attended a school in Georgetown kept by a Rev. Dr. McVean, a Scottish Presbyterian Clergyman. He was a good teacher, and drilled his pupil well in Latin grammar and syntax; and my father in after years was very grateful for this invaluable early training. But at the time, he did not

appreciate the blessing. A feud existed between the Georgetown boys and those from the city of Washington, and the other boys in the school, who lived in Georgetown, would exclaim on his approach:

City pigs are in a pen,
They only get out now and then.

He, therefore, persuaded his father to send him to a more fashionable school on I street kept by a Mr. Abbot, a New Englander. Here he learned Greek, but as the teaching was not so efficient as that of good Dr. McVean, he never felt so much at home in Greek as in Latin and could never read it so easily. Needless to say, however, he made the best of his opportunities, and the only report extant of his work at this school shows a grade of "Excellent" in Deportment, Neatness, French Exercises, Greek Exercises, Latin Exercises, French, Greek, Greek Grammar, Latin, Latin Grammar, Algebra, Spelling and Reading, and of "Very Good" in the remaining subjects, namely, Declamation, Composition and Writing.

Even in childhood, he was always reading. He also used to tell tales to other boys, partly made up as he went, and partly taken from books he had read, in exchange for apples. He often continued the stories from day to day so as to keep up the interest of his hearers.

In the spring of 1842, in collaboration with a fellow member of the graduating class at Mr. Abbot's school, Wentworth Childs by name, he put his talent as a story-teller to use by editing a fortnightly school paper called "The Comet." The paper ran its meteoric course in six numbers and an "Extra," which contains the composition receiving the first prize in the highest class in the school—a romance by A. W. Machen entitled "The Franciscan, a Tale of Spain."

The Machen home was almost on the shore of the Potomac, and the youthful Arthur naturally became an adept swimmer.

On one occasion, he swam out into the stream and pretended to be drowning, whereupon a faithful dog, named Brave, of which he was very fond, dashed in and brought him to the shore. Ever afterward whenever he would swim far from the bank, Brave would swim in front of him and endeavour to force him to turn back. The faithful animal died in 1851, about eight years after the removal of the family to Walney.⁷

While at Mr. Abbot's school, or soon after graduating, my father broke his arm by a fall from a horse. He was fourteen or fifteen years old at the time, but very small for his age. After the fall, he led the horse by the bridle to the office of the family physician, whom he informed of his desire to have the bone set.⁸ The good old doctor could only exclaim, "Bless my soul!" In after years, my father referred to this accident and his recuperation in the following terms:

A. W. Machen to his Father.

Baltimore, December 29, 1854.

Thanks to Mr. Blagden's characteristic energy and equally characteristic kindness I reached Baltimore just at the time I wished. How is little Mary's arm? I trust she is suffering as little as the nature of the accident permits. Some acquaintance with Pain, she needs must make, and that grim visitant of humanity has a rough grasp at the best of times and even when he siezes one by the left arm; but, like me, she will hereafter, I think, look back at the six weeks of convalescence as no disagreeable episode in the pleasure-time of Youth. I dare say she has quite as amus-

⁷ "There is nothing new except that Brave had a fit last night on the porch, and looked rather badly to-day." (*J. P. M. from Walney to A. W. M. at Cambridge, December 6, 1850*). And seven months later, "Poor old Brave. You don't know how I miss his good old face and affectionate wag of the tail. I have not the least regard for Bruno. I do not think he has any of his sire's qualities." (*J. P. M. from Walney to A. W. M. at Cambridge, July 5, 1851*).

⁸ "I heard of Arthur's misfortune before I received your letter, and also of his bravery and presence of mind in getting the arm set before proceeding home. Napoleon would have conferred on him the command of a regiment for such coolness and endurance." *Beverley C. Sanders, from Baltimore to L. H. M. at Washington, December 17, 1843.*

ing, though probably no more effectual diversion, as *Whately's Logic* afforded me during the confinement for which I was indebted to the self-willed old mare that taught me the art of turning corners on horseback. I well remember how faithfully I poured over those cabalistic-looking pages in order not to be left behind by the class; and to this day syllogisms and broken arms are inseparably connected in my mind. . . . This thing memory is a strange curiosity shop and storehouse of odds and ends of every character; and the task of turning them over, though begun in mirth, never fails to end in grave and even sad reflexions. Certain it is I would gladly have my broken wrist again to have the dial of life put back to that day, without the loss of the *experience* of these intervening years.

He always had a very vivid recollection of the Presidential campaign of 1840, which resulted in the election of William Henry Harrison. As a stout young Whig, he of course shared fully in the general great enthusiasm for "Tippecanoe and Tyler too;" and used to tell how two poles representing respectively the Whig and the Democratic parties were set up in Washington, and how as the returns came in from the various States, pennants bearing their names would be raised on the one pole or the other.

In the summer of 1841, he and his younger brother James, then ten years of age, were sent to visit their cousins, Misses Martha J. and Susan Lewis, at the Gum Spring, Loudoun County, Virginia. His letter describing the journey is interesting when we reflect that he lived through the age of railway building to the age of motor cars and aeroplanes:

Cottage, Wednesday morn.

Dear father & — all the rest,

Here we are safe enough. Now your first question is answered. I will proceed to tell you our adventures since four o'clock yesterday morning. As soon as it was light enough I began to take a survey of my fellow travellers, of those inside I mean. We were nine in all—four were females. One of them was a lady with an

infant in her arms which she was feeding with mint julep. Another was a coloured girl, her maid. You may be sure I tried to find W. N. Lewis whose name we saw in the book at the hotel. I was not certain but that he might be on top, but there was one inside who answered my *ideas* of him—a young man about six feet high. I had a great mind to ask him if my conjectures were true, but there was very little, or rather no, conversation in the stage except some monosyllabic communications between the lady I have mentioned and her servant (who, by the way had taken possession of James' and my seats), and I found very little opportunity to do it. Some time after we left the Court House, that said young gentleman asked James (who was sitting by him) where he was going. James replied, "Gum Spring, to see Cousin Martha and Cousin Susan." The stranger said he was going to the same place to visit the same people, and we discovered that he was indeed our cousin. . . .

And so believe me yours affectionately,

Arthur W.

After graduation from Mr. Abbot's "Select Classical Seminary," he went to Columbian College, now George Washington University, for at least one year. He here joined the Phi Mu fraternity, an organization which seems to have become extinct. His father's plan was that he should graduate at this institution, and then enter the junior class at Harvard College, and take a baccalaureate degree at this latter institution, in two additional years. But long before his course at Columbian College was finished, his father bought the farm in Fairfax County, and removed there to reside, being influenced to take the place partly by a desire to strengthen his son Arthur's delicate health by the open-air life on a Virginia farm.

Certain it is that this life his father planned for him, the son experienced. For six years, he lived the life of a country boy. During his father's long absences from home while in attendance upon Congress, he and his younger brother managed the farm, superintended all farming operations, and

personally participated in them. Every branch of farm work my father had practised himself—ploughing, sowing, reaping, the digging of ditches or the driving of cattle. Frequently, he would be at work from four o'clock in the morning until nine o'clock at night, with only the necessary intervals, for meals:

A. W. Machen to his Father.

Walney, June 17, 1848.

I think our hours of rising and work come up to the precept and theory of our neighbour over the run. We rise *before* four, come in to supper about nine, and give up to breakfast and dinner an hour and a half of the intermediate time. I am more and more pleased with our kind of force. With white hands (such as we have had) we should not have accomplished as much. The blacks indeed require constant attention and urging, but they *bear* urging, which the others do not.

During all this period, he and his brother James kept accurate diaries of the farming operations as well as accounts of the receipts and expenses. Whenever their father was absent—and he was, of course, necessarily absent during the sessions of Congress—the boys sent him frequent and full reports from the farm. The following, written by my father, is a fair specimen (not without a sly dig at the piscatory venture of the younger brother, James):

Wednesday, April 24, 1844. Hiram started in the waggon for Alexandria. Abner drew furrows for corn. Charles ploughed for corn. John cleared and burned, in the same field.

Thursday, April 25. Hiram arrived with a load of plaster which he dropped in the corn field. Abner drew furrows. Charles ploughed. John burned on corn ground and the meadow. James went fishing (caught one minnow) and dug up some plantain near the house. I cut projecting roots which would interfere with the cradle in the new clearings near Amy's spring and Mr. Daniel's fence (in oat field) and studied a little.

As the concluding phrase shows, my father's studies were not entirely given up even while he was working on the farm. His father's extensive library had been removed from Washington to Walney, and during the six years he spent in the country, without a teacher and without the usual stimulants to study he added greatly to his knowledge of books—not only in English but in Greek and Latin.

At the age of seventeen, he writes to his father as follows :

A. W. Machen to his Father.

Walney, January 15, 1845.

December was such a busy month, that I had little or no opportunity for study. On the first of the year, however, I commenced to devote a portion of my time to mental discipline, though it is no easy thing, I find, to return to the habit of study. I feel convinced, as your letter reminds me, that now is time for my physical, intellectual, and moral constitution to be formed. As to the first of these, I think there is little now to fear; my chief danger of deficiency is in the two last. I may hope to gain intellectual strength by vigorous exertion, but on the last object, and by far the most important one, I must feel great doubt. The resolute determination which you wish me to form, deserves all my energies. The strong Will will always control the strong Mind in the active world, as well as in the visions of Mesmer.

I am now reading Thucydides, who can be studied as a Logician, Rhetorician, and Historian. I have commenced reviewing Horace principally for the sake of improving in Latin Prosody—it was a little obstacle to this that your bookcase of Classical Poetry is locked. I intend to review my Mathematics, beginning at the principles of Arithmetic. In the Septuagint, I read a chapter daily, and trust as I get better acquainted with the Alexandrine dialect to make greater progress. I am much interested in observing the differences between it and the common version, and in tracing the instances in which the translators have endeavoured to transfer the Hebrew idioms into Greek words. It is sometimes discouraging in my Greek studies, that when I attend to the minutiae of construction and grammar, it takes so much time to

go over a little space. This is a difficulty, however, which I must expect to encounter, and which will probably diminish as I progress. I might avoid it in the first place by glancing superficially over the text, but in this mode, though I should read as much as Magliabecchi, I could never expect to become a thorough and accurate scholar. I should like very much as I gain opportunity, to go through a course of Mental Philosophy though I am at a loss what work to begin with. If it would not give too much trouble, I should be very glad if you would point out the most suitable treatises to read.

The following note, scribbled in pencil by my father upon one occasion when he was conducting a herd of cattle to market at Georgetown, gives a truly Arcadian picture of a young drover with a volume of Horace in his pocket to peruse when the cattle stopped to rest under the shade of the trees:

A. W. Machen to his Father.

Near Georgetown, June 28, 1849.

My dear father:

I have not yet sold. The market, however, is not unpromising. Upwards of a hundred head of cattle leave today for Baltimore, and though the butchers are in some degree supplied, I think a good price may be obtained for a small lot of good quality like ours. When I shall sell is of course uncertain—probably this evening, in which case, after performing your business in Washington to-morrow morning I will be able to reach home some time in the course of the day.

Meantime time glides quickly. Fortunately, I carry a resource in my pocket. Yesterday when stopping for a few moments to give my steers a breath of fresh air under the shade of some oaks, I opened the volume at random and struck upon some most admirable directions as to diet—it was quite a seasonable and appropriate result, I thought, of an appeal to the *Sortes Horatianae*. Please assure Ma that I am perfectly well, and that whatever detention I may chance to meet with must not be attributed to the worst causes an anxious imagination can conjure up.

I trust that she herself will be entirely recovered by my return.

Affectionately your son,

A. W. Machen.

Indeed, his custom was to take a book into the field with him when superintending the various farming operations. A young Irishman who was employed for a time as a farm hand had literary proclivities, and used to bother him somewhat by borrowing his books. To avoid such solicitation, he chose for his reading in the field a volume of Caesar's Commentaries. The Latin being of course quite unintelligible to the Irishman, the youthful classicist was disturbed no more by his ambitious employee.

It was during these six years at Walney that my father first took to the writing of short stories for the press. He was successful in winning several prizes by these literary efforts. The unselfish use he made of the money thus earned is shown in the following letter in which he announced to his father the winning of a first prize:

A. W. Machen to his Father.

Walney, January 18, 1848.

A little story which I wrote during my neuralgic attack before Christmas has, I find, been lucky enough to draw the prize of seventy-five dollars from Neal's Gazette. (Ma will have me add that it was the highest of the three in that class of stories—but for my part I think it best to estimate all things by the money standard). The money, I suppose, will be sent in the course of the week. I am sorry it is not enough to be of some service to help you in meeting your engagements. But little as the same is, it will be a pretty good return for a week's work. I have requested that the article be published anonymously or with a fictitious signature, and of course have every reason to wish to be unknown as the writer, to all out of the family.

His filial generosity is even more clearly indicated by another letter setting out in greater detail the disposition made by him of his honorarium:

A. W. Machen to his Father

Walney, January 22, 1848.

To get this money safely into your hands is all I wish for now. Perhaps the best plan would be for me to direct him to enclose it to you in Washington. Twenty dollars of it, however, I should like to be divided among Ma, sister and James, as I owe so much to them for services in copying.

He was almost morbidly solicitous to preserve his incognito; for even at this time he was planning to become a lawyer, and wished to avoid any reputation as litterateur or dilettante which might interfere with success in a practical profession. Once, a story or essay he had submitted to the *American Review*, though accepted by the editor, was returned in consequence of the occasion for which it was written having passed before it could be printed; and he was much concerned lest the return of so large a packet through the post should set the tongues of the village gossips a-wagging and lead to the discovery of his entrance into the field of authorship:

A. W. Machen to his Father.

Walney, February 18, 1848.

I have been in some doubt as to the Review: you do not give Whelpley's address, and I feel a reluctance to troubling Mr. Var-num. In addition, I should prefer that so large a letter packet should not come to me in Centreville as there are so many prying eyes and inquisitive brains at the opening of a village mail, and the editor of the Gazette has unfortunately declared that his contributor is a Fairfaxian. There are, of course, great objections also to its being sent to Washington. Would it not be as well to direct that the article, since its time has passed, be committed to the flames? I have a copy, though I see not of what use it can ever be. Do the Review people know who is the writer? Would they recognize my right over its disposition? The poor packet seems to occasion nearly as much trouble as Abdul Hassan's sandals—surely then, it may meet the same fate.

In the winter and early spring of 1849, he accompanied his father to Washington and assisted the latter in the clerical portion of his labours during the session of Congress. He used to tell how in the course of this work he changed the spelling of "Minnesota." Prior to this time, the word had usually been spelled with one "n," and that spelling was used in the Bill for creating a territorial government as it was introduced and, I believe, as it passed Congress.⁹ But my father was entrusted with the engrossing of the Bill, and, thinking that "Minnesota" had a better appearance than "Minesota," he inserted the second "n." The Act as signed by the President, therefore, created the Territory of Minnesota.¹⁰ and by that name as territory and State it has ever since been known and probably will continue to be known.

While in Washington, for this purpose of assisting his father, he witnessed the inauguration of Zachary Taylor. The occasion was of special interest to my father and his brother because of their sympathy with the party to which the new President belonged. He accordingly wrote to his brother a full description of the event:

A. W. Machen to his Brother.

Washington, March 5, 1849.

The ceremony is just over, and my ribs are about regaining the shape which they had this morning. I am sorry you could not have been here, since you had so strong a desire to witness the ceremony; but I feel satisfied that if you were seated at the other side of this table, and we were to talk over the doings of the day together, the same conclusion would have been reached by both—that we had got a whistle which was not worth much, whatever may have been the price paid for it. The *procession* was by no means imposing—not at all to be compared to that at the funeral of Harrison; the military part of it, which was of course nearly the whole, was neither numerous nor striking. There was, indeed, a

⁹ See, for example, 20 Congressional Globe, p. 666.

¹⁰ 9 U. S. Stat. at Large, p. 403, c. 121.

very large assemblage on the gravelled area east of the Capitol, yet it would be a misnomer to call it an audience. We could see the old General's "cutting box at work," as a man observed at my elbow; but it made very little racket. It was a great gratification to see the good old jaws in motion which spoke to such purpose at Buena Vista, yet we had to imagine the patriotic sentiments which no doubt issued from them. The only word which I could distinguish was "proper," and from that I infer the speech to be excellent.

The ground, as you may suppose, was quite damp, and by the tread of so many feet was rendered even muddy. In view of this, I (as well as a number of other judicious individuals) chose a convenient position on the flagged crossing way which comes nearest to the lee-side of the portico and the scaffolding. As the advantages of such a comparatively dry station were sufficiently obvious, I resorted to it before the arrival of the procession. Indeed before the great gates were thrown open, the whole area was filled with a pretty dense multitude. It was supposed that the General's carriage would pass *under* the Portico and we thus escape disturbance; but suddenly I saw within a few yards of me a man brandishing a marshal's baton,—“Make room,” “make room,” was shouted, and soon some one sung out—

Clear the track
For old Zach.

The next thing was a terrible squeeze, and the great living mass swayed hither and thither like the host of Greeks and Trojans over the body of Patroclus, or if you prefer a stronger simile—like the commotion of the milky elements in an atmospheric churn. A four horse chariot dashed through the crowd which seemed—like the divided waters of the sea—to threaten to overwhelm it. There was a glimpse of a grey head—uncovered in the presence of collected sovereignty;—we saluted it with a hurrah for Taylor. Immediately in the rear followed a two horse carriage closely shut up;—“There goes Polk,” said a person near me, “who cares for him?” Such difference is there between the president-elect and the ex-president—yesterday the Tennessean had offices to bestow, “now, none so poor to do him reverence.”

Mr. Taylor, of course, soon reappeared upon the scaffolding, in company with the *clergyman*, as many of the crowd took the black-robed Justices of the Supreme Court to be. The address was short, and old Zach seemed to think the operation one which, like that of taking a dose of pills, was to be gone through with as speedily as possible. Thus we had a very brief feast after a very long preparation.

In the autumn of this same year, my father's life on the farm terminated, never to be resumed except for very brief visits. But he always remembered with pleasure, which perhaps was somewhat affected by the glamour of youth, the days which he had spent at Walney, and he never lost his affection for the old place and the old State.

When a mere lad of fourteen, he had had his first taste of farming in Virginia upon a visit to relatives in Loudoun County, and wrote to his father thus:

A. W. Machen to his Father.

Gum Spring, August 21, 1841.

You were not quite right in your surmises about our, or at least my, happiness. I feel as if I could stay up here all the year round. I went up to Cousin Catherine's farm, about five miles distant, and was helping to haul in oats all day. I can now agree with you that a farmer's life is the happiest.

In one of his letters from Cambridge, in writing of a friend who had been been obliged to give up the law on account of weak eye-sight,¹¹ he adds:

I wish he could be persuaded, as I have suggested to him, to be-take himself to that happiest of all lives (as I verily believe) *the life of a Virginia farmer.*¹²

In this opinion, and in his devotion to Virginia, he never wavered. Upon one occasion, long after he had achieved

¹¹ Horace Davis of Worcester, Mass., son of Senator Davis, of that State.

¹² A. W. M. from Cambridge to L. H. M. at Washington, July 22, 1852.

eminence at the Baltimore Bar, in the course of an acrimonious trial, his opponent turned to him and said, "How do you presume to instruct citizens of Maryland in such a case as this? Were you not born in Virginia, and yet you leave Virginia and come to Maryland to tell us what to do?" "No," replied my father, "I was not born in Virginia, but I wish I had been."

Such was his devotion to the old State that on one occasion in Baltimore shortly after the Civil War at the instance of a girl acquaintance who was required to write a school composition on "The Dismemberment of Virginia," he complied with her request with such cogency that he won for her the highest scholastic encomium! We may suspect that this conduct was due in part at least to gallantry; but whenever taxed with the questionable morality of the proceeding, he defended himself by asserting that a denunciation of the unrighteous partition of the State could never be wrong! Indeed, his sister to the day of her death refused to direct letters to *West* Virginia, saying that it was a matter of principle with her and that she would rather have the letter miscarry than recognise the existence of West Virginia! He himself, in his will, written in 1913, refers to "Jefferson County, *Virginia*," although that county had been for fifty years *de facto* a part of *West* Virginia.

CHAPTER III

AT THE HARVARD LAW SCHOOL

In very early years, Arthur W. Machen was attracted toward the profession to which his life was to be devoted. When a mere child, he determined to read Blackstone, and being afraid lest his parents should disapprove or ridicule the project, he secretly searched his father's library for the desired volumes. They eluded him, however, because (as he years afterwards discovered) the edition which his father possessed was that of Christian with Archbold's notes, and was entitled on the outside of the volumes "Archbold's Christian," the name "Blackstone" not appearing. The would-be law student naturally assumed that "Archbold's Christian" was one of the theological treatises to which his father was devoted.

So also, on one occasion in early childhood, he attended a book auction in company with his father, who gave him a few cents with which to make any purchase he might choose. The volumes he selected were four large folio volumes of the "State Trials." It should be said, however, that he was led to make this selection, not only by an inclination towards the law, but also, and perhaps chiefly, by the great size of these tomes, and by the fact that in buying them he could obtain so large an apparent return for his small investment.

He had expected to graduate at Columbian College in Washington, and subsequently to study at Harvard College long enough to obtain a baccalaureate degree at that institution. The removal of the family from Washington to Walney, and the length to which his sojourn on the farm was protracted for the sake of his health, decided him, to-

ward the close of the year 1849, to enter the Harvard Law School without waiting to take a collegiate degree at Harvard.

He seems to have considered the relative advantages of that School and an institution known as the Ballston Law School situated near Saratoga, New York. After he had made his decision in favour of the former and had spent several weeks in Cambridge, his father wrote asking for his conclusions as to the wisdom of the choice. He replied:

A. W. Machen to his Father.

Cambridge, February 4, 1850.

I think I am hardly in a situation to institute the fair comparison of which you speak between this school and Ballston, since my observation is confined to one side. This, however, with which I am acquainted, gives me no reason for discontent. The professors (the two particularly who have most to do with the school—Judge Parker and Mr. Parsons) are affable men, and encourage friendly intercourse with the students.

A little later he writes:

Cambridge, May 31, 1850.

I have just received (along with a letter from James) . . . the enclosed slip containing Mr. Calhoun's reply to the Ballston student.¹ That is doubtless a good school, but I think it must lack some important advantages which we possess here.

Still later, he had occasion to revise this charitable characterisation of the rival school, and to felicitate himself upon his choice of Harvard:

A. W. Machen to his Father.

Cambridge, September 15, 1850.

I have had some conversations with one who is just from the Ballston School and who left it in disgust. From his account of the manner in which things are going on there, I infer that I have

¹ What this clipping was I have not been able to ascertain.

no reason to regret not having turned my own footsteps in that direction. Mr. Willis Hall has broken off his connection with the institution, and the hundred students who have placed themselves under the care of Mr. Fowler find many facilities presented them for enjoying the dissipations of a watering place, while their minds are distracted from these exhilarating pursuits by very few temptations to study. If the description given me be true in half its details, there is not a more remarkable humbug in the country.

As was natural, my father was followed to Cambridge by the fond thoughts of his mother. She wrote:

Mrs. Caroline Machen to her Husband.

Walney, December 19, 1849.

We miss Arthur very much. I trust the step he has taken will be one to insure his future happiness. He goes into the world with good moral principles, and I hope looks to a higher power for strength to resist temptation than his own feeble will. I could not expect to keep him always with me, and shall endeavour to suppress all anxious fears in regard to him. I think it probable he will often have cause to regret the loss of home comforts. We seldom know how to prize our blessings till deprived of them.

When my father arrived in Cambridge, one of his few acquaintances, if not his only acquaintance, in that part of the country, was Rev. Mr. Blagden, a member of the Washington family of that name, with whom my grandfather had long been on terms of close friendship; and through him he met Mr. George Phillips, a brother of Wendell Phillips, although, as my father often told me, of very different opinions relative to the South. By Mr. Phillips, he was most cordially received,² and throughout his course at the Law

² "Mr. Blagden, upon whom I have made two calls—the last one in answer to his invitation to come and dine—has received me with all the kindness it was possible for anyone to show. He inquired repeatedly about you and your health, and requested that I would not fail to give his regards to you. Mr. George Phillips, whom I met there was also very cordial, inviting me

School frequently enjoyed his hospitality, to which in after years he often referred.

His expenses seem absurdly low in comparison with those of the present day, although he thought them very high. Soon after arriving in Cambridge he wrote:

A. W. Machen to his Father.

Cambridge, December 14, 1849.

Boarding here, I find, is high—including fuel and candles, and washing, etc., certainly not less than seven dollars a week.

This estimate he found by experience to be too high; for a few weeks later he writes:

A. W. Machen to his Father.

Cambridge, January 11, 1850.

The cost of my lodging, board, washing, and candles, will not exceed five dollars a week. A supply of fuel will cost, I presume, some twenty-five dollars in the course of the year.

Soon after his arrival in Cambridge, the trial of Dr. Webster for the murder of Parkman took place; and as the proceedings were peculiarly interesting as well as instructive to a law student, he attended some of the sessions of the Court. His letters give his impressions of the trial:

A. W. Machen to his Father.

Cambridge, March 25, 1850.

I have been attending the Webster trial from Wednesday morning to the close of last week. You have doubtless read the reports: yet no reports can do full justice to such a scene. It is established—I think beyond the shadow of a doubt—that the remains found in the Medical College were portions of the body of

urgently to dine with him as often as I can make it convenient to come into Boston. So you will perceive that stranger as I am here, I have no lack of friends." (*A. W. M. from Cambridge to L. H. M. in Washington, December 31, 1849*).

Parkman. Never was the value of science more apparent than in the chain of evidence which supports this point. The testimony of Dr. Wyman, which, I presume, has been very inadequately reported, was especially remarkable.

The Attorney General (who conducts the prosecution) gave it as his opinion that there is no alternative but to believe that the guilt lies either at the door of Littlefield or of the prisoner. If this be true, Webster must be the murderer. I heard Littlefield's direct examination, which took up all of Friday. Saturday he was subjected to a most searching cross-examination, at the hands of Mr. Sohler (pronounced Soyer), who is distinguished for his ability in this department of legal practice. The man bore the ordeal as none but a witness who had the truth to prompt his utterance could have borne it.

A week later, he describes the closing scenes—the arguments of counsel, the speech from the dock, the verdict of the jury and the sentence of the Court:

A. W. Machen to his Father.

Cambridge, April 1, 1850.

To-day, after witnessing in the Boston Court House the solemn concluding scene of the trial—the announcement by the Chief Justice of the terrible sentence of the law—I procured the best report of the previous proceedings which I could find, and mailed it to you.

I have missed attending no part of the trial which I cared greatly to attend, with the exception of the argument of Mr. Meynick for the defence. The evidence for that side of the cause being exhausted unexpectedly soon, joined with the fact that I had that day a moot court and lecture to attend at Cambridge, occasioned the failure. I regret it; yet not excessively. The evidence gave little opportunity for skilful arrangement and exhibition: nothing could have availed the prisoner but the most transcendent *eloquence*, and this Mr. Meynick—although his effort is represented by those who heard it to have been highly respectable—did not display. How indeed is it possible for an advocate to exert the noblest powers of oratory when depressed by such a

conviction as must have been weighing down the counsel of Dr. Webster? Against that unhappy man, there appears even a superabundance of proof. His only hope of escape was to stand dumb; and how little could this silence—itsself a sign of conscious guilt—avail against an array of evidence like that which arose from all sides to proclaim in utterance more forcible than the voice of man, the truth of the charge on which he was arraigned.

I heard Mr. Clifford's argument at the close. Then (Saturday evening) I heard Dr. Webster avail himself of the opportunity afforded him by the Court to make what personal explanations or appeal he thought proper, to the jury. To that brief and most unsatisfactory speech from the dock, succeeded the charge of the Chief Justice, which was so clear, so faithful, so just, as to leave no doubt what effect it *ought* to have on the jury. I remained in the court-room till the jurymen, after some three hours absence, returned nearly at midnight. All who desired that the majesty of law should be maintained must have hoped that such a verdict would be rendered as would bring the penalty of murder on what was clearly the crime of murder; yet few *expected* such a result. When therefore the foreman uttered the word *guilty*, it thrilled through every frame like an electric shock. Webster himself, who had stood up to learn his fate, sank down deeply affected—yet not so utterly overcome as some of the newspaper accounts have represented.

Another contemporaneous narrative of the same scene is more vivid and dramatic:

A. W. Machen to his Brother.

Cambridge, Mass., April 1, 1850.

It is over: I heard the verdict announced at eleven o'clock last Saturday night, in the solemn and simple form which has descended, like so much else that is venerable in the law, from days of old. At five o'clock that afternoon the whole assembly in the court-room had been electrified by seeing the prisoner rise to avail himself of the opportunity afforded to make any personal explanations he pleased to the jury. He did not speak very long, yet he said enough to strengthen in many minds the belief of his

guilt. Then came the impartial and conscientious charge of Chief Justice Shaw. After that the jury retired to consider in a room apart. The Court was not adjourned, but the judges retired from the bench, probably to partake of supper in another part of the building. The counsel on both sides followed their example, and so did many of the other legal gentlemen. Time passed: no man could tell how long the jury would remain undecided. The ranks of the hitherto patient auditory thinned perceptibly. Cambridge law students, especially, began to think of supper, and the comforts of bed: finally only two of them were left, but these two were resolute to await the issue, though they should have to stay till dawn. There was room to stretch ourselves at length on the settees; yet they were without cushions, and very hard. Suddenly, there was a stir, and a movement. Simultaneously with my perception of it, I recognized my companion leaping over the railing to take a more eligible position on the front bench. I followed instinctively, and then had leisure to observe members of the bar, and others, gliding in and filling up the seats one by one. Presently, the prisoner was brought in—for he, too, had removed out of the court-room during the interval. Then the four judges returned gravely to their seats. Last came the jury. Immediately on their entrance, the clerk addressed them. "Gentlemen, have you agreed on your verdict?"

There was a common gesture of assent.

"Who shall speak for you?"

"Our foreman."

"John W. Webster, stand up, and hold up your right hand."

—Look at the prisoner, foreman, and say, is he guilty—or not guilty."

"Guilty."

Can you imagine the feelings at that moment, even of a spectator? Webster sank into his chair; his cheek was paler than it had been; while scalding tears blistered his eyelids. He buried his face in his handkerchief, and leaned upon the railing. The jurymen were deeply affected; more than one were weeping.

This morning (Monday) Dr. Webster was brought into Court to receive sentence. The Chief Justice read an appropriate and

impressive address. As he uttered the last sentence, that which informed the wretched and trembling homicide that he was to be hung by the neck till he should be dead, his voice became husky, and it required an effort to enable him to articulate the words. One of the judges who sat at his side had to wipe away tears which he could not repress.

The efforts to secure a pardon or commutation of sentence and the rumours of confirmatory evidence of guilt not brought out at the trial are mentioned in the next letter:

A. W. Machen to his Father.

Cambridge, April 7, 1850.

I hear that petitions are getting up out of Massachusetts for the pardon of Dr. Webster; but public sentiment here where the man is known, and where the evidence of his crime has been diligently studied, is not disposed to favour any interference between the culprit and the law. You have perhaps seen allusions in the papers to the story about a student who, climbing into the Laboratory one evening through a window to recover a pair of overshoes which he had forgotten, suddenly interrupted his Chemical Professor while in the act of making certain surgical demonstrations upon the corpse of Parkman. The account runs, that Webster, springing upon the intruder with his hand armed with some dangerous weapon, induced him to take oath not to reveal any of the particulars which had so unexpectedly come to his knowledge. This, I am assured by good authority, is not a mere rumour. A letter substantiating the leading facts is understood to be in possession of a gentleman of Boston. Probably we shall learn all that is to be known in a few weeks. Some persons also anticipate a confession from Webster.

After the sentence had been executed, my father vindicated his independence by venturing to differ from his teacher, Judge Parker, in respect to the rulings at the trial:

A. W. Machen to his Father

Cambridge, January, 18, 1851.

Professor Parker though a very learned and conservative jurist is characterised by great independence of judgment. Not a little of the reputation which brought him to the chair of the Royall Professorship took its rise from the firm stand which he took as Chief Justice of New Hampshire against Judge Story when the latter, in the confidence that he knew what construction ought to be given to the Bankrupt Act which he himself draughted, was disposed to extend the power of the United States court so widely as to interfere with the constitutional or legal jurisdiction of the State Judiciaries. In his views of criminal evidence, Judge Parker does not hesitate to differ very considerably from English authorities and precedents, and from the principles adopted in conformity with those authorities and precedents by most American courts. He has taken occasion of the Webster Trial to express some of his opinions in the January number of the *North American Review*. Some extra copies of the sheets containing his article have been struck off—he has given me one which I send you. For my own part I cannot yet bring myself to wish that views—certainly not less equitable than liberal in themselves—should be carried quite as far by the law as he carries them. I should want to stop short at the point where a homicide has been (not merely committed without the presence of witnesses) but *concealed* deliberately and carefully. When the manslayer himself does all he can to destroy the evidence which would throw light on the true nature of his act, it seems to me, public safety demands, and the highest equity does not forbid, that that evidence must be taken, as against him, to have been of the darkest kind.

Some time afterwards, the young Virginia law-student attended a less famous murder trial in the United States Court before Judge Curtis, in which Rufus Choate appeared for the defense. Even the eloquence of Choate provoked less praise from him than the clearness and logic of the judge's charge:

A. W. Machen to his Mother.

Cambridge, November 1, 1851.

Mr. Choate, by appointment of the Court, was for the defence. His argument was very eloquent and able, and in all his rencounters with the District Attorney, he manifested a marked superiority. The contemplation of such an advocate strikes me with despair. To witness, however, the perfect logic of the judge's charge, the complete mastery both of law and of the complicated facts, the admirable clearness of thought, finding expression in language that conveyed the thought directly to the mind of the hearer—as through a medium of crystalline transparency and beauty—that was to overwhelm one in a despondency yet more profound. This Judge Curtis (newly appointed in Judge Woodbury's room) is a great man. He graduated at the law school here in 1832, and in the short time—short time, I mean, for the acquirement of such legal eminence—intervening between his admission to practice and his recent removal to the Supreme Court Bench, he has risen, though, unlike Choate, no orator, and making no pretensions to oratory, to be by general acknowledgement the first lawyer, taking him all in all, at the Boston Bar.

During his whole course at the Law School, my father supported himself without pecuniary aid from home. At first his source of income lay in his stories and magazine articles and reviews, supplemented later by a small stipend as librarian of the Law School Library. Again and again, he writes to his father that he is in no need of funds. For example, within the first few days after arriving in Cambridge:

A. W. Machen to his Father.

Cambridge, December 31, 1849.

It gives me pleasure to inform you that I am in no need whatever of the remittance you propose in your letter. The gentlemen in New York [i.e., publishers of magazines for which he was writing] who seemed to have every disposition to accommodate me, proposed that I should draw for the sum I wanted at a few

days' sight. I have done so, and the cashier of a bank here, on the credit of the draft, has paid me the money. Therefore, I shall want nothing more for some time to come except perhaps twenty-five dollars—and not even this before the middle of February.

When the middle of February came, he was able to dispense with the assistance he had thus expected to need:

A. W. Machen to his Father.

Cambridge, February 16, 1850.

I mentioned in some previous letter that I might possibly need a small remittance about this time. Now, however, I find I can do quite well without it. . . . If at any time I am likely to be in need of a further supply of funds, I will take care to give you timely advice.

Over a year later, he goes so far as to offer to send a contribution toward the expense which might be involved in a visit by his mother and sister to Philadelphia—a visit which he strongly urged on account of his mother's health:

A. W. Machen to his Father.

Cambridge, November 8, 1851.

I suppose I am earning now something more than my daily expenses; and there is a reasonable probability that at the end of the term in January, I shall find myself with a surplus on hand, which I would gladly devote to a scheme in every respect so important.

The end of another three or four months still finds him in no need of funds:

A. W. Machen to his Father.

Cambridge, February 16, 1852.

I assure you that I am in no need of funds. My treasury is never overflowing, but I am very particular to take care that it does not ebb below a certain point. This being so, it argues a

reasonably prosperous state, that I have ventured to purchase a few law books lately, when some great bargains were presented. I have been rejoiced by a fine folio copy of Coke on Littleton, kindly given me by Professor Parsons—the very edition I had been vainly rummaging for in Boston.

During the first year at Cambridge, his longest story or novel, entitled “Everstone,” was published serially in the *American Whig Review*. His incognito was studiously preserved, but the story was well-received. Some years afterwards his father wrote, not perhaps without parental partiality but yet certainly with some discrimination:

L. H. Machen to A. W. Machen.

Washington, April 17, 1858.

Since the commencement of the Session I have read, for the first time, the series of papers—published in the *Whig Review*—under the name of *Everstone*. I omitted to read them while publishing, to avoid the possibility of my doing what I understood from your Ma was not your desire, speaking of them, as written by you. Some of them contain passages of great power. A few chapters would, I think be advantageously omitted. What objection would you have to their publication in a book form? I know that the press groans under this species of literature. But the appetite for novelty and excellence is insatiable, and, with some little redundancy cut off, the publication would give reputation to any writer.

It is at least equal in literary execution to Wirt’s *British Spy*, or the *Essays of the Bachelor*; and would compare favourably with anything from Legare: and they doubtless gained in reputation by their early publication.

It seems to me a subject of regret, that your labour, in this publication, should be permitted to remain entirely unproductive except in the receipt of a few dollars from the first publisher. Moral lessons are taught of great value, and the instructive example of persevering effort is not the least.

Not long after the publication of "Everstone," however, he seems to have resolved to abandon the writing of fiction and devote himself, so far as necessary for his support, to magazine articles and book reviews. He contributed the latter species of composition to the "North American Review" and other periodicals. Once he was tempted by an offer of a prize by "Sartain's Magazine," published in Philadelphia, to dash off a story. Having won a prize, he wrote to the editor disclosing his real name and requesting most urgently the strict preservation of his incognito:

A. W. Machen to the Editor of Sartain's Magazine.

Cambridge, September 10, 1851.

Returned after a six weeks absence to this my temporary domicile, I hasten to inform you of what you have certainly the best right to know—the true address of your contributor V. J. Jeffel.—I pray you to suffer *the incognito to continue as to others*, since they, just as certainly, have no such right of knowledge. Ever since I first sent an article to the press, I have been studious to avoid being recognized as a writer of fiction; and latterly, having occupied myself with composition of a very different sort (quarterly reviewing, for instance), I had almost entirely withdrawn from the story teller's trade—nor was the prize-seeking division of it intended to be made an exception, notwithstanding the encouragement of some past success—when the exceedingly liberal terms of your offer tempted me to borrow a few hours from very pressing engagements and to stake them upon a new hazard. As the affair has turned out I may with some reason felicitate myself upon having yielded to the inducement, and would be inexcusable if I did not feel a disposition to thank you heartily for having presented it.

Now and then a twinge of sorrow seizes me as I remember how little worthy *Ishmael* is of the reward he has met. Perhaps if I had had leisure to watch for a suitable vein, I might have sent you something a degree better; but unfortunately the necessity was on me to write within the space of a week or two, or not to write at all.—However, I suppose I may take it as understood

that V. J. Jeffel, continuing to appear a real person *not hailing from Cambridge*, is alone to bear the responsibility before the world of your readers.

Some weeks later the editor of the *American Whig Review*, which was then bringing out one of his stories, "The Trenchard Property"—doubtless written some time earlier—wrote to deprecate his abandonment of fiction:

J. Priestly to A. W. Machen.

New York, November 1, 1851.

I do not know that I have had time to express to you my satisfaction with the story we are publishing. It is so good that I do not think you should, as you intimated to me, give up that species of writing.

My father had been in the School less than six months when an opportunity arose of eking out his slender resources by obtaining the appointment as Librarian of the Law School Library. This has since become a salaried office permanently filled by a librarian who devotes his entire time to the duties of the position, but when my father was at Cambridge, the office was awarded from time to time to some promising student who was in need of pecuniary assistance.

A. W. Machen to his Father.

Cambridge, May 31, 1850.

The present Law Librarian, to whom I had letters of introduction, will leave his office after this term, and has recommended to me to make application to be admitted his successor. The place is always filled by a law student, and the duties, besides being in themselves little onerous, are more than compensated for by the increased facilities for study which accompany their discharge. . . . There is, of course, little probability of my being chosen out of the list of those who would like to obtain the situation, nor shall I make any efforts or indulge in any anticipations which might cause such a result to be a serious disappointment.

He soon had reason to think that his prospects were by no means desperate, and wrote, stating more fully the advantages of the office, in order to obtain his father's sanction to a declaration of intention to remain in the School, and thus continue to hold the position, for at least eighteen months:

A. W. Machen to his Father.

Cambridge, June 10, 1850.

I have this morning had a brief conversation with one of the professors respecting the librarianship. He spoke in a tone which implied that I did not stand a worse chance than others. One of the main considerations on which they propose making the selection is the length of time the candidate is likely to remain, as it is desirable that there should not be a too frequent change. The Professor remarked that one individual had offered to stay three years. He added, however, that he and his colleagues in the Faculty (who together make the appointment), do not require, nor seek, any *promise* to remain a specified time, but merely a declaration of the *present probability*.

I should be glad if you would write back as soon as convenient, giving me your advice upon the matter. Any opportunity like this of securing a legal education at small cost, ought not, it would seem, to be neglected. The time during which the librarian is expected to be at the service of his fellow students is only an hour each day during the terms: nor, I presume, are his other duties of much magnitude. The compensation, as I think I have mentioned before, consists in tuition (with the other privileges of a student), the use of furnished rooms in the Law Building, and \$100 per annum in money. Fuel and lights are also supplied. The value of the whole to one who at any rate would continue here as a student, is something more than \$300. That which perhaps makes the situation most desirable to me is the greater liberty I should feel, if possessed of it, to give myself up unreservedly to study. Your opinion I look for with much eagerness.

While still in suspense, he was by no means confident of the appointment:

A. W. Machen to his Father.

Cambridge, June 21, 1850.

The selection will be made pretty soon, and until made there is room for doubt; yet I do not think it probable that I shall be the person chosen. One of the professors informed me that there is another student who is willing to stay here three years—one who, unless he receives the appointment, will be unable to remain at all. I, of course, declared that I had no disposition to interfere with anyone possessing greater claims; and if the individual referred to be competent and personally acceptable, I doubt not he will receive the office. . . . Whatever turns up here, I shall certainly not enter into any kind of literary engagement.

Four days later, he was able to announce that he had received the appointment:

A. W. Machen to his Father.

Cambridge, June 25, 1850.

I have put off writing from day to day in expectation of the answer of the professors. This morning that answer was given, and I had the satisfaction of hearing from Judge Parker that it had been thought proper to confer the appointment upon me. The understanding as to the time of continuing constituted one of the principal difficulties.

From this time to the end of my father's stay in Cambridge, he occupied as a sleeping apartment the room on the second story of Dane Hall, the use of which was one of the emoluments of the office of librarian. In writing to his brother, he describes his daily routine:

A. W. Machen to his Brother.

Cambridge, March 26, 1851.

My alarm clock awakes me (or I awake without its aid) sometime before six. If I dress in time, I take a walk of variable length before breakfasting at my boarding place, where I attend about 7 o'clock. This meal over, I read till 8- $\frac{1}{4}$. I go then to

the gymnasium and remain till about 9- $\frac{1}{4}$; when I return to my room in time to wash my hands, make some little changes in my apparel, and read anything that the mail may have favoured me with, by 10 o'clock, which is my hour for opening my office below stairs. Until 11, I am subject to the calls of students and others who desire to take out books. From 11 to 1 P.M., law lectures are delivered, which I usually attend. Dinner at one. Then I read or write till 3 or 4, when (if the day be Tuesday or Thursday) I drop in at Moot Court.—Mondays, Wednesdays and Fridays, a German recitation puts in its claims. At 6, I sup—at 7- $\frac{1}{4}$ I go to spend from 30 to 60 minutes in the gymnasium. Finally I go to bed, sometimes before 12, sometimes after. Saturday I have no lectures, Moot Courts, or German—consequently this is usually my most [least?] busy day.

My father's letters show, and he himself often stated, that in his estimation perhaps the greatest advantage of the Harvard Law School, in his time, consisted not in the lectures, nor even in the stimulating contact with the keen intellects of the professors, but rather in the various moot courts and debating clubs:

A. W. Machen to his Father.

Cambridge, September 27, 1850.

I have spoken more than once about our moot courts. I can hardly ever tire of talking of the training they give. In my view, the lectures we have, admirable as they are, do not do us half the service. Our professors are sometimes peculiarly happy in giving out "cases" which have all the interest, and all the beauty, of the most admirably constructed problems. I am to argue in one on Tuesday. I appear then as junior for the last time. Thereafter, I am to have the responsibility, and far greater pleasure, of seniority.

These moot courts were a prominent part of the curriculum. They were held with great frequency—with much greater frequency than in my own time—and were presided over by one of the professors. A book was kept in Dane

Hall for inspection by the students, setting out the names of counsel on one side and on the other, and also the names of the professors who would sit as judges. My father used to tell a story of standing with a fellow-student from some far Southern State, who, turning over the pages of this book and seeing one case headed "Coram Parsons, J.," the next "Coram Parker, J.," and so on, exclaimed, "These Yankees certainly do beat the Jews for Scripture names!"

Besides these formal moot courts, the students used to conduct moot courts of their own, and also formed numbers of debating clubs. The club which seemed to have made most impression on my father's memory and which he, at least in after life, regarded as affording most valuable training was known as the Spontaneous Debating Club. In a letter to his brother, he describes the meetings of this club, and of a small quiz club composed of himself, his future partner and one other student, and also the informal students' moot courts:

A. W. Machen to his Brother.

Cambridge, September, 11, 1851.

A greater change could scarcely be conceived of, than this from my lazy vacation habits to a constancy of mental employment that fills up every moment. To-night I have just been spending a couple of hours in a debating club.—Easy work that, you may say; and it *does* partake of the nature of relaxation, but I engage in it (as do the other members, who are likeminded) solely with a view to improvement of a kind certainly not the least desirable. The plan of the society has some novelty, and it is one which works admirably among persons who have some stock of information to fall back upon, and are not prone to use words, except as the expression of thought. We call ourselves the spontaneous debating club. There are seven members, each of whom in alphabetic succession occupies the chair for one night. He selects some question—ethical, legal, or political—which he communicates to no one till the opening of the meeting. Then he states it—first, how-

ever, dividing the remaining members, arbitrarily, and announcing to one division that they are to take the affirmative of the forthcoming question, and to the other, the negative. After that, he calls upon one from the affirmative party to open; then one from the negative is summoned to reply, etc. In the course of the evening each member speaks twice,—five minutes (neither more *nor less*) the first time, and the second time either five or ten minutes at his option. Thus the first speaker has no notice whatever, and the rest none that avails for anything more than a very rapid collecting of the thoughts.—It would be a mistake to suppose that the practical operation of this plan is to induce wordiness—I mean in a club composed as ours is: on the other hand, it tends to make the style of speaking terse and significant. There is no time to arrange unmeaning words so as to impose them on an auditory as vehicles of sense; and since every one is conscious that to utter a string of mere phrases destitute of that rhetorical furbishing is to make one's self exceedingly ridiculous, he seizes upon any really pertinent ideas he finds within him, and sends them forth clothed in such language as comes to hand, which is the most simple, idiomatic and natural language, and therefore, for general purposes, the best.

This, however, is my play. It is only by accident that the hour succeeding it (that which I am now using so pleasantly for myself) is not devoted to a conversational club (of three members) which meets in my room two or three times a week for the purpose of mutual questioning upon certain topics of real property law as they have successively formed the subject of our reading in a course which we three are pursuing, in concert, independent of the lectures. Of the benefits of this exercise it is hardly possible to speak too highly. Taken in connection with the critical reading of approved text-writers, such as Kent, Preston, Coke, etc., and the examination and comparison of reported cases, to which it stimulates us, it is at least equal to any other single means of improvement which the Institution and its libraries affords.—This trio consists of Gittings (of Md.), Locke (of Ky.)—both capital fellows—and myself.

Yesterday evening I attended a club (14 members) formed for the argument of moot court cases. Meetings weekly:—three tak-

ing active part each meeting—one as judge, and the others as counsel. I was last night an auditor only; yet even in that capacity, I had to keep my wits at work, since the club acts collectively as a high court of appeals reversing or confirming the decision of the single judge. To balance this comparative leisure, I, the afternoon previous—Tuesday—argued a knotty case in the real Moot Court, before Judge Parker.

In those days, in every year the Law School conducted a moot jury trial; one of the faculty acted as presiding judge, the jury was drawn from among the seniors in Harvard College, while the law students elected four members of the graduating class to perform the function of barristers. My father was one of the students thus honoured in June, 1851; but the jury decided against him. He was greatly cast down, and felt that the result proved him deficient in the arts of a jury lawyer; but resolutely determined to set about remedying what he conceived to be his defects:

A. W. Machen to his Mother.

Cambridge, June 27, 1851.

Beaten—beaten! That the law students, without a single exception, are convinced that the verdict ought to have been different, does not make the result much less unsatisfactory; for it only shows that the case was a plain one on the evidence, and that I failed to make the jury believe that it was so. I am conscious that as an argument to a jury my speech was an utter failure. I have been completely defeated. Still, I do not take the event as hardly as I once would have done. On the contrary, it is a lesson, and more than that, a stimulus. I don't mean to give up, I assure you. To be thus baffled—to have all my plans, notions, theories, hopes, disconcerted—knocked into pie, huddled together in disorder like the pieces on a checkerboard, only makes me resolved to begin the game over again and learn to play scientifically. I see now what a vast deal I have to learn. I must know human nature better, to begin with; then I must know how to use my tongue and my wits simultaneously—I must understand how to

render passion—all the latent fires of temperament—serviceable to the deliberately formed purpose. Finally, I must learn (I will not say to dispense with conscience, but) to have a much lower opinion of such of my fellow human beings as I find in the jury box, so that instead of presenting to them the reasons which appear to be reasons to my own mind, I may with more economy of labour and far more prospect of success, pick up at random anything that comes to hand, and throw it at them with the utmost confidence, altogether disregarding of the insult I am giving their understandings. The truth is, I paid quite too much respect to this jury of senior class collegians.³ I thought it would be unsafe, as well as questionable morality, either to over-state the evidence, or to drag in extraneous matters which were no evidence at all; in fine, I treated them too much like a bench of judges—in other words, too much like men of sound logical judgment, on the watch against declamatory vehemence, and likely to consider an argument all the weaker for having a trope introduced to support it.

So the plain fact is, I neither made a good show, nor gained a verdict—partly in consequence of a misconception of the part I had to play, and, I suppose, in a much greater degree, to the absence of the requisite ability.

Yet, as I said, I am not in the least disheartened. I mean to *become a jury-lawyer*—if for no other reason—because I have very evidently shown myself not to be one now.

He was the winner in 1851 of the prize for the best thesis then annually offered to the graduating law class at Harvard. The subject, selected by the faculty, was “The Rights and Liabilities of Railroad Companies”—a subject which no one could criticise as too narrow in scope. Upon receiving the prize, he wrote:

³ One of the jurors of whose logical faculties my father here speaks so slightly was the distinguished James Bradley Thayer, subsequently Weld Professor in the Harvard Law School! He afterwards became, if he was not then, the very incarnation of logic.

A. W. Machen to his Father.

Cambridge, September, 14, 1851.

I have received your letter in which you refer to the matter of the prize: I should have been sorry not to have gained it, and principally because the failure would have deprived *you* of a source of gratification. Believe me, my dear father, I never can forget that the duty is on me so to act my part in life as not to disappoint the hopes that go out from home to attend upon my steps.

In December, 1850, or the early part of January, 1851, he received promise of some augmentation of his income by an offer to work for Professor Parsons on his book on Contracts.⁴

In fact, he not only contributed a great deal of material for the notes, but also wrote the whole chapter on Slavery. These labours, as we shall see, were continued after his admission to the bar.⁵

Although he greatly admired both the leading professors, Parker and Parsons, he found the lectures of the latter on commercial law the most instructive in the School:—

A. W. Machen to his Father.

Cambridge, May 3,, 1850.

The most valuable acquisition I am likely to take home from this term at the Law School is the knowledge I have derived from the lectures on Commercial Law of Mr. Parsons. In the law of real property, my advance will not be as great as I had hoped; but I think I am doing something more in this department than standing still. After all, this kind of lore—the doctrine of tenures and descents—must be sought, not in the lecturer, but by grappling with books. I trust, and shall endeavour, to lay my foundations

⁴ "Professor Parsons is writing a book on Contracts, and has told me that he should like to have some assistance from me during the holidays in the preparation of notes. This will fall within the line of my studies and has the advantage of offering the prospects of some little addition to my pecuniary means." *A. W. M. from Cambridge to his father in Washington*, Jan. 1, 1851.

⁵ See *infra* pp. 183–4.

solidly even though it may be long before the superstructure shall rise much above the surface level. Just now I am going leisurely through Littleton—the text alone (in English) stripped of all commentaries.

A few months in the School sufficed to satisfy him of his enthusiastic love for the law:

A. W. Machen to his Father.

Cambridge, May 15, 1850.

This law is a noble and an attractive study: my mind turns towards it, I find, more readily than to any other pursuit in which I can engage. Exercise in it does not leave my faculties fatigued. At any moment, I can, with a sensation of pleasure, throw aside Horace, Hallam, Mill—almost anything indeed except a letter from home—in view of a volume of reports which may furnish a case to establish a principle announced in the lecture, or capable of being interwoven into a moot court argument.

He found, indeed, as every true lawyer has, that the law is a jealous mistress, though he never slighted the reading of general literature and the classics:

A. W. Machen to his Father.

Cambridge, February 8, 1851.

I will endeavour to get Lowth from the University library. Cebes, too, I should be glad to read, though I cannot tell you I certainly shall. I dare not now even frame such good resolves in my own breast, for whenever my will erects itself into such a posture of spasmodic energy, it is speedily smitten down by the reproachful look of the mute Pindar that stands in neglected dignity on the shelf at my right hand. In short, it is very hard to find leisure for the classics when Law, that imperious, but most excellent and delightful, monster is bawling at one with its hundred tongues.

I have out now from the library the six volumes of Robert Hall's works, which, though not before altogether unfamiliar to

me, I am reading over with a great deal of interest. It is pleasant to have to do with a man who is at once so intellectually great, so nearly faultless in his moral nature, and whose teachings excite all the interest which must be felt in the *words* of one whose *life* was a long act of heroism. Then again, as I have heretofore been too negligent of style, I hope I may derive some benefit from the observation of these writings which the critics confess to be models of pure and vigorous English.

Neither while himself a student nor at any time, did he approve the soul-killing doctrine propagated in these latter days by the Rockefeller Foundation, that all education should be "practical":

A. W. Machen to his Father.

Cambridge, March 22, 1851.

It seems, there is a very natural and proper distinction between the acquisition of knowledge and the obtainment of a practical facility in applying—between the purchase of the instrument, and expertness in its use. Certainly it is indispensable to the lawyer that he be a master of logic, and it is of great consequence that he understand Latin; yet I cannot perceive that there would be anything gained in teaching the boy at college who is engaged in the study of Hodge or Whately to make an immediate application of his moods and figures to the doctrine of conditional fees or to the resolution of the nice question whether the man who is damaged by a squib which has been thrown from hand to hand through a crowd should seek damages of the first thrower in Case or in Trespass *vi et armis*. In the same way, it would hardly be expedient, I think, to make the poor pupil find the example of his rules of syntax in Bracton or the choice morsels of Latinity which are preserved in Coke's Reports, instead of in Caesar and Livy.

His love of books was such that he rejoiced even in the curtailment of his holidays in order to perform his duties as librarian:

A. W. Machen to his Father.

Cambridge, August 26, 1850.

Something I shall have to do no doubt, but as it relates to books, it will prove a labour of love.

In his earlier months in the School, he appreciated the abilities of his fellow-students although he was not at all overawed by them:

A. W. Machen to his Father.

Cambridge, May 15, 1850.

The school, as far as I can judge, seems to contain a very respectable aggregate of talent, though none of its members may exhibit any *remarkable* intellectual power. Yet there may be in our midst embryo giants whose future development is foreseen by those better versed than I in the comparative anatomy of the mind.

His closest friends among the students were Richard J. Gittings, of Maryland, his future partner, Alfred M. Barbour, of Virginia; George R. Locke of Kentucky, C. C. Langdell of New Hampshire (afterwards dean of the Law School), James C. Carter, of New York, and Alfred Russell of Michigan.

Learning that Richard J. Gittings' brother, David S. Gittings, was a schoolmate of his own brother at Alexandria, my father wrote from the Law School at Cambridge:

A. W. Machen to his Brother.

Cambridge, November 5, 1851.

I wish you would get acquainted with a new fellow student of yours named Gittings—David Gittings from Baltimore County. His brother, who is here, and whom I am intimate with, is a capital fellow in every respect. As a clear-headed, thorough student, there is no one before him, while in social qualities he is equally unsurpassed. He is one of a thousand, I assure you, and I esteem it a piece of great good fortune to have fallen in with him. The brother, your schoolmate, though somewhat younger than your-

self, cannot but be a pleasant companion; and for Richard Gittings' sake I should be glad if you could prevent him from being homesick in Alexandria.

That the admiration of the two friends at Cambridge was mutual appears from the following:

J. P. Machen to his Father.

Alexandria, Va., November 9, 1851.

There is a student ~~there~~ by the name of Gittings who has a brother studying law at Cambridge: it seems that Arthur knows him quite intimately, and in his last letter spoke in high terms of him. I read this to David Gittings, and he showed me an extract from his brother's letter in which, after speaking of Arthur's social qualities in a very gratifying manner, he says, "He stands, too, among the very first in the Law School."

In January, 1852, my father in a letter to his brother, after mentioning that some of the law sutudents who had gone home for the holidays would not return to the School, adds:

A. W. Machen to his Brother.

Cambridge, January 12, 1852.

Fortunately the two or three with whom I am most intimately acquainted are likely to come back—and among them Gittings, brother of your schoolmate. I should be very sorry indeed to think that we awere not to pass next term together. Besides being one of the best of fellows, he is one of the best of students.

Next to Richard J. Gittings, the fellow-student to whose memory my father reverted with greatest affection was Alfred M. Barbour, whose advent in the School only a few months before my father left is thus referred to by the latter:

A. W. Machen to his Brother.

Cambridge, January 12, 1852.

We have here a new student from Virginia, Alfred M. Barbour, of Culpeper, son of the Hon. John S. Barbour, who makes quite

a figure in the political world. He was President just now of the State Democratic Convention which met at Richmond. The son is a warm hearted fellow; with a head, I think, as good as his heart. He is a graduate of the University of Virginia, and has evidently been a good student—especially of the languages—though but a beginner in the law. I am very glad to have him here.

In a slightly later letter, my father mentioned “Alfred Barbour, a shrewd, observant fellow, as well as the truest hearted friend that ever came out of Virginia.”⁶ Years afterwards my father often adverted to this friend’s sparkling humour, which indeed his letters evince. Almost every one of his letters to my father exhibits an almost romantic attachment and a supreme confidence in the latter’s advancement. For example:

A. M. Barbour to A. W. Machen.

Morgantown, Va., March 1, 1856.

My dear fellow, you will not accuse me of an attempt to flatter you, or offend your delicacy of taste, when I tell you that no man has so complete and fast a hold upon my heart as yourself. Our acquaintance, commencing as it did under very peculiar and trying circumstances to me, when I was a raw and green applicant for admission at the Harvard Law School,—when I was a stranger and without a friend,—you, a man high in your class, *primus inter pares* in the Law School, and high in the regard and esteem of your teachers and fellow students—took me by the hand, countenanced me, introduced me among your friends, advised me, pointed out the way, and *made* me do what was right and proper for my weal. Commencing in this way, I say, our friendship has gradually been cemented and consolidated by our continuing association, until it has grown to a growth and strengthened to a strength which no earthly power will ever sever. Death alone can dissolve it. Machen, my dear friend,

⁶ Letter from A. W. M. from Cambridge to J. P. M. at Walney, June 19, 1852.

childish as may be the expression, I love you like a girl, and am not man enough to refrain from confessing it to you. I often think of the many hours of pleasure and profit I spent at your room at Cambridge. The many instructive hours of study and conversation with you—our sundry readings—our sundry recreations—our sundry walks to Boston, and our mutual enjoyment of good old Father Taylor's Anglo-Saxon and honest eloquence in the pulpit of the Sailors' Bethel. I go over again the many little scenes we passed through in our "trips" about Cambridge and Boston—to the book stores—to Burnham's in Cornhill—to various churches and places about Boston—till that wet September day when I stood on the wharf in Boston and with melancholy and tears, saw the little bark which carried you off pass gradually out of my sight. Those were hours of bliss, and it is now the sweetest source of my pleasure to recur to those times and scenes—and a still higher pleasure to know that during our friendship up to this time, there has not been one moment of coolness or suspicion between us or by either of us. *One* clear cerulean sky of friendship. This rarely happens to be the case. Generally where men are friendly and thrown much together, there will occasionally be temporary "breaks"—but with us it is not so. And in the providence of God, may we never suspect each other, or be the least cool in our regard for each other. For my part, my heart is often most poignantly tortured with the consciousness of my total unworthiness of such a friend as you are. I know you to be my superior in everything—in head, in heart, in attainments and cultivation, but I try to deserve your friendship, and whether I deserve it or not, I am assured I enjoy it.—So may it ever be.

Write me freely all your views; write me often, and feel assured I am ever anxious to hear of your success and happiness. Get yourself a sweet little wife, study hard, and you will be one of the ornaments of these United States in fifteen years from to-day. Mark this.

In connection with my father's friends of his student days, it is appropriate to mention one counterfeit friend—an impostor who presented himself at Walney, posed as a fellow-

student of my father's at Cambridge, represented that he had received from the latter an invitation to visit his home, and by these means obtained a week's entertainment. After his departure, my grandfather wrote to his son expressing the gratification of the family at entertaining a friend of the absent member:

L. H. Machen to A. W. Machen.

Walney, May 15, 1851.

A week ago, we had the pleasure of seeing a fellow student (Mr. Moore) who remained with us until Tuesday morning when he left (in pursuit of health) in the Warrenton stage. I presume he will not extend his excursion further than Harper's Ferry. It afforded us great pleasure to see one who had lately seen you.

The family were astounded to receive, in reply, a letter, which seems to have been lost, stating that their visitor was an impostor and that the real Mr. Moore had never left Cambridge. The fullest account of the deception is contained in a succeeding letter to my father from his sister:

Miss Emmeline Machen to A. W. Machen.

Walney, May 24, 1851.

We were not a little confounded by your announcement that that "fellow student" was an impostor. What could have been his motive for such a tissue of falsehoods, I cannot imagine—on a hasty examination of the library (where he slept) I find nothing missing, but, I suppose, if plunder had been his object, old books would scarcely have been the articles selected. He arrived here on Friday Evening (the 9th inst.), and asked for Ma; though convalescent, she was still far from well, and Pa saw him first. He told him that he left Cambridge a few days (perhaps a week) previous—that he had been seriously ill there, and the physician had recommended his going to a warmer climate—that the "boys" (is this term commonly applied to fellow collegians?—it surprised me a little at the time) advised Virginia, and that you then invited him to call on your father if he should be anywhere in this

region; that travelling near us, he could not resist his inclination to call and tell us that he had seen "Arthur" (he repeatedly spoke of you thus, as familiarly as if he had known you all his life) recently, and that you were well. This tale seemed by no means improbable; we thought it not unlikely you might have given such an invitation—perhaps from mere politeness,—and that a Southerner might have readily availed himself of it. He came on foot—said that he rode up with a gentleman in a buggy as far as near Centreville, and that his carpet bag was to come by the stage the next day (Saturday). The next morning he said something about leaving. Pa cordially invited him to remain longer, and he consented. He went over to meet the stage, and John brought here his baggage. He remained until Tuesday morning, and Father and Mother thought that a little urging (which they felt somewhat self-reproached for not giving) would have induced a longer stay.

And now for his description. I do not know that I can be very exact, but I will try. He was of medium height, about your own, I think—with broad, square shoulders, turned his feet out more than is usual with the white man. There was nothing particularly striking about his face—it was rather long, he had blue eyes, light hair (about the colour of James'), teeth quite defective, chin and throat full, fair and youthful-looking. We thought he could not be more than 20 or 22. There was something in the contour of his face that reminded me of Elias Caldwell, but this might have been fancy. When he first came, he was pale to ghastliness, and his whole appearance bore evidence to the truth of his tale as to recent illness. He said his natural complexion was florid, and he showed signs of colour before leaving. He was quite talkative—free, easy and gentlemanly enough in his manners, though occasionally evincing a want of refinement. He expressed himself pretty well—now and then misusing a word, and always making more grammatical blunders than I had thought possible for an educated person; but I had heard that this was apt to be the case with those from the south of us, from their being surrounded from early infancy by numerous darkies whose habits of speaking they involuntarily caught, and you had mentioned one of your class-mates who butchered several languages

—English included—and I thought there might be another in a similar category. Father does not recollect that this young fellow mentioned his first name, but he gave his last as Moore, said he was from Sumpter district, and mentioned incidentally that he had been to the South Carolina College.

If not a native of Carolina, I think he must have resided in the State, he seemed so perfectly familiar with the mode of living, habits of the people, manner of cultivating their crops, etc., etc., and all was told in such a simple, natural manner that I think no one would have suspected his identity. He spoke very freely of his family, to whom he seemed much attached, having their daguerreotypes with him—his mother and four sisters—the face of the one he called his eldest sister (Maria) was certainly a fine one, indicative of more talent than his own, and expressive of the elevated character he gave her. Two of the others were twins, and he spoke of the beautiful manner in which the voices of the three accorded, taking the lead at family worship! Is the family of the veritable Mr. M. musical? He seemed well acquainted with the prominent men in Carolina and their families. Mr. Lockwood dined here with him one day, and they conversed about the bishops and clergy of the State, and he mentioned their names and seemed familiar with their characteristics.

In Cambridge, too, he seemed at home—speaking of you, said that he took his meals at the same house—spoke of little peculiarities in the landlady. In reply to a remark of Mother's that she hoped you did not study late at night, he replied that you did *sometimes* (true, is it not?), that his lodging room was opposite yours and that he had seen your light as late as two or three o'clock in the morning. Speaking of exercise, he said that, like the rest, you took little walks, but that you looked rather pale, that you were one of the hardest students there, and had greatly improved in oratory. He spoke of James very familiarly, as though he had heard you talk of him, and said you felt great interest in his studies, etc. He took a number of rides with Father about the place and in the neighbourhood, and seemed to treasure up every little incident to amuse you on his return to Cambridge! On taking leave, he expressed himself as very grateful to Mother for the kindness with which he had been

treated (!) and hoped that he would soon have an opportunity of reciprocating it toward you. He took the Warrenton stage, intending, he said, to travel through Virginia by Harper's Ferry, and reach Cambridge within the week.

We certainly have most egregiously been taken in, and scarcely know whether to be most provoked or amused at the completeness of the deception and the apparent frankness and naïveté of the skilful actor. We have tried to persuade Father (and I hope with success) to keep our own secret. As no good can be gained by it, I have no ambition to become the laughing stock of the neighbourhood.

The same somewhat remarkable incident, with a few additional details, is described in a letter from my grandfather written a few days later:

L. H. Machen to A. W. Machen.

Walney, June, 3, 1851.

You have been apprized by your sister of the call made upon us by a young man, genteelly dressed, somewhat delicate in countenance, though of medium size, broad across the shoulders, erect in form, with feet more than usually splayed out, who represented himself as having come from Cambridge for the purpose of making a short excursion for the benefit of his health. He had been, he said, more unwell in Philadelphia; had remained there, under the care of Dr. Thomas, two or three days; and had received benefit from his prescriptions, and a pill he gave him to prevent the recurrence of an intermittent fever to which he had been subject. He had called, he said, in consequence of a promise he had given you, in the event of his passing in our vicinity, that he would let us know that he had seen you, and that you were then well. Your Ma had not been out of her room for a week or more, and, although I had not been confined, I was far from being well. He gave as a reason for bringing no letter, that his departure was sudden, and his route not absolutely fixed; but said that his room was opposite yours; that he sometimes noticed your light at a late hour; that you maintained a favourable standing in the Institution, and were improving in oratory. He ap-

peared well acquainted with the social and political state of South Carolina, spoke of the exasperation of the Southern students at the observations sometimes made in their presence, and of their strict union together. He said that Mr. Rhett had withdrawn his son from Harvard; and that other Southerners would probably do the same.

He came, he said, in a private conveyance a mile or two from Centreville in advance of the stage; expected his carpet bag and overcoat by the stage the next morning; and had walked from the place he had stopped.

Your Ma made an effort and came downstairs; and in consequence of supposing that he was a fellow-student of yours, treated him with as much kindness as if he had been a near relative.

The next morning being Saturday, when his carpet bag and coat were to come, and he intended to enter the stage for Warrenton, your Ma and myself invited him to remain until the succeeding Tuesday. To this he readily assented, and I accompanied him Saturday morning to the postoffice in Centreville. He received his bag from the driver, and rode to our house.

With some things I noticed I was not altogether pleased, and mentioned to your Ma that I supposed there could be no doubt of his having come from Cambridge. But on Tuesday morning, I evinced no desire that he should protract his stay, if I did not indeed show a determination that he should have no excuse for not departing. Accordingly I had two horses provided at an early hour after breakfast, and accompanied him to Centreville. Having made an engagement to be in Washington the next day, I was not a little relieved to see him depart.

He slept in the library and had access to the bookcase below, for a short time one morning. I have as yet missed only one *small* edition of Milton from the case below, which I had purchased from the sale of Mr. Fox's library. I thought it the best bound, printed and illustrated book in his collection. He might, however, have taken a more valuable book by its side, of even less bulk; but perhaps not one so readily disposed of.

Who the impostor was, never was discovered.

My father's political opinions, at this stage of his career, were naturally almost co-incident with those of his father.

He does not seem to have been appreciably influenced by his Northern environment to take a less Southern view than his father. Indeed, he himself often remarked that in his time the atmosphere of Cambridge was by no means hostile to the South, from which hailed a very large proportion of the law students—nearly one-third. Like his father, he deprecated equally the absurd fanaticism of the Northern abolitionists and the secessionism of Southern extremists:

A. W. Machen to his Father.

Cambridge, October 19, 1850.

From the signs of the times so far as they are visible to me, I much fear the Union has a tempestuous season to encounter. The threatened practical operation of the Fugitive Slave bill is awakening here a concentrated feeling of opposition which it is difficult to understand at a distance. This sentiment is almost universal in this vicinity—it infects men who are ordinarily models of moderation and of reverence for the laws. I do not see how Northern members of Congress can help making an attempt—however reluctant they may be as individuals—to do away with the law; and the repeal of that bill, I am very confident, will be the signal for the secession of the South. In this Law School there are students from all parts of the South—pretty fair representatives, it is to be presumed, of the more enlightened and unprejudiced and considerate classes of their society; and I am grieved to find how ready the minds of all are to entertain and cherish the thought of a dissolution of the Common Government. A judicial blindness seems to have fallen upon the whole country. Men in all sections, groping as they are in the dark, far from being disposed to wait, patient and inactive, for the removal of the curse, seem possessed by a fiendish zeal to tear down and destroy. When our eyes are opened, I fear we shall behold a sad sight.

He was justly alarmed by formation of the anti-slavery combination which soon eventuated in the Republican party, but rejoiced in attitude of both the leading law professors, who upheld the claims of the Fugitive Slave Law:

A. W. Machen to his Father.

Cambridge, November 8, 1850.

Boston is again comparatively tranquil, and although throughout the State the Democrats and Free-soilers are leaguings all their forces for the sake of defeating the Whigs and sending a Locofoco to the Senate in the place of Mr. Winthrop, the true men feel a confidence—yet not by any means a certainty—that this ill-omened confederation will be baffled.⁷ A few days since, we had a lecture delivered us by Prof. Parsons on the Fugitive Slave Law considered in its legal aspect. He met the objections which have been raised to its constitutionality, and quoted such decisions of the highest Court of Massachusetts itself as seem to leave open to those persons here who place themselves in opposition to this kind of legislation by Congress no alternative but to come out against all law. The effect of this lecture, and indeed of the ground taken by both the law professors, which is eminently conservative, I think is proving very salutary.—Nor probably (though I have no means of judging as to this) is this influence confined to the limits of Dane Hall.

In 1852, my father was so strongly opposed to the nomination of Gen. Scott by the Whigs, that like his father, he was tempted to look with complacency upon the election of Pierce, the Democratic nominee:

A. W. Machen to his Father.

Cambridge, June 19, 1852.

With you I am inclined to think Gen. Pierce will be the next President, and if Scott prove the Whig nominée, I should hesitate to say Pierce's triumph would not be better for the country and better for the Whig party—Fillmore or Webster, say I. The returns of the first six ballots have reached us, and I am somewhat encouraged by their aspect.—Gen. Pierce has the name up here of a jovial soul, a good advocate, not much of a lawyer, and, if not either a first or second rate man, at least a good enough person to be the exponent of Democracy.

⁷ The "ill-omened confederation" was successful, Charles Sumner being elected.

My grandfather's orthodoxy was somewhat alarmed for the safety of his son in such a hot-bed of Unitarianism. A Harvard fellow-student, writing to my father of a visit to Washington in which he had seen the latter's father, continues as follows:

R. C. Tevis to A. W. Macken.

Shelbyville, Ky., April 20, 1852.

If I would have allowed it, I believe he [i.e. L. H. M.] would have devoted every moment he could have spared from his imperative duties, during my whole stay to showing me the lions of the capital, from the Navy Yard to Georgetown, inclusive. Although I could have found no one with whom such a tour would have been more interesting, I could not, of course, impose upon his kindness to such an extent. But I promise you I explored the Capitol from "garret to cellar" under his guidance, and I carry with me many vivid recollections of various things, beauties in the architecture and the paintings, etc., which but for him would have escaped me unnoticed. In return, I think I edified him a good deal by my unequivocally good account of his son Arthur, and particularly of said Arthur's steady avoidance of any of the damnable heresies in religion with which the vicinity of Boston doth so greatly abound.

After the lapse of nearly fifty years, when I myself was a student at the Harvard Law School, Professor C. C. Langdell, another of my father's friends and fellow-students, confirmed this testimony as to his religious opinions or practice, particularly emphasising his regularity as a church-goer.

As mentioned by Alfred M. Barbour, in a letter quoted above, he and my father often listened with admiration to the preaching of Father Taylor, the eloquent Methodist sailor preacher. My father, indeed, managed to take a few shorthand notes of his picturesque remarks—a practice which the good old evangelist strongly discountenanced. On one occasion, observing a reporter for some newspaper, who was taking notes of the sermon, he called out sternly, "Young man, put aside your pencil, and turn your thoughts to the

preaching of the Word of God!" The notes which my father secured were transcribed a few years before his death, and published in the Methodist Review.

My grandfather's parental solicitude was, however, not to be calmed, because his son was not a member of the Church. On this subject the latter wrote:

A. W. Machen to his Father.

Cambridge, Sunday Night (9 o'clock)

April 7, 1850.

My dear Father:

I have before me your letter of the 28th ult. I should be unfeeling indeed not to be deeply impressed by the earnest and ever watchful affection of which it is one among many evidences. And, immeasurable as the personal interest is which I have in the subject and burden of it—the spiritual health of a son now for the first time out of the shelter of the paternal roof—I almost feel, at the moment of receiving such letters, as if the greatest satisfaction that could be experienced in being able to answer as one ought who has been baptised into a Christian Church, would be that of communicating such an answer to a solicitous parent. Would that it were in my power to inform you at once that there is neither cause for present fear nor for future doubt!

I may say, however, that I am not conscious of living any worse than when at home. Whether it be a fortunate circumstance or the reverse, I have not come here till I have reached an age when *intimacies* are no longer very easily formed; consequently my hours are left at my own unembarrassed disposal. I am thrown among *men*; and each is exempt from the dread of having any regulation he may choose to adopt criticised as singular. Yet, while I am not exposed to much temptation—for which I trust I am thankful—I do feel a yearning for a situation affording positive as well as negative support. On the recurrence of this day particularly, the first Sabbath in the month, when Christians meet in hallowed fellowship around the Communion Table, it is saddening to recognize that there is a line of division cutting me off from those with whom in the hour just previous I had attempted to unite in the worship of a common God. It would

be strange if a disposition were not excited to cross that line. I had thought, indeed, that I should never be prompted to enter any denomination but the Presbyterian—and Synod and Assembly are not here known. Yet there is a far more serious consideration to make me pause and deliberate. This is not a step to be rashly taken. What more awfully perilous than to intrude into the wedding feast without the wedding garment? I can walk nimbly, but dare I take this ignorant unconsciousness of a burden, for proof that I am in condition to enter upon the race which is set forth to be run with diligence?—At the times when I think of the matter, I can perceive my lack of every requisite—as well of Faith and zealous Hope, as of Charity. But I have most reason to grieve and be downcast on account of those far more numerous moments when I do not think at all. How small is the proportion of my existence when I am anything else than a dull, crude, unleavened lump.

I had thought of offering my services in the neighbouring Sabbath School, but besides that I am not aware of there being any need of teachers, such an engagement would prevent me from ever attending church in Boston, and I like to hear Mr. Blagden as often as the weather and walking allow, because his preaching pleases my taste and meets my wants, because to be in his church revives the sensation of home, and because of the benign loveliness of his own character.

Even the foregoing letter did not satisfy my grandfather, it seems; for in response to a reply from him, his son rejoined, a week later:

A. W. Machen to his Father.

Cambridge, April 16, 1850.

I do not find that I am under the influence of a disposition to postpone the consideration, nor the recognition, of my duty as a rational created being. The difficulty is the mode of performance. My mind is not entangled in speculative doubts; it is so constituted (and this is a mercy for which alone I owe unceasing gratitude to the Almighty Maker and Giver) that it is not destitute of that species of faith which is ready to receive revealed

truth in its whole measureless extent, and dares not say that the condition of the acceptance of any doctrine is its capability of being grasped by finite faculties. I may add that I have sought with sincerity and seriousness to acquire as clear an understanding as I may of that system of revealed truth. That salvation is of Grace, I believe; at the same time, I am thoroughly convinced—so far as I know, an antinomian doubt never had possession of my mind—that he who would not perish, must knock, and seek, and strive. I recognize that an active faith is necessary—not as a merit, precedent or subsequent—but necessary as a condition. It is not difficult to utter the formula—to say I believe in Christ; but do I believe in that sense which is required by the Searcher of Hearts?

Nearly two years later, he wrote his father thus:

A. W. Machen to his Father.

Cambridge, April 20, 1852.

Professional study—study in preparation for the law, and judging from this, that study which hereafter must be pursued in the practice of the profession—must of itself interfere sadly with that high Purpose which ought to be visible throughout life, approving itself the controlling motive of every act of life. It is sorrowful to reflect that while the Divine Essence pervades *matter* without jostling an atom from its place, the cares of life can so completely preoccupy the spirit of a man as to leave no room in it for the fear of God. To prevent diligence in business—a duty not to be neglected—from extinguishing fervour of spirit is, I suppose (in this age of toleration at least), the greatest of all the trials to which we are exposed. Would that I could see assurance that I shall go through it in safety!

Indeed, he expressed an almost amusingly youthful vehemence in denouncing to his younger brother both the heterodoxy and the abolitionism of Theodore Parker—a violence of language which, being so foreign to his customary conservatism, is perhaps to be accounted for by a desire to encourage his younger brother in the paths of orthodoxy, and

to render Unitarianism obnoxious to the latter's less mature mind by portraying it in alliance with political opinions abhorrent to every Southerner:

A. W. Machen to his Brother.

Cambridge, April 8, 1852.

This is fast-day morning, and I had thought of going to hear Theodore Parker, an eloquent nondescript in Boston, of whom you have perhaps heard—an infidel whose head glows with all the fiery zeal of a fanatic. Starting with Unitarianism, that dangerous creed produced its natural effect upon such an energetic spirit, and deprived of the restraining influences of a submissive faith, he soon broke through the weak pale of rationalism. Now Unitarianism refuses to own her son, and is choked at the name of Theodore Parker. What the man's creed is, none can tell; but amidst the pantheistic chaos of his mind, abolitionism of the hottest sort looms up prominently. He is one of those who having dethroned the King of Heaven bow down in worship before the Rights of Man. I have never heard him yet, being all along disinclined to desecrate the Sabbath by making one of an audience who every time they assemble know they are to be entertained either by eloquent blasphemy or eloquent treason. This being a lay day (except so far as the Governor's proclamation has the effect of rendering it otherwise) and Parker moreover being supposed to exert himself more than usual upon these extra occasions, such as thanksgivings and fast days, it seemed a favourable opportunity for gratifying curiosity by the sight of this monster.

The degree of Bachelor of Laws, which in those days was conferred at Harvard upon all who satisfied the requirement of residence for a given period, without any examination, or reference to scholastic attainments, was bestowed upon my father in 1851; but he continued his law studies at Cambridge for another year.

As his student days drew to an end, his thoughts were naturally occupied with the question of a future residence.

He hesitated between New York and Baltimore. His inclination to the latter city was not due to the possession of any influential friends or connections there—for he had none at all—but to his desire to live in a Southern atmosphere and within reasonable distance of his home in Fairfax County, Virginia.

His father applied to William H. Seward, then a Senator from New York, for his advice. Mr. Seward was naturally unable to understand the attraction of the South even for a Southerner, and advised unequivocally in favour of New York or of some growing Western city:

Wm. H. Seward to L. H. Machen.

Senate Chamber,
May 25, 1852.

My dear Sir:

I have read your son's beautiful letter, and it has impressed me with a high estimate of his talents and his principles.

If your son is to settle either in New York or in Baltimore, I am of opinion that New York is the right place. In Baltimore, he would be under the privations and inconveniences of a great city as largely as New York, and yet would be in a provincial position—a thing to be avoided.

But my advice to all young men of talent and character is to place themselves in the country, in a new State which will allow room and range for expansion and growth moral and political—Oregon or California or Minesota or Michigan would be I think a far wiser settlement.

Very truly,

Your friend,
William H. Seward.

His brother deprecated his removal beyond the confines of the Old Dominion:

J. P. Machen to A. W. Machen.

Walney, June 12, 1852.

I know Arthur Machen too well to believe that he could ever be any less than "loving brother" in New York or in any other city under the sun; but, admitting all the advantages of this second London, it is, as you say, too far from home—altogether too far. To have you near us, I would urge upon your consideration the good old town of Alexandria, if I were not afraid the lawyers already outnumber all the cases brought on the docket in a year. I can't help wishing, however, that you were going to settle in some Virginia city: did you ever think of Richmond?

Alfred M. Barbour, too, urged the claims of Richmond, but without success:

A. W. Machen to his Father.

Cambridge, June 19, 1852.

Barbour suggested Richmond to me and represents that there is quite a dearth of good lawyers there. But after all a *great* town is the place for a lawyer—especially in these times when commercial business so engrosses the courts. And Richmond is but a provincial town. Wirt had to leave it in the middle of his career for Baltimore, and though I am as far as well can be from Wirt, the disparity only makes the example more in point. His talents insured him success in any place; while a man less highly gifted has to seek where all sorts of business are collected, for that sort to which his particular qualities and acquirements adapt him.

While my father was in a state of indecision with reference to this important question of his future home, a rather alluring offer was made to him from New York, and in asking his father's advice as to the answer to be given, he set forth his own reasons for preferring Baltimore:

A. W. Machen to his Father.

Cambridge, May 21, 1852.

My dear Father:

Within the last day or two I received a letter containing a proposal of some consequence. The writer, Mr. Eaton, is a graduate of the School, who, since leaving here two years ago more than usually well prepared, has been favoured with great success in consequence of merit, industry and not a little good luck. He is settled in New York, in one of the most flourishing law firms there. He writes me that Judge Betts of the U. S. District Court for the Southern District of that State, who has held his office some twenty years, purposes publishing the Reports of his decisions rendered during this period. The judge proposed to Mr. Eaton to *edit* them for him. Upon consideration, finding his time too much occupied with other engagements (fortunate man!) to undertake the *whole* task, which is likely to give pretty laborious employment for about two years, Eaton offers me a participation. He states that the judge will give an adequate compensation, of which the larger share would fall to me, I taking likewise the larger share of the labour.

Certainly, an offer like this thrown suddenly in my way, when there was least reason to expect anything of the sort, deserves to be considered before it is rejected. If I left here (as I supposed three days ago I should have no choice but to leave) to be cast a stranger into the midst of a great city, without either friend or any kind of business to welcome me, I must look for many a month to roll round before my own efforts could put me into a "coigne of vantage" such as the snug situation of reporter to his honour the District Judge of New York presents. The means to live, during a time when a young lawyer's bread is not often of his own earning, and the prospect of an introduction into the practice of one of the most lucrative courts in the country, are not to be despised.

Yet I confess the inclination of my mind is rather against accepting the proposition. I had made up my mind to settle in Baltimore. I prefer a Southern climate—Southern people—more than all, I desire to be near home. And if Baltimore is to

be my *new* home, I ought to plant myself there without unnecessary delay. The course I have thought of is to spend the month or two next succeeding my final departure from Cambridge next August, at the farm, reviewing Blackstone and other classics, then to go to Baltimore, enter someone's office as a student, and so remain till I can pick up a sufficient knowledge of practice to enable me with decency to open an humble office of my own. I cannot see that I can make the editing fit in with this plan. The professors (sound as well as kind advisers) think that, *provided* I were of a mind *to establish myself in New York*, I could not do better than to close with the offer just made me.

At the same time, I see much reason to believe that, so far as money is concerned, the chances (independently of any special advantages like this) are on the side of New York as compared with Baltimore or perhaps any other city. An immense business, receiving daily accretion, gives room enough for all; while the bar, numerous indeed, and doubtless containing much ability, is not accounted able *in proportion* to its number. In short, I see in New York a support from the start, a reasonable opportunity of forming acquaintances which will insure me a quantum of practice when the temporary job is over, and other advantages which, if diligently used, promise as much success as I could have a right to expect anywhere.

On the other hand, I fear that, going there, I should become a mere man of business, driving, thriving, and selfish. Deprived of the means of congenial enjoyment, I may spend all the moments the constitution of human nature permits to be given to labour, in the exciting jostle of the courts, and find solace for my intervals of weariness and exhaustion only in contemplating the growth of a pile of bank stock.

The Baltimore bar is said to be very strong—strong as well in its younger members as in those who may be expected to quit the field in the course of twenty years. A stranger cast into the midst of such a throng, of lower stature than they, and having no kind hand to place a stone, or billet of wood, under his feet to raise him into notice, must fare hardly. Yet, if the odds are not overwhelmingly against me in Baltimore, I am disposed to make choice of it. What is your opinion? Without that, I never want

to act—*against* it, I think I never *could* act. New York or Baltimore?—a question of moment, for the one or the other when taken is to be my abiding place for life; it is as little in my nature to go gadding from city to city as from house to house—where I once fall, there I shall be likely to stick.

Mr. Eaton's letter required an immediate answer. I have just replied, rather declining than accepting. My tone however was not so emphatic as to close the door completely; and it is quite possible I shall receive another communication containing additional details.

New York or Baltimore?—Forgive me, my dear father, for so unfilial a space of silence, and forgive me too for filling my sheet when I send it, with nothing but myself.

Your affectionate son,

A. W. Machen.

In a few days, he definitively determined to decline the proposition to edit the contemplated reports of Judge Betts' decisions, and resolved to settle in Baltimore. He left Cambridge in August, 1852.

As his student days approached their end, he took stock of the mental, physical and moral results of his three years in Cambridge, and the following letter to his father summed up his conclusions:

A. W. Machen to his Father.

Cambridge, June 24, 1852.

In my drawer, there are I know not how many pages of Ms.—the beginnings of letters to you, some, too, quite considerable beginnings, reaching, if I remember rightly, to almost the dimensions of a full sheet. There, I have moralized in various strains upon that not surely unimportant subject, my departure from Cambridge. One fragment tells how at this stage in my journey through life I was prompted to take account of my means of completing it. Reckoning up my faculties, mental and physical, I instituted a summary comparison of their present state with their state two years and a half ago. I recognized cause for

profound gratitude in the sustainment of a bodily frame, not the most robust, during a period when, as was to be supposed, it had to be subjected to a severe test of its capacities of endurance. Not only do I find myself to all appearance much more vigorous to-day than when I first came to Cambridge, but a peculiar peril, which, a year since, I seemed to have some reason to apprehend, has passed by and left me harmless. I refer to the danger I felt myself in of having to contend with the obstacle of impaired eyesight. The uneasiness was not without its benefit, for it induced precautions which may have been the means of saving the strength of an organ whose continual service will be demanded all through life. My eyes are now, I believe, as good as they ever were; and their very sensibility supplies a useful gauge of the exertion which it is proper to require of other faculties; I may be sure whenever my eyes evince weariness, or the approach of weariness, that the whole body needs rest—and the mind too.

Less satisfactory was the contemplation of the moral and religious faculties. Yet there is a degree of comfort in acknowledging the soundness of that preacher's philosophy, of whose eloquence as well as philosophy you gave me a specimen a month or two ago. A man carries his foe in his bosom; and the buffetings of this demon, while they disturb his peace and threaten a final destruction, do this good service that they furnish occupation to the mind and make one comparatively impassive to external assaults. The *besetting* sins make an antidote to other sins. Every man partakes of the common depravity, but each one's share assumes a character—its own distinct form.—I, for my part, can feel the influence of this idiosyncrasy of depravity. For instance, I am thrown here among associates who, less favoured by early religious training, do not recognize moral restraints which from my earliest youth (how grateful must I not be to those who instructed my youth!) I have been accustomed to regard as impassable barriers. These are high-souled, generous men, distinguished by every point of gentlemanly bearing, the warmest and truest friends: if sometimes they seem to descend into the mire, when they erect themselves, they show no marks of the ooze and the slime. Now, I do not find mingling in the society of these has the effect of at all inclining my mind to a

participation in indulgences contrary to the laws of morality as I have been used to read them. Doubtless in my own way of sinning I am as bad as ever—perhaps worse; but I cannot perceive any disposition to rush into the vices of dissipation.

So, too, with the infidel tendencies of the place. I believe that, to a grown man at least, the being thrown into this *vacuum* (quite as completely emptied of Faith, to all human discernment as the exhausted receiver of an air-pump is of atmospheric air) has not the effect of extinguishing the living fire in the breast. The pervading Unbelief rather by reaction augments Belief. But I did not mean to weary you with so much vain, and I dare say delusive, self-congratulation.

In bidding farewell to Cambridge, he looked back with a very proper pride to the fact that while keeping his expenditures within his slender resources, he had lived as became a gentleman and his father's son, and had avoided all appearance of meanness:

A. W. Machen to his Father.

Cambridge, August 10, 1852.

From first to last, indeed, I have considered that I consulted your honour not less than my own self-respect by a readiness to avoid at every cost any conduct capable of leading to the imputation of meanness. Nothing has given me such satisfaction, as to find that it is not at all difficult to escape that imputation, provided one do not have to bear the charge, (in addition to the demands of a decent and respectable way of life) of habits of dissipation, often morally reprehensible, and so by their own nature to be eschewed, and always unnecessary, and uncalled for by any public opinion worth a moment's regard. I hope it is no unpardonable complacency to dwell with a degree of pleasure upon this aspect of my two years and a half in Cambridge. I think I have not subjected myself to the reproach of living in any particular in a manner unbecoming a gentleman; and at the same time I know I have lived at much less than the average expenditure of those who live here in any manner. That this

approximation to the solution of an important problem has been attained to, is owing much to fortunate circumstances, but more, I am persuaded, to principles of conduct imbibed in the atmosphere of home. For those guides of action (whose force I trust is not yet spent, for I shall need their assistance every day to come) I owe the liveliest gratitude; and this debt it shall be the work of my life, not indeed to repay, but continually to acknowledge.

CHAPTER IV

IN ANTE-BELLUM BALTIMORE

After leaving Cambridge in the summer of 1852, my father returned to Walney, where he remained for nearly a year before his admission to the bar. The reason for this delay was ill-health—a weakness of the eyes, due, as he himself always believed, to dyspepsia, and aggravated by the poor lighting of Dane Hall at Cambridge. At any rate, a rest was thought advisable.

During the interval, his sister used to read law books aloud to him. She said that she did not mind the reports of cases, for these were somewhat akin to a story, but that Coke upon Littleton was rather dry!

Even during this period of rest, he did not wholly abstain from reading, not only in law books, but in the classics:

A. W. Machen to his Father.

Walney, December 18, 1852.

For my own part, having got off my hands (so far as reading goes) some of those weightier matters of the law which I had undertaken, I am able, in fulfilment of the other side of my plan, to look a little into the classics. I propose studying Demosthenes or Thucydides—I would even now be engaged at the former but that Lucian interposed his sly, comical face. There was no resisting him for the time, and I have just finished reading that merry piece of satire in which he represents the old philosophers, Pythagoras, Socrates, etc., as put up at public sale, like slaves. Mercury cries them off in fine style, and the philosophers themselves are made to tell respectively what work they are fit for, and how they can benefit those who should be fortunate enough to purchase them.

By this time, he had definitely fixed upon Baltimore as his future residence. In reference to his plans, his mother wrote:

Mrs. Caroline Machen to her Husband.

Walney, August 29, 1852.

The boy seems well, and I must e'en be content to let him take his own course.

Before leaving Cambridge he described to his father the kind of law office in which he would like to start practice:

A. W. Machen to his Father.

Cambridge, May 27, 1852.

I should like right well to know of a good office in Baltimore where I can find admittance next fall as a student. The term "good office" admits of degrees. Sometimes the opportunity is afforded to the student, after spending his novitiate, to remain in the office as an associate of the principal, and a sharer to some small extent in the profits of the business. Such an opening enlarges by degrees, and, if diligently and unpresumptuously followed, may lead to high, and not very distant, prosperity. But these chances are *rarely* presented; nor should I give time or care to the pursuit of any such. The "good office" of the superlative degree, I do not look for. I limit my desires to an office where a sufficiently diversified business is disposed of to enable me to observe all kinds of practice—the *extent* of the business is not so important, for very often more can be learnt from a lawyer in *fair* practice merely, than from one who has reached the very highest walks of the profession, whose attention is exclusively occupied with great cases, and who can impart little instruction upon those points of practice which bristle about the way of the beginner, because *his* thoughts are given up to other things. I should like to get into the office of a *gentleman*, and of one in whose service I can work with a hearty good will, because he will not expect me to be a drudge. If you should recall the name of the gentleman who has been suggested to you, I would be glad to be informed of it.

His father suggested the office of Mr. Glenn or of Mr. John H. B. Latrobe as meeting these requirements; but on arriving in Baltimore in March 1853 my father consulted Mr. William A. Talbott, of the firm of Dobbin & Talbott, who happened to have been a visitor in old times at his father's residence in Washington. Mr. Talbott advised opening an independent office at once, without further pupillage; and this advice was supplemented by the great kindness of Richard J. Gittings, who put at my father's service his own wide acquaintance in Baltimore City and Baltimore County. My father described his first day in Baltimore as follows:

A. W. Machen to his Father.

Guy's Hotel, Baltimore, March 12, 1853.

Short as my journey has been, the wet weather rendered it rather disagreeable. I am sorry my starting in the storm should have brought you out into it; otherwise, I am glad that I did not remain longer.

I saw Mr. Talbott yesterday. He advises—unless the state of my eyes stand in the way—immediate admission to the bar. He thinks I will find myself more pleasantly situated, and be able also to learn practice as well as if in an office as student. For my own part, I am by no means so fond of the prospect of living six or twelve months in the awkward transition state of pupillage, as to oppose the change of plan. He recommends me, on being admitted, to take an office at once, and kindly says it must be somewhere near his own, so that he can render me a service now and then. Some expense will attend this immediate entrance into the profession, but not more, I think, than would have to be encountered by reading as student.

In every respect I am placed in an exceedingly comfortable position—a position a hundredfold more pleasant than I had any right to expect upon throwing myself into a strange city. My old friend and fellow-student Richard Gittings (who has as good a head as heart, than which more could not be said for anybody) takes me by the arm just as if we were back in Dane Hall. He

introduces me to lawyers, merchants, and every manner of person that he can think of as likely to prove serviceable acquaintances. As the same time, he proffers me as wide a circle as I desire of general society. In short he treats me like a brother.

Now, what say my eyes? They have not yet spoken. I propose going to the interpreter, Dr. McManus, this morning. But I have a pretty strong belief that I must reconcile myself to a summer of inactivity.

After thus spying out the land, he returned to his home in Virginia, where he remained for several months. In the summer of the same year (1853), he took up his abode permanently in Baltimore, and having been admitted to the bar of the Superior Court on June 13, 1853, on motion of Mr. William A. Talbott, he opened an office in conjunction with Mr. Richard J. Gittings. The latter suggested a partnership, but my father felt that in view of Mr. Gittings' extensive family connection and wide circle of friends, and of his own lack, in Baltimore, of either of those advantages, an equal division of profits would be unfair to his friend. The two friends, therefore, occupied the same or adjoining offices, and almost immediately, without any formal arrangement, fell into the habit of taking one another into all important cases. Before long, it developed that while Mr. Gittings' cases were the more numerous, my father's were upon the whole the larger and more lucrative. The public soon came to regard them as partners, and they themselves, by tacit understanding rather than by formal agreement, shared alike as partners in all fees.

Mr. Gittings' family lived in Baltimore County some fifteen miles from the City; and he himself, together with his brother David S. Gittings, Mr. Andrew S. Ridgely and my father, kept bachelors' hall together for several years in a house on the west side of St. Paul Street between Fayette and Lexington Streets. My father always looked back to these years as among the very happiest of his life; and many were the stories he used to tell, with a chuckle of delight,

about the happenings of that time, and particularly about the rollicking humour of Andrew Ridgely. The four bachelors were served by a free negro named Sterett, who was a notable character. My father shortly before his death wrote out a brief account of some of the amusing incidents in which this dinky figured:

Sterett's parents—perhaps himself at birth—had belonged to the Sterett family, with which Mr. Ridgely was immediately, and Richard J. Gittings more remotely, connected. Ridgely's father was a Sterett, who had adopted the surname of Ridgely, from which latter family he was descended on the maternal side. Hence his son Andrew's middle name, Sterett. The Gittings family were descended from the Steretts. Richard's younger brother David, was named *David Sterett Gittings*, and later on Richard himself named his own son David Sterett Gittings.

This Sterett, the servant, was not an old man—not over thirty years of age, probably, at the time of the Bachelors' Hall period referred to. He was a good looking well-built man, a mulatto, curiously secretive, appeared to have no friends or intimates of his own race, at the same time full of curiosity, which he took odd means of gratifying sometimes, but no babbler or gossip, his chief joy seeming to be the possession of some secret, real or imaginary.

The building in which the associated friends lived was a large old-fashioned three-story brick dwelling-house about thirty feet wide, with a deep two-story and attic back building narrower than the front; and the stories were lower than those of the front portion of the building. Andrew Sterett Ridgely had his office in this back building, and beyond a narrow passage, in which a back staircase stood, was a room of good size which Ridgely used as his bed-room. The room over Ridgely's office was converted into a kitchen; in the rear of that, the servant, Sterett, had his sleeping apartment. Sterett took care of Ridgely's office, and also of his bed-room,—such care as was taken, not very thorough—for Sterett's *forte* was in cooking, not chamberwork. He had, as not a few darkies have, a natural aptitude, not to say, genius, as cook. The front room on the first floor, our party had nothing to do with—

it was some lawyer's office. The second floor, reached by the main staircase, contained two large rooms, front and back, and a smaller room over the hall. David Gittings, the junior, was put into the hall-room. The other two slept on iron bedsteads in the second-story front room. The second story back-room was an apartment of ample size with a sunny western outlook over the yards in the rear of this building, and in the rear of buildings fronting on Lexington Street, one of which, the largest, was occupied by the Archer Boarding School for Girls—then the most fashionable girls' school in Baltimore. At a later period it was transplanted to Ellicott City.

To come back to the servant Sterett, David Gittings chanced to observe a small gimlet hole at a corner of one of the panels of the door leading into his room from the hall. Going out into the passage to investigate the possible uses of this peep-hole, he was surprised to find that it commanded from without a pretty good means of observation of the interior of the room, though necessarily of limited scope. Farther examination detected at other panel corners of the door similar gimlet holes. All combined would give a detective a pretty complete field of observation. This suggested similar perforations in other doors of their apartments. Investigation brought to light the fact that all these holes were the handiwork of Sterett, to enable him to gratify his private interest in the movements of the various members of the family.

On one occasion, Ridgely missed some money, abstracted from a pocket of some clothes left lying temporarily on a chair in his bed-room. He taxed Sterett with the abstraction. The cross-examination took place in the parlour or dining-room. In the corner of the room habitually stood the spinal column of a shark, or some other aquatic creature, the gift to Ridgely of some naval friend, a formidable looking weapon, which Ridgely brandished over Sterett's crouched head, as the inquiry was pursued with considerable vehemence of language, accusing him of being "a thief." "Indeed, Marster Ridgely," said Sterett, whimpering, "I wouldn't have taken it, except from one of the family!"

On another occasion, Sterett vigorously remonstrated against the command of his masters to set an extra plate at the dinner table notwithstanding his representations that so

simple a dinner should not be put before company. As his masters were obdurate, he apparently acquiesced; but in a few moments a tremendous clatter of dishes was heard. Sterett, in order to avoid disgracing the household by the inferior repast, had intentionally stumbled, spilled the food, and broken the crockery! It was impossible that the old darkey should have heard of the same device adopted by Caleb Balderstone in "The Bride of Lammermoor," and thus he bore unconscious testimony to the great novelist's insight into the feelings of an old family retainer, and to the accuracy of his perception of the conduct which the pride and loyalty of a family servant may induce.

The statement in the above-quoted narrative that "Sterett's forte was in cooking, not chamber work, is more than corroborated by the following letter:—

David S. Gittings to A. W. Machen.

Baltimore, August 17, 1856.

I suppose by this time you would like to hear something from home, and it being Sunday (that ever welcomed day to a hard working man), and I, as usual, got up too late for church, I will endeavour to tell you what has happened, etc. The most important should be spoken of first, and that is our front room, and what has taken place in it. Last night was the first that I have *slept* in it, though not the first I have *spent* there, since you left. I told Sterett to besiege my bed and cleanse it, and I would sleep in yours until he had finished it, and then put yours under a similar course. The first, and only night I undertook to sleep in yours, I thought I either had the wild-itch or a very severe attack of the hives. I stood it for about an hour, and then got up and lit the gas to see what on earth was the matter, and I found the mattress literally walking off. I immediately retired to the next room and took the sofa, where I have been sleeping ever since. Sterett has been washing and scalding beds and bedsteads three times a day ever since, and yesterday brought to me the glad tidings that he had overcome the enemy, and had completely routed them,

and there was not one to be seen. Upon that inducement I returned to my bed last night, and being very tired, soon fell asleep and knew nothing until this morning, save sundry bad dreams of broken legs and various other kinds of wounds (bites particularly), but on my awaking this morning, I could perceive no change whatever in the state of affairs from what they were on my last night there—travellers galloping all around me, over me and on me. Whether this was a reinforcement ordered by the others previous to their capture, or not, I am unable to say; but certain it is, they have driven me off the battle ground, and now stand triumphant. I shall send Sterett in the morning to Polk's to get some more deadly ammunition and renew his attack, and make him stick at it until they are banished, if it takes him a year. You may imagine how sharp they were last night when they had not had anything to eat for a week. As for the roaches, I have ceased hostilities with them and am trying to gain their confidence, so as to enlist them in my cause to assist me to expel the other "Great Power." I am trying to touch Sterett's pride, by telling him, what "*private families*" would say and do if such was the case in their houses.

Once, when referring to one of his masters' friends, who was in ill-health, Sterett said that he had seen many dead men look better!

As mentioned above, the back windows of the Bachelors' Hall commanded a view of the windows of Miss Archer's School for Girls on Lexington Street. The young men used to tease the girls by looking at them through an antiquated spy-glass, which the girls had no means of knowing to be minus the lens.

That my father looked back to those days as among the happiest of his life, shows not only his own optimistic, care-free disposition, but also the value of intimate association with congenial friends. For that period was far from being free from the anxieties, and hopes deferred, which have soured the early years of many a young lawyer's life. He not only experienced that enforced idleness which dampens

the ardour of most young lawyers who are compelled to seek their own way; but he was also oppressed by extreme poverty. His father gave him an allowance of fifty dollars a month, which could often be but ill spared from his own small salary and slender resources, but cases came with distressing slowness. His lack of books and of practice were his chief complaints, and he seldom or never repined at his poverty, and evinced from the start indomitable resolution and hopefulness. Soon after arriving in Baltimore he writes:

A. W. Machen to his Father.

Baltimore, November 7, 1853.

A library like that of Congress, if in this city, would indeed be the greatest of luxuries. It is very grievous to feel at every turn that all extended investigation in that direction is precluded by the want of books. However, the case is nothing like as bad as it might be. For law books, my own little stock does me yeoman's service. It is my companion, my comforter, the staff whereon I lean. I have great reason to be glad and thankful that I have, from time to time during the course of professional preparation, had a few dollars to invest in this sort of capital, and that I have been able to lay them out to so good advantage.

Business prospects are about the same. It is with no little interest that I gather, in conversation with intelligent young lawyers, their views of the probabilities of success in the experiment we are all in common making. One (a Virginian like myself, and with a high reputation for talent and attainments)¹ told me only an evening or two ago that he was seriously weighing California and Baltimore against each other. He considered San Francisco as offering better promise of a *fortune* than Baltimore of a *subsistence*; at the same time, he would prefer the latter with a mere living to its competitor with all its dazzling inducements. Whether Baltimore will give that bare support is the question with him. For my own part, I have pitched my tent. Until I have quite fulfilled, like Romilly, a ten years' probation I do not mean to think of yielding the field. There's one plain course to pursue,

¹ Probably Charles Marshall.

and that is, without relying on past study, to omit no pains to get prepared for any business, however important or difficult, which may hereafter fall in my way. In truth, as one sees more and more evidence of the slovenly way in which a good many members of the profession, who are not wanting in reputation neither, dispose of what is entrusted to them, it requires no very exaggerated self-esteem to believe that their clients might go further and not fare worse. Still people don't know in ninety-nine cases out of a hundred whether their business is well attended to or not, so that they have not the means of judging, except to a very limited extent, of either competency or fidelity.—If knowledge of one's profession does not insure practice, it is not, at all events, any *obstacle* to getting it; and this is comforting and a motive for exertion; for, the chance of success in the one course and the other being equal, he is a poor creature who would not prefer and zealously pursue that which gratifies self-respect and obeys conscience.

He gives an amusing description of the capture of perhaps the first client of Machen and Gittings:

A. W. Machen to his Father.

Baltimore, October 15, 1853.

The tedious business of furnishing rooms and laying in stores is now, happily, progressing pretty satisfactorily. I ought not to complain of the endless pursuit after desks, tables and chairs, for its perplexities and fatigue are relieved every now and then by some amusing incidents. The other day in particular, Gittings and I encountered an adventure which, as he says, is strikingly illustrative of the value and the power of professional—shall I say *impudence*? There ought to be some better sounding word to denote the quality, but I can't think of it at this moment.

But to my story. Calling to mind that in our explorations we had omitted one noted business part of the city which enjoys a fair reputation for cheapness, Gittings and I determined it should be unvisited no longer. Behold us then on Howard Street, remote from court-house purlieus and from fashion, with eyes

apprehensive of nothing but furniture and furniture-store signs. As we were hurrying in this abstracted manner from one shop door, which had dismissed us unrewarded, and intent upon another some yards ahead, which, we hoped, promised better things, an old lady arrested us. How it happened that she came to single us out of the multitude who were traversing that thoroughfare I know not; perhaps she discerned signs of something more than the common share of goodnature—and really *Gittings* has a right benevolent countenance.

What do you suppose was the inquiry she had to put? It seems she had seen an advertisement (some six years ago, if I remember rightly) which informed her and the rest of the public before whom it chanced to fall, that some person, therein named, was ready to attend to claims for pensions for military service; she wished us to inform her where this advertiser was to be found, and, with an unreasonableness a good deal like that of Nebuchadnezzar when he required the interpretation of a forgotten dream, she sought this guidance from us without being able to give the *name* of the man. That is to say, given the fact that several years ago *somebody* advertised his ability to attend to claims, the question was to find him; and here was this good lady, whose emaciated form and tremulously eager expression made a picture imagination is not likely to forget, going down Howard Street and telling the tale of her expedition and its causes to a couple of young attorneys—the last persons she, ordinarily, would be apt to meet there.

Of course, as it was totally out of the power of a person not gifted with the faculty of divination to direct her to the unknown advertiser (whose enterprise certainly deserved a better reward than to pluck fruit for other folks' mouths) the next thing was to point her to some substitute. I told her I knew of a plenty of persons in Washington who could serve her turn. She was aware of it, but wanted, if possible, to find one in Baltimore. I replied I thought there could be no lack here, but very honestly recommended her to take care into whose hands she fell, since agents for claims, as a class, were not remarkable for sparing the widow and the orphan.

There was a pause here. The old lady seemed anxious and

desirous of further advice. I remarked to her that she need not be concerned to find an agent, for I supposed any *lawyer* (a sufficiently numerous host!) could attend to her case. This name "lawyer," Gittings says, took the poor old dame all aback. What a pity that the Profession, the chivalry of modern times, which devotes itself to relieving the distresses of all mankind, should be such an object of dread! When our colloquist had in some measure overcome her trepidation, she answered that she had "known no lawyer since old Judge Brice died."

Gittings thereupon (with a modest blush) plucked up resolution—and this was the masterly stroke of the whole affair—and said that the individuals before her happened both to be lawyers! Then, allowing her no time to array her forces in resistance, he added that we knew the family of the late Judge Brice very well—that, in fact, we boarded with his daughters. Then followed inquiries as to the health of Miss Julia and Miss Ann, which he was able to answer satisfactorily, and how could the unfriended candidate for a pension help surrendering to those who seemed to succeed so naturally to the confidential relation of the late worthy judge, who, by the way, has been dead I know not how many years? We received from the old lady her address and some few leading particulars, and promised an opinion and advice at some future day. She is the widow, it appears of a Maryland militiaman who was in service in 1812-13.

The young briefless barrister, eager for work, was grateful for any employment even without hope of remuneration:

A. W. Machen to his Father.

Baltimore, January 28, 1854.

I have been very much occupied this week—not in a very remunerative way to be sure, but still merely as occupation I like it. Nothing whatever in the whole of a young lawyer's hard experience is so trying as inactivity. Anybody at the bar who would allow me to take part in some of his cases, without any fee or reward, should have my faithful service during the time, and my lasting gratitude afterwards. *Juniores ad labores*—an old

professional maxim—has been called a hard one; but happy that junior, I say, to whom Providence vouchsafes even the *laborem*.

Even in midsummer, when older members of the bar were enjoying vacations, he watched and waited in vain, but with unshakeable confidence in his future:

A. W. Machen to his Father.

Baltimore, July 19, 1854.

Here in Baltimore all is quite dull. The courts are all as good as adjourned, and many members of the bar have departed for Cape May or other places of summer solace. We poor fellows who are left behind live in hope that the restless sea of human affairs, that never altogether ceases from its ebb and flow for hot weather or great men's bidding, may cast some encouraging waifs upon our desolate and dreary shore. There are not so many of us now watching the tide but that each might obtain a reasonable share, if the flood would only roll up well freighted. How it may be with other young lawyers, I know not; but I must confess for myself that all these reasonable anticipations, which cheer the spirit and quicken the step every morning, are by no means found fulfilled when the day's experience is over. Clients and fees clearly ought to come to my door when neighbouring doors are closed, but so it is they *don't* come. Well, by and by things must be different; that's a comfort.

After nearly three years at the bar, he was still "as poor as Job's turkey:"

A. W. Machen to his Brother.

Baltimore, January 24, 1856.

I received your letter with the enclosed dollar to-day. I ordered the paper last week and paid for it according to request, and not out of a fulness of heart proceeding from a fulness of purse. If that remnant of Job's poultry yard which is immortalized in the proverb were poorer than I now am, I am sure the most rapacious Chaldean would never have offered to lay violent hands upon it.

Even his uncomplaining nature was, however, once provoked to utterance by insinuations that his reticence and his failure to visit his home might be due to attentions to some young lady:

A. W. Machen to his Brother.

Baltimore, March 2, 1856.

I am in doubt whose reproach is the more unjust, yours or Ma's. You take me to task for not coming to see you when travel is so entirely out of the question that I even give up walking because of the necessity of sparing boot leather. And that I don't compel you to share the pangs of my ungratified longing for home—that I have kept this grief to myself—even this, a meritorious thing, I should say, is made a subject of keen rebuke and sarcasm. Attentive to some lady here! I scorn the imputation; for do you suppose, low as pride has sunk and callously as I have worn ragged linen, and shapeless and threadbare breeches, I would voluntarily shock the ladies by visiting them in such remarkable costume? Oh, no, shirt bosoms darned by my own not even yet very expert fingers—at some things even practice does not make one perfect—do well enough for the office and the court room and the scholarly retirement of the Bar Library, and indeed (since the law of necessity admits of no exceptions) for every place where business *compels* me to go; but the society of ladies is not, I am thankful to say, indispensable—life can subsist without it.—Then Ma,—how kindly she reproves me for being in debt! Going, is not the word; for some debts push themselves upon you. Does she, I wonder, consider that the seasons will not be a stand-still at one's bidding? That rent rolls on unceasingly? That the milkman's account, the grocer's account, the washwoman's account, the servant's wages, and other like claims speed in their orbits with the steady progress of the planets in heaven, and gather increase of volume as they move, at the rate of the school boy's snowball? The usages of society, too, require the wearing of a *coat*—a usage which a winter like the past rather emphatically enforces.

The plain truth is that I have a good deal to do, (including *study*, which you know is of an elastic nature and readily expands to fill an occasional vacancy); am making, I believe, some progress in my profession; building slowly, but, I trust, surely, a foundation for a better success hereafter; and withal receive the merest trifle in the way of present pecuniary return. Under such circumstances, it is with no little difficulty that even with the liberal stipend that father's kindness affords I make both ends meet.

The best way to treat poverty is to punch him in the ribs and make fun of him. Yet it must be confessed even the old fellow's *smile* is rather ghastly and appalling.

The greater the discouragements, the more manfully he strove; and yet at times even his optimism became tinged with melancholy:

A. W. Machen to his Father.

Baltimore, April 13, 1854.

It seems to me the blacker the cloud of sorrow the more motive I should find for exertion. Yet who can tell?

Yet, I think, hard as it is to know oneself, I can form some tolerable notion from observing the mood and temper which existing circumstances superinduce or develop. It is true I have no mighty misfortune to stagger under, yet a man given to melancholy might think the world around him rather gloomy when, at an age which in most pursuits brings competence, he sees himself still on the outermost verge of his field of labour—not a single sheaf reaped, not one of those gay hopes which heralded the dawn of the now meridian sun, realized. However, I must not go on in this strain or I *will* get melancholy.

Although in later years he seemed quite oblivious to the passage of time and the approach of old age, yet in his period of "watchful waiting" for clients, he felt—as what young lawyer has not?—the bitterness of spirit of those who, conscious of the vigour of intellectual and physical maturity, sit idle in the market place because no man hath hired them:

A. W. Machen to his Father.

Baltimore, July 25, 1855.

Watch and wait, is a maxim of much virtue at the Bar. If one were not growing old all the time, and did not need something in the interim to support life with—but *there's* the rub—the rub physical in the latter branch of the “if”—in the other, the rub mental. It is not pleasant to think, that one must wait till he's rising forty before his fellow men can learn to recognize his existence. Indeed, I think this reflexion is rather harder to bear than the discomforts of narrow means. The young lawyer, if fortune grant him either horn of the dilemma, has a difficult lot. Has he money? It is a proverb that with a substantial foundation provided him on the lower level, he will never rise higher—that with so much of his own to take care of and solace himself with, he will never win professional eminence and fame through the causes of his clients. If he is pleasure loving, he will be no lawyer at all. If thrifty, he will take just pains enough to attain to a respectable mediocrity, and will stick there. Has our young lawyer no money? Lord Coke, that good old master, as feelingly as truly applies to his case the lines of Juvenal,

*Haud facile emergunt quorum virtutibus obstat
Res angusta domi!*

Mount up he *will*, we will say—yet surely *haud facile*.

The course of conduct which he mapped out for himself was to do his very best in every matter, however small, which fell to his hands, rather than to strive for publicity by connection with some *cause célèbre*:

A. W. Machen to his Father.

Baltimore, April 3, 1856.

It is great kindness to write me so frequently. I should not be backward on my part if I have not been unusually busy for the few days now just past. There is something in the active duties of the trial table which exhilarates one and makes him conscious that he is in truth a member of the bar. And by bringing him before the eyes of a greater number than can see him in his office,

it *tends* to bring him cases and fees.—Wirt's advice to some beginner was to take part at the outset in some important and notable cause, and, after preparing himself thoroughly upon the subject-matter, put forth all his might, as if that were the issue upon which all his fortune depended. That is all very well; but great causes are not to be had for the asking; and moreover, there may be danger of attracting all eyes to a *failure*, or something equivalent to a failure, from the result not proving commensurate with the advertisement and the pretension. The true plan is rather to take hold of every piece of work—professional work—that is given to him, and do, with respect to it, what *duty* seems to call for, without much thought of the spectators. This seems more consistent with self-respect—more really professional, and more conscientious. By steadily working one's way onward in this beaten and unpeculiar road, strength and expertness and hardihood are gained at every step—*vires acquirit eundo*. A man is thus engaged about a man's work, and not that of an actor or a mountebank.

Whatsoever litigation fell into his hands he prosecuted vigorously and without delay, in accordance with Coke's advice:

A. W. Machen to his Father.

Baltimore, May 8, 1854.

I shall never urge any man to engage in litigation or to pursue a course which must necessarily end in litigation; but when a controversy is once deliberately undertaken, it ought to be prosecuted with decision and vigour. Such, at least is the principle I am disposed to act upon in behalf of others, as I should act upon it in a matter of my own. Lord Coke does not in all his works give his followers—and all who follow the law are, or ought to be, his followers—a wiser practical maxim than *Tolle moram*.

He also sought to attract practice rather by industry, study and efficiency than by extending his social acquaintances:

A. W. Machen to his Father.

Baltimore, January 28, 1856.

I believe I am of a hopeful temperament; at any rate I am persistent and tolerably patient, and, because of this natural organization perhaps, I am satisfied that my comparative freedom from remunerative business at this earlier part of my professional life tends to favour ultimate success, giving me as it does opportunity to indulge in that kind of study which seems an essential foundation for any considerable and stable superstructure. Viewing the matter in this light, I can bear pretty well the sight of others around me, differently circumstanced, and getting sooner into the enjoyment of the pecuniary rewards of the profession. My mode of life—retired and unsocial—consists with the prosecution of study and also with my pride and my purse. If I mingled more with men in their social hours, I might secure the useful remembrance of some in their hours of business; yet I see many a young lawyer who pursues that course who does not appear to be very much benefited by it even in this respect, and if I were to give in to it, I should have to sacrifice the method of hard and serious application to the body of the law which has now become a fixed habit. Upon, I think, a candid balancing of one side against the other, I really believe my course is the better one *for me*—provided I can hold out, with the assistance of your ever patient supporting hand or otherwise, for an indefinite period longer. Certain it is, notwithstanding the discouragements which at times press upon my spirit heavily enough, I still maintain an unfaltering faith in the good time coming.

Moreover, he sought even his relaxation in books in preference to society:

A. W. Machen to his Father.

Baltimore, October 2, 1859.

I get satiated with the sight of men by the time the working day is through, and then feel more disposed to find my rest in a book or newspaper than in society.

He even declined an invitation to Christmas dinner in order to devote himself to study:

A. W. Machen to his Father.

Baltimore, December 20, 1855.

I would like to go home this Christmas, but cannot well accomplish it. A very cordial invitation is extended by Dr. Gittings and all the family to make one at their hospitable table and cheerful fireside. Dick and his wife are going, and would, I know, be glad to have me take a seat in the new carriage he proposes to buy in readiness for the occasion. But I have pretty much made up my mind to stay in town all the time. The 25th of December is about as good a day for work and study as any other.

When tempted to despondency, he derived cheer from Coke upon Littleton or some favourite classic:

A. W. Machen to Thomas Blagden.

Baltimore, December 25, 1855.

Neither Christmas nor Christmas Eve *promised* me much happiness. In the first place, it was not agreeable to feel isolated from all mankind at a season peculiarly social and festive. But society is often less valuable for its own sake than by reason of its elbowing away a host of incommoding thoughts. At a resting point like this, when the cloud of dust, hitherto kept astir by our tramping feet as we pursued the eager march of life, subsides for a space, I confess I am almost appalled by the dreariness of the surrounding scenery which is revealed. After trudging on these many years knee-deep through the sand, to find myself in the very midst of the Desert! And "professional prospects"—what is that but a name of the most delusive *mirage* that ever made the heart of the poor traveller to rise and sink? Truly any young lawyer who loves and reverences his time-honoured profession and therefore cannot degrade it by invoking the assistance of humbug and pretension—to say nothing of yet more disreputable allies,—must find this endeavour to make a living rather a discouraging matter.—Well, for my part, I *was* yesterday night sick at heart, so

sick, that as an excuse for it I came near persuading myself I was also sick in body. But a friend lent me the Arabian Nights—the inimitable and enchanting old Arabian Nights, in a modern and graceful dress; and before the evening was over, I was well and hearty. Ever cherished be the memory of that dear old Arabian Story-teller! The cure, I ought to say, was much promoted by a certain excellent law-book, the product of four eminent worthies,³ whose lives distributed over a period of more than two hundred years bear witness that each in his several day and generation has ungrudgingly devoted his whole strength to the law, earning thereby the gratitude and emulation of every student who is not afraid to go and (according to the proportion of his ability) do likewise. Out of these two books, make a commixture, giving, say three parts of Arabian Nights to one part of the other, and you have a medicine which may be confidently prescribed for the most desperate case of the blues.

For a while, business came in so slowly that, in common with a number of friends who afterwards became leaders of the bar, he was compelled to seek experience in moot courts instead of the trial of actual cases:

A. W. Machen to his Father.

Baltimore, March 1, 1854.

Our Moot Court club, about which you inquire, consists of some fifteen members, some of them law students, but the greater part practitioners of four or five years standing or less. Among them are men of highly respectable ability and well grounded in the learning of the profession. That such men should have to seek exercise in mimic causes, and that abundant leisure should permit them to engage in such, is not a very animating subject of reflection. But there is nothing disheartening in their actual society. As soon as one ceases to stand aloof and contemplate their situation from an outside point, but mingles with them and becomes himself a part of the class which appeared at a distance in so forlorn a plight, he finds nothing of gloom and despondency

³ Coke upon Littleton with Hargrave's and Butler's Notes.

but a pervading spirit of courage and good-natured endurance of all the trials that fate can have in store. Not a little philosophy, I assure you, is displayed in a quiet and unpretending way which has the more merit that it makes no clamorous and unmanly appeals to public sympathy. And on the other hand, these my companions in an involuntary repose are quite free from everything like cynicism and misanthropy. They can smile and exchange jests, all the time that the best years of life are wasting and hope can only point to a field of labour and reward far off in the twilight. It is comforting to think that a healthy patience like this does not enervate. Though we have to wait till our heads are grey, we trust that the longer the time of action is postponed, the more vigour we will have to meet it.

In the club of which I have been speaking are Gittings, Chas. Marshall (a Virginian, and a man destined, if he lives, to make a figure), Buchanan,³ Blanchard, and other capital fellows.

Our cases for argument we gather from various quarters. Wherever we see a nice question of law started, whether in the books or in practice—our own or that of others,—or in conversation, we pounce upon it, clothe it with names of parties and other circumstances, and put it in train of discussion if not decision. Withal, it is not so easy a thing as might be imagined, to suggest really arguable points. In ninety-nine cases out of a hundred in real life, the law admits of no doubt to any honest and reasonably well informed inquirer; and it is only the uncertainty of *evidence* that gives a field for controversy. For us, the harder the questions we get, the better we like them. Each evening we meet, a judge, selected out of our own midst, sits to try the case then up for hearing, and at the next evening he renders his decision, at which he arrives by the exercise of his best judgment, using the light of decided cases as found in English and American books of reports, but not yielding implicit obedience to any authorities however respectable—except, indeed, point blank adjudications of the Court of Appeals of Maryland.

Some small business was sent him by relations in Philadelphia; a small case came in from acquaintances in Wash-

³ James A. Buchanan.

ington; another, in a court in Virginia, was placed in his hands, and won—upon the authority of a case in MacNaughton & Gordon's Reports, which he bought for the purpose of enlightening the rustic judge; Mr. James A. Buchanan took him into a case, though upon the understanding that he should serve gratuitously,⁴ and finally a comparatively important admiralty case was sent him by a former fellow student practising in Massachusetts.⁵ In this last case, in which he was opposed to John H. B. Latrobe, he was victorious; and Mr. Latrobe was so much impressed by his ability that some time afterwards he turned over to him another admiralty case.⁶

In 1856, after three years of waiting, prospects began to brighten. In the autumn of 1855, Mr. Gittings was elected State's Attorney for Baltimore County; and, while he and my father were never partners in criminal matters, and sometimes appeared on the opposite side of the trial table in criminal cases, the reputation of the two associates began to spread abroad, and civil business improved:

A. W. Machen to his Father.

Baltimore, January 31, 1856.

If I cannot point here in my own field to as flowing a vision, there is at all events a perceptible gleam of light, and it is brightening and will expend into full day in time. Is not this tedious and laborious term of probation, which almost wears out patience and extinguishes hope, what all legal biography—the lives of the dead giants and the lives of the living men of common stature around us—would prepare one to expect? Romilly waited ten years; one of far less powers than he may well wait half that time

⁴ Taken from letter *A. W. M. to L. H. M.* May 18, 1854.

⁵ Taken from letter *A. W. M. to L. H. M.*, October 20, 1854 (as to the trial). A letter from *A. W. M. to L. H. M.*, November 25, 1854 gives the result of the case.

⁶ Taken from letter *A. W. M. to L. H. M.*, January 6, 1855.

for one tithe of his magnificent reward—nay, may well endure the whole period or, as is fitting enough, make the ten years a baker's dozen.

Gittings is having fine success as a prosecutor, as any one who knew him as well as I must have been assured. He reaps the present reward and deserves to; an additional consequence will, it is reasonable to believe, be an increase of civil practice, in which I will to some extent share.

In the following month, my father was taken into a case by Mr. (afterwards Chief Judge) George William Brown:

A. W. Machen to his Father.

Baltimore, February 27, 1856.

I have been in Court all the morning in a case of the York River Steamboat Co. v. Peters in which Mr. Geo. W. Brown, the counsel for the plaintiff, gave me the opportunity to take part as his colleague. Mr. Brown (of the firm of Brown & Brune) enjoys an excellent practice, and no member of this bar is more generally or more highly respected. His partner happening to be sick, he kindly thought of me as a substitute aid in the trial of this cause.

The success of the two associates in such litigation as fell to their lot was phenomenal, and was not wholly due to good fortune. Four weeks after the last letter, my father was able to report an unbroken line of cases gained, and still brightening prospects:

A. W. Machen to his Father.

Baltimore, March 28, 1856.

The interval has been filled up in part in trying several small cases of a civil nature—in company with Gittings, of course—in all of which we were successful; and also in trying a couple of criminal cases, where we were necessarily opposed to each other.

Professional prospects are, I think, steadily brightening. Every now and then we get a new case, and other matters of business

knock at the door a little more frequently than heretofore. These things are the germs, I am willing to believe, of a good practice; the growth may be slow, but I hope to do nothing to retard it.

After two months more, he could point to a steady stream of fees, small it is true, but still welcome, as evidence of his professional advance:

A. W. Machen to his Father.

Baltimore, May 23, 1856.

One way and another, I have been quite busy. Fees have been dropping in from time to time to meet current expenses; which is very satisfactory. To-day for instance, my share of the proceeds of a little chancery case, begun and ended within the compass of a few days, and all the trouble of which (such as it was) was borne by Richard, came in and proved to be \$22.50. Another equity case, in which also Richard performed nearly all the work, was brought to an end last week, paying us about \$50.00 each. If I keep on in this strain of enumeration you will imagine I am getting rich. And who knows but I am?—slowly, of course.

At the end of the year, the tide of professional success was still advancing steadily:

A. W. Machen to his Father.

Baltimore, November 25, 1856.

Professional matters are lightening up somewhat. It is no uncommon thing for new business to come in, and that sometimes of a very good character. To-night for instance, I am preparing with some care a bill in equity for an injunction to restrain a corporation from extending a road or avenue through a considerable body of land in the outskirts of the city, upon the ground that by deviating in a previous part of the route from the straight line prescribed by the charter, the company have lost the right to continue the prosecution of the work.

The case just referred to was won in the lower court and was destined to be one of my father's first two cases, argued

nearly simultaneously, in the Court of Appeals. This and other good business enabled him to dispense with the monthly allowance which his father had hitherto contributed to his support:

A. W. Machen to his Father.

Baltimore, November 30, 1856.

In the injunction case, which I mentioned to you as quite an interesting and important one, there was a hearing and argument before Judge Price in the evening of last Thursday. Gittings and I represent the complainants. The injunction was granted us as prayed. The counsel for the corporation say the case will undoubtedly go to the Court of Appeals. On our part, we are willing to vindicate our position in any forum.—Altogether, I inhale nowadays a brisker and more bracing air than I have heretofore been existing in. I hope it is the beginning of that change in the life of a professional man which leads him out of languor into activity; that turn of the tide which so often does not come till after the lapse of many a weary year.

Do not be concerned to supply me with any money at the beginning of December. I shall do very well without it, I think.

The removal of the Circuit Court for Baltimore County from Baltimore to Towson, which took place in the winter of 1856-7, by dividing the county bar from that of the city, enabled the young firm to reach a somewhat commanding position in the new jurisdiction. Their growing reputation was built, too, upon no sandy foundation, as the following letter, *inter alia*, attests:

A. W. Machen to his Father.

Baltimore, March 4, 1857.

Business and that of a promising and substantial character is still coming in. The removal of the Circuit Court for Baltimore County (which now constitutes a distinct jurisdiction from the city) to Towson town—a distance of seven or eight miles, has rendered it very inconvenient for members of the bar enjoying a good town practice to follow their county cases. Gittings and

I having, as I think I may say, acquired inside the profession the name of knowing something of what we undertake to do—of being persons who pursue the law as a science and not a trade,—gentlemen who know us are inclined to turn over into our hands the cases they can no longer attend to profitably themselves. This confidence reposed in us by men of established standing at the bar naturally reacts upon the laity outside, and operates to bring new business directly to us. Then, Gittings' position as State's Attorney, sustained as it is by a recognized ability, is one of good advantage. It ensures too, combined with his extensive acquaintance in the county, a familiar knowledge of the people successively drawn from the body of the county to form the juries; and it is no unimportant matter to have the means of commanding the attention of the jury. The Court—and a more admirable judge than Judge Price need not be desired,—finds that we do not attempt to cite as law what has not some real ground to be considered as such, encourages by listening with attention to what we have to say. Before such a Court, we have found it possible to maintain our points (when we have considered them as sound, and advanced them as claiming recognition) even when very experienced and distinguished and sometimes very able men have been on the other side. This helps us every way. We are not afraid to rely upon ourselves and our own opinion of the law of the case. This exercise strengthens us. It also enables people to see that we can stand without the prop of the name of a great colleague. We have the satisfaction of knowing that such degree of success we are arriving at rests at bottom upon a sincere and earnest application to the study of the noble science we have devoted ourselves to. We have tried all along to plant ourselves upon the grounds and reasons of things. Being determined to take with us to the end the character of students, we hope that the superstructure of our fortune, whilst it rises but slowly perhaps, will be more stable than if rested upon some brilliant displays or great successes.

We have been quite fortunate in the issue of our cases heretofore. Every case that we have tried having importance—whether from the amount involved or degree of attention that from any circumstance has been drawn to it,—we have gained.

I would not write in this strain to a stranger, but I feel that it is your right to know that the pains you have taken to give me the advantage of a more thorough education than is usual have not been entirely without avail. To that education whatever I may accomplish is to be principally attributed.

It may be a good while yet, before I receive any considerable share of the emoluments of the profession; but I cannot now doubt of making a living, and in the course of a few years of securing an income adequate to fulfill a reasonable and moderate expectation.

In a few months, my father's first case in the Court of Appeals—or rather cases, for there were two of them—came on for argument. His senior in one of the cases was Mr. William Schley, who at that time, although not occupying quite the pre-eminent position at the bar held by Reverdy Johnson, John V. L. McMahon and John Nelson, had, next to Thomas S. Alexander, the largest practice in the Court of Appeals. My father returned from the argument hopeful of the result of the case, and much pleased with his treatment by the judges:

A. W. Machen to his Father.

Baltimore, June 18, 1857.

I returned last evening from Annapolis, the argument of the case of Graff vs. Mayor and City Council of Baltimore being then concluded. What the Court's decision is to be, of course does not yet appear. I think we ought to win and Mr. Schley thinks we *will*. Our other case in the Court of Appeals also remains under the consideration of the Court.

Annapolis is a fine old town, and I enjoyed my stay there very much. The judges are courteous gentlemen, and it is very pleasant to try cases before them.

Unfortunately, the decision in each case was adverse; but the untoward result did not disturb my father's optimism, as the following, written from the White Sulphur Springs, sufficiently shows:

A. W. Machen to his Father.

White Sulphur Springs, Va., August 11, 1857.

The Court of Appeals' decision I learned in the cars, and while whirling away from town and care, I did not find the news to disturb my spirits in the least. It may or may not be an utter defeat according to the ground upon which the Court rest it in their opinion, and that I have not yet had an opportunity of seeing. Notwithstanding the particular issue is adjudged against us, there may be such a declaration of principles as to afford us almost everything we could wish. Should, however, the decision prove to be dead against our hopes and against law, you may be assured I am too well used to the buffets one gets in life to suffer such an incident to annoy or even to disconcert me.

He was able to find in the successful issue of other cases consolation for this defeat, although he exercised the traditional privilege of a losing counsel to grumble at the Court:

A. W. Machen to his Father.

Baltimore, August 30, 1857.

The verdicts and judgments we gain and expect to gain are good consolation for the adverse decisions of the Court of Appeals—decisions which, I think, do not illustrate either the even-handed justice or the learning of that elevated tribunal.

Indeed, notwithstanding these adverse decisions of the Court of Appeals, the firm of Machen and Gittings had a really remarkable record of success. For example in the spring of 1859, the firm was employed in almost every civil case on the Baltimore County trial docket and gained them all:

A. W. Machen to his Brother.

Baltimore, June 27, 1859.

We have been engaged in almost every civil case tried this term, and have had the luck not to lose one.

Again, in the autumn of the following year he could write:

A. W. Machen to his Father.

Baltimore, October 7, 1860.

Gittings and I have been fortunate enough to be successful in all our cases. Several of them were of some magnitude, and in all we felt an interest that makes the result very pleasant.

When my father moved to Baltimore, three hundred dollars was borrowed from that good friend, Mr. Thomas Blagden of Washington. This sum, part of which he used in buying a set of Maryland Reports, was, he has told me, the only money he ever borrowed without an immediate prospect of making repayment. In December, 1857, demand for payment of the principal was made by the bank with which Mr. Blagden had deposited the note, for safekeeping and not for collection. My father at once wrote to Mr. Blagden explaining that his understanding had been that the note should be paid "out of the very first available funds, that is to say, as soon as my professional earnings should sufficiently exceed current expenses," and adding:

A. W. Machen to Thomas Blagden.

Baltimore, December 5, 1857.

I should bitterly regret to have my father troubled in this matter. Indeed, there is no effort I would spare to prevent a feather's weight being added to a burden of care that is already much too heavy for him in the present condition of his health and spirits. And if it is requisite that the note should be paid on the day mentioned, about which, if it is not troubling you too much, I beg to be informed by letter, I must in some manner, though I cannot yet imagine how, raise the money without resort to him.

Mr. Blagden's friendship was never better demonstrated than in his kind reply:

Thomas Blagden to A. W. Machen.

Washington, December 7, 1857.

I have just read your letter of the 5th with great surprise and

mortification, and I shall be *very much* relieved as soon as I know that you and your father are satisfactorily and fully assured that it is only and altogether owing to accident that any notice of his and your joint note which I hold and payable on demand has been brought before him and yourself. I should rather *by far* that it should remain *in statu quo*—indeed I *insist* that it shall—hoping that you will forgive my absentmindedness in not taking care that the serving of a notice should be withheld.

Nevertheless, my grandfather paid the note within a few months, whereupon my father wrote him as follows:

A. W. Machen to his Father.

Baltimore, July 11, 1858.

It is a good thing that Mr. Blagden's note is all paid, but it would have been a better if *I* had made the payment. All that I can now do, however, besides thanking you, is to hope that you have not subjected yourself to any inconvenience in the matter. Than *this* should happen I had a great deal rather have seen the note remain till I could have quite discharged it out of the sinking fund I had provided, and which, although like most sinking funds it grew but slowly, did promise to expunge it before no very great space of time.

During his period of waiting for practice, my father continued his assistance to Professor Parsons in the latter's preparation of his law books for the press,—an assistance, which had been begun during the student days at Cambridge. When the second edition of "Parsons on Contracts" was in contemplation, the author asked my father for his suggestions or criticisms, to which his sometime pupil replied with an intimation that a chapter on the remedy in equity by way of specific performance would be useful. The learned author, notwithstanding some misgivings—which seem very strange indeed to the lawyers of to-day—as to the propriety of thus commingling law and equity in a single treatise, acquiesced in the suggestion, and deputed to my father the

task of writing the chapter. His appreciation of my father's assistance is apparent from the following letter:

Theophilus Parsons to A. W. Machen.

Cambridge, July 21, 1856.

Many thanks for the parcel which came duly to hand, Saturday night.

I have not yet opened it, but am certain it is all that it should be.

There is, however, one thing more. Tell me how much I may pay you for it—and tell it *now*, while you remember your work.

When you do anything for me, I have two fears, and only two. One is, that you will do it *too well*. The other is, that you will be too modest in naming the compensation. But you must remember the old saying, "There is a point where modesty ceases to be a virtue."

Ever and truly yours,

Theophilus Parsons.

After this work was successfully finished, Professor Parsons urged my father to write a book on trusts. This, however, the younger man declined to do, feeling that Lewin on Trusts filled every want, even for an American lawyer. Instead, he commenced a book on estoppel. With characteristic thoroughness, he made an exhaustive study of the pertinent portions of Coke and the earlier cases, relating chiefly to estoppel by judgment and estoppel by deed or lease. The book seems to have been almost completed; and no lawyer who has examined even parts of the manuscript, can fail to regret that it was never published. Its completion was prevented by the appearance, first of Herman on Estoppel, a very poor book, and then of Bigelow on Estoppel, which, although by no means a great book, was sufficiently good to dampen my father's ardour.

Another law book which my father started to compile was an alphabetical list of "Words Judicially Construed," giving

the reference to the cases in which the courts had passed on the meaning. The conception was excellent, and has indeed since been carried out by the West Publishing Company; but little more than incidental work was done by my father in executing the plan.

The extent to which my father had earned the confidence of his instructors at the Harvard Law School in his legal ability is shown not only by the trust reposed in him by Professor Parsons but also by the fact that the other leading professor in the school, being a party to a case in the Supreme Court of the United States, selected my father and Mr. Gittings to argue it as his counsel. This was my father's first case in the Supreme Court;⁷ and like his first case in the Court of Appeals, resulted in a defeat. The brief was in large part written by Professor Parker himself; and my father always attributed the result in some measure to the savage attack made therein upon the Supreme Court of Wisconsin, by which the case had been decided below, and to the fact that the Supreme Court had just been engaged in a very acrimonious dispute with the Wisconsin Court, which had actually refused to obey the mandate of the Federal tribunal, so that there was an indisposition to take any position that might be regarded as an attributable to personal ill-will.

My father was no Boswell, and his letters, therefore, preserve but little of interest about the great leaders of the bar of the days before the Civil War. In his first year after coming to the bar, he heard a case in which Reverdy Johnson and John V. L. MacMahon were pitted against one another:

A. W. Machen to his Father.

Baltimore, November 10, 1854.

I had an opportunity yesterday to hear both Mr. Johnson and Mr. McMahon, the acknowledged leaders of the bar of Maryland.

⁷ Parker v. Kane, 22 How. 1 (1860).

They were opposed to each other on a case of considerable importance, involving as it seems the title to the land covered by some of the works at Fort Washington. Going into the court as I did in the midst of Mr. McMahon's argument without knowledge of the facts of the case, and prevented by the necessity I was under not to leave my office deserted long at a time from hearing the case through even from that point of beginning, I of course was not in a situation to form a just conception of the skill and learning of the counsel. Yet I was very glad to see so much as I did of the characteristics of the eminent men engaged. Both, I need not say, are thorough lawyers, whose example is capable of being very instructive to one in the outset of his professional life.

Much more interesting is an account of an argument by John H. B. Latrobe in a patent case:

A. W. Machen to his Father.

Baltimore, October 25, 1854.

I had the benefit to-day of an argument of Mr. Latrobe in a patent case involving Mr. Geo. Page's portable Saw Mill. It was on all accounts very instructive. Mr. Latrobe displayed great mastery of the laws of mechanics, and moved with perfect facility amongst the numerous and diversified illustrations which a life of keen observation had supplied him with, and which he used as *tributaries*, knowing each his place and promoting the great end of the cause which they were called up to support. I was still more struck with the ability he showed in introducing himself into the jury box and making himself the thirteenth man of the party, sharing their discussions, and supplying them, as a friend frankly and naturally supplying friend, from his own more abundant store of law and science. As was to be expected from a man who knew so thoroughly what he was about, he used no hard terms of art, but translated even the phrases which the testimony in the case had rendered comparatively familiar into plain, everyday English. The effect, of such substitution of the vernacular dialect for a dry and technical nomenclature, upon a *jury*, illustrates a remark I made the other day, and which Dr. Whately

had made long before, and Foster I think before him, upon the importance of using only very sparingly from the pulpit the terms of Theological Science. Preachers would avoid the error, I suspect, if they went about *their* work with the same straightforward and all-in-earnest spirit that actuates the advocate who undertakes to persuade a panel of jurymen to give a verdict for plaintiff or defendant.

His letters describe some features of one of the many trials in the famous Colvin Will Case:

A. W. Machen to his Father.

Baltimore, January 30, 1855.

There is a case now going on in one of the courts now in session here which has considerable general as well as professional interest. It arises out of the wills of a wealthy old lady late of this city, Miss Rachel Colvin. The testatrix had been a very strong-minded woman, having both the capacity and the disposition to manage all her affairs, but during the latter years of her life her mind became impaired and was occasionally in a state not easily distinguished from insanity. She made a great many testamentary instruments, and altered them almost as soon as made. The last will she executed gives the bulk of her estate to a young man, a relative, who had the opportunity of exercising an undue influence over her and whose conduct, as far as it has become disclosed, is not free from suspicion. Supposing this will, which was made in 1848, to be broken, it is then by no means clear what disposition is to be made of her property; for another will now in existence, executed in 1845, is also impeached on several grounds, and two intermediate wills, one of 1846 and the other of 1847, seem to have been destroyed. Mr. Reverdy Johnson and his brother, late Chancellor of the State, are in the case, on opposite sides.

Baltimore, February 17, 1855.

The great Colvin Will Case, besides the interest growing out of the questions of fact which it suggests, gives rise to the discussion of some nice points of law. Mr. Reverdy Johnson sustained his reputation the other day by an argument upon them of which I

heard only a small part. His brother, the late Chancellor of the State, replied to him with much ability. The decision of the Court—Judge Constable—conceded to be the ablest of all the judges of the State—was with Mr. Reverdy Johnson; yet the law, I apprehend, is with the other side. On Monday, the argument to the jury will be commenced. Mr. Henry Winter Davis is in the case on the same side as Chancellor Johnson and will make the closing argument. Such a cause contains every element to stimulate counsel—large contingent fees—public attention—difficulty—intrinsic interest of the questions involved.

Baltimore, February 24, 1855.

Throughout the morning I was listening to Mr. Henry Winter Davis' closing speech in the Colvin Will Case in reply to his distinguished and formidable opponents. A capital reply it was too, and gave Mr. Reverdy Johnson Roland for his Oliver. I am glad it was so good a speech, though I don't know Winter Davis personally; for he is a scholar, lawyer and gentleman—and Virginian to boot. This effort will sustain and add to his reputation, and do very much towards retrieving the fortune of what seemed at one time a desperate battle.

The following letter describes a criminal case which is as remarkable as any detective story, although unfortunately the dénouement is lacking:

A. W. Machen to his Father.

Baltimore, November 24, 1855.

One of the most singular and mysterious cases that I ever knew of was disposed of to-day in the United States Circuit Court. About a year ago there sailed from this port the new ship James Cheston of 1000 tons burden bound for Liverpool. Unusual pains had been (taken) in building her, and the opinion was universal among persons conversant of such matters that a vessel more staunch and seaworthy never left the Baltimore ship yards. She was owned by two gentlemen of this city, than whom no merchant here bears a more unblemished name. They and others shipped in her for this her first voyage a very valuable cargo.

For her, a *master* was carefully selected who should be worthy, so far as human foresight could go, of so important a trust.

A little more than a month after she left the Chesapeake, the startling news came that on a clear day, a vessel called the *Marathon* had fallen in with her in the midst of the Atlantic, but southward of the regular course from Baltimore to Liverpool; that when so found, her sails were all set, but neither at the helm, nor on the yards nor on deck, nor anywhere about her, was there a living soul. One of the officers, with a portion of the crew, of the *Marathon*, boarded the derelict vessel, pumped her hold clear of the water that was in her and carried her safe to Liverpool where they obtained good salvage for the service they had done. The ship upon examination at the Liverpool docks, was found to be staunch and strong, and uninjured by wind or weather. All the violence from the hand of man which she showed was in two small places in her side where pieces had been clipped out with an axe, and an auger hole bored in each of them. These auger-holes it seems had been stopped with plugs by the salvors.

When these tidings reached the mercantile community of Baltimore, fears became rife that the gallant ship had been the scene of foul mutiny and murder, and that the captain (in praise of whose seamanship and high integrity all men spoke) had paid with his life for the faithful discharge of his duty. Sympathy might well be felt for that captain, for it had been earned by fifty odd years of an irreproachable life. When Mr. Cheston, the principal owner of the ship, put him in command, the choice was so judicious that his friends congratulated him upon having obtained such a master for such a vessel.

But presently the new development is made that this captain, with his crew all in perfect subordination, on a day as bright as that when the men in the *Marathon* found the good ship wandering like a crazy one over the Atlantic, abandoned her along with his men and (with them) sought refuge on a Dutch vessel which at their request took them aboard. In broken parties—some in one vessel—and some in another, master and crew find their way to the United States. They then, to account for their conduct, make statements so hard of belief, so inconsistent and—in some particulars at least—so evidently false, that both ingenuity and

charity are baffled in the effort to frame out of them any probable hypothesis.

The criminal law took hold of the matter. An Act of Congress makes the act of wilfully and corruptly casting away a vessel a crime punishable with death; and the captain and two mates were put on their trial upon the charge of having committed that crime. The great difficulty the Government had to labour under was the entire absence of evidence pointing to any probable motive for the abandonment and destruction of the vessel. Neither captain nor mates had a particle of interest in the ship, nor so far as can be ascertained in any portion of the cargo, consequently had effected no insurance, and were under no temptation to commit a fraud upon underwriters. On the other hand, it was hard to see how, consistently with innocence, so consummate a seaman as Capt. White could have deserted his vessel under such circumstances. There were other facts in the case; but almost every one of them had its own special mystery, and therefore gave little aid to the attempt to solve the problem. White's trial came on first, and lasted several days; to-day after a very beautiful and effective speech from Mr. Teackle Wallis, who defended him, the jury without leaving the box returned a verdict of *Not Guilty*. The case of the mates was then nol-prossed by the District Attorney, and—we are left as much in the dark as ever. My friend Ridgely was of counsel for one of the mates.

In describing another interesting criminal case in which Andrew S. Ridgely was counsel, my father pays an incidental tribute to his friend which exceeds in interest the direct subject of the letter:

A. W. Machen to his Father.

Baltimore, April 13, 1854.

For the last three days my mind has been given up almost exclusively to a case on trial in the U. S. Circuit Court. I had no part in it; but I felt a very strong interest on account of the counsel for the defense—two young lawyers with whom I am intimate. Their client was a seaman, charged with having com-

mitted murder on the high seas. A band of hostile witnesses, his own unfriended situation, and the flagrant fact that his comrade had been stabbed to the heart by his hand, conspired to place him in real jeopardy of his life.

There were many circumstances of interest about the case, yet, as I have intimated, I never should have thought of leaving my office to witness the trial but for sympathy with my friends. One of these was Andrew S. Ridgely, who lives in the same house with me, and is one of our notable club of four, whose mutual society makes bachelor life so comfortable. He is a fine, generous and manly fellow, of cultivated literary taste, familiar especially with all the range of the lighter English literature, and himself no mean poet when he chooses to exercise the faculty. Inheriting from his father (who was a hearty, free-handed gentleman such as Virginia and Maryland have furnished, and still furnish, many examples of) nothing but the memory of fortunes years ago squandered (one after the other, as boys chuck stones over a pond), and the capacity to *enjoy* all the appliances and incidents of wealth, he is as contented and free from care as any man I know. He is himself careless of money, spends it with open hand, when he has it, and when he has it not, waits with imperturbable serenity for the next waif which the uncertain flow of a professional practice by no means large shall supply. All the while he moves, on terms of familiar intercourse, amongst the circles of fashion and family and wealth, and carries everywhere a spirit of perfect independence.

In this case of Litson's, he made a very eloquent and effective speech to the jury, surprising many of his old friends, some of whom remarked to him, afterwards, they knew the material was in him, but did not know that it would ever be brought out. The prisoner was convicted of manslaughter only—a righteous verdict, I think, but a cause of congratulation and triumph to the counsel, considering the ugly first aspect of the case, and considering that the judge (Giles), who occupied the bench alone in the absence of Chief Justice Taney, had declared privately, to Ridgely, when the evidence was all in, that he thought it the plainest and blackest case of murder he ever knew. It was not murder; yet, but for his counsel, the man might have hung for it.

From the very outset, my father was literally in love with his profession. In after years, he used to say that his wife was Rachel, and his profession Leah. In the first dreary months of waiting for practice he could write as follows:

A. W. Machen to his Father.

Baltimore, December 9, 1853.

If the business that has fallen into my hands here has none of it, or very little of it, reached the paying stage, it gives me employment. The more I see of the world as it exhibits itself in a lawyer's office, the better I relish my profession. The human heart presents many shades, and some of them dark enough, yet the investigation even of disagreeable objects is something quite distinct from the objects themselves, and may be full of pleasure. It is very curious to discern the unveiled workings of passions of the most diverse character; to see how Good and Bad contend with alternate success in minds where the good finally predominates; and to discern the victory, with scarce the show of a struggle, that takes place in the heart of the thorough knave, of cupidity over those counter instincts which he smears over with hypocrisy and calls Religion. In a study of this sort a lawyer has this great advantage, that even if men attempt to deceive, they rarely can succeed. The effort is made sometimes, and then it is astounding to witness how a man who, as the eye that watches him well knows, has tampered with evidence in a way that might send him to the State Prison, flounders on in the miserable slough of prevarication till at last he is compelled to feel to his heart's core that his self-righteousness, whatever it may be worth in the street, is no cloak against the searching scrutiny of the lawyer whom he thought to make instrumental in accomplishing his fraudulent purpose.

He understood, as many do not, the lawyer's art of acquiring in a short time a sufficient mastery of even highly technical subjects to discuss them intelligently—at any rate, in such a way as to conceal the superficiality of the knowledge from all except a trained expert. He explained the nature of

this faculty in answering his father's suggestion that he equip himself for handling patent cases by studying mechanics:

A. W. Machen to his Father.

Baltimore, March 13, 1854.

I am fully alive to the value of a practice in patent cases; and when any such fall in my way, I hope to be able to do them justice. The great requisite in this branch of law is, as I suppose, a certain degree of mental acuteness.

A knowledge of the particular subject matter in each case is also necessary, but it is obtainable when the emergency arises with far less difficulty than is often imagined. People are often astonished to hear a lawyer discoursing of chemistry or mechanics with all the fluency of a professor, and perhaps with a good deal more than his clearness and precision; and they are ready to believe that such a lawyer must either be endowed with surprising intellectual power, or have enjoyed a long familiarity with the science amongst the principles and technical nomenclature of which he moves with such facility. Yet very likely all that knowledge is simply the fruit of half a dozen hours intent application of a well disciplined mind to a new subject. The great point is to have that trained mind—its faculties all exercised in due proportion, and kept in such perfect obedience to the will that they can all be marshalled and concentrated at an instant's warning.

If this is the true theory, it is evident that a vast baggage train will only be an encumbrance—*impedimenta*, as the Romans called it. It would be more than useless to pour the contents of an encyclopedia into one's brain. Such a mass of knowledge would tend, as we see in point of fact it does tend, to clog and embarrass the mind, which ought to be left as alert and energetic as possible. I suppose that if the question were between reading the last book on chemistry and reading some work on pure metaphysics, the latter would be found by far the best preparation for the next patent case. Now the law, comprehending in the term common law and equity, if studied as it should be studied, is an exercise in dialectics such as is not to be found in all that Locke or Edward or Cousin have written. In the careful study, therefore, of th

low as its various questions present themselves, I hope to be fitting myself as well for the management of patent cases as of cases involving that ancient learning which had its origin long before the genius of invention awoke, or Parliament and Congress had made statutes for its encouragement. I would become, if such attainment is within my reach, a lawyer completely furnished, armed at all points, and ready for any encounter. If there is any special course to be pursued, whether to acquire the ability to conduct patent cases, or to put one in the way of getting the *cases themselves* (which after all is the hardest thing in the practice of the profession), I should gladly devote a considerable measure of time to it.

On one occasion, in the first year of his practice he wrote that he had been drawing some declarations in trespass *quare clausum* which promised to bear fruit shortly in "some satisfactory litigation." His father criticised this phrase—which surely might have been pardoned to a young briefless barrister; and my father replied with the following defense of his profession:

A. W. Machen to his Father.

Baltimore, April 6, 1854.

Lawyers—all honourable ones at least—are the greatest pacificators in the world. They prevent a great deal of litigation, and would prevent much more if the world would heed them. When that world does *not* heed, but falls at loggerheads, the lawyers, as they deserve, reap the benefit. Nothing is more just. Here is a little example. A very pretty case has been put in my hands. It would be a pity if such a case should not go to trial—still more a pity if I should lose the exercise in court which I so much need. Yet, disinterestedly, I go to the adverse party, and ask him to come at once to the settlement which I think he will be driven to in the end. I give him several days for deliberation. But, finally, he says, *nay*; so I will try my case after all.

In the discouraging days when he was waiting for practice, it was his devotion to the high ideals of his profession which

sustained him through the daily routine and the more disheartening idleness:

A. W. Machen to his Father.

Baltimore, June 24, 1854.

I go the customary round from lodgings to office and office to lodgings, look in at the courts from time to time, and nurse as assiduously as I can the little businesses I have in hand. In the evening, if the Bar Law Library is not open, I perhaps call upon some lady friend who may manifest a disposition to tolerate my society. Employment of one kind or another, I find is essential to mental health. It will not do to muse, for that leads to moping, and that to unmanly faintheartedness and discontent. In truth, it would be most melancholy, and therefore most unwise, to yield to the weariness of the moment, and sit down by the wayside to compare the road in its arid reality with the picture of that road in the guide book which enthusiasm and hope put into the traveller's hands at the start. As all life is a disappointment, it needs must be that the practice of law, especially in these degenerate days, is not what it appeared in the romantic visions of boyhood. It is not that the way is more rugged than was looked for—on the contrary, it is much more smooth and tame, and the Alps have dwindled into mole hills—but the *prizes* are not what they seemed. The gold has become pinchbeck; and what is worse, the small rewards require low and small means to win them.

Yet the law, though lower than its true votaries like to see it, stands high relatively to other pursuits; and, as compared with others, I am not a whit less devoted to it than I was three or four years ago. I mean to render it true and patient service, and I hope it will in good time dispense to me a faithful servant's guerdon. Only, I would be very thankful if it would be good enough to give me a bare support meanwhile. Perhaps it will next year, but uncertainty upon such a point is not very pleasant.

The courts are manifesting a disposition to adjourn, and in a few weeks St. Paul Street will be tenanted only by hungry young lawyers whose year's aggregate of fees don't give them the means of taking a frolic at the Springs. If then a good plump client, plethoric enough to feel that he can spare some blood with benefit

to his health, should stray along the half-deserted thoroughfare, how he will be pounced upon!

In similar strain, he writes as follows on Thanksgiving Day:

A. W. Machen to his Father.

Baltimore, November 15, 1855.

Presently I must go to dinner—my solitary bachelor's hall dinner; for both my companions will find doubtless more cheerful seats at the more bountiful board of friends in town or country. Well, I'll try not to forget to be thankful even in solitude, and *for* solitude if it be possible. This thing, however, of being alone in the world, and pitching one's tent like an Arab here and there in the midst of a desert, is rather dreary. But as a necessary sacrifice to a profession which I have a sincere affection for, I can bear it right well; and that is the true view to take of it. What would be a wife or a fireside without a calling which one could work in with a will? Man is not made to be, or enjoy, but to do. And what *earthly* pursuit can a man's faculties more worthily or honourably be devoted to than the introducing of universal justice into the affairs of men?

He was and always remained a warm admirer of Dr. Arnold of Rugby, but did not hesitate to take up the cudgels, even against him, in defense of his chosen profession:

A. W. Machen to his Father.

Baltimore, January 19, 1857.

Business again must cover, as well as it may, the fault of a long silence. Last Monday, upon a professional matter, I went to Annapolis, returning the evening of the same day; and ever since—the Day of Rest excepted—I have been occupied with one thing or another. This state of occupation looks so well for the future that I cannot but be content with it. Dr. Arnold, the famous Headmaster of Rugby School, historian and philosopher, in a letter to his friend Justice Coleridge of the Court of Queen's Bench, said, I remember, that nothing was nobler or more at-

tractive to a cultivated intellect than the *study* of the law, at the same [time] that its *practice* was far from affording a like gratification.

Dr. Arnold, with all his knowledge of affairs, was not a lawyer, and one who is, may venture, therefore, to dispute his criticism upon the practice, and its capabilities of satisfying the desires of the mind and the heart. The endless diversity of the questions which are brought to one for solution—questions often suggesting and turning upon others which were never imagined by the client—afford a continual stimulus to the mind and bring into action all its powers. Then, these questions are so interwoven with the social and political economies! The analysis of the law seems to carry one into the very recesses of things.

After he began to get into practice, his devotion to the law by no means diminished. On the contrary, no matter how busy he might be, he always recognized this intellectual activity as a blessing, although he also appreciated the peril of devoting himself completely to his profession to the exclusion of literature, to which he maintained an unshaken allegiance:

A. W. Machen to his Father.

Baltimore, November 18, 1857.

I have nothing new to tell. A large city to one who steadily pursues his private business in it is the nearest thing to absolute solitude and silence. The din and bustle become familiar to the ear like the unvarying clatter of a mill. One needs to stop and close eye and ear both for a while in order that they may recover sensibility and convey impressions to the mind. Yet it is better for us to keep our faculties in motion. Nothing is so unhealthy as too much meditation. *Nature* protects the lower animals and children in this respect. Animal spirits are a sufficient stimulus to both. When they flag, as they must do at manhood, when serious cares press on us, and reason insists on the right to direct our actions, it behoves us to make that reason accomplish the same end. We must avoid mental stagnation like the lethargic torpor which is the dread of arctic travellers. If we can only keep

our minds alert and active, they continue sound and able to meet all exigencies. A profession like mine, hardworking and exacting as it is, is a great blessing. And we see the beneficial effects; for if the physical vigour is at all adequate, no men retain their intellectual activity so long as lawyers. Indeed, it is a matter of common observation that, no matter how old, a lawyer in practice never shows the common infirmity of age. But without this advantage, one can always, I think, by a little exertion, directed by a wise forethought, save oneself from the tendency to hebetude which a state of rest disposes all things to. The cultivation of society can do much. Literary habits and the pursuit of some inquiry in history or natural science or political philosophy or metaphysics, according as accident—nay, rather Providence—may suggest and throw in our way, afford the amplest supply of medicine for this sorest disease that can prey upon the mind. And this, I think, is one of the greatest of the benefits conferred by a liberal education. It is told of some great English Chancellor as his worst misfortune that when the retreating tide of his party's power left him stranded high and dry—very high, for the fame of his past life made him conspicuous; and very dry, for he had permitted himself to be transformed into a huge fagot of law maxims and precedents—he had not the active exercise of the bar to fall back upon, the English etiquette not allowing such a retrogression, and had not, neither, the solace and occupation of classical or other literary reading. He had deserted the Muses in the days of his prosperity and strength, and they would not seek him when his powerful mind stood in real need of their gentle society. He stood, therefore, in his lofty but cheerless old age, a grim spectacle and warning.

But it is past nine o'clock, and I came to my office to-night to do some work, so I must go about it. I hope you will be able to drive off all depressing thoughts, and find enough in the lively world of Washington to keep you amused and agreeably occupied.

My father's letters to his father sometimes, though rather infrequently, contain accounts of interesting cases or incidents in which he himself was concerned. The following description of criminal case in which he represented the accused,

a free negro, portrays some of the by-products of the "peculiar institution:"

A. W. Machen to his Father.

Baltimore, February 10, 1856.

Mr. Robinson's^a lecture to-night, though, as usual, pretty long, leaves enough of the evening to incline me to write you a few words.

During the past week my time has been in great measure consumed by a criminal case of mine—yet untried, and like to prove profitless enough when tried; for the prisoner has neither money nor friends. Whether or not he is guilty, I do not know; but I think there is not sufficient evidence of guilt to warrant his conviction. He is a negro; the crime charged, the breaking and robbery of a store. There is a strong feeling excited against him owing in great measure to the existence of a neighbourhood feud, and to the fact that his conviction may be used as a means of offense by the parties arrayed on one side of that feud in waging their contest with the persons on the other side.

Not to waste time with details, it is sufficient to say that three individuals are implicated in the supposed robbery. One gentleman's slave, the slave of a neighbour of his, and my own unlucky client, a free negro. One of the slaves confesses his guilt, and, turning state's evidence to save himself, charges the free negro as an accomplice. The fellow's master would willingly get him off at the expense of the free negro, who is under the ban from his caste and is besides personally hated; moreover, after obtaining his conviction, he hopes to reach his neighbour by convicting the latter's slave as *receiver* of the stolen goods.

As you will imagine, the poor free negro under such circumstances is in danger of not obtaining fair treatment. Indeed, I have reason to believe that a good deal of outside influence is brought to bear upon the jury against him, and that irrespective of the only just issue, namely, his guilt or innocence. The evidence against him is partly the testimony of the supposed accomplice, a worthless creature, and partly circumstantial. Many of the witnesses by whom he hopes to explain these circumstances are slaves and therefore not free agents—some of them slaves of

^a Rev. Stuart Robinson.

the adversary parties; consequently there has been some difficulty in securing their attendance. Hence a delay from day to day—necessary to his interests, and therefore insisted upon by me, though involving a great waste of my own time. The trial will at last take place to-morrow, I suppose. It is not (as you perceive) a matter of any particular moment, but as it happens to occupy a prominent place in my thoughts just now—for I am determined that the fellow's just rights shall not be abridged if I can help it—I have supposed you might take some interest in it.

It is a Baltimore *County* case; but Gittings will not take any part in the trial—not any as prosecuting officer, because he was formerly of counsel for the prisoner; none as his counsel, because being State's Attorney, it is not proper that he should appear against the State. The man is too poor to pay me a cent *is present*; and though he makes large promises if he shall get clear, I know too well the true value of such promises to place any reliance upon them. However, law and right ought to be vindicated all the same.

Although we are in the habit of believing that in the golden age of the Maryland Bar, prior to the Civil War, all lawyers were gentlemen and that shysters were unknown, the following letter indicates that no such Utopian condition existed:

A. W. Machen to his Father.

Baltimore, December 20, 1855.

It is amazing what a deal of rascality is practised by the petty officials connected with the administration of justice—the gaolers, bailiffs, etc.—and also, and in an equal degree—there is no comparative or superlative to such a standard—in the dirty fellows who assume the name and guise of *lawyers*, and in doing so bring scandal on an honourable profession. Circumstances have very lately given Dick and me an opportunity of looking behind the curtain. I have not room to give you the particulars, but in brief the facts are these. We were counsel originally for two negroes charged as accomplices in a crime of some magnitude. One was tried and convicted on very strong circumstantial evi-

dence, the principal witnesses being a couple of watchmen and a Dutchman. The other's case was removed into Baltimore County, and, a new judge having been elected in Judge Constable's place, whose illness and decease caused all the business of that Circuit to be at a stand for nearly two years, *yesterday* a trial was at last to have been had. To our astonishment, on going into Court in the morning, we were told that our man had the evening before been granted a *discharge*. Upon examination, we discover that by the joint action of certain under-gaolers, the State's witnesses, and of a member of the bar (with whom, it is needless to say, we had no concert, and never knew as an associate in the cause, the wonder had been effected. It is not uncharitable to suspect that one of the witnesses was bribed, and *therefore* kept away from the Court House. The others became on a sudden quite ignorant of anything that could tell very heavily against the prisoner—curiously so, considering the precision and strength of their statements heretofore twice made under oath, once before the Grand Jury, and again at the trial of the other culprit. When the matter was thus duly arranged—the attending witnesses having (I suppose) received legal advice as to how much it was necessary to forget,—a representation was made to the State's Attorney that this prisoner could not be convicted and had suffered hardship already in a long confinement, and he, willing (I imagine) to escape joining issue, under circumstances endangering defeat, *stated* the case, that is, abandoned the further prosecution of it. The gaoler put the Court's order of discharge in his pocket, and tells the prisoner he may go free *on paying to him, his deliverer*—all that he can rake and scrape by the assistance of his friends—an amount liquidated in this instance at \$60. At this point we intervene, inform the negro of his right to an immediate and unconditional discharge, and insist upon that right being *respected*—to the disappointment and infinite disgust of a whole shoal of sharks.

A later letter describes an ejectment case in which Machen and Gittings were opposed to Robert J. Brent, one of the leaders of the bar, and by skillful strategy succeeded in defeating their formidable antagonist:

A. W. Machen to his Father.

Baltimore, February 11, 1858.

Last Thursday we (meaning thereby Dick and I) began the trial of a land case in the county, which was not only not concluded Friday afternoon when the court adjourned, but is likely to occupy a good part of next week. Robert J. Brent, who is opposed to us, is a pretty formidable man at a *nisi prius* trial, tenacious, hawk-eyed and full of resources; and he is particularly versed in ejectment law. The case itself, *Bennett v. North*, raises a number of very interesting points. It is a question of the true location of conflicting patents, and to resolve it we are running back some two hundred years, raking up as we go a host of old patents, deeds, surveys and other documents having more or less connection with the subject matter.

The controversy is waged very much like a game of chess. We, being plaintiffs, begin by pushing forward this and that title paper. The plats previously prepared under a Warrant of Resurvey (under the peculiar Maryland practice) represent the several lines and objects respectively relied on by the parties in support of their pretensions; and an intricate and spider's web appearance they exhibit, sufficient to confound at first sight, not a jury of plain country folk only, but a man of clear and practised judgment. Upon this as our chess board, we push forth, one after another, patent and deed, with a most careful consideration of the way in which they may jointly bear against the enemy, and at the same time leave no opening for a counter attack.—Brent thinks he spies such an opening. He presses upon the point; we make a show of resistance; he presses vehemently; we yield; the evidence is in—and lo! it tells prodigiously in our favour. We knew better than he what was behind, and enjoyed his discomfiture exceedingly. Having at length made out a sufficient *prima facie* case, we pause, so that he is compelled to show his own case in defense, while we hold the strength of ours in reserve.

In Maryland every piece of patented land bears a patent name, and this circumstance gives a wonderful liveliness to the contest. Thus we start under the banner of "St. George," supporting its ancient boundaries by reference to the adjoining or kindred tracts

of Speedwell, Litton's Improvement, Richardson's Outlet, Long Point, Tracey's Level, Tolley's Hills, &c., &c. Our adversaries rally under Taylor's Mount and Taylor's Enlargement, which are older than St. George. At the last we shall stand upon Fall Hill, which dates back to 1667 and is older than the Enlargement—the defendants' ultimate title. Then will come the final struggle. Brent will use his utmost endeavours to break down our location of Fall Hill, and will even contest its existence as a valid patent.

Monday, 22 Feb.—Bennett v. North was fought through six long days, with many vicissitudes and interesting phases. We won the field at last. And lucky for our client it was that we so succeeded, for taxed costs of the case, exclusive of counsel fees, amount to some \$600, which it would have about ruined her to be compelled to pay.

Another letter narrates a minor triumph upon cross-examination of a bank cashier whom my father convicted of a blunder (or worse) in his own department of accounting:

A. W. Machen to his Father.

Baltimore, July 11, 1858.

Considering the hot weather, I have lately been rather busy. The latest incident of any interest, in a professional way, was the cross-examination of a cashier of a bank relative to some accounts he had been giving in his examination in chief. I presumed to think that, as he had used his figures, the effect was to charge my client *twice* with an item of some four or five thousand dollars. When my question directed his attention to the point, he denied that any such error had been committed by him. The Commissioner too, who was taking down the testimony—it is a Chancery case—rather scouted my objection, and, although he faithfully put down the questions with which I followed up the point, and the cashier's answers, evidently entertained the opinion that I was on the scent of a mare's nest. The witness was cool and assured, and responded as if he thought it impossible that he, an experienced officer, a man of figures and figure, the influential person in a leading bank, could have committed such a blunder, and been detected in it by a mere lawyer, and a youngish one at

that. The gentleman who is counsel for the bank, an old and eminent member of our bar, upon my letting fall the remark that if I was not right in the matter, I thought I should give up arithmetic, suavely observed that his friend William Pinkney once, when a lawyer on the other side of the trial table said that if *he* was not right *I* regard to some mooted law point, he would throw away his books, retorted, "you had better *read* them, sir." Of course, I was not to be shaken in my own opinion by this sort of thing, and I believe my equanimity was not in the slightest degree disturbed. At any rate, I steadily pushed question after question until I had drawn forth such a chain of answers from our friend the cashier as would plainly exhibit his blunder on the record (provided it *were* a blunder) at the risk of equally showing up my own cloudiness, if there should prove to be none.

The next day, which was yesterday, the Commissioner, who had meanwhile transcribed the evidence, came to me and told me that he had become satisfied, strong as his opinion had been against me, that it was he himself and not I, who had been muddy, and that I was clearly right in the issue I had joined with the cashier. To tell the truth, I never could bring myself to doubt that such must be the conclusion of everybody, upon a considerate examination of the matter. It is rather pleasant to catch these people, who pass for such wise men and assume to speak with overriding authority, committing mistakes in their own special department.

Even in the earlier days of my father's professional life, when he was hungry for practice, he did not seek criminal cases; and on one occasion, when a murder case in which he had expected to be employed had been given to other lawyers, he wrote:

A. W. Machen to his Brother.

Baltimore, December 12, 1854.

In truth I am not sorry to be relieved of the duty. The case, while of great responsibility as involving the life of a man, is a pretty black one, and not such as to excite much sympathy in my breast for the prisoner. Besides, I never was desirous of

undertaking criminal cases—except under special circumstances and on rare occasions.

For some weeks at a time, Mr. Gittings, during his term as State's Attorney, was incapacitated by illness from performing the duties of the office; and his partner was therefore called upon to take his place. My father did not at the time relish this diversion from civil cases to a branch of the law which was upon the whole distasteful to him:

A. W. Machen to his Father.

Baltimore, December 5, 1858.

I went out last night to see Richard Gittings, who is confined to his house by sickness. Though his indisposition does not, I hope and believe, threaten any serious consequences, it requires cessation from labour, and particularly freedom from exposure, to prevent its developing into real illness. He is forbidden, therefore, to attend Court at Towsontown for a week or two at all events. The term begins to-morrow morning; and as there is a great press of criminal business, I suppose it will be necessary for me to take up the duty of prosecuting some of the cases for him. This is not the kind of practice I am fond of, but the matter of agreeableness or disagreeableness of the work is not at all to be considered. What is of more consequence is the extent to which it will appropriate to itself time that is needed for other purposes. Of course, while this state of things exists, it will require all the time I can get, to carry on the several duties that have to be attended to. Hence I fear I shall be prevented from getting to see you as often as I expected.

Although at the time the criminal work seemed thus irksome, yet in after years he often adverted to the value of the experience so acquired, saying that for a young lawyer nothing is better than service as prosecuting attorney. He would also often tell of amusing or interesting incidents which he witnessed during his unofficial service as State's Attorney. The following is the only one of these described in his letters:

A. W. Machen to his Father.

Baltimore, December 8, 1858.

I had a pretty busy day at Towson town, acting as State's Attorney in Gittings' place, who cannot yet go to work without some risk. I tried two cases today. At the conclusion of the second, quite a scene occurred. The jury found the party—a burglar—guilty; when the officers were about getting into the box another prisoner (an accomplice of the one last tried), they were amazed to find him in a deathlike stupor. He had, it seems, in anticipation of the conviction that awaited him, taken a large draught of laudanum or some other poison. A physician went to him at once and pronounced him in a very dangerous condition. The man certainly gained a postponement of his trial; whether at the cost of his life or not, was uncertain when court adjourned.

In January and February, 1859, the first *cause celebre* in which Machen and Gittings were concerned was tried. This was an indictment against two men for the murder of a policeman named Rigdon. The case was removed from Baltimore City to Baltimore County for trial, and thus fell into the hands of Mr. Gittings as State's Attorney for that County. At his instance, my father was designated to assist in the prosecution. The case was one of great importance because the accused were members of two of the most influential clubs of ruffians—the Plug Uglies, the Rip-Raps, etc.,—which then terrorized Baltimore. They were charged, indeed, with being specially deputed by their respective clubs to commit the murder. In a letter to my grandfather, my father gives a clear account of the circumstances of the murder:

A. W. Machen to his Father.

Baltimore, December 31, 1858.

Next Monday Gittings and I expect to be trying the great murder case of Cropps and another—for the *State*, of course. All this week we have been mainly occupied in collecting evidence. No case for many years has excited so much interest. Indeed its

importance can scarcely be overestimated. It is the issue joined between Law and Anarchy. About a year ago, a man named John Gambrill was arrested on a charge of arson. The witnesses to the fact were two of the best police officers in the City—one Benton and one Rigdon. Gambrill was a member of one of the most noted of the clubs which have formed of late so prominent a feature of Baltimore. Notice was given to Benton that his life was to be taken. Accordingly advantage was taken one night of a street row to shoot him. Henry Gambrill, brother of the party indicted for the arson, was tried last November for the homicide in the Criminal Court of Baltimore; *Rigdon*, it happened, was the principal witness to identify him as Benton's murderer; and, though fully aware of the peril in which he stood, delivered his testimony very manfully. About 5 or 6 P.M. a verdict of guilty of murder in the first degree was rendered. At 8 o'clock that evening, as Rigdon, the witness, was standing in his own house in a back room, by the side of his wife, a shot was fired through a small window looking into his yard, which deposited five balls in his breast, and stretched him dead upon the hearth. No witness saw who did the deed, but a chain of circumstances connects the two prisoners as the perpetrators of it. It is beautiful to see how a host of fragmentary bits of evidence, each inconclusive in itself, can be made to resolve themselves into a most convincing body of proof. Such is the terror which the rowdy element of which these prisoners are members has impressed the community in the neighbourhood of the murder, that a very considerable difficulty is experienced in tracing up the evidence to those who possess it. Men tremble at the possession of such knowledge as if it were stolen goods.

When the trial once begins I dare say I may have to remain in the County—the case is in our Court at Towson town—at night as well as during the day, in consequence of the late evening sessions. Therefore you may not hear from me for several days.*

* The following letter from my father to his brother gives a few additional details:

"I am quite busy. By far the most important matter, intrinsically, is the preparation of the murder case of Cropps and another set for trial next Monday. The evidence is circumstantial and consists of numerous fragments, which

The statement in the foregoing letter that "men tremble at the possession" of evidence, is doubtless an allusion to an incident of which my father often spoke. When he and Mr. Gittings first started to work on the case, the evidence was very scanty, and scarcely more than sufficient to raise a suspicion; but while they were preparing for trial, an anonymous letter was received, stating that a certain clerk in the Record Office knew something about the case. They at once went to see clerk referred to, who, when informed of their object, turned as white as a sheet. At last, however, he told what he knew; and the evidence thus elicited, together with other evidence to which it led, built up the case for the State.

The three following letters give the only accounts which my father left behind him of the trial and conviction of the first of the two prisoners.

A. W. Machen to his Father.

Baltimore, 4 January 1859.

Little progress has yet been made in Cropps' Case. The Court, yielding to the earnest representation of the respective counsel of the prisoners, that their defences were inconsistent, allowed them the privilege of separate trials. We called up

however when properly fitted together will make up I hope a conclusive case. The murder, for cold-bloodedness and high handed villiany, stands perhaps alone in criminal annals. Rigdon, you may remember, was a faithful police officer and good citizen, who in the discharge of his duty in both characters manfully delivered testimony at the trial last November of a man named Gambrill, for murder, which led to his conviction. The verdict in Gambrill's case was rendered about 6 P.M. Rigdon from that hour till 8 P.M. was dogged from square to square, through the city, till, at the hour I have last mentioned, as he was standing in his own house by the side of his wife, he was shot dead from a window at the rear of the house, and with such fatal precision that he scarce had time to utter more than ~~one~~ dying groan. The case is principally remarkable because no malice seems to have been borne against Rigdon for any private matter, but he was deliberately assassinated for the simple act of speaking the whole truth, in fulfilment of his oath, upon the witness stand." (*A. W. M. to J. P. M.*, December 29, 1858.)

Cropps first, and the whole of to-day was consumed in efforts to make up a panel. What with the disqualification of many jurors by previously formed opinions, and the peremptory challenge of others by the prisoner, only six or seven have yet been sworn. We have good hope, however, of completing the panel early to-morrow. Our newspaper reports usually give an extremely inadequate exhibition of what occurs, the gentlemen who make them being often gifted with a certain *curiosa infelicitas* which enables them to execute very remarkable caricatures of everything of which they attempt to give an account. But as there is a special interest taken in this case, they may perhaps succeed somewhat better than usual. The reports of the "Clipper" and "American" have so far, judging from the hasty glance I have had time to give them, given the best idea of what took place.

A. W. Machen to his Father.

Baltimore, January 9, 1859.

Judge Price having allowed the two prisoners jointly indicted for the murder of Rigdon, the right of being tried separately, we took up first the case of Cropps and have been occupied with it all the week. The notoriety of the case made it difficult to get a panel who had not made up their minds as to the prisoner's guilt. It was therefore not until the middle of the day on Wednesday that the cause was fairly launched. I made the opening statement. You will find something like a report of it in the "Sun" of Thursday. It is very imperfect of course, for our reporters here are not stenographers but undertake to give a paraphrase of what they have heard, from recollection. The main points are generally omitted; but this is not so bad as putting in one's mouth a great deal of bad English, bad sense, and bad taste, which he really did not utter.

We are making a very strong case against the fellow, who is a hardened villain and one of the most dangerous men with whom Baltimore has lately been cursed. The murder was a very high-handed one and many doubtless, besides the two immediate actors, were privy to it. We expect to close our evidence to-morrow and then will, I suppose, have to encounter a deal of hard swearing.

For these organized scoundrels, all fully capable of murder, do not stick at any required amount of perjury. Somewhere about the middle of the week, we may get to the jury. I shall open, and Gittings will close.

A. W. Machen to his Father.

Baltimore, January 12, 1859.

Yesterday we closed the case of Cropps. The verdict, as you will have heard from other quarters, was murder in the first degree—a most righteous judgment. Both Gittings and I felt very sensibly the great responsibility that was upon us. For such is the critical condition of society in this city, that if this murder, which in fact marked the issue audaciously joined by banded ruffianism with government and law, had not been visited with legal punishment, the people must have been driven to take the work into their own private hands. The fullest account of the last day's proceedings, and of the argument of counsel, is contained in the "American" of to-day—Wednesday; of which I will send you a copy.

We shall begin the twin case of the other accused to-morrow or as soon thereafter as an unbiased jury can be procured.

Of the trial of the other of the two accused men my father's extant letters give no narrative. The following reference to the speeches to the jury is almost all that they contain:

A. W. Machen to his Father.

Baltimore, January 24, 1859.

The "Sun" of this morning contains a synopsis of my speech to the jury Saturday. There is some reason to apprehend that the jury is not all sound, and that it has been *packed*. Hence I spoke to them in pretty plain terms. . . . But if the prevailing speculations are well founded, there will be no verdict, or only a verdict of murder in the second degree. But I still hope better of the jury.

Notwithstanding these fears, the trial resulted in a conviction, and the reputation of the counsel who had tried the

cases for the State was increased by their conscientious and capable discharge of duty:

A. W. Machen to his Father.

Baltimore, January 27, 1859.

I believe I did not unduly press the case for the State. There were circumstances connected with the constitution of the jury which made it necessary to talk pretty plainly to them, and to point out their duty so clearly that they could have no excuse for departing from it. Both Gittings and I have been spoken of in very favourable terms in regard to the conduct of these trials, and, although we of course were governed (so far as we know ourselves) solely by our sense of what was right, it is pleasant to have men think and speak well of us.

The importance of these cases can scarcely be exaggerated. The witnesses each day were taken to Towson in an omnibus guarded by armed men. My father's mother and sister were much concerned for his safety; but he said that he himself had never felt that he was in danger; inasmuch as the Plug Uglies and Rip-Raps, while bearing malice against the State's witnesses, whom they regarded as mere volunteers, did not extend their animosity to the lawyers, whom they regarded as simply earning their living. After the conviction, both men anticipated a rescue, even down to the very day of their execution. The State had never been able to prove which of the two had actually fired the fatal shot; and at last, when all hope of being rescued had vanished, Cropps wrote on a scrap of folded paper, which he requested to be opened after his death, the following confession:

*it was me that shot
rigdon But I have
Repented of it*

These convictions went far towards breaking up Plug Uglyism in Baltimore. Naturally and properly, the successful issue of the trials increased the practice of Machen and Gittings:

A. W. Machen to his Father.

Baltimore, February 5, 1859.

I believe the late trials *have* helped me. What I have always aimed at is to do the work that is right before me, without considering *effect* or labouring for outside impressions. This course, I believe, is the most successful in the long run, even in the matter of reputation. At any rate, it is the only one which consists with my own notions of propriety and professional duty. Sometimes what one is about happens to be of itself of such a character as to attract observation, and then a competent discharge of duty *tells*. The concentration of a thousand eyes brings into view—like a powerful magnifier—the whole scene, not only the thing done, but, of necessity, the doer also.

Immediately after these two criminal trials, came the conclusion of a bold though unsuccessful professional enterprise. Some ten years earlier, the Court of Appeals had decided, in the important case of the will of Cumberland Dugan, that when a will contains two inconsistent provisions devising the same property to different persons, the later should prevail, just as though it had been contained in a subsequently executed codicil. This decision was perhaps supported by some English dicta; but according to the all but uniform current of authority both in that country and in America, both devises should stand, the two devisees taking jointly or in common. So strong were these opposing authorities that my father conceived the idea, on behalf of clients who were not parties to the former case and who therefore could by no possibility be bound by the decision as *res judicata* or by way of estoppel, of inducing the Court of Appeals to reverse itself. In order to have any chance of success in so bold an undertaking, the prestige of the ablest and most influential

member of the bar was none too great, and recourse was, therefore, had to John V. L. McMahon, who was at that time at the zenith of his reputation and who had become so exceedingly cautious that, as was known to the judges, he would accept no case unless its strength was such as to make him confident of gaining it. When my father laid the matter before him, the great man replied meditatively, "Well, the Court of Appeals is the devil for sticking." Nevertheless, after considering the authorities submitted by my father, he determined to accept the employment. Unfortunately, however, before the case was reached in the Court of Appeals he became incapacitated by ill health, so that resort to a substitute became necessary. John Nelson was then retained in his place. After the argument, high hopes were entertained;¹⁰ but the decision was eventually adverse,¹¹ the Court, although evidently convinced that the earlier decision was wrong, laying down the principle that a decision of the Court of Appeals placing a construction upon an instrument is conclusive in all subsequent cases, even between different parties, as to the construction of the same instrument, unless "*manifestly*" erroneous. My father always believed that if

¹⁰ "You will infer that for the last two days I have been in the Court of Appeals. A case that I argued there week before last has been decided in our favour. The one last on trial involves the construction of a will containing conflicting devices. The principal obstacle we had to overcome was a previous adverse decision of the Court of Appeals upon the very same will. It was necessary, therefore, to bring big guns to bear; for the danger was imminent that the Court, if only young men asked them to open the question, might indeed listen patiently to their arguments, but at the end would shake their heads and say *stare decisis*. Our client, therefore, at our suggestion retained Mr. Nelson (formerly Atty. Gen. U. S.) and he went down and argued the cause with me. And very strongly he can argue. My impression is the Court are persuaded to consider the case upon the merits, which is almost tantamount to deciding in our favour, for I believe we satisfied them of the erroneousness of the former judgment. The old case, which stood so much in our way, was tried some ten years ago, and of course by other counsel." *A. W. M. from Baltimore to L. H. M.*, February 22, 1859.

¹¹ *Dugan v. Hollins*, 13 Md. 149.

McMahon had been able to argue the case the result would have been different.

This defeat, in a desperate enterprise, was more than counterbalanced by many victories in cases which, though smaller, probably attracted more attention from the public at large, so that the practice, the income, and the prospects, of the firm grew apace:

A. W. Machen to his Father.

Baltimore, March 25, 1859.

The horse case—like all horse cases—excited a good deal of interest among the country people; and naturally winning this case and several others which we tried about the same time tended to bring on other business. You must not conclude that *all* we do—Gittings and I—is chronicled in the papers. A good many causes are transacted in chambers, and often other things of considerable consequence are begun and concluded in the *office*. Altogether, I doubt not our getting and retaining a sufficient practice not only to keep us employed, but to feed and clothe us, and bye and bye, provide a surplus which we may lay apart and get rich on—if we have a mind to. But after all the object of life is not to get rich.

In the latter part of 1859, a vacancy was created in the office of judge of the Superior Court of Baltimore City by the death of Z. Collins Lee, the incumbent. This office was at that time by far the most important judicial position in the local courts of the City; for the Superior Court had exclusive jurisdiction of all civil actions at law involving more than five hundred dollars, and concurrent jurisdiction with the Circuit Court of all cases in equity. My father, together with a majority of the bar, supported the appointment of Judge Martin, a Democrat, to the position. In December, however, my father, who, as old-line Whig, was more nearly in political sympathy with Governor Hicks, was surprised to receive from the Governor, on December 3,

1859, a commission to fill the vacancy, accompanied by the following letter:

Annapolis, November 30, 1859.

To A. W. Machen, Esq.,

Sir:

I herewith forward you a commission as Judge of the Superior Court of Baltimore City, to fill vacancy occasioned by death of the late Judge Lee, and although *unsought* and *unasked* by you, trust you will accept and act under commission, *voluntarily* offered by me, indeed declination by you must tend greatly to embarrass,

Your obt. Servt.,

Thos. H. Hicks.

The appointee at once communicates to his father the surprising news:

A. W. Machen to his Father.

Baltimore, December 3, 1859.

You are aware of the recent death of Judge Collins Lee. The court of which he was sole judge—the Superior Court of Baltimore City, is the most important, and enjoys the largest jurisdiction, of all the state courts of civil jurisdiction in Baltimore. It may, therefore, be reckoned the most considerable court in Maryland, below the Court of Appeals. It is a matter of utmost moment to the bar, as well as to the great commercial interests that centre in Baltimore, that its bench should now be competently filled. Its business has long drooped, and its dockets are overladen.

Under these circumstances you will have reason to be surprised when I tell you that Governor Hicks has to-day sent a commission for the office *to me*. I had previously distinctly stated to gentlemen of influence in the party, in reply to the question whether I would accept the office if tendered, that I should not; and so far from being, or allowing myself to be represented as a candidate, I had taken every proper method of recommending a gentleman of the highest respectability, who was well known to be a candidate—Judge Martin, one of the justices of the Court of Appeals under the old constitution. The Governor accompanies the com-

mission with a letter in which he alludes to its being entirely unsought on my part, and strongly urges my acceptance of it.

The office, highly honourable in itself, ought by me, young as I am at the bar, to be esteemed a very great honour. If its duties were competently performed for the two years during which the commission would have force, I should be brought into notice to a degree much greater than I can hope to attain in the same space of time at the bar. The salary, according to the parsimonious scale fixed by our Constitution, is but \$2500 a year; but the judges of the Court of Appeals receive no more. At the end of the two years, a new election for a term of ten years is to take place, and I should have my choice between being a candidate for reelection, with the same, or perhaps an increased salary, and returning to the bar with such advantages as the increment of reputation might give.

The temptation is great; but I believe it is a temptation, and feel no disposition to yield to it. If it were right to take the time, I should consult you on the subject, and wait your answer before acting. But it is proper that I should not by unnecessary delay keep the court vacant, and increase the Governor's difficulty in making another appointment. The question is one which evidently affects the whole subsequent course of my life. I feel its importance, but my conviction is strong that I commit no error in declining the proffered honour and pursuing my way steadily at the bar. These are my present views. I do not suppose that any change will be made in them to-morrow. If none does take place, I propose going to Annapolis to-morrow evening, to hand back the commission to the Governor in person, with my acknowledgments.

The newspapers of the City took for granted that an appointment so dazzling to a young man, who had been at the bar but six years and whose income was limited to his professional earnings would be eagerly accepted.¹² The

¹² From "*The Sun*," Tuesday, December 6, 1859: "It was generally understood yesterday that Governor Hicks had appointed and commissioned Arthur W. Machen, Esq., as Judge of the Superior Court to supply the vacancy occasioned by the death of the late Hon. Z. Collins Lee. The commission

ARTHUR W. MACHEN, AT ABOUT 44 YEARS OF AGE

From a Photograph



"Exchange," then the leading Democratic newspaper in the City, criticised the appointment of a lawyer so young, inexperienced and comparatively unknown." The "Patriot," as

was sent direct to Mr. M., and not through the clerk of the court, as is usual. It was expected yesterday morning that the appointee would appear, qualify and enter upon the duties of his new position, but he left the city early in the morning for Towsontown. Mr. M., is said to be a young man of good legal attainments, and last week refused the position for which the Governor has now commissioned him."

"See the following editorial in the "Exchange," Tuesday, December 6, 1859:

"Gov. Hicks has appointed Arthur W. Machen, Esq., of this city, Judge of the Superior Court, to fill the vacancy occasioned by the death of Judge Lee. Mr. Machen is, we believe, a native of Virginia, and a graduate of the Law School at Cambridge. He came to this city to practice his profession, and was admitted to the Bar about six years ago. He is a gentleman of unimpeachable character, good capacity, and untiring industry, and will doubtless, devote himself laboriously and conscientiously to the discharge of the duties of his station. But it would be idle to say that the community is satisfied with this appointment. At the present time, fair legal attainments and unblemished reputation are not sufficient qualifications for a Judgeship. The public, which has unquestionably withdrawn its confidence from too many of our Courts, will naturally continue to withhold it so long as inexperience may be substituted for incapacity. If a mature age and well-established professional reputation are not absolutely necessary to enable a Judge to decide correctly, they certainly lend a weight and dignity to his opinions; and this latter consideration is of vast importance, for men pay regard to justice somewhat in proportions to the respect they have for the Court which administers it. Had Gov. Hicks so chosen, he might have done our city essential service, and, at the same time, have gratified a vast majority of its citizens, by assigning Judge Martin to this place. We believe the Bar almost unanimously urged his appointment, and, as far as we can learn, it would have been highly acceptable to all but a limited class of unworthy politicians. The Governor, however, has thought proper to disregard these recommendations, and to elevate to the Bench a young and comparatively unknown lawyer of his own party. Having some knowledge of the persons who were pressed upon him as candidates for the position, we may, perhaps, congratulate ourselves that we are not called upon to announce a nomination that would have been nothing short of disreputable. But even as it is, and speaking with all the respect that we certainly entertain for the new incumbent, we should fail in our duty if we hesitated to pronounce the Governor's action in the premises singularly unsatisfactory, and at variance with what his own previous acts and languages might have led us to expect."

was to be expected, took the opposite side, and commended the Governor's action.¹⁴

At this time, the appointee's earnings were less than the judicial salary offered him; but his practice was growing by leaps and bounds, and after not more than two days of consideration, he declined the appointment and returned the commission:

A. W. Machen to his Father.

Baltimore, December 7, 1859.

I went to Annapolis Monday evening, called upon Gov. Hicks, made my acknowledgements for the honour conferred, and the handsome manner of conferring it, and respectfully handed back

¹⁴ See the following editorial in the "Patriot," December 6, 1859.

"JUDGE MACHEN [sic]

"We congratulate Governor Hicks upon his selection of this sound and thorough young lawyer for Judge Lee's place.

"It is the true policy of the appointing power in every community, to take young men when they can be had, for the bench. We do not know of an instance, where this has been done with anything like good judgment, that has not been attended with the best results.

"When Judge Story was picked up from obscurity and placed on the Federal bench, Mr. Webster told the President that he had struck a blow at the Supreme Court, from which it would never recover, and why? Because he wanted Mr. Dexter appointed, and could see no merit in Mr. Story. 'We shall see,' said the President. The final result in this case, more than justified his discrimination.

"Everybody remembers the astonishment which Governor Thomas' appointment of Judge Legrand, created in this city. Nearly the whole bar were as much opposed to him, as Mr. Webster was to Judge Story. They assembled to hear his first decision, expecting something even worse than a failure. They left the Court room convinced of the fallacy of the human judgment in the absence of correct and sufficient data.

"We will remember the storm of disapprobation with which Governor Hicks' appointment of Judge Carmichael was received. The issue has more than justified his choice, and the people have ratified it, by continuing him in his seat.

"We augur similar results from Judge Mechen's [sic] appointment. He has the opportunity not only to do justice to the Governor's discrimination, but to carve out for himself an enviable name in judicial history, and we believe he will do both, the Exchange to the contrary notwithstanding."

my commission. The most gratifying circumstance, I think, about the whole matter is the evidence that has incidentally reached me, in several ways, of the favourable opinion entertained of me by all of the bar, I believe, whose good will is worth having, who had had any opportunity of forming an opinion. This is more pleasant to think of than the possession of a dozen judgeships. The Governor, too, has treated me throughout in a way that I must be lastingly obliged to him for.

Although contradictory opinions have been expressed amongst my friends as to the expediency of my rejection of this office, those whose judgment is entitled to most weight, and who know me best, are almost unanimously agreed that I have more to look for by remaining at the bar than by accepting judicial preferment of this kind, whether for a longer or shorter period. At any rate, I do not feel a particle of regret. I think I never had so light a heart as when I left Annapolis in the train of yesterday morning, after having rid my bosom, that is to say my breast-pocket, of the perilous stuff, with the great seal to it, which threatened to work so radical a change of all my plans in life.

From this time on, the practice and the income of Machen and Gittings, partly in consequence of the reputation earned by the latter as State's Attorney, partly in consequence of the prestige achieved by the former by the declination of the flattering offer of the judgeship, but chiefly in consequence of the thoroughness, skill and fidelity with which each partner separately and, still more, both in co-operation, conducted every matter confided to them, grew with great rapidity. Thereafter, their difficulty was rather to find time for the work entrusted to them, than to find the work to do.

Strange as it may seem all who knew my father, his mother's anxiety was, throughout, rather in reference to his spiritual than his temporal state. In 1856, she wrote to his father as follows:

Mrs. Caroline Machen to her Husband.

Walney, April 9, 1856.

Your information respecting Arthur was very gratifying. I hope he will now find time to give us a letter; we have not had one since you were here. His temporal affairs, I trust, are now changing for the better, and for his spiritual state my humble prayers are daily offered to the Throne of Grace that he may be drawn to the fold of Christ, and give evidence to those around him that such is the case. My first prayer has ever been that my children might be saved, and unworthy as I am and have ever been, my faith is strong, and I cling to the blessed hope that when we have fulfilled his will on earth, where he has given us so much to be thankful for, we shall be permitted to meet among the redeemed and happy spirits who have been purified by the blood of the blessed Saviour.

Two years later, after writing of her hopefulness with regard to my father's worldly prospects, she adds:

Mrs. Caroline Machen to her Husband.

Walney, March 3, 1858.

I wish I could feel the same confidence in regard to his spiritual state; but I will not despair, he is the child of many prayers and I know has read his Bible and thought much on this most important subject, and I have faith to believe that our Heavenly Father will bring him into the fold, in his own good time.

These maternal anxieties were, it seems, chiefly occasioned by the fact that at this time my father was not a communicant in any church. Certainly, there was no other ground for disquietude. He was a pew-holder in the Central Presbyterian Church and a regular attendant upon the preaching of Rev. Stuart Robinson, the then pastor. His admiration for that divine continued to the day of his death, and is often attested by his contemporaneous letters. For example, in the first year of his residence in Baltimore, he writes:

A. W. Machen to his Father.

Baltimore, January 7, 1854.

New Year's day is indeed an appropriate season for adding energy to good resolve, and I never heard the duty urged more zealously or more ably than by Mr. Stuart Robinson in his morning and evening sermons last Sunday. If such men were common, there would be more display of vitality in the Christian world. I feel very sensibly my own state of exposure to hurtful and very dangerous influences, and of the powerlessness of unsupported human nature to resist them.

And again, a few months later:

A. W. Machen to his Father.

Baltimore, April 22, 1854.

I hope I *do* appreciate the advantage of having such a preacher as Mr. Stuart Robinson to listen to every Sunday. He is a preacher who wears better, who has a more sustained vigour, than any man, I think, that I have ever heard. He applies a sound manly intellect, and all the energy of one who goes about his work as being in truth his very work, to subjects which if they had not a divine vitality must have been smothered long ago under the tame, enervate insipidity of common sermonizers. Some criticise him for exacting too long an attention from his hearers, but for my part his sermons of an hour's length and upwards, full as they are of thought and feeling and argument, expressed not in set theological phrase—the dried remains of the dialect of a former age, which in its own day indeed was living and pungent—but in nervous English such as an able advocate would choose to urge his cause upon a jury with—such sermons, though they stretched to twice an hour's length, would not weary me.

In response to a request from his father, he wrote what may be called a confession of his faith; and surely its orthodoxy should have satisfied the most exacting parents:

A. W. Machen to his Father.

Baltimore, Sunday night
February 22, 1857.

My dear Father:

Had I a thousand times the intellectual strength your partiality attributes to me, what a problem you propose to amaze and overwhelm all my faculties with! To find out the Almighty to perfection—to discern the form and lineaments of him whose face no man can look upon and live! And how sensible I am made by such a call of my want of the only spectrum through which man can see God, the Pure Heart! Thought and Reason quail at the threshold of such an inquiry. We are sensible of a stupendous presence—and there consciousness stops.

That God is no sum total of attributes, nor a metaphysical idea abstracted from the moving universe we see around us—this much, I seem to know. The Bible teaches, what the speculation of science never could discover, that he is a Person; that he has, if we may suppose an epithet of humanity exalted into a sublimely super-human sense, *a character*; that he has a will, which he exerts in distinct acts to be ascertained by his own manifestation of them and *not* inferrible from the nature of things. He before whom we bow is not Deity—not an abstract entity—but Jehovah, the God of Isaac and Jacob, the God who hearkened to the voice of Abraham, who reasoned with Moses, who corrected his erring servant David. Our own personality is recognized by him. He deals with mankind as individuals. As man with man stands face to face, so each man comes to meet his Maker. Add to this, the Gospel revelation, the Word dwelling on earth, God manifest in the flesh, the Godhead blended with humanity, and conducting humanity through the door of the atoning Death into its own everlasting life, and we have all that language can express. The intellectual apprehension becomes powerless at this point. The rest is for the eye of Faith to perceive—for the hand of Faith to grasp.

Sensible how little right I have to discuss such themes, I should not have dared to touch upon them at all but that your letter conveyed a command.

Your affectionate Son,
A. W. Machen.

The sad death of a young bride called forth reflections on the uncertainty of life, and the proper way of meeting it:

A. W. Machen to his Father.

Baltimore, February 17, 1861.

This is the second daughter—both of them bright and charming ladies—whom Dr. Stuart has lost since the gay wedding at which I was a guest and derived so much pleasure from his hospitality. Such examples show that it is not youth or age, or condition of strength, that determines the probabilities of life. We are all in such a state that any moment may remove us from this vain show to the unseen reality. The reflection should not be a saddening one. The great leveller, death, is the true republican, and insures that equality which groaning humanity has ever longed for. If we incline to envy the green bay tree that mocks us, the least consideration teaches us it will surely fall sometime and may fall at the next blast, while our own trembling and feebler stem survives. Another lesson taught by this great experience is that although decay and death are evidently enough at work within us, they were so from the beginning, and they deserve just the same regard now as heretofore—and no more. The *present* is our *world*, for duty, for action, and for enjoyment; the end to which we are so inevitably tending is, if we truly consider the matter, as far off at one time as another.

The reflections last quoted were perhaps due in part to an effort to remove the melancholy from which his father, in consequence of ill health, was suffering; but certainly he himself in old age as well as in youth lived according to the philosophy here inculcated.

His love of the antique in architecture as in literature, was outraged by the destruction of the old First Presbyterian Church at the corner of North and Fayette Streets:

A. W. Machen to his Father.

Baltimore, June 19, 1859.

The old *First* Presbyterian Church has been lately sold to the United States for a site for a new Court House—a discreditable

affair altogether. The locality is an inconvenient one, and the purchase was made in face of the remonstrance of the whole bar. The President came on in person, with half his cabinet, and personally ascertained the dimensions of several of the competing lots by stepping them off with his own august legs—a duty which a surveyor with a piece of tape could perhaps have as well performed, but as for the rest of the achievement, *parturiunt montes, nascitur ridiculus mus*.—But I did not start to speak of this, but of the shame of selling—to anybody, or for any purpose—a venerable church edifice like this, hallowed by a hundred associations. The congregation—one of the wealthiest in the city, of any denomination—are building a splendid church up town, and seem to think—the majority of them—of the fine old church only as an item to be entered on the credit side of the construction account. Surely it is lawful for the rich to build a high priced church for themselves and their children; but why not have let the old church stand for the use of the poor? Nor would it have rendered slight service as a memorial of the unambitious piety of an earlier age.

Throughout the period of his great professional activity as well as the more trying period of enforced lesisure which preceded it, my father's letters, especially his letters to his father, are replete with criticism of various branches of literature. He enriched his letters from the treasury of general literature, in which as mentioned above, he found his solace in the time of idleness and his recreation in the time of overwork. When scarcely out of the Law School, he writes as follows of his first acquaintance with Sir Thomas Browne—an acquaintance which ripened into a life-long affection:

A. W. Machen to his Father.

Baltimore, July 28, 1854.

I have been making the acquaintance lately of one of the old English worthies of whose character I had before but a dim conception,—Sir Thomas Browne, the author of *Religio Medici* and the *Inquiry into Vulgar Errors*. And a great man I find him,

and a fine study. There is a beautiful openness and sincerity in the manner in which he lays open his thoughts, and a manly vigour, tempered with gentleness, in those thoughts themselves, which is very captivating. I do not wonder that men so dissimilar in some respects as Coleridge and Dr. Johnson both felt the highest admiration of his writings and character. Not that either the one or the other—I mean, the man or his books—can claim anything like perfection. Obvious errors are discernible in both; but every error is so set off and counterpoised by a noble quality that it seems to be placed where it is artistically and with a view to to make us sensible of the general excellence and beauty of the whole.

He compares Luther's version of the Psalms to that in our English Bible, rather to the disadvantage of the latter:

A. W. Machen to his Father.

Baltimore, April 13, 1856.

I have lately taken occasion to compare somewhat Martin Luther's German version of the Psalms with that in our English Bible. They are very much alike—having sometimes indeed (from the agreeing genius of the two languages I suppose) a strikingly similar turn of expression. But sometimes Luther's rendering has, I think, the advantage in point of poetry and of poetical *verisimilitude*. For I take it to be a tolerably safe rule of criticism in deciding between different renderings of productions so entirely poetical as these sublime odes of the inspired Singer of Israel, to hold that to be the nearest to absolute correctness which at the same time that it evidently aims only at literal fidelity, has the most of poetical method and coherency—that which, (in other words) as it stands in the new language, has the most harmony of thought—is the most finished and connected poem. Tried by this rule, I say, I have fancied Luther to have been, in some instances at least, the more successful translator; nor should that seem wonderful, for Luther himself was a poet.

Some years afterwards, he summarizes in commendatory fashion Dean (afterwards Archbishop) Trench's essay on a revision of the Authorized Version of the English Bible:

A. W. Machen to his Father.

Baltimore, October 3, 1858.

Among the books I have read lately with more than usual interest is a little essay of Dean Trench's on a revision of our English version of the Scriptures. Trench, while a dignitary in the Church of England, is a man of remarkably enlarged and catholic views. He is very eminent also as a scholar, and seems to be particularly at home in Greek literature. Our own language and the history of its growth have received great attention from him, and several previous works of his prove that he has cultivated the inviting field of etymology and verbal criticism with great success. His judgment, too, is essentially fair and well balanced. It is evident that such a man is peculiarly fitted to speak upon the difficult question, What is to be done towards giving the people the benefit of the advance that has been made in Greek and Oriental scholarship since the days of King James' Translators? He is eminently conservative, and does not undertake to *recommend* a public revision, but assuming that some day or other—and probably not very distant,—the work will be forced on the Church, he enters into the inquiry how it may be at once most effectually, safely and peacefully conducted. In any event, he is far from advocating a *new translation*, or any general and systematic modernization of the present one. He would still have our Bible left with all its venerable drapery about it. And he deprecates any alterations which would imply a taking one side of any doctrinal controversy. He points out with a skillful and discriminating hand the different kinds of innovation that have been made, or may with plausibility be suggested, and passes a judicial opinion upon each of them. Not upon all the individual instances, of course, where a change of our text is proposed, but of all the various *classes* of changes. He shows what kinds of alteration are fundamentally vicious, and unsupported by any principles of just criticism, and what sorts may within reasonable bounds be advocated. Then he gives some very valuable suggestions upon the manner of best *introducing* the amendments, when authoritatively sanctioned, into public use, without doing violence to the consciences of the unlearned body of the Church.

Altogether the book is full of thoughtful and important views. It is very small, like all of the treatises of his which I have seen, and, like the others, it is full of pith.

Many of the particular examples of verbal criticism which he gives—the results of the study of other scholars as well as his own—are very interesting. Among others he mentions that text which, as we read it, says, “Abstain from all appearance of evil;” as if the Scriptures made it a part of the Gospel morality to refrain from anything because it appeared to be evil, although the act in question might be intrinsically and really good,—which, so far from being made a duty is in opposition to the whole spirit of the Bible, which inculcates zeal for the truth, and scarcely with more vehemence deprecates doing evil that good may come than it deprecates the not doing good because it may seem to be evil. Such a precept, as this text, if our version were correct, would give us, would be below the better standards of pagan morality. I think it is Cicero who somewhere says so finely, *nemo mihi videtur magis aestimare virtutem quam qui boni viri famam perdidit ne conscientiam perderet*. To be good rather than to seem good, is a maxim which stands equally at the foundation of morality and of heroism. There is a plain mistranslation of the text. What the apostle enjoins is to abstain from every form or species of evil.

Eighteen months before the letter just quoted, he gratefully acknowledged receipt of a copy of the Greek testament,—down to the very day of his death he rarely retired at night without reading at least a portion of the New Testament in the original tongue—and at the same time showed that to some extent at least he had inherited his father’s fondness for the reading of sermons:

A. W. Machen to his Father.

Baltimore, April 29, 1856.

The Greek testament arrived safely and I am greatly obliged to you for it. I have read a little in it already and shall not fail, if I live, to use it frequently hereafter.

I found last Saturday evening in the Mercantile Library (to which I am now a subscriber) some recently published sermons or Lectures, as they are called, upon religious subjects by the late John Foster, author of the Lectures on Decision of Character, Popular Ignorance, &c. They are distinguished by the same remarkable vigour and originality which appear in his previously published writings. I do not know a modern writer of more innate power. Robert Hall, Foster, Arnold and Chalmers make a grand contribution to the English theological literature, before so gloriously rich in thought and eloquence.

Fine old Jeremy Taylor—"Taylor, the immortal Jeremy," to use Browning's well-deserved phrase—and quaint Thomas Fuller, were at this time, and always, among his favourites, while Southey's Life of Wesley he finds interesting though ill balanced:

A. W. Machen to his Father.

Baltimore, 28 January 1858.

My dear father:

You referred some time ago, in one of your letters, to Jeremy Taylor's Works, and asked if I had one of the volumes here. I *have had* some volumes out of the set in Baltimore in years past, but returned them all long since. Doubtless the missing volume will turn up at home. A noble writer he is, and well deserves the honour of much reading. I especially admire the treatises on Holy Living and Holy Dying, though the sermons perhaps contain more brilliant single passages. By the way, old Fuller's book, somewhat similar in title, but of different plan and scope—"The Holy and Profane States"—is a choice work. Hardly do Bacon's Essays themselves surpass this in a style rich, quaint and expressive. Every paragraph—almost every sentence—presents something which you want to pause over, and commit carefully into the treasury of memory, for the exquisite aptness of the language in which valuable thoughts are put forth. This Fuller, you know I dare say, is the same who wrote the great book on English Worthies and also, I believe, a Church History, distinct from the scattered memorials contained in that work. It is

somewhere or other in his writings that that famous passage occurs in which he makes the diffusion of the martyred Wickliffe's ashes,—borne in the waters of the little brook into the greater Severn and down the Severn into the Channel and thence into the wide sea—emblematic of the diffusion of his doctrine, which hath moved steadily onward from the small beginnings of its progress and is destined never to stop till it hath spread all the world over. This is but a paraphrase of the passage.¹⁵ Wordsworth, I remember, turns it into verse in a sonnet¹⁶ sadly to the hurt of its energy.

I am reading just now Southey's *Life of John Wesley*, a curious and instructive book. Many times we get a better idea of a thing from seeing the view taken of it by an observer who looks from quite a different point, intellectually, from one's own. From a comparison of diverse prejudices and biases, we may get at the truth better than by accepting any single account, whether of friend or foe. Take this instance. Here is Wesley described by a High Churchman, whose perceptions, smothered in the formalism of a ritual—a letter substituted for the quickening spirit—cannot discern, any more than a blind man can distinguish Westminster Abbey at a distance of a hundred yards, that which to Wesley's mind, as to Luther's or St. Paul's, was the very substance of life. Yet while he sits down to the work of delineating what to him seems a strange and unaccountable infatuation of enthusiasm, such is his fidelity and honesty—for Southey was a good man—such the clearness of his statement of facts, and the soundness of his judgment upon questions of evidence, that we get a portrait that does equal honour to the subject and the limner.

¹⁵ "Thus this brook hath conveyed his ashes into Avon; Avon into Severn; Severn into the narrow seas; they into the main ocean. And thus the ashes of Wickliffe are the emblem of his doctrine, which now is dispersed all the world over." *Fuller's Church History*, Sec. 2, Book 4, par. 53.

¹⁶ "As thou these ashes, little Brook! wilt bear
 Into the Avon, Avon to the tide
 Of Severn, Severn to the narrow seas,
 Into the main Ocean they, this deed accurst
 An emblem yields to friends and enemies
 How the bold Teacher's Doctrine, sanctified
 By truth, shall spread, throughout the world dispersed."

Wordsworth, Ecclesiastical Sonnets, No. XVII.

In some respects it reminds me of a Chinaman's drawing, from copy, things to him foreign and incomprehensible.

Then on the other hand, that which is Wesley's defect and error, his Arminianism, is shared by his biographer; which suggests constantly the necessity of conducting in one's own mind a process of abstraction and criticism. The edition I read, has notes of Coleridge's appended. Now, Coleridge had a fervour and spirituality equal to Wesley's, without a particle of his practicalness and energy in action; he was meditative and self-conversant, where Wesley was social and vocative; in theology he is not an Arminian, yet verges very near to Arminianism in his endeavours to philosophise a scheme of divine and human relationship, instead of resting humbly on the truth taught in Paul's epistles and accepted by the great men who framed the Thirty-nine Articles of his own church. The comments of such a person are almost as instructive as the text. Altogether it is a most readable book.

After all this discourse about men and things of the past, I have little time left to-night for items concerning the present. And certainly, when I took up my pen at half past ten o'clock under a sudden impulse to write you a line or two, inasmuch as the interval before bedtime scarce sufficed for the accomplishment of any piece of work, I never thought to let my pen run so far into the region of literature as it has.

I am quite well; but would be better content in mind if I heard from you more frequently.

Your affectionate son,

A. W. Machen.

His active mind proceeded logically from one book to another, and after finishing Wesley's Life he turned to Whitefield's:

A. W. Machen to his Father.

Baltimore, April 1, 1858.

My reading—so much of it as is unconnected with my profession—is principally confined to Sundays. Wesley's Life of which I spoke some time ago naturally led me to Whitefield's. A memoir of the latter by Philip, though quite a contrast in style

to Southey's work, which is marked by all that grace of diction and lucidness of statement which so eminently distinguish this incomparable writer, is yet earnest and apparently truthful, and affords some materials for an estimate of Whitefield's character, labours, and success. Whitefield had the advantage of Wesley in possessing a sounder theology. In some traits of character too, I think he was superior to the great Methodist. Both were extraordinary men, and deserve to rank in history almost with Luther. Their devotion of body and soul, and their whole lives, to the cause they preached is something superhuman.

In 1857, when the growth of his practice was absorbing more and more of his time during the week, he pictures his daily routine, and the delight which was afforded him in times of recreation, chiefly on Sundays, by books, especially those of a religious or philosophical sort:

A. W. Machen to his Father.

Baltimore, November 29, 1857.

I am well, hard at work, and pursue a profession which is not without its temptations, with tolerable honesty; such I think might be a fair enough report of each week or day. I rise at the customary hour, break my fast, keep post at my office, listening as patiently as I may to much foolish and some sensible talk, till dinner time; or as circumstances may require, go into court and argue a question of fact or law without much self improvement, whether as to mind or taste, or respect for humanity in general; then dine, occupy the interval to supper, or rather tea, with fragmentary work; and finally after tea, comes the only useful, or at least consciously useful part of the day, when the outer door of the office being locked, the shutters closed and a bright fire blazing within, my sole companion, save books, I pursue some branch of the study of a really noble, though now in practice degenerate and debased, profession. I would not have you think that I do not occasionally spend the evening, or a part of it, visiting some lady or other, or that I do not equally enjoy and profit by such refreshment of an otherwise arid life.

This is Sunday night and as I have hitherto had a fire at my lodging room only on Sundays, this is the first time that I have written a letter here.

Books! An inexhaustible resource they! Not that I now read a great deal outside of the law, but some books I do, and so long as eyes and eyesight last shall continue to, read. I am grateful for the rest of the Sabbath on this account eminently among others that it affords the opportunity for a good deal of such reading as from its nature and subjects is appropriate to a day when it behoves one to think of things that are immortal to the exclusion of those that are transitory and unsatisfying.

I Lately I have been looking into what some of the sounder German theological critics have been doing. And while there is much in their writings which to our Anglo-Saxon apprehension is cloudy and mystic, there is much, especially in the department of textual and historical criticism which is very valuable. I confess I sympathise, too, with them in the cardinal point for which they contend, the release, namely, of our minds from the letters of theological forms and formulae, the inventions of a day far from the brightest in ecclesiastical history, and the consequent free access to the very Scriptures as the sole guide of our lives, and a foundation of truth needing no abutments and props of human device or building. For my own part, I cannot but deem it even more derogatory to God than to the reason with which he has gifted us, to imagine that the Truth of History or the Truth of Science can be dangerous to the Truth of Revelation. Free inquiry, provided always it be pursued in a reverent spirit, is our vocation as rational beings, and therefore, it is safe to believe, must lead in the end to good, not evil—though that good may by the narrow minded formalist be evil spoken of.

In 1856, he hears and criticises an oration by Edward Everett on Washington:

A. W. Machen to his Father.

Baltimore, March 13, 1856.

I availed myself Tuesday night of the opportunity of hearing Mr. Everett in the Maryland Institute Hall. An oration of his

is worth hearing any day. Polished and accurately chiselled as marble, it is to be sure almost as cold; yet no man of taste will quarrel with the sculptor who hews us out a form of beauty, because his art does not enable him to quicken it with a spark from the Heaven-descended Promethean torch. As you may suppose, he told us nothing concerning Washington that was very novel; but he brought out very well the grand distinction of Washington's character—its wonderful symmetry and completeness—and gave the description point and effect by contrasting this almost superhuman perfection with the other great men of history, and showed how each had some large defect which in Washington's character was fully supplied. There were, too, in the course of the oration several separate passages of great beauty. It was pleasant to see, how, independently of Mr. Everett's finished rhetoric, and in those parts of the speech which had no particular advantage of language or action, the mere patriotic sentiment, or expression of the claim of Washington to the admiration of mankind, called forth the ready response of all the thousands congregated in that hall. We may be assured that whatever jars shake the nation, Washington has *not* lived in vain.

Although never one of the extravagant admirers of Teackle Wallis, and although rarely sparing the time to attend lectures, he heard and commended a lecture by Mr. Wallis in 1858:

A. W. Macken to his Father.

Baltimore, March 10, 1858.

I went last night—a very rare thing indeed with me—to hear a *lecture*. The lecturer was Mr. Teackle Wallis, of our bar, a man of fine and highly cultivated mind. His subject was modes of speech as both indicating and affecting national character. It was a vindication of truth and right—an earnest rebuke of the prevalent indisposition to call black things by their proper names. It was a keen attack upon shams and pretensions of all sorts. Altogether, it was well worth listening to, and I did not at all begrudge the time I gave to it.

In his later years, my father used to say that his abstention from active participation in politics was due largely to the Civil War, which for nearly seven years in the prime of his life suppressed all political freedom in Maryland under a military despotism. That cause was doubtless operative, but my father's failure to take an active part in politics was probably due, partially at least, to other causes,—notably, his native modesty and disinclination to parade his views before the public, and his complete devotion to his profession and absorption in his professional duties. While he was yet a law student, his father thought it necessary to impress upon him the duty of political activity:

L. H. Macken to A. W. Macken.

Washington, February 28, 1852.

Although you may act wisely in not entering into the political arena, I should regret if you were so far "weaned from politics" as not to take a warm interest in the political history of your country; to understand, as they arise, every question the determination of which can affect the well being of the State—and to embrace in your studies not only all that make you a skilful advocate and profound jurist, but all that can fit you, if called upon, for the highest offices of state. It is this amplitude of political knowledge, as well as general literature, which will enable the advocate in the higher tribunals, to evince his real power. It is the misfortune often attending too exclusive an attention to points of casuistry, the law of precedents, and more technical special pleading, to narrow the mind, so as to unfit the Barrister from becoming the Statesman. I would wish your views and studies to be more comprehensive; so that the cultivated art of public speaking, and the power of summoning all the energies of the mind, should be applied, when required, to the highest object for which man should live—next to the advancement of God's glory, and his own salvation—the safety and welfare of the State, of which he is a member.

What would Mr. Webster be, even as a lawyer, if he were not as profoundly versed in political philosophy, the history of other countries, and especially the early and contemporaneous history

of his own, as in the Justinian Code, the Common Law and the Law of Nations?

In so far as those parental admonitions related to the mere acquisition of political and economic knowledge, they were fully heeded by the younger man; for his alert mind was always abreast of the times in politics as well as other domains of thought. But my father never took the active part in the political affairs of his age that his parent desired.

He voted for the first time in 1855, when twenty-eight years of age.¹⁷ In the Congressional election of the same year, he supported Henry Winter Davis in preference to Henry May, although disapproving some utterances of his favourite:

A. W. Machen to his Father.

Baltimore, October 1, 1855.

The general contest here, by the way, between the American and the Administration parties is going to be a very sharp one. On each side there are some bad nominations. The Catholic-exclusion article in the Know Nothing platform has driven a good many Whigs in this city—Catholic and others—into alliance with their Democratic adversaries. The latter now pat them approvingly on the shoulder and make very much of them; but it may be doubted, I think, whether this fraternal union is destined to be lasting. Henry Winter Davis and Henry May—curiously enough—are the rival candidates for Congress in this district. The former is a man of talent and has much controversial ability; yet he has said and written, in the zeal of a new convert to a new party, some things which are indiscreet and, I think, untrue. However, though myself no Know Nothing, I wish him success.

¹⁷ "A municipal election is going on to-day. For the first time in my life I have exercised the right of suffrage;—though from the nature of the case it is scarcely as much a right of citizenship as a corporator's franchise that is called into action. I voted for my friend Andrew Ridgely for the City Council. He is a Whig, and runs as an independent candidate receiving the Democratic vote in opposition to a Know Nothing who is personally obnoxious to many."
A. W. M. from Baltimore to L. H. M., October 10, 1855.

A few months later, he felt it necessary to apologize to his father for his aloofness from politics:

A. W. Machen to his Father.

Baltimore, December 19, 1855.

I think you have been inclined sometimes to blame me a little in your heart for not manifesting a more active interest in politics; but does not the littleness, and corruption too, which one is sure to find whenever he becomes a close spectator of the movement of political affairs, justify him in standing aloof and refusing to share that contemptible meanness or to be infected with that foul and mortal rottenness?—But to tell the truth, all society is almost as bad. Sir Walter Raleigh's dying invective against the world is hardly more bitter than true,—I refer to that poem contained in Percy's *Reliques* and attributed to him, in which the writer despatches his soul (soon to be disembodied) on a mission of rebuke to the world he himself was quitting.—The *professions*, for instance, how far short they come practically of the high ideal which excites the enthusiasm of the boyish student! To see sham—sham—sham, succeeding everywhere, and merit nowhere—unless where it has the wit to borrow a piece of the gaudy and flaunting robe of sham;—all this is sadly disheartening to any earnest spirit. Yet there is a path of duty in every man's life, and a way to tread it, and a reward for treading it. If the experiences of life “do not leave us the men we were”—fresh and buoyant, and hailing exultingly the prospect of labour and difficulty—“yet they *do leave us.*” A wise man in laying the steps by which he climbs will use material—men and men's follies and vices—which he must condemn in the very act of using them; a good man in doing so will be careful neither to *make* that material nor (when he finds it ready to his hand) so to use it as to soil his palm by the contact.

His father at once takes up the challenge:

L. H. Machen to A. W. Machen.

Washington, December 24, 1855.

Although there is a supremely wise, good and Almighty Governor of the world, yet God acts by the agency of man—and every

man is bound to exert the talent he may possess, whether one or ten, to promote the glory of his Creator, and the best interests of his fellowmen. His enjoyment of God forever will depend on the fidelity with which that talent has been or may be improved.

I do not admire the character of Atticus—a mere Epicurean—rich, with literary tastes, and enjoying all that the refinement of Rome could give, and the friend of all parties in the midst of a revolution in society or government which was to decide the fate of his country. I admire much more that of Luther or Knox, or Jay, Franklin and Washington.

A merely negative character, whatever his talents, will possess no influence in society. His refusal to take a part in the great movements of society around him will be attributed either to weakness or timidity, and he proportionately sinks in public estimation.

Still, however, I do not deny that the profession you have chosen demands your chief care and attention. Without infringing upon those devolving upon you in that profession, are there not other duties which cannot honourably be waived or pretermitted? Does not every free citizen of a commonwealth owe his best efforts for its preservation?

If every honest and able man were to retire from the conflicts of party in disgust, what is to prevent the ship of state from being wrecked in a storm, drifting upon breakers, or being seized by pirates?

I am far from thinking that political life, and political displays, are to be sought. Least of all do I think that a lawyer, or a minister of the Gospel, should neglect his own particular calling to embark in objects not appropriate to his profession, or that would essentially interfere with his chosen duties; but if either the one or the other, in times of difficulty and danger, is qualified by nature or previous training, for exerting an influence on public measures, or subserving the cause of truth, liberty and justice, what should prevent his doing so?

Who can tell the influence of a single voice, or a single pamphlet, when a conflict of opinion may arise, and the elements of society are greatly agitated, or when principles are to be adjusted which are to mould the history of succeeding times?

What but a burning zeal for the Glory of God, and to maintain his country's right, liberty and honour, prompted David to oppose the great champion of the Philistines, with his single sling and the five small stones taken from the brook? And who knows how great may be the consequences of an effort of mind which God may bless, if proceeding not from fanaticism or presumption, but a pure desire for the public good?

It is thought that the present is a crisis in the history of our country, in which no able man should suffer his talent to lie dormant, and no good man can be indifferent to the resulting consequences.

My object, however, in now writing is not to make a dissertation on political ethics, or suggest any rule for your conduct; but merely to offer you, in advance, for the coming day my ardent wishes that you may have a happy, cheerful Christmas.

After writing this homily, however, the elder man thought it necessary, three days later, to indulge in explanations:

L. H. Machen to A. W. Machen.

Baltimore, December 27, 1855.

Since writing to you a very hasty letter the 24th inst. I have been apprehensive lest some part of it might lead you to believe that I was in favour of your taking a more active part in political movements than your own judgment had approved or than you had heretofore done. But although the reference to Atticus might perhaps lead to such an inference, it was not, in fact, my intention. Atticus was not the character which I was in any degree apprehensive that you were in danger of resembling. With the honorable, laborious and difficult profession which you have done so much to master, the love of ease and epicurism was, I was well aware, no part of your character. Nor do I wish you to suppose that I would advise you to enter at any time into the *little questions* which might engross and agitate an election precinct, or permit your mind to be diverted from the vastly more important object of professional eminence by any desire of political distinction. My object, simply, was to express the opinion that, whatever may be our main pursuit, we have duties to perform as citizens of a yet free Republic, where all are entitled to freedom of opinion

and rights of conscience; and that although in consequence of my connection with the Government and therefore with conflicting parties, I might be allowed to refrain from a participation with party conflicts, you, as a voter, might be called upon and required to take an open and decided part—moderate in action, firm in principle. That when, for instance, such questions might arise as some of those which formerly divided the American people—whether the Constitution of the United States should be adopted or not; whether the judiciary should depend on the popular vote, with its possible corrupting tendencies; whether all offices, honorary, judiciary or ministerial, should be filled only every two or three years by brawling or corrupt or incompetent partizans, or not—the opinions of every citizen should be known, and firmly maintained; and that the expression of these opinions on proper occasions and in a proper manner was one of those duties which every man owes to his country. But every man is not permitted, by nature or education, to assume the office of Peter the Hermit or Martin Luther, whatever his zeal or convictions of the existing corruptions.

In your professional career you will find occasions enough for the display of your love of country; and eminence in that profession will give to your expressed opinions authority and weight.

Certainly you do well to keep yourself entirely clear from the little meanness, or gross corruptions, of party warfare.

The public life and labours of Jay, Somers, Hale, Washington, Franklin, present an indication of what I mean. Lowndes, I think, would have done the same, had his life been prolonged.

Perhaps as a result of this advice, my father made a stump speech at a political meeting at Fairfax Court House in the autumn of the following year, 1856.¹⁸ He also made a number of political speeches in Baltimore County in the same campaign, on behalf of Fillmore, the presidential nominee of the remnant of Old-line Whigs, and the Know Nothings.¹⁹

¹⁸ Taken from letter of A. W. M. from Baltimore to J. P. M., October 15, 1856.

¹⁹ Taken from letter of A. W. M. from Baltimore to J. P. M., at Walney, November 1, 1855.

These few efforts, however, were almost his only participation in forensic speaking throughout his long life. One reason, probably, was that after the dissolution of the Whig Party, he had, for a number of years, no political home. Down to the Civil War, the Democratic Party was repugnant to all his feelings;²⁰ and even his father approved his resolution not to ally himself with any of the ephemeral parties which sprang up at this time:

L. H. Machen to A. W. Machen.

Washington, October 30, 1857.

In the present state of political parties, it seems to me the part of wisdom, in any considerate man not already involved in the interests of any party, to abstain from committal. The Democratic party and the old conservative Whig party can be the only permanent parties of the country. The American party, it seems to me, has not a foundation broad enough to support a permanent organization. The Democratic party, even in its destructive features, is calculated to sway the multitude. Occasional causes

²⁰ Accordingly he disapproved the action of Senator James Alfred Pearce, of Maryland, in leaving the remnant of the Whig party, for its traditional opponent, the Democratic party, in the presidential election of 1856:—

"I am very sorry to hear of Mr. Pearce's enlistment on the Democratic side—I mean the rumour of it, for I have no knowledge of the fact. If he do join the Democratic Party it is clear that he disregards the sentiments of those who gave him the seat which he heretofore has filled with so much honour to the State of Maryland. That the Whigs of Maryland, as a body, are straight-out Fillmore men cannot be doubted. The fragment that will fuse with the Democrats is really most insignificant. I have yet to meet any person of any party who doubts that, however the electoral ticket of Fillmore and Donelson may stand elsewhere, it is sure of the vote of Maryland." *A. W. M. from Baltimore to L. H. M.*, July 29, 1856.

"I have read Mr. Pearce's letter and cannot help thinking he has made a mistake. However, late political events have taught us the lesson that the people nowadays act more for themselves and less by the guidance of leaders than when party bonds were both seen and regarded. If it were not so, such a course of a gentleman of the abilities and character of Mr. Pearce might have a serious influence; as it is, I trust little harm will result." *A. W. M. from Baltimore to L. H. M.*, August 4, 1856.

of division may arise, as, for instance, in Virginia the respective antagonistic claims of the friends of Mr. Hunter and of Mr. Wise; but the main cohesive principle of Democracy will remain, and for some years to come will probably prevail. I shall take no part myself in the present party contests. If Whig principles shall again be brought forward, I might consider it my duty to support them. But in contests where no great principles are involved, I shall give my support to the most conservative, able and honest men, and suffer fugitive parties to rise or fall.

My father's constitutional optimism was illustrated by his rejoicing over the election of Thomas Swann, the American-Whig Candidate, as mayor of Baltimore in the autumn of 1856,—a result which he was sanguine enough to believe would do much to check the growth of Republicanism at the North:

A. W. Machen to his Father.

Baltimore, October 9, 1856.

Yesterday's election resulted in the success of Mr. Swann the American Whig candidate by a majority of 1554, a gain of upwards of 1100 votes upon last fall's congressional election. The majority for Mr. Fillmore will be still larger.

I suppose it has seldom happened that so much depended on one municipal election. It was looked to eagerly by Northern people as evidence of the course which the conservative part of the South is going to pursue. A large number, in New York and elsewhere, who were halting between Fillmore and Fremont, and even adherents for the time being of the latter, were willing to support Fillmore if they could only be sure some considerable portion of the South would also in good faith support him. Of this question, the Baltimore election was reasonably considered a test. So well understood was this at the North that the Fremont leaders there would have been very glad (as there is good reason to believe) if the Democrat had triumphed here. Had the South given signs of presenting an unbroken front, as we have been so strenuously advised to do, the better class of Northern man would have felt constrained to present an unbroken front on their side. Thus it is

no exaggeration to say that the Baltimore election not only assures Fillmore Maryland but New York, and makes Fremont's election as impossible as Buchanan's.

As to the question of slavery in the territories, he opposed the repeal of the Missouri Compromise, disapproved the decision in the Dred Scott Case in so far as it restricted the power of Congress to prohibit slavery in a territory, and favoured the admission of Kansas forthwith,—whether with or without slavery he regarded as inimportant, since upon admission to statehood the people would be free to change their constitution and institutions at pleasure:

A. W. Machen to his Father.

Baltimore, March 24, 1858.

With regard to the measure itself, I have not examined the subject in all its details, so as to be able to say that I have fully formed an opinion. But I am inclined to think, that if I were in Congress I should vote for the admission of the State with the organization it now happens to have. Doubtless Mr. Walker, Gov. Wise and Mr. Douglas have the best of the argument on the theory of the Kansas-Nebraska Act. But then I do not for my part own that theory to be the true theory of territorial government. The sounding, yet most empty, phrases which are thrown into the Kansas-Nebraska Act have not for me at all the weight of constitutional maxims. Notwithstanding those phrases and with all deference to the Supreme Court, I still think that Congress has full power to govern the territories, and make what regulations, consistent with republican liberty and the Constitution, it pleases. I think that where this large legislative power exists, its exercise is to be directed rather by a comprehensive expediency than by any theories of governmental metaphysics. The welfare of the country seems to demand that Kansas should be converted into a State, and then left to administer its own domestic affairs with as much folly as its citizens may think proper to let loose for that purpose. It is expedient in other words that she should be admitted into the Union without more ado. If I were responsible

for the repeal of the Missouri Compromise Bill and the other absurdities that have produced such turmoil, I might feel myself tied down to follow out the principles of those measures to the letter; but thinking those principles, as I do, not in the least sacred and very far from sensible, I should deal with the question of admission or no admission as a practical one to be determined by the present expediency.

And again, somewhat more fully:

A. W. Machen to his Father.

Baltimore, April 1, 1858.

I hope the House will pass the Senate Kansas bill, and put an end to this wearisome war, where all parties are somewhat in the wrong, and where, as generally happens in such cases, the greatest wrong of all thrives and strengthens because those who should rebuke it have disqualified themselves by failing to keep perfectly in the path of rectitude. That monstrous iniquity, Abolitionism—opprobrium to common sense, and treason to our Constitutional government,—would sink down, smothered in its native mire, but for the ineffectual buffetings it receives. These—not ineffectual in this respect, but of no avail for the purpose for which they are designed—keep it in exercise, and thoroughly breathed. It lives by contest and strife. I confess I could not for the sake of a metaphysical punctilio, suffer that strife to continue, if it were in my power to put an end to it.

If the people of Kansas are to be a state let them be so as speedily as possible. If Congress were to *dictate* a constitution to a new state, the evil would not be very great. Until the state comes into being, what right have the occupants of the territory to be voting at all? It is of mere favour that they are allowed to vote. As soon as they do constitute a state the unlimited license of legislation which they enjoy is a full compensation for any possible restraint they may theretofore have been under. Maryland has a constitution twice as bad, I dare say, as that framed at Lecompton, and, I suppose, four times as bad as that devised at Topeka. What is our remedy? Why, to change it at our own pleasure. If Kansas can to-morrow do the same—and what

is to hinder her?—shall the country be kept in a perpetual turmoil because she is not precisely suited at the present moment? If this notable Minerva of a babe, that springs into being full dressed, and armed at that, don't fancy its nodding headpiece, its shining buckler and classic buskins, is it not perfectly free to throw them all off, and—if such be its pleasure—spend its infantile days in running about stark naked like any mortal brat? What is a constitution but a dress which the sovereign power can keep on or throw off at its own will?

His interesting comments upon Charles Sumner and the assault have been set forth at length elsewhere.²¹

In January 1860, during the speakership deadlock in the House of Representatives, which was ultimately broken by the execrated vote of Henry Winter Davis in favour of Pennington, my father visited the House and dined with Mr. Davis, whose ability to take care of himself as against all enemies, he warmly praises:

A. W. Machen to his Father.

Baltimore, January 6, 1860.

The House of Representatives is still at sixes and sevens. I was on the floor of it the other day in company with some of our Maryland delegation, and was introduced to Mr. Corwin among others. His talk and accompanying play of feature were as entertaining and characteristic as usual. The scene generally was not very edifying. I dined the same day (with Gittings) with Mr. Henry Winter Davis, at his residence, which by the way is Mrs. Madison's old house, and spent two or three hours very agreeably. He has been subjected to a great deal of bitter and undeserved persecution, but has talents and a position which enable him to keep the vantage ground of his enemies.

He realized, that which every capable young lawyer must keenly realize, but which the public at large, after nearly seventy years of experience, do not adequately perceive,

²¹ Supra pp. 62, 66-8, 69-74.

namely, the transcendent importance of a judiciary at once able and impartial:

A. W. Machen to his Father.

Baltimore, November 15, 1855.

One of the results of the late election is to give us two new and untried judges. Z. Collins Lee in the city, and Judge Price in the county. And the bar are looking with some curiosity for their first judicial efforts. Expectation is not very high wrought—a favourable circumstance for them; and I hope most earnestly they may fill their difficult seats with dignity and success. To a *young* lawyer, it is of peculiar importance that the courts before whom he practises should possess learning, ability and impartiality. A judge who either will not or cannot understand the law when it is presented to him, may deny justice entirely to a young man, though he would not dare to disregard what is said by counsel of large experience and great name.

He accordingly earnestly hoped for the adoption by the people of Maryland of a call for a new constitution, submitted by the legislature in 1858, being especially desirous of reverting to an appointive instead of an elective judiciary:

A. W. Machen to his Father.

Baltimore, March 10, 1858.

Our State Legislature has just passed an important measure—an Act for taking the sense of the people upon the question of calling a convention and providing for the succeeding steps in the way to a new constitution. In 1851, the present constitution was adopted, and already the people are heartily tired of it. There is hope that in the formation of the next one the abominable feature of an elective, short-termed, and low-salaried judiciary, may be discarded.

He deplored the apathy of the people with reference to this important question, and feared that the call would be voted down (as in fact it was):

A. W. Machen to his Father.

Baltimore, May 25, 1858.

If a lottery commission, a few inspectors of tobacco, lumber or hay, a dozen or two of worthless justices of the peace, or even a parcel of constables, were to be voted for to-morrow, the State of Maryland would be in an uproar. But as the question to be then presented, to a people calling themselves capable of self-government, is whether they shall overturn the existing State Constitution and erect another upon its ruins, the most profound apathy prevails. I dare say the majority of the voting population do not so much as know that such a question is to be determined.

The need of a constitution, differing widely from that we are now afflicted with, in several respects, and particularly in regard to the appointment, organization, tenure, and salaries of the judiciary, is manifest to every right-thinking and moderately observant man.

The Sun newspaper, with its usual radicalism and narrow-sightedness, opposes the change; and as the effect of any earnest move in such a time of indifference is not contemptible in itself, and is vastly magnified by a circulation so great as that paper has attained to, among a class of people who read nothing else, but have *votes* out of all proportion to their literature, I should not wonder if it were doing a good deal of harm. Of course, misrepresentation is resorted to in order to deter the people from doing a sensible thing. One day, it is said the object is to re-establish lotteries: when the fact is that throughout the life of the present sickly constitution lotteries have never ceased to flourish; and it is simply ridiculous to say that there is any logical connection between the construction of a new constitution re-establishing the judiciary, making judicious changes in the usury law, the periods for calling together the legislature, &c., and the promotion of a scheme for the benefit of a few gamblers, and sure to be frowned upon by the overwhelming majority of the people, or any convention fairly representing them. Then, the ignorant portion of the Democrats are told that it is a Know Nothing device to get absolute power into their hands. On the other side, the Know Nothings are warned that the Democrats will thereby

be enabled to juggle the administration of the State out of their grasp. Many of the place-holders, such as clerks of courts, members of the judiciary, &c., are working against a movement which may result in ousting them all and which (if successful) assuredly would and ought to oust some of them.

Under these circumstances do not be surprised if the reform project should be voted down. Still I hope better things.

In the now quiet and peaceable city of Baltimore, it is difficult to realize the scenes of disorder and bloodshed which were only too characteristic of the place in the decade preceding the Civil War. In those days, at every election, rioting and loss of life were anticipated as an inevitable incident. For example, just prior to the election for Mayor in 1855, my father wrote:

A. W. Machen to his Brother.

Baltimore, October 26, 1855.

The election in Baltimore City and County comes off Wednesday, Nov. 7th. . . . In the city, the contest will be close and desperate. But a different state of things will be presented than was seen in the City Council election a few weeks ago. Sam's death (as they call that typical old fellow), was prematurely announced I am thinking. There is some prospect of a grand row that day: if *some* lives at least do not come to a violent end before the polls are closed, public expectation will be much disappointed. The Democratic bullies who so long enjoyed despotic sway are very much chagrined and disconcerted to find themselves nowadays o'ermastered at their own weapons. The Know Nothings are a stalwart and determined set of fellows; and at every fight that has taken place during the last six months—and there have been several considerable skirmishes—they have come off triumphant, sometimes against odds. Only the other day, a noted jailbird and desperado, of old much petted by the Democratic City authorities, in attempting to serve the cause of his masters with the terror of his presence, received a wound which effectually put him *hors du combat*, and came within a hair's breadth of sending him

to his grave. The prospect of rioting and bloodshed on the 7th is not so agreeable as to make me sorry that I shall not be here to witness the actual scene.

In this particular instance, the anticipations were not justified, for the election passed off quietly:

A. W. Machen to his Father.

Baltimore, November 15, 1855.

The talk of the town still runs on the election. The Democrats and their Whig allies are, mentally, bruised and sore. On the other side, congratulations are exchanged with a natural and becoming joy. Fortunately, no riots or other disagreeable scenes attended the occasion, and even the ingenuity of the Democrats is almost at fault in their search for something to complain of in the conduct of the victors. Richard Gittings is among the foremost on the Baltimore County ticket and has received a very handsome majority.

In the following year, however, pitched battles with muskets and revolvers resulted in considerable bloodshed:

A. W. Machen to his Father.

Baltimore, October 9, 1856.

It is to be regretted that there was a good deal of fighting and disorder yesterday, attended even with the loss of several lives. There was no *mob*; but much street fighting. Organized bands on the respective sides engaged in pitched battles with each other with a recklessness which made them sanguinary, and occasioned some alarm, to say the least, to good citizens, who did not participate in them. And these wild fellows fought with fire arms, and those of the most formidable kind. No cannon indeed were brought out, I believe, but muskets and revolvers were used with freedom and fatal effect.

In addition, we hear the usual complaint from the defeated party that their voters were frightened or driven from the polls in several instances. But the like means, or worse, were resorted to in stray Democratic wards; and no doubt most of the foreigners

who failed to vote in the wards to which they belonged had amends by voting in other wards to which they did not belong. The result, therefore, is probably about the same as if everything had been conducted perfectly legally. This, indeed does not excuse, must less justify, such scenes of license and violence, and I trust we shall have a better administration of the police hereafter.

Even these bloody affairs were, however, less than had been anticipated:

A. W. Machen to his Brother.

Baltimore, October 9, 1856.

The Plug Uglies, Rip Raps, Babes, etc., on the American side, and the Empire Club, New Market Engine boys, etc., on the Democratic side, had several bloody and determined pitched battles; but on the whole there was less disorder than was apprehended. As usual the Democrats had the worst of it, and consequently they complain dolorously of the breach of the peace.

By the time of the election in the following year, there was little or no improvement, and, apparently, complete indifference on the part of the citizens at large:

A. W. Machen to his Father.

Baltimore, October 15, 1857.

Yesterday a municipal election was held; and though no other officers were to be elected than members of one of the branches of the City Council, there was a good deal of rioting and disturbance, and I fear fair play was not extended at many of the polls to the Democratic voters, or to the foreign-born portion of them. It so happens, however, that all the lives that were taken so far as I have heard, and all the serious bodily injuries that were committed, were committed and taken by Democrats, the sufferers being generally policemen, at the time confessedly in the discharge of their duty. Surely, this indicates that all the blame is not to be laid at the doors of the successful party. To whomsoever this or that particular act of violence is to be imputed, it is plain there is urgent occasion for such a reform either in the constitution or

administration of government as shall give to all men the practical enjoyment of those privileges and immunities which the laws promise, but now too often only promise. The most significant and dangerous symptom of the times is the apathy with which deeds of bloodshed are witnessed. The killing of two or three men a day does not excite the pulse of this community nearly so much as the bagging of as many pigeons of a morning would affect a sportsman not more in practice than I. I dare say that although I moralise in this strain I share to the full in the prevailing indifference. Certain it is, I pursue the routine of professional business as composedly as if the great theory of free government were not in daily and manifest jeopardy. For instance, I argued an equity case this morning, just as though the body politic were in the soundest possible health.

When another year had passed, conditions seemed to have become worse rather than better; for the ruffianism and fighting was not confined to election day but was of daily occurrence:

A. W. Machen to his Father.

Baltimore, October 2, 1858.

Politics are stagnant. Our present Mayor, Mr. Swann (American) will be elected for another term with little or no opposition. Day and night, there is the usual frequency of knockings down and shootings and stabbings. So accustomed are we, indeed, to these things that the very worst instances of crime hardly excite remark. Our sensibilities are deadened, like those of the ancients when they went one morning to see a score of gladiators hew one another in pieces, and the next to witness the rather more lively entertainment of the martyrdom of twice as many Christians. Some attribute this state of things to the condition of the police. The state of our judiciary has, I think, more to do with it, and the bad manners of the times most of all.

In another year, conditions were different but hardly better:

A. W. Machen to his Father.

Baltimore, November 3, 1859.

Yesterday witnessed a strange and sad spectacle in Baltimore. A large number of gentlemen, actuated by good motives, undertook a task which will always be impossible, unless attempted by the machinery of the law. They denounced the police, disclaimed their aid, and assumed upon themselves the duty of keeping the polls open and free. The consequence was that the executive magistracy—weakly and unjustifiably, but naturally enough—abandoned the city to the rowdies, to be rescued from them by the reformers—if they could do it.

A contest between respectable men, bound to act within the limits of the law, and a numerous and organized band who acknowledge no obligations of law, whether human or divine, could not be doubtful. The citizens were not prepared for extreme measures, the roughs were ready for anything. The latter were better organized, better armed, and, by reason of the weakness or corruption of the acting mayor, who allowed them, through judges of election of their own nomination, to select such places for taking votes as they desired, had the choice of position. What made the matter worse is, that several men who have enormous pecuniary interest in procuring or preventing certain legislation, have the rowdies in their pay, and give them such wages as no mercenaries known to history, probably, ever received. Hence, while the name of Americanism is used, the rowdies are fighting, and their masters have hired them to fight, for ends as private, and selfish, and corrupt, as the means resorted to are abominable.

It is natural that such a state of things should drive a great many persons who were formerly staunch Whigs, who have no repugnance to the *principles* of the American party, and who heretofore have heartily detested Locofocoism in all its disguises, to separate from the American party, and enter into more or less sympathy and intimacy with the Democrats. I do not for my own part share the disposition to invoke such allies. To give a temporary relief, I would not put my neck under the yoke of masters as unprincipled as the Plugs, and more inexorable. I am satisfied that the Saxon will prove worse than the Dane. But

the multitudes are acting the other way, and Maryland is fast becoming a Democratic State.

Law, literature and politics left little time for society; and, as stated above, my father resolved to achieve professional success by the thoroughness of his work rather than through social acquaintances. Indeed, to be a society man in the ordinary sense of that word was wholly foreign to his taste. Yet, he was never a recluse, always had a widening circle of friends of both sexes, and as years wore on was rather sought after socially. Scarcely was he ensconced in his bachelor quarters at Baltimore, at the age of twenty-six years, than he accounted himself to his brother as "an old bachelor," without foreseeing that after nineteen years more of single life he would at last marry:

A. W. Machen to his Brother.

Baltimore, April 3, 1854.

Of late I have been to one or two little parties—very pleasant ones. Then again, Miss Margaret Gittings has been spending some weeks with Miss Mary Rogers, so that with the presence of both young ladies the cheerful parlours at the corner of Courtlandt St. have strong attraction for a bachelor adrift on this desolate sea. Miss Margaret, besides, has been unwell with a neuralgic affection, which is good excuse for frequent calls. They all treat me very kindly indeed—on Dick's account in great measure, of course; but I should be an ungrateful wretch to institute a nice inquiry into the motives and grounds of a hospitality of which I derive the full benefit. The principal use I make of this social enjoyment is to reflect how important a part of a man's education is skipped over when he grows up apart from the gentle influence of the ladies. It is too late for me to become anything better than the gnarled, case-hardened, thorn-bush trunk that I am, fit only to cry to all passers-by, in most pointed phrase, "Hands off! at your peril, touch me not!" You are in condition to profit by the lesson. By all means, therefore, praetermit no opportunity to cultivate the acquaintance of ladies. Be careful

at the same time not to fall in love—at least not rashly. Yet if you are constituted at all like me, there is no great need of this caution; for if poor mortality were as exempt from all lapse as I find it is (as represented in my person) from inclination to this species of tumbling, it would be easy to walk with head erect through the world. Interest, sympathy, friendship spring up readily enough, but as for more, I think I will have ample time to make that *fortune* in, before I shall have occasion for it as a justification for exchanging a bachelor's narrow lodgings for the comforts of a house up-town. I begin to suspect that I am appointed for poverty throughout life, such is my striking adaptation to the single life I am now leading. If, for example, I was the fossil remains of a fish and Agassiz had me under his microscope, he would exclaim, with all the glee of a philosopher perfectly satisfied, "*An Old Bachelor* beyond a doubt!"—a poor, very poor, old bachelor, as sure as that a creature with gills was never designed to figure as a land animal!

He was by no means averse to good cheer; and when Mr. Levin Gale, a well known member of the bar, was expected at Walney upon the occasion of the argument of one of my father's earliest cases (referred to above)²² in the Fairfax County Court, explicit directions were given to provide adequate entertainment of a liquid kind:

A. W. Machen to his Brother.

Baltimore, October 26, 1855.

Gale, the lawyer on the opposite side, will probably spend his nights with me at the farm. And if he does, I hope you will be able to give him good entertainment. Pity, that the supply of Maderia and sherry, in dimensions like the widow's cruise, was not as inexhaustible. By the way, if you have an opportunity to procure it, some really good brandy—or what is easier to obtain—good whiskey, would be convenient.

In contemplation of a party, or series of parties, at Walney, upon the occasion of a double wedding at a neighbouring

²² *Supra* p. 175.

place Chantilly, belonging to the Stuarts, he gives elaborate directions illustrative both of his care for this mother and sister, and his solicitude for the enjoyment of their guests:

A. W. Machen to his Brother.

Baltimore, October 16, 1859.

With so many things to talk about, I forgot in leaving to speak more particularly about the necessity of not overlooking Ma and sister's outfit. Will you see to this? Especially look out that the latter is fixed up like the other ladies of the day. This thing of being half-hooped is worse than having no hoops at all, for then the resources of female ingenuity provide some substitute. Let them by all means be provided with all things essential. Bishops and other clergy, hoops, dresses and what not.

If you think well of it, you might get a dozen of *good* champagne. Know who you buy from. Moët & Chandon's *Green Seal* is about the best brand now. This, of course, to accompany the meats. But let the servant be properly instructed beforehand, so that he may not shoot the corks into guests' faces instead of the ceiling, or make a fool of himself generally. Put all the wines on ice some hours before dinner, and have broken ice ready to put in the champagne glasses.

If you get the champagne, I'll pay for it. If you don't get it, you must make the sherry do for both courses. But I think you had better get it.

If any of the groomsmen stay with you, don't omit to provide them at odd times (at bed time for instance) with whiskey, etc. You are such a Washingtonian that I have to jog your memory about these matters. I don't want our name for hospitality to suffer.

In 1857, upon the marriage of Andrew S. Ridgely, one of the four friends who had kept bachelors' hall together, my father wrote an account of the wedding reception which shows that his acquaintance in Baltimore society was not at this time very extensive:

A. W. Machen to his Brother.

Baltimore, May 21, 1857.

Last night, after leaving court about eight o'clock, I had to sup, and then dress for my friend Andrew Ridgely's wedding. Sure enough I saw him married a little after nine o'clock. The bride was Miss Camilla Johnson, daughter of Mr. Reverdy Johnson; and the whole affair went off in brilliant style, as you may suppose. Much fashion was there and some beauty. The hoops—but the electric telegraph itself could scarce compass those enormous arcs, and language fails to describe what imagination could not have conceived. Rather out of my element was I in that atmosphere of high fashion; but I looked on with great composure, and considered with infinite satisfaction that I *was* only a looker-on. Bearing this in mind, I enjoyed myself much more than I usually do at parties. I was acquainted with the majority of the gentlemen present—the bar, of course, furnishing a large delegation—but knew not a single lady. This circumstance, and the large number of gentlemen as compared with the ladies, saved me from serving as squire at supper—an office I detest. Counting by space, the fair composed as much of the company as the men, but hoops don't measure at supper and one pair of masculine hands is reckoned competent to supply each dainty mouth. Of course I was introduced to some ladies before the evening was over.

Ridgely and his wife went to Philadelphia this morning. This marriage is a good thing for him. It will relieve him from the reputation of a frolicsome man of the world—gay, witty, unsteady—which twenty years of reform otherwise manifested would scarcely have removed. He is a very fine fellow, as you know, and has businesslike and professional qualities which many who think they know him do not dream of. He is the very soul of manliness and integrity.

In the first years of my father's residence in Baltimore, when his funds were always exceedingly low, his only vacations were spent at Walney. In 1855, he and his brother, after vainly endeavouring to induce Alfred M. Barbour and Mr. Thomas Blagden to accompany them, took a horseback trip

of several weeks through the western part of Virginia—now West Virginia. Both of them often referred to this experience with unalloyed pleasure. The course, as well as some incidents, of the trip are described in two letters:

A. W. Machen to Thomas Blagden.

Natural Bridge, Va., September 4, 1855.

In our outward course, passing through the Snickerville Gap in the Blue Ridge we dropped down into Clarke and Jefferson, that region so famous for its fertility and loveliness. After spending Sunday with some cousins who own a cluster of fine farms there, we rode through the heart of Frederick County, in the limestone district of which are some excellent lands. We dined at Winchester, and taking the Moorefield turnpike, an admirably graded road, we reached by nightfall Russell's Tavern, a well known stopping place just under the North Mountain. The Cool Spring Gap in that mountain, through which we passed the next morning, is very wild and grand, and of itself worth a ride. Leaving Capon Springs about two miles to the right, we crossed the elevated point where stands the corner of the four counties of Frederick, Hampshire, Hardy and Shenandoah. Of these the road selects Hardy, and the view of the Capon Valley as we descended was perhaps equal to anything of its kind we have seen. In the Valley, and near Wardensville, the Capon River afforded us one of the most charming little water landscapes I ever saw. There is pretty scenery and very good land on the Lost River—so called because it sinks under ground to emerge afterwards as the Capon. After crossing another mountain, we reach the celebrated Valley of the South Branch of the Potomac—an expanse of bottom land of the width of a mile and upwards. This land is very fertile and, distant as it is from markets and railroads, commands from \$100 to \$200 per acre. It rents readily (as we were informed by credible and competent persons) for \$10 to \$12 per acre. We lodged for the night at Moorefield, the county seat of Hardy, after a day's journey of 44 miles, which did not much fatigue either ourselves or horses.

At this point, we had to determine upon the route by which

we should get through the mountainous region which separated us from Randolph. Mountainous it is emphatically. In this lofty part of the great Alleghany range are head waters which flow into the Chesapeake and into the Gulf of Mexico; five considerable rivers, flowing northward and southward and eastward and westward, here have their source. We elected that road which was at once the shortest and affords the finest scenery. It in no wise took away from its attractiveness to be told by the unanimous voice of all men—those who had travelled it, and those who knew it only by hearsay and tradition—dwellers in the bottom land, and the hardy mountaineers alike—that it was “the roughest road that ever a white man travelled.” Following up the North Fork of the South Branch, we approach Petersburg (a village of Hardy County) through the Mill Creek Gap, a defile which, for beauty and grandeur combined, transcends anything I had imagined. Confessing my ignorance of most of the great wonders of nature, I cannot yet think it presumptuous to believe that this grand gateway, thrown open by the hand of the Creator for the outlet of the noble river that is so worthy of it, may compare with Harper’s Ferry, or whatever else is most famous.

To Petersburg the road is excellent, and I should much prefer this vicinity to that of Moorefield as a residence. With a fertile soil it has a fine water power; and in every direction is exquisite scenery.

Up the North Fork we now proceed, the eye and the mind kept excited by a succession of the most admirable objects. As we wind along the mountain sides, we ever and anon spy far below some farm house with the never-absent apple orchard and the other signs of rural comfort. Near the summit of a high ridge, we come upon a cabin, and by the little gate stand two posts bristling with the branching horns of many a deer. Half a mile lower, we meet a man with a long rifle on his shoulder. A youth accompanies him, in whose arms is a fawn with its beautifully spotted coat spotted also with its own blood. Close at the feet of the hunters, a hound follows. As we conjectured, the man lives in the cabin above, and is taking home to-morrow’s dinner.

These mountains abound with game. Besides deer, &c., there are many *bears*. Upon that great mountain, for instance, five

miles to the right of us, is a plain of many acres extent, and covered with whortleberries (a luxury thoroughly appreciated by bruin) and there the stout bear-hunters may any day find as many fat fellows as they want. Panthers and wolves, too, are frequently met with.

Fifteen or twenty miles further on, we pass the house of a notable hunter, who one day, being spectator of a free fight between his favourite dog and a panther, was so much vexed to find the former getting worsted, that at last he could not stand the sight any longer, and threw himself, quite unarmed though he was, into the midst of the fray, and with his naked fists (so I was told) beat the panther's head to pieces!

This same man, rifle in hand, was descending one day into the den of a great old she-bear, when his foot suddenly slipped and down he went to the very bottom with startling velocity. The cubs joined in dissonant chorus, and instantly the angry dam rushed upon the intruder. No opportunity was there in the dreary darkness of the cavern to take aim, but the intrepid hunter, perceiving that the bear had seized the muzzle of his rifle between her jaws, immediately thrust it down her throat and at the same instant drew the trigger. There was a deafening explosion and the bear writhed in death, perishing by reason of that foolish attempt to digest a rifle barrel.

A. W. Machen to Thomas Blagden.

Albemarle Co., Va. September 8, 1855.

Tracing Tygarts Valley River to its source, we struck the head of Elk River; then, descending from the mountains, we ford the Greenbrier, and after going through Huntersville across the Alleghany Mountain—here depressed astonishingly low as compared with the huge piles we had grown familiar with upon the North Fork and the Cheat—and reach the Warm Springs of Bath. Passing rapidly by the Hot Springs, the Healing Springs, and Ditrell's, now Hatcher's, Springs and having accompanied Jackson River through the Clifton Gap and crossed the James at Buchanan, we arrive at the glorious Peaks of Otter. Thence to the Natural Bridge—from there through Lexington, but leav-

ing Staunton to the left, to Weyer's Cave—thus seeing the upper part of the great Valley, as in the outset we have seen Clarke and Jefferson, its lower or northern part. Through Rockfish Gap (where we visit the tunnel now making—a curious scene) we descend into Albemarle, and to-day have ridden around the University of Virginia and through Charlottesville, and have seen Montecello in the distance. And now we inquire no longer for wonders but for the shortest road home.

In the summer of 1857, my father had a more conventional vacation at the White Sulphur Springs, then the great resort of beauty and chivalry for the entire South. He seems, however, to have enjoyed the deer hunting, a sport which that region then afforded, at least as much as the society; for he writes:

A. W. Machen to his Brother.

White Sulphur Springs, August 11, 1857.

There is plenty of beauty here. You can't turn your head without seeing a picturesque *flat* and a pretty face under it. If I could only have a deer hunt every morning withal, there would be nothing to wish.

Miss Laura introduced me yesterday to Miss Fanny Carter, of Fauquier, and Miss Lizzie Scott, daughter of Rob. S. Scott of Warrenton—both beauties, and very attractive. Beauty does not always attract. I have been presented to a number of other young ladies, and might easily lose my heart if were *not* for the *number*. I wish you were in like agreeable circumstances.

On his return from the Springs, he spent Sunday at Staunton. Writing from that town, he praises a sermon by Rev. Joseph R. Wilson, father of President Woodrow Wilson:

A. W. Machen to his Father.

Staunton, Va., August 23, 1857.

I left the White Sulphur yesterday morning, and, not to appropriate the Sabbath by travelling, am now lying over at this little town. You have seen it, I doubt not, and I, therefore, need not

attempt a description of its pretty semi-mountain scenery and the exterior—all I can observe—of its several institutions of a public character. I attended this morning the Presbyterian Church, and heard a very good sermon by the pastor, whom I understand to be named Wilson and the head of the Presbyterian female seminary which adjoins the church edifice. Whatever his name or avocation, he is a man of some ability and eloquence.²³ I listened to his discourse with much interest, though the special subject—Female Education, handled, by the way, with freedom and vigour—was not one which could be supposed to have peculiar pertinency to the situation of a bachelor.

I propose going on to-morrow morning. It costs some regret to leave the mountains—to say nothing of the pleasant society at the springs—thus early in the season. Particularly, I wish I could devote a fortnight to hunting. The healthful and inspiring exercise, with the free mountain air and wild scenery, would, I think, succeed very fitly to the rest of the Springs, and the medicinal use of the water. But I must take things as they are, without grumbling.

In August, 1858, he went to Boston to talk to Judge Parker about the latter's case in the Supreme Court,²⁴ and thence proceeded to Saratoga, which then bore somewhat the same relation to the North that the White Sulphur did to the South. From the United States Hotel at the Northern watering place, he writes an amusing letter about the electric cable—a letter which emphasizes his innate conservatism and dislike of change, if not of progress:

A. W. Machen to his Father.

Saratoga, N. Y., August 6, 1858.

The news came last night, and seems to be confirmed to-day,

²³ Years afterward my father became acquainted with Rev. Dr. Wilson, who was a frequent visitor at his house during the meeting of the General Assembly of the Southern Presbyterian Church in Baltimore in 1889. I do not know whether he then recalled the impression made upon his mind by the sermon he had chanced to hear nearly thirty years before.

²⁴ Taken from letter of *A. W. M. to L. H. M.*, August 1, 1858. Cf. *Supra* p. 185.

that the Niagara has succeeded in laying her part of the electric cable. If the enterprise has really succeeded on both sides, the event is likely to make its mark in the history of the progress of the practical arts. Yet I confess I do not see how the world is to receive much substantial benefit from it. We have facts enough at our door to serve for material for reflection and meditation; and to learn at the same moment of other facts that are occurring at the antipodes is better fitted to confuse us, and make us superficial, than to enable us to consider and digest them.

I can conceive that it may be of immense importance to an *empire* that information should be rapidly communicated from its extremities to the governing head. The police and fire alarm telegraph, lately instituted in some of our great cities, subserves such a purpose to the municipal government, and the greater body politic of a state is capable of deriving benefit from such a contrivance in a largely magnified degree. This gives to the body corporate the attributes of sensation which are so essential to safety and comfort in the animal economy. The understanding head receives intelligence from the sentient extremities, and immediately returns the directions which enable them to promote the common welfare by avoiding a danger or improving an opportunity.

But as between different and distinct empires, each having its own peculiar policy to pursue, I do not perceive much that is gained, either for ourselves or the world, by knowing simultaneously, but meagrely and imperfectly, what we should next week know at large, and with accuracy, as matter of history. The whole world may be made to a certain extent to beat with one pulse; and, as the consequence of this exquisite and universally diffused sympathy, every panic may be made to pervade the earth. But that will hardly favour wise and considerate action. Again, this change tends to merge and confound the individual man more and more in the crowd; and the crowd is always less rational than any individual it contains.

After leaving Saratoga, he made a tour to Niagara and thence to Montreal and Quebec.

In July of the following year, he visited Cape May, whence

he writes an interesting account of an ante-bellum seashore resort, which at that time was so frequented by Baltimoreans as to be almost a Southern resort:

A. W. Machen to his Brother.

Cape Island, N. J., July 17, 1859.

Our party at present consists of Dick and his wife, his brother-in-law, Mr. Cox, his brother-in-law's brother, his wife's brother, Richard Sellman, and myself. We are at the Columbia House—the best in respect of the company, and much below some others in respect of fare, &c. It is not full—having perhaps two hundred guests, while its capacity is six hundred. The other hotels (with one exception) are in like condition.

The bathing is very funny. The transformations equal anything out of the Arabian Nights. It seems incredible that these nondescripts who slink across the beach and dip under the waves and come out more woebegone and grotesque than they entered, are the fair creatures who an hour or two afterwards come floating on gossamer into the dining room, and dazzle our eyes with all the charms of nature and art. After a while, however, as one gets more used to this novel way of life, it is quite a pleasant thing to see a pretty face emerging from the crest of a breaking wave, with a merry toss of the head, as if enjoying the freedom of the seas. A pair of bright eyes seldom, I think, sparkle to better advantage than in this setting. On the other hand, one of your made-up beauties—lank and scrawny by nature, but judiciously amplified to the just dimensions of womanhood, ought to be in terror of the sea. The bathing dress is hideous in itself, and when the water wraps it in flabby folds around a stack of skin and bones, the effect is anything but enchanting.

The order of the day is as follows. After breakfast, we sit on the porches, catch a newspaper, when we can, from the newsboys, and loaf generally; between eleven and twelve, we bathe. This is a complicated operation. First, we reduce ourselves in our rooms to a sort of dishabille, in which we walk down the lawn to the bathing houses—each person has his own—where we leave every garment that is worn on land, and put on a shirt and pants of

coarse flannel. After the bath, the practice as well of ladies as gentlemen, is to take a cobbler or julep, the gentlemen obtaining the refreshment for themselves in the bar, while the ladies sip their glasses in the retirement of their rooms. The men then go and roll ten pins, or take a nap, or do both, to fill up the interval before the first dinner gong, when we dress. At the second gong, we dine. After that, comes a drive in a Jersey wagon along the beach, to Cool Spring or some other place of resort, or else more ten pins, till tea. The parlours then claim the ladies' men. Others do what they please till bedtime. Some of us then take a private bath in the dreamy stillness of midnight. This is the general outline.

Towards the close of the same month, he made a hurried trip to Missouri on a matter of business. His description of men and manners in the West is worth quoting:

A. W. Machen to his Brother.

St. Louis, Mo., July 30, 1859.

By railroad and horseback, I have been to-day 40 or 50 miles into the interior of this State, in a southwesterly direction from St. Louis. When I got off at one of the intermediate stations of the Iron Mountain R. R., I expected, as the information I have received gave me a right, to find a stage to convey me to Hillsboro, the county seat, and object of my journey. It was pleasant to be told that this was not the day for the coach to come down. The Mr. Vineyard whom everybody spoke of as the sole reliance for a wayfarer under such circumstances was threshing wheat and no doubt using all his horses. The distance to Hillsboro was only four miles and a half, and capable of being walked; but then the skies were lowering, and it was almost certain to rain. A nine miles walk through these swamps in the rain on a sultry day was, of course, refreshing to contemplate. I pushed on (on foot) to Mr. Vineyard's house, half a mile distant, and, meeting several teams and a boy or two on horseback, did not fail to catechise them upon the subject of horseflesh. Sure enough, Vineyard ~~was~~ threshing—"a great pity, but he could not possibly

spare one of his beasts." Then I suggested *that gray nag of his brother's* that I saw a boy riding to the station. The brother, from the top of the straw stack, threw out some difficulties. I pushed my point as well as I could, and finally it was agreed I might have him.—"But how long the chap will stay on his back after he gets him, etc. You know how bad and sudden he jumps when he does shy, etc."—Of course, I saw through all these tender intimations, and mounted the "critter" with a confidence which its subsequent peaceable demeanour fully justified. I tried all his paces very soon, and found a tolerable dog trot, almost intolerable hard trot, a right good walk, no shadow of an idea of pacing, and a gallop which would have done pretty well but for a frequent uncertainty, not to say goneness, in the joints of the forelegs, that was strongly premonitory of stumbling. It rained all the way, going and coming, but one of those mild, drizzly rains that dampened without wetting. Altogether, I had a pretty successful time of it, and reasonably cheap, viz:

Horse hire.....	\$1.00
Dinner and horse feed50
Boy.....	.10

These Westerners are very sharp and enterprising, and any man may well take lessons from them. They are continually whetting up one another, and it behoves a stranger to put on an edge of extra sharpness.

I try to snatch an observation of all the notable features. I have mentioned the most remarkable of all, the population—not describing it; for this odd jumble of Yankees, Dutchmen, Irish and Virginians defies description. Next comes the country. I cannot speak of *this* in a letter. I think the steamboats come next. Yesterday I walked along the levee, and boarded several of the largest and finest. Queer looking things they are, huge, flimsy, water-fly-like. Then, there are the little funny stern-wheel boats, made to run in two feet of water. I should like to take a trip in one of the big ones; but it would require, I fear, too much time.

After returning from the West, he accompanied his father

to the Blue Sulphur Springs in Virginia, hoping that the latter's health would be benefited by the water.

At this period, and always, the letters not only of my father but of every member of the family—his father, his mother, his brother, and his sister—evinced the most beautiful harmony and mutual affection, and an unselfish devotion on the part of each towards all the others.

When his father's tenure of office became precarious, the son was eager to hold out the hope that his earnings would soon be able to afford sustenance for the family:

A. W. Machen to his Father.

Baltimore, February 9, 1855.

If the case be but considered, I think you have reason, in view of the sea of commotion which has been heaving for this many a year around the peninsula in which you have had your quiet stand, to read with a gratifying appreciation that passage in Lucretius which begins

Suave, mari magno turbantibus aequora ventis,
E terra magnum alterius spectare periculum !—

And even if bye and bye the promontory itself should be washed away, there is a little boat swimming nigh at hand, which promises a refuge that is wanting to most of the needy floundering swimmers whom the waters are strewn with.

I cannot but be grateful for the Providential dispensation which enables you to supply me with the means of making my way in comfort and hopefulness over this early and difficult stage in a profession that exacts so much patience and such undivided exertion of those who are entering upon it. The sum you have just put to my credit, I am much obliged to you for. I don't think I can be mistaken in the belief that those high grounds of the profession which have been the horizon of my hopes so long, though truly very distant still, are perceptibly nearer than they were. That will be a joyful day when I, for whom so much has been done, and so much is doing, can myself do something in return.

When, as narrated above,²⁸ the Senate, without actually ousting my grandfather from his office, promoted a subordinate to at least an equal rank with him, his son in Baltimore poured forth a stream of indignation, comfort and advice:

A. W. Machen to his Father.

Baltimore, December 10, 1855.

My dear Father:

I have this moment read the account which your letter conveys of the motion and passage of Mr. Pratt's Resolution. Whether it excites most indignation or astonishment I cannot tell.

The present state of things makes me feel more bitterly than ever the hardness of that lot which prevents me from being able to say (after several years earnest application to my profession) that you need take no care for the future, but may rely as implicitly upon the supporting arm as upon the affection of your son. Yet come what may, you *have* sons, and God blesses the labours of those who work in such a cause. Do not therefore allow any change of circumstances to give you the least concern.

While the mousing politicians are acting according to their nature, look on with dignified composure, and if any feeling be permitted to move you more than another, let it be curiosity to see how such creatures, when let loose, move and act—a curious interest, such as any other phenomenon in natural history might provoke. Even vermin, as each in his several manner crawls in the dust and the slime, may afford material for philosophic contemplation.

What course, upon your own part, self-respect and comfort may require, you are the best judge of. But for the present pressure of pecuniary obligations upon you, which a few months might materially relieve, I should say unhesitatingly—resign. As circumstances are, I would not, on the one hand, allow the contemptible conduct of this or that person with whom I may happen to be thrown in contact, to move me to some hasty step, to my own disadvantage; on the other hand, the case is certainly

²⁸ Supra p. 41.

not so bad as to make it necessary to submit to anything derogatory to your personal dignity.

Perhaps, I do not pay the respect that I should to a situation which has absorbed the best energies of forty years; yet I never can look upon your office,—nor have I heretofore looked upon it—as more than a temporary convenience, to be parted with as soon as the condition of your private affairs should justify. Such a view tends to enable one to regard this or that change in the interior of the office with more phlegm than perhaps could be otherwise commanded.

It may be that those who are enjoying their day of power will—or have already—spared you the trouble of making up your mind, by themselves dissolving your connection with the Senate. If so, trust me all will be well notwithstanding.

Matters of professional business demand my attention this morning, and I have time only to add more emphatically than ever that, whatever else political intrigue may rob you of, it cannot take from you the affection and grateful devotion of

Your son

A. W. Machen.

When the older man, as indicated above, was all but overcome by a morbid feeling of shame at this treatment by the Senate after nearly fifty years of service, my father added his voice to his mother's in urging him to rid his mind of such a baseless idea:

A. W. Machen to his Father.

Baltimore, April 13, 1856.

It was with surprise and pain that I read that passage in your last letter in which you intimated that you studiously kept away from the society of your friends, under the influence of a feeling that they must regard the proceeding in the Senate as casting some degree of discredit upon you. Nothing, it seems to me, can be more unfounded than such an idea as that. What an imputation it is upon those friends themselves to suppose they can entertain any such notion as you imagine!—Upon their good sense, as

well as their friendship! For what man that knows anything of the workings of our domestic politics could dream of inferring any intention to censure or reflect on you from a measure which transparently was contrived for the personal benefit of one or two others, and carried by the action of persons who, seeing *that* object, were simply indifferent, and selfishlessly careless, of its collateral effects. What is the whole business and occupation of men in political life nowadays? With an honourable exception here and there, the merest place-making. For that purpose, men go to Congress; for that, they are sent to Congress; with that, they are required to occupy themselves while in Congress. The whole affair of the administration of government is a mere matter of pushing up and pulling down; and all for the sake of the *places* themselves, and not a whit (unless some personal and private feeling mingles in the action) from a consideration of the merit or demerit of the persons who may be jostled aside.

Again, a man is what he *is*—not what the imagination of a neighbour may conceive of him. And does he not, my dear father, *owe it to his manhood* to move and act as he is, and is conscious of being?—to present everywhere and at all times that free, unembarrassed front which his character entitles him to bear? Were any imputation of discredit existing in men's opinions—of which I do not believe there is any particle; and an over sensitiveness, I am sure, on your own part conjures up a shadow where there is no substantial form to give it legitimate being—were there, in truth, any such cloud surrounding you, what would you say should be the course of another in such circumstances? Why surely, to *disperse* that cloud by his own open, straightforward, undaunted bearing.

If every miserable little piece of trickery and selfishness could be allowed to impair the comfort of an upright man's private walk, why, Virtue ought to go all the time with bowed and muffled head. But is she not sent into the world on purpose that she shall bear witness of herself?

Pray, do not for one moment of the day permit these imaginations to make you their subject. Believe me, it is injustice to yourself—to your friends—to all who have a right to be solicitous about your welfare—to do so.

Nor was my father's affection confined to his father. Of his brother he writes:

A. W. Machen to his Father.

Baltimore, March 17, 1857.

Such a brother as James *deserves* to be appreciated. I trust I shall never be in danger of forgetting that his regard is invaluable, and not to be replaced by any other earthly thing. I have long recognized, too, that he has qualities far more likely to insure success in life than any I possess, notwithstanding his modest self criticism. It would be strange if, with his sterling character, he should *not* be successful to the extent of heart's desire. I hope we will both so push our way in the world as to fulfill all your expectation; but if there be room for doubt, it is with respect to me, not him. But come what may, you need never fear of any abatement of brotherly kindness between us. *His* noble nature, acting directly in him, and compelling feeble yet earnest imitation from me, will always make that impossible.

CHAPTER V

THE CIVIL WAR

The tragedy of the Civil War was probably experienced most keenly by the Union men of the South, and especially by those of the Border States—men of the class typified by Robert E. Lee. Certainly the War fell with crushing force upon Lewis H. Machen and his family. Devoted to the Union and almost without pecuniary interest in slavery—he owned no negroes save one or two household servants—and believing that hostilities were brought about by fanatics on the one side and hotheads on the other, he and his son James were compelled to take sides either against the State which they loved and to which their loyalty was due, or against the Union which they had cherished as the palladium of their liberties, and to the service of which the father had devoted the fifty best years of his life.

For several years prior to 1860 my grandfather had looked forward to a civil war, as to an almost unspeakable calamity—a fear not to be put into words. In 1856, he wrote:

L. H. Machen to A. W. Machen.

Washington, February 19, 1850.

Mr. Wilson continued his speech to-day in an effective speech. His statements of the operations of the Missourians in Kansas, the oppressions attempted upon the free-soil settlers, and the personal allusions to General Atkinson, etc., etc. will be read with interest. Prudence and impartiality by the General Government will alone prevent the commencement of civil broils, which, when once commenced, may spread with irresistible fury—until— —

Words failed him to express the nameless dread.

In the presidential election of 1860, he and both his sons voted for Bell and Everett, the last remnant of the Whig Party, although he, at least, was much impressed by the argument of Alexander H. Stephens in favour of Douglas:

L. H. Machen to A. W. Machen.

Walney, September 17, 1860.

The speech of Mr. Stephens in Georgia, delivered Sept. 1st., 1860, is strongly in favour of Douglas. If I were a Democrat, the considerations presented by him would incline me to vote for him. But my impression that the actual posture of the country would justify every man to support Bell and Everett, and thus give ease, security and quiet to the Union, inclines me still to hope that Bell will be elected.

With the infirmities of advancing years augmented by ill-health and a sunstroke sustained in the summer of 1860, his body and mind gave way. Most pathetically he writes to his son during the heat of this political campaign:

L. H. Machen to A. W. Machen.

Walney, September 8, 1860.

The time approaches when the angry disputants will bring their contests to a close, and I hope to see a better state of things in our country. Whether Douglas or Bell shall succeed, the country is safe and will survive the conflict, for I have little apprehension that the government will be subverted. I can do little more than deposit my single vote, and implore the Supreme Ruler of events to guide the determination of the people in favour of preserving justice, liberty and peace among men. I ought not to wish that I could do more. But if my tongue was loosened from its bondage¹ and I could allow my thoughts to obey my will, I think I would speak to the young men to preserve the Union of the States; remind them of what the Union cost—of the sacri-

¹ Among other infirmities, he suffered from an impediment in his speech.

fices which were made to obtain it, of the obligations upon this generation to contend manfully with those who would destroy it.

What a time is this for effort and sacrifice! There will be a meeting in Centreville. But I have not mingled with politicians. And with a bewildered memory, a palsied intellect, and a tottering frame,² how absurd it would be to attempt it. Speak for me, and attempt it. If I should be in a situation to render it seemly, I may *tell* of the wants of the country and what young men should do. It is not a time for oratorical displays, but for plain addresses to the masses. What has not the Union effected? Where shall we go without the bonds which now bind us? Where shall we find another, if the present is annulled?

While the result of the election was yet in doubt, he bespeaks a fair trial for Lincoln, if he should prove to be elected:

L. H. Machen to A. W. Machen.

Walney, November 8, 1860.

I am induced now, however, to think that Lincoln and Hamlin will be elected by a large majority. And in that event, I would greatly prefer a quiet acquiescence, and to give him and his administration a fair and impartial trial.

His sons undoubtedly shared these sentiments. On the eve of the election, James P. Machen wrote to his brother:

J. P. Machen to A. W. Machen.

Walney, November 5, 1860.

Well, the election comes off to-morrow. So far as the contest for the presidency is concerned, it does not much matter how the South will vote, but I hope to see a large anti-Breckenridge vote polled to rebuke the insane disunion spirit that is so rife in a portion of the South.

Fairfax County, I believe, will go for Bell and Everett by 200

² In his last years, he found it almost impossible to maintain his equilibrium in walking.

or 300 plurality, and the State from every indication will by 10,000.

I think I can see the ultimate triumph of the republican principle concerning the extension of slavery to most of the new territories or to any likely to be acquired, and I do not see but this is as good a time as any other to try the issue. The election of Lincoln will determine it although Congress may be against him. And suppose he succeeds. Will the South be so egregiously fooled as to make that a reason for resisting the federal government? I don't believe she has yet got to that degree of imbecility; for in such a contest the South has everything to lose and nothing to gain—not the slave trade with Africa, for the rest of the civilised world would be against her even if she herself were an unit on the question; no additional slave territory, for if suited to slave labour she will get it as she is, though it be settled with all the freesoilers in Massachusetts; if unsuited to slave labour it will be of no value to the South, for self-interest—more potent than patriotism—will forbid its settlement by slaveholders.

Several weeks after the election of Lincoln, Lewis H. Machen reiterates, somewhat despondently, his desire to give the president-elect full opportunity to preserve peace:

L. H. Machen to A. W. Machen.

Walney, November 23, 1860.

The excitement of South Carolina keeps me in a state of apprehension, and many in Virginia are prepared for secession. James attended a meeting of citizens yesterday at the Court House which was postponed until to-morrow. If my mind and ability enabled me to express an intelligent opinion, I would attend for the purpose of expressing a desire of affording Mr. Lincoln an opportunity to preserve the peace of the country if possible. There are a good many who appear anxious to declare our independence. You would be surprised to hear the open declarations averse to Union—in this neighbourhood, Mr. Lee, Mr. T. Stuart, Mr. Richard Ware, Dr. Pugh, and our minister at the Court House. Nothing, it seems to me, but the repeal

of the obnoxious slave laws will save the integrity of Virginia; as to the Union, it seems already in the hands of a populace heated by resentment and ready to rush on any measure however fruitful of evil. I wish to preserve my moderation and reason. But it seems that the Almighty in merited judgment has deserted us.

Early in February, 1861, the election for members of a constitutional convention in Virginia resulted in the choice of delegates a large majority of whom were opposed to secession, although the determination of Lincoln to plunge the country into a fratricidal war rather than permit, even temporarily, a relinquishment of federal control in the already seceded states ultimately induced the very delegates thus chosen to pass an ordinance of secession. Both James P. Machen and his father voted for the Union candidates at this election, and the former thus expressed his gratification at the result.

J. P. Machen to his Brother.

Walney, February 11, 1861.

The Union men have achieved a glorious victory in Virginia; I only hope it may not be construed by the North into a willingness to allow the slavery question to remain in its present condition.

Meanwhile, in Maryland, my father was anxiously observing the gathering clouds of disunion and war in nearly the same frame of mind as his father, though his cast of thought was somewhat more typically Southern. Before the election of Lincoln, he wrote:

A. W. Machen to his Father.

Baltimore, October 29, 1860.

What is to become of the Union is a question it takes away one's breath to contemplate. The events that may precipitate a revolution seem so imminent, are so entirely beyond our control

or even influence, of character so peculiar and apparently so disproportionate to their probable effects, that while the anger is manifest it is impossible to do anything to avert it.

Immediately after the election, he still looked forward sadly towards secession, and yearned for a conservative leader to rescue the old Union:

A. W. Machen to his Father.

Baltimore, November 18, 1860.

The secession of several of the Cotton States seems almost inevitable. Unless they are coaxed back again by concessions which the Northern men, I fear, have no stomach for, the complete breaking up of the Union cannot be long in following. One greatest evil now is the deplorable dearth of commanding and statesmanlike minds. We want a man of grave and lofty character, whose past services would insure regard, who could tower sufficiently high above the storm to place one hand on the North and the other on the South, and compel both to enter once more into relations of fraternal concord. Unless some one can restore the broken ligaments which once bound us together, in heart and substance, as well as legal form, into one people, the Constitution must go to pieces.

Sine funibus
Vix durare carinae
Possint imperiosius
Aequor.

That whole 14th ode of Horace's First Book is a graphic picture of our present condition.—There is enough, I do believe, of conservative sentiment in the country, if we had men in high place capable of giving it effectual direction. Men to head a *revolution* rise out of the times, and their fitness for their vocation is readily recognized. But a great *conservative* leader, like his cause, is of slow growth; and so it may easily happen, as now, that the emergency finds us without the man. In the best product of a nation, the census of 1860 shows us sadly deficient.

Of men, sons are the crowns; of cities, tow'rs;
 Of pastures, horse are the most beauteous flow'rs;
 Of seas, ships are the grace; and money still
 With trains and titles doth the family fill.
 But royal *counsellors*, in council set,
 Are ornaments past all, as clearly great
 As houses are that shining fires enfold,
 Superior far to houses nak'd and cold.

Those lines are old George Chapman's translation of a fragment of an unknown ancient Greek poet. It used to be attributed to Homer—in times when Homer was not in danger of having even the *Iliad* taken from him—and, as Chapman renders it, is surely of Homeric strain.

A week later, the political uncertainty was producing financial distress in Baltimore, which led my father to hope that men of property, North and South, feeling this warning tug at their pocket strings, would insist on an amicable settlement:

A. W. Machen to his Father.

Baltimore, November 23, 1860.

We are in the midst of expectation. The merchants say little or no business is doing, while all men's minds are turned uneasily towards the veiled and undistinguishable future. The banks of this city all suspended specie payments yesterday, after one of them, the day before, had paid out \$50,000 in gold in answer to a single cheque. To-day the very respectable private banking house of Harris & Sons closed their doors. The banks are understood to be discounting quite freely since the suspension, and the mercantile community will feel a measure of relief. Yet, it would be vain to imagine that the crisis is over. Much dismay, and suffering too, are yet to be experienced before the political turmoil ceases. Yet I am more and more inclined to believe that the Union will hold together. The wrench is severe, and as no science can estimate the cohesiveness of materials such as a government is built of, it is quite possible the fabric may go to pieces under the strain it is being subjected to. Yet I hope better things. The

fanatic ignorance of the North, and the petulant rashness which seems to be in the ascendant at the far South, can neither of them long resist the sober second thought. Patriotism may be weak in itself, but the alliance of *interest* and patriotism ought to be too strong in a civilised community for any outburst of passionate frenzy.

Before the middle of December, he felt that the Union was already dissolved but looked forward hopefully to its reconstruction:

A. W. Machen to his Father.

Baltimore, December 10, 1860.

With a firmer hand than Mr. Buchanan's upon the executive chair, the legal presumption that the Constitution is still the supreme law of the land might be maintained somewhat longer, or perhaps converted into fact. But as it is, the Union is virtually dissolved, and the question is of its reconstruction. The Northern people have had their eyes opened within the last fortnight, to see things which before were as completely hidden as if they were divided from them by a gulf of centuries, and were viewed as we look at Rome before the Gracchi, or the States composing the Achæan league. They now see that the *Cotton* States are in earnest, and are not likely to come short even of their most extreme threatenings. Presently, they will learn—what they have not before acknowledged—that the upper Southern States are equally in earnest, as far as they think fit to declare their mind, though their tone is less peremptory, and their wishes have been presented only as requests and not as demands.—It is a cloudy and tempestuous time. But I do by no means despair. I believe there is hope that the national Government, instead of being overthrown, may be settled on better and surer foundations, and that peace and justice may yet be established among us to all generations.

He had but little confidence in the personnel of the Maryland legislature—much as we are accustomed to believe that it excelled the legislatures of our own day—and hoped

that Governor Hicks would not call a special session, and thought that the State should follow whatever course might be ultimately adopted by Virginia:

A. W. Machen to his Father.

Baltimore, December 12, 1860.

In State politics I have nothing of much interest to tell. The question most agitated is the expediency of the Governor's calling the legislature together. It is composed, in the main, of men of such character that we may well doubt if we are not better off without their assistance. If Gov. Hicks does convene them, I suppose he will only do so after taking pledges from the individual members that they will confine their action to calling a State Convention. To have them thrusting their own hands into either national or State affairs again would be so great an evil that I for one would rather see Maryland remain quiet for the time, and finally adopt the result of the deliberations of the legislature or convention of Virginia.

The end of December found him still hopeful of a reconstitution of the Union:

A. W. Machen to his Father.

Baltimore, December 21, 1860.

Bad as the times are, and imminent, apparently, as is the danger from human passion, I think we have no reason to despair. If the freedom of our government, and the facility with which ready-formed sovereignties can separate themselves from one another, tempt to disorganization, the same causes render comparatively easy here, what would be almost hopeless in the case of any other league known to history—the re-formation of the parts into one living organism, as complete and well furnished as that former one whose prodigious growth and sudden dissolution must equally have astonished the world. After all, government is but an artificial thing—in this practical and commercial age and country, eminently so. Under it, is society, the habit of orderly living, and the sense of what is expedient. Any revolu-

tion is a serious thing, but that we are passing through is likely, I think, to be attended with fewer incidental evils than we might at first have anticipated.

Early in January, 1861, a day of national fasting and prayer was celebrated in Baltimore, and notwithstanding the prevalent uneasiness, my father was very hopeful that the Union would be saved and peace preserved:

A. W. Machen to his Father.

Baltimore, January 6, 1861.

The National Fast last Friday was very well kept in Baltimore—so far at least as outward observance goes. I attended Dr. Cummins' Church, and heard an eloquent and Christian-like sermon. He treated the theological aspects of the relation of Master and Slave in Maryland and Virginia and the other Southern States very fairly and in a proper spirit. What a pity that the conscientious and god-fearing part of the Northern people could not see and know the case as it is! How easy then for them to practise St. Paul's lesson, "Let us not therefore judge one another any more."

There is a pervading sense of insecurity. Men wear uneasy countenances wherever two or three are found talking together at a street corner. But I feel a strong persuasion that after all the Union will be preserved, and peace with it. That the Republicans will make concessions which ought to be satisfactory to the South and which *will* satisfy the conservative and controlling masses at the South, I confidently expect.

By the middle of February, Lincoln's radical utterances were causing deep concern; but inveterate optimism could still believe that "the worst of the storm" was past!

A. W. Machen to his Father.

Baltimore, February 17, 1861.

Mr. Lincoln in his recent speeches is not giving the world very choice samples of statesmanlike eloquence. His *acts*, when he gets to Washington and has the brain of Mr. Seward to guide him, may be more worthy his place than the words he has chosen

to fling out for the gratification of gaping crowds of vulgar abolitionists. Bad or good, I think the country can afford to put up with him for four years. At any rate, the conviction seems every day to become stronger and more general, that we have seen the worst of the storm. The sense of the people, wherever there is opportunity for its manifestation, either in the Southern Border States or to the north of the Line, cannot be mistaken.

In common with all Baltimoreans, he felt outraged by Lincoln's clandestine passage through the city on his way to his inauguration:

A. W. Machen to his Father.

Baltimore, February 27, 1861.

The President-elect committed a very weak and foolish act in running incognito through this City. How far it is imputable to him personally, I do not know; but anything more undignified, and more uncalled for by any necessity, it is difficult to imagine.

Early in April, my father still believed that neither civil war nor despotism would result from the dissolution of the Union—quite unconscious that in a few short weeks Marylanders would experience both:

A. W. Machen to his Father.

Baltimore, April 3, 1861.

It really looks more and more as if the country were in a state of disintegration. Fortunately for us there is no inherent rottenness in our social system to breed decomposition. Government is not with us, as in France when she met the shock of her great revolution, or in Rome when her republic sank like a store-house built on a morass and over-freighted with the wealth of all nations, a vain show, standing, for the benefit of the few, upon the poverty and degradation of the multitude. What saves us is not, I apprehend, any superior virtue, or enlightenment, intellectual or moral, but the circumstance of our youth and the abundance of territory we are favoured with. We are still a rural people and colonists—not colonial, as dependent on any parent state, but

enjoying the opportunities of development which belong to the healthy infancy of a new people. Macaulay, in that famous letter of his to a gentleman of New York or Boston, the authenticity of which was so much canvassed a year or so ago, rested his prophecy of our ultimate downfall on the exhaustion in process of time of these natural advantages and the subsequent conflict of capital with unregulated labour; and, in so doing, he recognized very distinctly that whatever disorders may eventually betide, we and ours, and probably one or two generations to come, will enjoy exemption from serious calamity. Like a boy who is growing rather too fast, we may feel some occasional growing pains, but that is all.—What will come of this tumbling to pieces of our national fabric, is hard to say; but I do not think we shall have any great distress to face. We shall have in our day, I think, neither civil war nor despotism. What shall come half a century hence, it is needless to burden our minds with the apprehension of.

Although Virginia had been carried by the conservative Bell and Everett ticket, Maryland had cast her eight votes in the electoral college for Breckenridge, who, as the representative of the extreme Southern and pro-slavery party, virtually represented the secession cause. Nevertheless, the Governor of Maryland, elected as a Know-Nothing and without reference to the great issues of 1861, was, or at least became, an outright Union man. He had previously shown his confidence in my father by the appointment to fill the vacant judgeship of the Superior Court. Thus it came about that for a time at least my father stood rather close to the Governor, whom Lincoln was vitally concerned in wheedling.

Moreover, Henry Winter Davis, who had previously exhibited symptoms of his transition from the Know-Nothing to the Republican Party, was omnipotent with the new national administration so far as its attitude towards Maryland and Marylanders was concerned; and Henry Winter Davis, as it happened, was a friend and admirer of my father. Through the influence of Mr. Davis, President

Lincoln, soon after his inauguration, tendered to my father the appointment as United States District Attorney for the District of Maryland. Animated as my father was with love for the Union, actuated by an innate conservatism, and believing that the election of Lincoln furnished no excuse whatever for secession, he was about to accept the proffered appointment. But when Lincoln called for troops, and made evident, at least to my father's mind—for many in Maryland, including the Governor, still believed, or affected to believe, that the troops were wanted merely for defense of the national capital—that the Administration was bent upon coercion and civil war, my father reconsidered his acceptance, and declined an office which might have required him to prosecute those who adhered openly to the Southern cause.

On the 19th of April, on the occasion of the attack upon the Sixth Massachusetts Regiment in the streets of Baltimore, Governor Hicks consulted my father and one or two other advisers as to the course to be pursued. My father advised that the militia be called out at once, and at Governor Hicks' request started to write out from dictation an executive order to that effect; but the Governor was too agitated to affix his signature, and the conference dissolved in confusion and consternation. The letter which my father wrote home on this fateful 19th of April, doubtless described the stirring scenes of the day, but unfortunately it has been lost. Two days later, however, he wrote another letter which throbs with emotion and an almost martial spirit:

A. W. Machen to his Father.

Baltimore, Sunday night,
April 21, 1861.

My dear Father:

Two more eventful days have passed. Yesterday in Baltimore was devoted to the procurement of arms, and other preparations for the onset it was thought would be made upon us in consequence

of the attack upon the Massachusetts Regiment on the 19th, or under the pressure of the need of reinforcements at Washington. About daybreak detachments were sent out who burned the bridges on the two railroads leading out of Baltimore into Philadelphia. Fire arms of every description were eagerly bought up. The City Council appropriated \$500,000 for the purchase of munitions of war; and a wealthy citizen, Mr. Thos. Winans, offered a loan of \$1,000,000 more if needed. Individuals were busily searching the various gun shops on their own account. Towards night, the excitement had increased beyond conception.

This morning, all being reported quiet on the outskirts of the city, the churches were thrown open; but before the services began, the news came that Pennsylvania forces were at Cockeysville—twelve miles from the city. At once, every one was armed and in the street. You can have no idea of the temper of this people. Few doubted that we had to be prepared to expect an avalanche from the North, but the feeling was universal that they could not pass through Baltimore without first exterminating its people. The whole State is now in a flame. If hostilities once break out, every man will be a soldier. Though not overwell armed, the people will fight like bull dogs.

To-night, comparative tranquillity is caused by the announcement that orders have been sent from Washington to the Pennsylvanians at Cockeysville, who, to the number of from 2500 to 5000 men, have not moved forward all day, to return to Harrisburg. They will, no doubt, seek some other road to Washington, for it is plain Scott must speedily be reinforced or else driven out of the capital.

I am perfectly well. Do not imagine I am otherwise, though you should not henceforward hear from me at all in the perturbed condition of the country. When I contemplated the thousands of helpless women and children who have been expecting to see their nearest and dearest fight before their eyes such a battle as never has been known on this continent, I could not but be fervently thankful that you are in safety, with every one else to whom I am bound by ties of blood.

It seems clear that the troops who are flocking to the assistance

of President Lincoln—I was going to say the President of the *United States*, but what a mockery!—will give Baltimore, which is now a camp of near 20,000 armed men, as wide a berth as possible, so that it is not probable that we shall see any severe fighting here for some considerable time. But how will it be in and around Washington this week? By fiction of law, Maryland is in the old Union, but—(A blank for History!)

Love to all.

Your affectionate son,

A. W. Machen.

A week later, he was still hoping for peace, although convinced that the people of Maryland would never be "tame spectators of a war upon Virginia:"

A. W. Machen to his Father.

Baltimore, April 27, 1861.

Baltimore is now perfectly quiet. In a very few days, it has gone with wonderful rapidity and violence through several distinct, not to say opposite, phases. The act of the mob in attacking the Massachusetts regiment, at the same time that it was mentally, and indeed to a considerable extent openly, reprobated by the majority of the more discreet in the community, came like lightning upon an inflammable and excited populace whose sympathies are and ought to be with the South, and kindled them into a blaze. Immediately upon this, rushed a not unreasonable apprehension that the North, incensed by what had occurred, would pour its hordes down upon us, without allowance for circumstances or much distinction of persons. If the die were indeed cast, as in this mood men were quick to believe, there could be no hesitation. All must stand shoulder to shoulder, and repel the invaders, no matter at what sacrifice of lives or property. As we now know, the North, goaded on not a little by commercial jealousy, had indeed the *will* to overwhelm us with its hosts; but the fortunate destruction of the railroad bridges, and the other physical difficulties in the way of moving large masses of men with the celerity of their thoughts and aims, prevented such an onslaught.

For three days all was military ardour and preparation. Maryland, to all appearance, had thrown away the shield, and determined to die with the desperation of men who had flung themselves into a new Thermopylae. The flag of the Union gave place, first to the ensign of the State, and then to the three bars of the Southern Confederacy. But no enemy came from the east or the north. From the west, no evening breeze brought the report of the guns of Carolina and Virginia troops rushing upon Washington. Men's minds settled down again. Naturally enough, those who thought they had been precipitated by circumstances and not their own will or choice into a revolution, finding themselves still standing where they were before the tornado swept over them, were glad to resolve that the fatal plunge should not be made at all. Baltimore is, I think, not less Southern in her feelings than before, but certainly it cannot be doubted that if left alone, and not influenced beyond forbearance by some insolent aggression, the majority here are against secession. What is to be the final result? The North is just now in a fever heat, and putting forth prodigious efforts to raise armies for the conquest of the South, but this state of tension cannot last there any more than here. A conviction of the utter impossibility of accomplishing such a purpose, and a serious calculation of the cost of the attempt, must come long before armies fit to be the champions of such a contest can be mustered. I believe we shall have peace after all. Is that peace to be the reconstruction of the Union, or a treaty made with good will between two nations who have agreed to live henceforward separate and apart?

The Maryland legislature, now assembled at Frederick, will pass an act, probably, calling upon the people, to elect delegates to a State Convention. And that convention will, I hope, act with the discretion as well as firmness which the circumstances demand. But I am sure the people of Maryland will never want to be tame spectators of a war upon Virginia. I do not believe such a war will be undertaken. Heaven forbid!

In another two days, his hopes were concentrated upon a peaceful dissolution of the Union, with Maryland a member of the Southern Confederacy:

A. W. Machen to his Father.

Baltimore, April 29, 1861.

This City is perfectly quiet now. The panic is over, and though arms and military preparations are not laid aside, the wisdom of not disturbing the existing status is fully recognized. My own impression is that the Union is in a state of dissolution, and that eventually both shores of the Chesapeake will belong to a Southern Confederacy; but this ought to be the result of peaceful negotiations, and of a conviction on both sides of Mason & Dixon's line that the alienation of the sections, and the dissimilarity of character of the peoples, is such that separation is better for both. Yet no man can pretend to see far ahead in this confusion and gloom; and extreme moderation and a real patriotism (if such qualities can be hoped for) might even yet prevent the secession of the Border States.

Events then followed one another with rapid succession, but few indeed realized the real nature of the struggle which was beginning. James P. Machen, writing to his brother, expressed a desire to preserve neutrality, unless "an invasion of the State" should be attempted—apparently all unconscious that the invasion and subjugation of Virginia and other Southern States was the sole object of the military preparation of the North:

J. P. Machen to his Brother.

Walney, May 6, 1861.

Dear Arthur:

These rains are bringing on the grass finely; the wheat and oats too look very well. We seem to have the promise of an abundant year. It is sad to think, while nature is so smiling, and blessings of every kind are showered upon us, that we are unmindful of it all, and instead of thanking God for all his mercies, and doing what we can to promote the happiness of our fellow men, we are preparing to cut each others' throats. . . .

I shall probably remain quietly at home. In a conflict of this sort, I have no inclination to take a part. I believe folly has

marked the course of both sides, and I am not disposed to become involved to a great degree in troubles which I have had no hand in bringing upon us. If an invasion of the State were attempted, however, it would become the duty of every man who could shoulder a rifle to turn out.

Fairfax has not done as well in the way of volunteers as some other counties—not more than 200 having gone—8 or 10 from this neighbourhood, among them Chas. Ratcliffe, Keys, Saffier, Fairfax, Dick Weir and his brother, Edgar, three of the Grigsbys, Laurence, Alexander and Spot. Spindle.

All well and send love.

Yours affectionately,

J. P. Machen.

On the same day, my father dispatched a letter to Walney, breathing confidence—alas, how misplaced!—that even if war should come, no disturbance would reach the isolated Machen homestead in Fairfax:

A. W. Machen to his Father.

Baltimore, May 6, 1861.

I have no means of hearing from you, since the mails seem to be unfaithful, but trust you are all well. Pray do not let the rumours of war disturb you in your quiet retreat. No plan of campaign, if, unhappily, war is in truth to break upon us, can well involve your neighbourhood. It seems to me as far from reach of harm as a valley in the Alleghanies.

Ben Butler's troops, which were soon to effect the "capture" of Baltimore, while their presence drove many Marylanders into the Confederate Army, cowed the great conservative majority of the people:

A. W. Machen to his Father.

Baltimore, May 8, 1861.

I rejoice whenever I get into the country, to breathe the free and quiet air. Here, all is heat and fever. The presence of the

U. S. troops, and their interference with the currents of trade and course of the law, is likely to be very galling to the people of this State, devoted as they always have been to the Constitution and the traditions that have come down to us with it. There is no danger of any general uprising, however. Even the original advocates of secession, most of them, perceive and openly admit that Maryland cannot take part in any violent disruption of the Union. The State, notwithstanding the violent pulsations of the great aorta, is essentially conservative, cautious and slow moving, and will, I think, sustain its character to the end. Pity that some opening is not yet offered for conservative and patriotic *action*.

Communication between Walney and Baltimore becomes increasingly uncertain:

J. P. Machen to his Brother.

Walney, May 24, 1861.

My dear Arthur:

The quiet of the past two or three weeks has at last been broken. The war has come to our doors. God grant it may not enter them. I shall start to Alexandria to-morrow to bring up here Mrs. M. M. Lewis. As the mails are broken up between this and town (at least by railroad, all the bridges being burnt), I avail myself of the opportunity of sending you these few lines from the Alexandria post office, the last you may have from me for some time—who knows? perhaps the last you may ever have.

Yours affectionately,

J. P. Machen.

A few words to my father from his sister under the same date informed him of an invitation cordially extended by relatives in Philadelphia that the family from Walney should visit in that city until the war-cloud then hovering over Virginia should be removed. My father replied by a full discussion of the best region for refugees—a discussion not without its amusing side in view of the turn which events actually took:

A. W. Machen to his Sister.

Baltimore, May 28, 1861.

My dear Sister:

It was a joyful surprise to me to receive yesterday—or was it the evening of the day previous?—Father's letter of the 24/26th and your postscript and James' separate letter. The thought of Walney as possibly lying between fierce contending armies has given me many an anxious moment lately. Yet I refuse to believe any ill suggestion until conviction is forced home by hard reality. I hope James got back safely. He must exercise a sound forethought. If there seems to be danger where you are, he had better remove the whole family, leaving the overseer, Campbell, in charge of the farm and everything that is left on it. In such case, a safe and comfortable retreat might be found, I should suppose, in the Blue Ridge region, or west of it. I shall be able, I dare say, to help you out with funds. On the other hand, it may be that you are just as safe where you are. He can judge better on the spot. And even if it were certain this letter were going to reach you, I should not offer any recommendation lest in my ignorance I should mislead. It would be very inconvenient, to say the least, for you to be cut off from him by the U. S. lines. But, after all, it may be doubted, I think, whether General Scott will push his troops beyond the immediate neighbourhood of Alexandria and the chain bridge. . . .

Give my love to father and mother and James. Don't be frightened. Let James think of my suggestion of removing you all to some quiet farm house farther in the interior. If you preserve communication with Alexandria may we not keep up a correspondence after a fashion by mailing letters there? Could I not send my letters under cover to some merchant there, who could forward them?

If Pa would be content in Philadelphia, you might accept the invitation sent you, and go there; but he would hardly like it. I cannot recommend Baltimore. It is quiet enough now, but no man can tell what change may come over it in the ebb and flow of the fortunes of war. . . .

Yours affectionately,

A. W. Machen.

A letter which must have crossed the foregoing in the mails brought the ominous news—though, as it seems to us, the inevitable sequence of prior events—that Virginia had been invaded, and also expressed the determination of the family, unlike many of their neighbours, to remain at the homestead rather than seek safety elsewhere:

J. P. Machen to his Brother.

Walney, May 28, 1861.

Virginia has been invaded, and it would seem as if the arbitrament of the sword could alone decide the contest. Mails are stopped in Virginia, and we have no newspapers, so we are scarcely aware of anything that passes in places outside of our immediate neighbourhood. There has been as yet no engagement, but it cannot be long averted. We are well, and determined to see the whole thing out—many of our neighbours have, however, left their homes for the upper country.

The sympathy of the family with the Southern cause, naturally increased as hostilities came closer to their home:

Miss Emmeline Machen to her Brother, A. W. Machen.³

Walney, May 28, 1861.

Father bears the excitement of the near approach of war to our once quiet neighbourhood—(as “safe and peaceful as a valley in the Alleghanies”—do you remember?) better than we could have expected.

There are many well-appointed fine troops—and more are coming in. All are in fine spirits and said to have an admirable commander.

Nevertheless, the father of the family, at least until the vote of the people of Virginia ratifying the ordinance of secession, maintained unshaken his devotion to the Union, if indeed his letter, in his enfeebled health, constitutes a trustworthy index of his real sentiments:

³ This letter was apparently sent in the same envelope as the letter from J. P. M. of the same date, quoted above.

L. H. Machen to A. W. Machen.

Walney, May , 1861.

My dear Arthur:

The crisis of our country is apparently come.

The merchants in Alexandria are removing their goods to a place more secure. . . .

A Montgomery Daily Advertiser of April 30, 1861, containing "President Davis'" message was sent to me, which presents his arguments in favour of the Southern Confederacy. I have seen nothing later.

The situation of affairs is deplorable indeed. I never believed in the doctrine of secession. My situation, enfeebled, helpless and prostrate, seems to threaten the daily prospect of death, but I will not, when the question of secession is taken, vote in its favour if my life shall be the sacrifice. I voted against secession when the question was first taken; and I will be taken to the polls as I was before when the question was taken.

It is said troops have been stationed on the road to Washington, and the capital is surrounded with a strong military force. A few days more may decide the future of our country. I have nothing more to do than to await the pending issues.

If I never see you more—farewell.

Your affectionate father,

L. H. Machen.

For several weeks longer, communication by post with Baltimore seems to have been maintained. Even a letter giving an authentic and interesting account of one of the early skirmishes of the war reached its destination in Baltimore:

J. P. Machen to his Brother.

Walney, June 11, 1861.

Dear Arthur:

I write this with the faint hope of being able to send it by private hands to Alexandria. Very few are allowed, however, to return there, and the probability is I shall be disappointed. . . .

Everything about here is under military rule, and is submitted

to with a good or ill grace just in proportion as persons are affected to the Southern cause.

As yet nothing of any importance, except the occupation of Alexandria and Arlington heights, seems to have been attempted by either side. The attack on Fairfax Court House some days, or rather nights, ago by U. S. troops has been magnified very much in their favour, I understand, by the Washington and Northern journals. What I know to be fact is this: about three o'clock in the morning, the attack was made by about 80 well mounted men, armed with sabres, pistols, and Sharps rifles. So rapid were their movements that they were preceded only a few moments by the Virginia pickets. There were two companies of cavalry stationed there; one occupying the Court House, with the horses in the yard (from Rappahannock County, Capt. Green commanding), while the Prince William Troop, commanded by Capt. Thornton, were quartered in the Episcopal Church, with their horses in the stable attached to the hotel near by. In the Methodist Church, south of the Court House, were the Warrenton Rifles in command of Capt. Moss. They had arrived the night of the attack, and this was probably unknown to the assailants. The Rappahannocks retreated, being armed only with sabres. Of the Warrenton Rifles, about 40 formed, and fought bravely, twice repulsing the federal troops. After the second charge, they retreated up the turnpike past Rumsey's house, where they opened the fence and continued on through the fields toward Vienna Station, A. & H. R. R. Three of their number were taken prisoners, and it is supposed, from accounts received from those who saw them late in the morning, that six or eight were killed. Eight were certainly dismounted, as that many horses were either taken or killed. These men had seen service in Texas, and their practice is when a man is shot to pick him up and carry him off—this accounts for none being left; one, however, has since been found dead in Rumsey's field. Of the Virginians, four were carried off prisoners, one killed—Capt. Marr, a great loss—and Col. Ewell (the Rev. Mr. Stoddart's brother) slightly wounded in the shoulder.

Another attack has been expected every night since; but, as many more troops are at the Court House, it may not be attempted for some time. . . .

These are funny times; two students at the Theological Seminary walked to the Court House this morning, to see if any letters were there for them from the South. They reached the Court House without difficulty, *but can't get back*, and have to go to Manassas Station to obtain from Gen. Beauregard a permit to return, if he will grant one, which is doubtful!

Circumstances *may* occur to call me from home; in that event, I should like you to be here.

Yours affectionately,
J. P. Machen.

In a still later letter, the divided sentiment of Fairfax County is portrayed:

J. P. Machen to his Brother.

Walney, June 13, 1861.

Dear Arthur:

. . . . There are reports of an attack on Harper's Ferry but they need confirmation. I wish something would be done in some direction. I am tired of the warfare of pickets that has been going on for some time.

Residents of this county are situated most unfortunately. Around here, Northern men are suspected, and if innocent, their stay here is rendered very uncomfortable, though I have heard of but one or two cases of arrest; while in the lower parts of the county every one thought to be tainted with secession must leave, or take the oath of allegiance to the U. S. Some have had the pleasure of being aroused from their beds at midnight, and carried off. A postmaster of Falls Church was thus served, and a Mr. Terret, lately in the Army or Navy who had returned home to see his wife. Some of our neighbours (S. T. S., C. W. T. . . . y, R. H. C.) and some others have, I think been rather exercised on that subject. One man, two and a half miles from us, told me the other day he had not slept in his house for three weeks. Almost every family from below and about the Court House that could get away have gone, though not many about here have left.

If you should undertake to come on, don't expect to get back very soon, as, except under very peculiar circumstances, none are

allowed to return to Alexandria or Washington. Dr. Richards an old physician of Alexandria, now of Washington, visited Manassas Station for some purpose, and instead of being permitted to return has been sent to Richmond. He is said to be the physician of Mr. Lincoln. . . .

J. P. M.

By this time, my father's supreme confidence in the safety of Walney was beginning to waver. He still felt that Baltimore would be unsafe, and suggested to his brother as a safe retreat for their parents and their sister—oh, the irony of fate!—the *Valley of Virginia* or the slopes of the Blue Ridge:

A. W. Machen to his Brother.

Baltimore, June 14, 1861.

Don't you think you had better remove the family to some place of greater safety? Some farm house or village further into the interior of the State would be best, I should suppose—either west of the Ridge, or on its eastern slope. Much will depend, of course, on the military movements of the next few days. It seems well ascertained this morning that Harper's Ferry has been evacuated. I have sometimes conjectured that the Confederate lines might be withdrawn to the Rappahannock. But I would act promptly if I were you, and make every economic interest give away to the comfort and security of father, mother, and sister.

Tell father to keep up his spirits, and believe that he will again see tranquil and happy days. I would propose their coming here, but who can tell how long Baltimore will continue free from the national distemper? All is quiet enough here now, and for the sake especially of the helpless women and children who throng our streets, I trust peace may continue to reign till war comes to an end everywhere. But unless a prophet were the authority, I should not dare look on Baltimore as the secure Zoar to fly to in this day of calamity. Those who *are* here ought not to indulge in vain apprehensions, but it is hardly the proper place to run to for safety.

Even as late as the end of June, 1861, a letter from Walney is duly delivered in Baltimore:

J. P. Machen to his Brother.

Walney, June 24, 1861.
Monday evening.

Dear Arthur:

. . . . Appearances indicate that there will be hot work before long. What the result will be, I do not attempt to predict, except this, that men who believe they are fighting for their rights cannot be conquered. A proper and very moderate degree of conciliation on the part of the Lincoln Administration would have saved the country from the awful state in which we see it, but they determined otherwise, and the fruit of their policy is yet to be seen.

The account I have seen in the papers of the Vienna fight is substantially correct. Two pieces of Kemper's Alexandria Artillery did all the execution. The S. C. 1st Regiment were not engaged at all, having left the ground to return to Germantown before the arrival of the train. On hearing the car whistle they returned, but were only in time to see the fight without participating in it—much to their disappointment.

Some weeks since, I expected a battle just here, but I am glad to say that the probabilities are that most of the fighting will be done below us. Yesterday (Monday) a balloon was seen hovering for sometime over the Court House.

Yours affectionately,

J. P. M.

This seems to have been the last letter from Walney prior to the First Battle of Manassas, which was fought on July 21, 1861, some seven or eight miles from that farm.

On the night before the battle, my uncle, James P. Machen, while making a visit to his home, learned of a movement of Federal troops which was intended to flank the Confederate lines and rout the Southern army by a surprise attack. In order to convey this important information, he and another gentleman, Mr. John D. DeBell, rode by night

from Walney to the Confederate forces and apprised them of the Federal plan. The information thus conveyed undoubtedly prevented a surprise, and probably saved the day. Years afterward, in 1905, he wrote the following narrative of the incident for the Richmond "Times-Dispatch:"

Narrative by J. P. Machen

In 1861, prior to the first battle of Manassas, the Wise Troop of Cavalry from Lynchburg, was camped on my father's farm, which extended northward from Centreville. The dwelling stands near the road leading to and beyond "Frying pan" Baptist Church, crossing the Little River Turnpike from Alexandria to Winchester, three and a half miles north of Centreville. The Wise Troop occupied an oak grove a few hundred yards from my father's house, and consequently I became acquainted with the officers and many of the privates. When, therefore, the camp moved over Bull Run, I attached myself temporarily to that command.

As related by Lieutenant Abram D. Warwick, it was put on duty at the quarters of General Philip St. George Cocke, whom I also knew personally. Friday night, July 19th, I accompanied a portion of the troop on a reconnoissance by the way of Mitchell's Ford Road towards Centreville, but learned nothing of the enemy. In the afternoon of July 20th, I asked of General Cocke permission to pass through the lines to visit my home and ascertain, if I could, the movements of the enemy, as well as the condition of my family, consisting of my father more than seventy years of age, of infirm health, my mother, about the same age, and my sister. There were also several servants in their quarters.

After leaving camp, I met with my friend and neighbour, Mr. John D. DeBell, and when I told him of my object, he proposed to accompany me. Together we rode to General Evans' quarters at the Van Pelt House, on the north side of the Warrenton Pike, in order to inform him of our purpose, and we passed through his pickets at a private ford on Bull Run. I had never met General Evans, but did know Colonel Fairfax, of his staff, and consequently had no trouble in getting the pass word. While I was

in the room the question was brought up of another attack succeeding the one made at Mitchell's Ford on July 18th. General Evans remarked there was nothing to prevent a Federal force going up the Little River Pike and crossing Bull Run at Sudley Ford. I mention this to show one reason why he accepted so readily the report Mr. DeBell and I subsequently brought to him.

After leaving his quarters, we went to the home of Mr. William Henry Thornton, a little northwest of Bull Run at the point of our crossing, and almost due north from Sudley Ford. His house was situated nearly a mile from the run, across open fields, on the edge of a large body of woodland containing hundreds of acres. A private but much used road ran from Sudley Mills (near the Ford) by Mr. Thornton's toward the Little River Turnpike. Intersecting this road, not far from the dwelling, was another old wood road leading in the direction of Centreville and Cub Run Bridge. After feeding our horses and getting supper, leaving with Mr. Thorton my Perry breach-loading rifle, carrying an ounce ball,—one of the few breach-loaders, I suspect, in the Confederate army at that time,—we took the last mentioned road for a mile or two, and then, bearing away from the Warrenton Pike, followed other wood road, crossing the Braddock Road two and a half miles north of Centreville. Thence, still in the woods, two and a half miles further, we reached a point a little east of Centreville and Frying Pan Road, in Mrs. Margaret Turberville's wood land, several hundred yards north of her dwelling.

Here a contractor on the proposed independent line of the Manassas Gap Railroad had made some shanties. The one he had built for himself was now occupied by Mr. John D. Cross, who found it necessary to leave Centreville, where he had previously been living. With him we left our horses, Mr. DeBell going on foot first to his sister's Mrs. Margaret Turberville's, and then a mile and a half to his own home at the Golden Grove farm, on the Little River Turnpike. I also walked about the same distance, in the direction of Centreville, to my home, crossing fields, lest Federal pickets should be at some point on the road. I reached the house about 11 P.M., and found the family was still up, and had not been disturbed. The information I obtained was that many of the Federal troops had broken camp, and large bodies of

infantry, with artillery, had been plainly seen that evening by my sister from the upper windows of our house, marching on the Warrenton Pike in the direction of Cub Run Bridge. I remained at my home half an hour and returned to our horses, to find Mr. DeBell already there. He stated the general facts as related by Mr. George R. L. Turberville in the Richmond Semi-Weekly Times-Dispatch of February 1, 1905,—that he and his mother had gone to Centreville, July 20, to recover a horse supposed to have been stolen by some Federal soldiers, and had there noted the movements of artillery up the Warrenton Pike.

With all the information thus obtained, we felt sure a serious attack on the Confederate lines was contemplated very soon. We, therefore, as rapidly as possible, retraced our way. It was a beautiful night—the moon nearly at its full,—but we were impeded frequently by the branches of trees, and the fear of missing our course by taking side roads—in fact, we did go too far on the portion of the woods taken later by the enemy. By doing this, we reached another private ford higher up the stream, coming to the house of "Long Landon Carter," midway between the "Stone House" and General Evans' quarters, where we arrived at a little past three o'clock. He saw us at once, and sending DeBell to call in the pickets from the run, directed me to notify General Cocke, and to go on to General Beauregard, which I did, seeing General (then, I believe, Colonel) Eppa Hunton, as I passed down the line. When I reached General Beauregard's quarters, a small frame house near the railroad, about a half mile east of the main street of the present town of Manassas, the sun had just risen. The general was standing at the door, and received me courteously. Giving my name, I said to him: "General Evans has sent me to report some information as to the movements of the enemy," and then I briefly told him what Mr. DeBell and I had ascertained. He listened with apparent interest, but I do not recall that he asked me any questions.

On leaving, I sought the tent of William H. Dulany, captain of the Fairfax Rifles, who had been wounded a short time previously in a skirmish near Payne's Church, in Fairfax County. I there obtained a rest—much needed because of loss of sleep, and because also of a physical trouble which often incapacitated me for prolonged hard work, particularly when in the saddle.

It will be observed that Lieutenant Warwick, in his very interesting article, gives twelve o'clock at night as the hour when I arrived at General Cocke's quarters. He is mistaken about the hour, as it was nearer 3 A.M. Under the circumstances, it would not have been possible for me to reach there at twelve.

James P. Machen.

The foregoing article was published by the "Times-Dispatch" with the following introduction written by Senator Daniel:

The Times-Dispatch has heretofore published two articles, the one from Lieutenant Abram D. Warwick, of the Wise Troop, Second Virginia Cavalry, and the other from Mr. George R. L. Turberville, in which they related how McDowell's movement on Manassas was discovered, and mentioned Mr. James P. Machen (the father of Senator Lewis H. Machen, of Alexandria, Va.) as bringing to the Confederates the information that had been derived by himself, Mr. Turberville and Mr. DeBell.

I have now the pleasure of sending the account of Mr. James P. Machen himself, and it is remarkable that three persons, who forty-four years ago took part in the transaction related, should now be all alive and write their substantially concurring versions of it. Some little variances may be observed, but they do not go to the essence of the matter nor alter the main trend of the story.

Mr. Machen, although the years have gathered upon him, enjoys vigorous life and memory, and lives as he did then, in the old family home near Centreville. An army warring around the homes of its soldiers has an ally behind every brush and fence, and in every nook and corner.

John W. Daniel.

Immediately after the battle, my father, moved by anxiety for his parents and sister, who resided so near the field of hostilities, determined at all costs to pay them a visit. He first went to Washington, and invoked the aid of Mr. Reverdy Johnson, in order to secure a pass directly through the lines in front of the capital; but although Mr. Johnson was all kindness, the dire confusion prevailing in Washington,

no one seeming to know what to do, speedily convinced my father that this plan was hopeless. Returning to Baltimore, he proceeded towards Frederick City on horseback via the Old Frederick Road, avoiding the main turnpike where he would be more apt to meet unpleasantly inquisitive persons. He rode his own saddle-horse, a fine blooded animal; but his saddle-bags, containing his belongings, made him look like a Methodist preacher riding his circuit.

A large number of Federal troops were then stationed at Frederick City, and he, therefore, avoided the town, and called at the residence of a Mr. Dorsey, who was a Southern sympathiser, living between Frederick City and the Potomac River. Mr. Dorsey told him that he must not try to cross the Chesapeake and Ohio Canal, which lay between him and the Potomac, as he would be arrested if he should make the attempt, but that he might pass through a culvert under the canal, by following a small stream which flowed through the culvert. Once on the other side of the canal, he would find a private ford, but should not go straight across the river but rather follow the ripple. He got off the ripple, however; his horse stumbled; and indeed a bullet, probably fired at him, possibly by way of warning, by a Federal picket, whizzed past his ears. Notwithstanding these difficulties, the crossing was made in safety.

On the Virginia side of the river, in Loudoun County, he met some Confederate cavalry. He told them that he was going to Fairfax, and had no further difficulty. On his way, he crossed the battle field, which was still covered with dead horses and half-buried soldiers. Arriving at Walney, he found three hospitals on the farm, and much sickness, or "camp fever" prevailing.

However, for more than six months, the Machen homestead enjoyed tranquillity under the stars and bars; and during most of that time my father remained at Walney, pleasantly occupied with the society of his family and of the

Southern soldiers who were encamped in the vicinity. At this time, in his home at Walney, he first heard the stirring strains of "Maryland, my Maryland," sung by two Marylanders who were stationed nearby.

He temporarily left Walney for a short visit to Richmond, where he purchased a supply of coffee and other groceries, sufficient as he thought to stock the larder at the farm for the duration of the war, as well as a quantity of fine old whiskey. He packed the whole in a hogshead, with the whiskey inside. He also packed up in boxes the greater part of his father's library, and removed them to Warrenton for (as he hoped) safekeeping.

On one occasion, in the early autumn during this sojourn at Walney, my father observed some soldiers plucking persimmons with apparent intention of eating them. It seemed that in the part of the South from which these troops came—Louisiana, I think—persimmons were unknown. My father chanced to tell what he had seen to Stonewall Jackson, who burst into laughter. My father often repeated this story as disproving the common tradition that Stonewall Jackson never laughed.

When he left Baltimore, my father had not expected to be absent more than a week or ten days, but he did not set out upon his return ride until December, 1861. By this time Jackson had been ordered to the Valley, and my father's best chance of crossing the Potomac was thought to be above Harper's Ferry, some distance west of the point at which he had crossed on his way southward. He, therefore, rode to Martinsburg where he had many friends, and stayed with Mr. Edmund I. Lee, a first cousin of Gen. Robert E. Lee. It was necessary to find someone who could pilot him across some private ford of the Potomac. Having left Baltimore in summer with the expectation of returning within a fortnight, he had brought no overcoat with him, and the only coat he could obtain in Virginia was of a Con-

federate grey and a military cut. When, therefore, he set out from Martinsburg, he threw his overcoat back so as to show his civilian clothes underneath, lest he should be mistaken by some Union sharpshooter for a Confederate soldier. Everbody was in great fear; his friends at Martinsburg told him whom to talk to. When looking for a certain man, he fell into conversation with a child who was about to give him the desired information when a woman rushed out and interfered. All that he could do, therefore, was to return to Martinsburg.

Jackson was then coming down the Valley; and my father ascertained that the only hope of crossing the Potomac was a ferry near Shepherdstown, which was in the possession of United States troops. He knew he would be interrogated, and had given up all his passes, except a local pass, to the provost marshal at Martinsburg. He had grounds to hope that Col. Kenly, in command of a Maryland Union Regiment, would be at the ferry; and as Kenly was a friend, he would thus be sure of getting across. But he found that the ferry was guarded by a Massachusetts regiment. He was taken across, indeed, but as a prisoner.

He was then conducted under guard to Williamsport. He refused to give his captors any military information, but explained that he was a non-combatant on legitimate business. At last, he was allowed to vindicate his status by telegraphing to two Marylanders, to be selected by himself, to vouch for him. He often described the quandary in which he was placed by this favour. For he had been absent from Maryland for five months, and had heard little or nothing of what was there taking place. In particular, he did not know who among his friends continued in favour with the Federal authorities, and was afraid lest those whom he might select to vouch for him might be reposing ere this in a Federal prison. However, he chose two—Mr. Daniel Weisel, of Hagerstown, afterwards a judge of the Court of

Appeals, and Mr. Archibald Stirling, of Baltimore. The answers were satisfactory; and when he awoke in the morning, he found the door of the bedroom which had served for a prison unlocked and unguarded. Fearful of being accused of breaking jail, he reported to the officer in command of the town, and was allowed to proceed without further molestation to Baltimore.

After my father's return to his home in Baltimore, communication with his family at Walney was necessarily somewhat irregular, as the farm continued for some months within the Confederate lines. In January, 1862, his brother wrote:

J. P. Machen to A. W. Machen.

Walney, January 5, 1862.

Letters which are open, with the postage enclosed, are said to be sent under a flag of truce to and from Norfolk; but I imagine it is rather an irregular mode, as I know of several letters which have been sent to which no answers have been received. Nevertheless I hope you will try it. Gen. Huger has given notice that one page only of a sheet must be written upon, as longer letters will consume too much time to read. . . .

Georgie⁴ is still at Culpeper. There is many a slip between the cup and the lip, but you need not be surprised to hear of things being consummated in that quarter next spring.

In March, 1862, the Confederates withdrew from the vicinity of Centreville, so as to meet the anticipated attack upon Richmond from the James River or from the lower Potomac. This left Walney, if not exactly in the Union Lines, at least unprotected by Confederate troops, and exposed to depredations by Union soldiers. In the meantime, my uncle had joined the Confederate Army, and had, therefore, been required to leave his home and his parents and sister. Naturally considerable anxiety was entertained re-

⁴ His fiancée, Miss Georgie Chichester, to whom he was married after the war.

garding them, not only by my father but also, in a scarcely less degree, by Mr. Thomas Blagden, of Washington, a lifelong friend of the family, who, after chafing under his inability to "gallop over" to "the dear family at Walney" immediately upon hearing of the evacuation of Manassas by the Confederates,⁵ succeeded within a week in obtaining a pass, and rode out to Walney from Washington. He thus describes the trip and the state of the family:

Thomas Blagden to A. W. Machen.

Washington, Thursday, 20th March, 1862.

Dear Arthur:

I am just here from Walney, on my way home, and am glad to have the good news for you that a letter I have to mail for you from them with this will give you.

I could hear nothing of Centreville and its surroundings till I got to Fairfax Court House, and then a young man, who now has the Hotel opposite the Court House, by the name of Arms, and who once lived I believe at Centreville, told me that he heard that James had gone to the Southern Army, and that your father and an elderly gentleman by the name of Mackal, I think, had been either arrested or *were dead*! Some bad news he had heard about them, he said. This made me feel very uneasy, but when I got to the toll gate, some young men informed me that all were well at Walney, and a negro ox driver at Stuart's soon after told me so also; and when I got in sight of the house, and saw the

⁵ "Your letter of the 11th . . . found me feeling as anxious as you are, I suppose, nearly, about the dear family at Walney, and impatient to get to see them; as the day you wrote to me, Tuesday, when I heard first of the evacuation of Manassas, I wrote to my son Silliman, now going to school in Brooklyn, how trying it would be for them to have James away and how much I should desire to gallop over to them as soon as ever I could. . . . I shall get a pass if I can, and try hard to learn how it is with families living near Centreville now, and will give you any information I can get. And as soon as ever I can get off, I shall go as fast as my horse can take me to Walney, and I assure you it is a matter of great regret to me, and makes me feel very impatient, that I have not been able to go before this." *Thomas Blagden from Washington to A. W. M. at Baltimore, March 13, 1862.*

smoke curling up from all the chimneys and the sheep grazing quietly around the house, and all looking so quiet and beautiful in the setting sunlight, I assure you I felt very much relieved and very happy, and was still more so, when I saw your father appearing so much better than I feared I should see him, and your mother and sister so well and the farm *so little* injured, after having just passed so many desolate and deserted homesteads and so much devastated country.

I went by the chain bridge, and returned by the long bridge.

Yesterday, I went to Manassas, seeing on my way the battle ground of the 18th July, and after leaving Manassas, I went to the battle ground of the 21st, taking the whole day to it.

How *well* it is that your mother has had the *courage* to remain at *home*. It has been, no doubt, the saving of the place, and very likely of your father's life.

I think that you may feel *quite easy* in regard to them; I can see no cause at all for you to feel otherwise.

Very truly yours,

Thos. Blagden.

The letters which Mr. Blagden carried with him from Walney to my father did indeed give "good news" in so far as the life and health of the family was concerned, but they disclosed that considerable discomfort, or at least apprehension, was being experienced in respect to the tendency of the negro servants to run away, and also some little inconvenience, though as yet no serious injury, from the depredations of the Union soldiery:

Mrs. Caroline Machen to A. W. Machen (in Baltimore).

Walney, 19th March, 1862.

My dear Arthur:

Here we are safe in our quiet home, nothing wanting but the presence of you and James.

These war times are sad wherever one is, and if one can remain at home, it is surely the best place. I was never in favour of moving except in case of a battle near us; of that, there seems to

be no danger at present. We were not much incommoded by the Federal troops—some of them were very rude, coming into the yard and shooting my fowls before my face. They also shot three hogs that were in the orchard, and took them away. One or two officers called at the house, and enquired if we had any arms, I told them No, we had no use for them; and they soon left. Our immediate neighbourhood is free and quiet at present. Those who have remained at home have fared best; from what I hear, Chantilly has been very much injured. I don't know where the family are,⁶ but think it likely they have left Middleburg.

What the future is to be, no one can tell; but I feel assured that the same kind Providence which has thus far protected us will still guard our dwelling from all danger, until our little family are permitted to meet once more in peace and quiet.

The boy, Phil, that James hired has run off, and I fear the two girls we have intend to follow suit. One belongs to Cousin Martha. Foolish things, they know not what they are going to—the road between this and Washington is full of them.

There has not been much change in your father's health; if any, he is, I think, more feeble than when you left us.

Heaven bless and preserve you from all harm.

Ever your affectionate Mother,

C. Machen.

Miss Emmeline Machen to A. W. Machen.

Walney, March 19, 1862.

My dearest Brother:

. . . . It seems very pleasant to be writing to you once more. We have so longed to see even one line from your hand, and hoped you would try to send a flag-of-truce letter. If you have done so, nothing has reached us. You can imagine what a happiness and relief it was to us to hear of you through Laura.⁷ Our last letter, however, was the 21st of January, and there has been a long interval since we have had any tidings from you. Mr. Blagden was so thoughtful and kind as to bring your last letters to him, and it was a great treat to us to read them. Thank

⁶ The Stuarts of Chantilly.

⁷ Mrs. Laura Hagner.

you, my own dear brother, for your care and anxiety about us. You will be relieved to hear that we are so comfortably situated as we are. Peace and comfort are comparative terms in these times, and we cannot tell how long the measure of both we now enjoy may remain our own, but we will hope for the best. This exodus of contrabands is creating a deal of discomfort among numerous families, and I know not how soon our turn may come. Even one whom we thought our faithful Aunt Jinny may be led astray by evil counsels. I trust she will not, for her sake, as well as our own, but bad example is contagious—many from this neighbourhood have left, and it is thought more purpose doing so. . . .

Ever yours,

E.

About a month later my father rode from Baltimore to Walney for a very brief visit on Banter, his saddle-horse:

Miss Emmeline Machen to A. W. Machen.

Walney, April 15, 1862.

Your visit was so brief and unexpected that it would seem to us almost like a pleasant dream (*how* pleasant I have no words to tell you) if it were not for the many proofs of your kind thoughtfulness which constantly remind us of your real presence among us. Your fruit and books have been much enjoyed, and the books particularly will serve to while away many an hour of our quiet life here. Since you left there has been little to interrupt our peace and quietude. Just now, I believe, there are no troops at Centreville. Occasionally some cavalry pass along and give us a call. . . . I trust you had a pleasant journey to B[altimore]—that Banter carried you along safely—you were much favoured in the weather.

After the lapse of another three weeks, the family at Walney were still enjoying quiet and security, although the mysterious incidents which are likely enough in a state of war were not wholly lacking, and although the tendency of the coloured servants to abscond was causing inconvenience and apprehension:

Mrs. Caroline Machen to her son A. W. Machen.

Walney, May 6, 1862.

My dear Arthur:

. . . . It is as lonely here as any anchorite could wish, no one comes to see us, and we have no chance to visit. The books and papers you brought us have been a great comfort in our solitude. Since you left, if we get a paper once a week, we are thankful. Last Sunday week, I was standing at the door, and a man stepped in from the gate and handed me a late paper, saying he had brought one several times and could see no one—he advised me to have a box put by the gate, and he could drop them in. I did so, but no paper has made its appearance since. The man was an entire stranger to me—is it not singular? . . .

J[ames] was well last week, and engaged in the business he expected.

Your father and Emme send love.

Your affectionate Mother,
C. Machen.

Thursday, 8th.

Eliza has gone, and Martha takes her leave on Sunday, so I have been informed. I have some fears for Jinny; all her immediate associates in the neighbourhood, I understand, intend to go, and no doubt will try to influence her. There have been many meetings and consultations on the subject. No doubt, Wesley's illness has thus far retarded their movements. In this state of affairs, I have thought it might be better to tell Jinny that she should have her freedom, if she wishes it, as soon as her services have repaid us for the money we paid for her. What do you think? Come on if you can.

I should feel her loss very much just now.

I have a chance to send this to A[lexandria], so good-bye.

C. M.

About the middle of May, my father seems to have made another flying visit to his old home, doubtless induced by tidings conveyed to him in a letter of May 3rd from his

sister that their father had met with a painful accident caused by falling over a stove. At any rate, towards the end of the month, his sister wrote:

Miss Emmeline Machen to A. W. Machen.

Walney, May 22, 1862.

Heavy cannonading was heard here for an hour or two this morning,—Aunt Jinny thought in the direction of Warrenton—I had not supposed it probable that an engagement would take place at any point near enough for us to hear the report—it seemed distant. . . .

Did you reach Baltimore the day you left us? All send love—your visit, brief as it was, was a great pleasure to us. Hoping to see you soon again for a longer time.

By the end of May, 1862, the farm and its occupants were again troubled by the presence of Northern troops:

Miss Emmeline Machen to A. W. Machen.

Walney, May 31, 1862.

After the retreat of Banks,⁶ Federal soldiers were again seen in the neighbourhood; for a day or two, quite a number congregated in C[entre]ville, giving us no pleasant proof of their vicinage by coming one night (last Wednesday) and killing and taking away four of our largest and best lambs. The troops were marched away the next morning, so we had no opportunity of trying to obtain any redress. Several soldiers were lounging about the farm the day of the theft; they did not come to the house, but were no doubt spying out the land and seeing what they could best lay their hands upon.

The demoralisation of the Union soldiers after Stonewall Jackson's Valley Campaign was evidenced by deserters who passed by Walney:

⁶ Consequent upon his defeat by Stonewall Jackson at Strasburg on May 24, 1862.

Mrs. Caroline Machen to A. W. Machen.

Walney, June 17, 1862.

Tuesday.

My dear Arthur:

. . . . I thank you for the papers, they give us some little inkling of what is passing in the busy world, from which we are comparatively shut out. We have various reports; this morning, I heard the Northern Troops were leaving the valley for Richmond. One poor man who looked very much travel-worn called last evening and asked for a piece of bread and butter. I asked where he was from. He said Pennsylvania. "Where are you going?" "Back," was his pithy answer. His skin was the colour of bronze, he seemed very thankful for the bread and butter. I hope the poor fellow will get safe "back."

Your affectionate Mother,

C. Machen.

For some time, the family at Walney had been very apprehensive regarding the safety of the library, which my grandfather loved so dearly and which in the early days of the War my father had caused to be removed to Warrenton. Towards the end of June, their fears were partly calmed by the following letter from the Rev. Mr. Barten, an Episcopal clergyman then resident at Warrenton:

Rev. V. S. Barten to L. H. Machen.

Union Hotel, Centreville,

Tuesday evening, June 24, '62.

My dear Mr. M.:

I arrived here this evening late, with my wife, on our way home to Warrenton, and it would have given me sincere pleasure to have seen you, but cannot do so, as I am compelled to hasten home without delay. You left in our town for safe keeping some boxes of books which your son desired me to watch. Said boxes were broken up by the first army which passed through our town, together with other things in the store in which they were de-

posited, and scattered; but it gives me pleasure to state that I have been successful in collecting them, and though a few may be missing, the rest are safe. I have deposited them loosely in the basement of my church (the Episcopal) and will keep them there until you can make arrangements to remove them. I shall remain in W[arrenton] a month or two longer, and then leave there for a visit to Europe. I would, therefore, suggest to you as the best that you can do to send a waggon, or let me hire a waggon that may be going to Alexandria, and just pack them and send them to you—they will be safer with you than here, and *now* the way is open to send them safely. Let me hear from you, and rest assured that I shall continue to do all in my power to keep them for you. Pardon this hasty letter—it would have given me pleasure to have seen you, but as I cannot do so, I thought it best to inform you of their condition by writing.

With my kindest regards to Mrs. M.,

I remain,

Sincerely yours,

V. S. Barten.

This letter was forwarded to my father for reply, accompanied by the disquieting intelligence that Federal troops were expected to be again stationed in large numbers in the vicinity of the farm:

Miss Emmeline Machen to A. W. Machen (at Baltimore).

Walney, June 25, 1862.

My dear brother:

. . . . Mr. B[arten's] letter was addressed to Pa; but we have not thought best to make him anxious by mentioning it to him. I had thought of writing to Mr. B[arten], but Ma and I have concluded that it was best you should do so. It would be well to mention that as the state of Father's health made writing an effort, you had written in his name to thank him for his letter and for his kindness in regard to the books. Tell him, too, that we regretted not to have had the pleasure of seeing him and Mrs. B., that we might have had an opportunity of making him

our acknowledgments in person for his friendly services. We certainly are greatly his debtors; he was formerly the pastor, and is a particular friend, of our Airley cousins,⁹ and his friendship for them may have quickened his zeal in our cause. If we could have foreseen the future, and known that a battle would not take place near us, the poor books would have been saved a long journey and no little risk, and could have remained quietly upon their shelves.

We heard this morning that 10,000 troops were coming to C[entre]ville, that a major and other officers had been there taking board and selecting head-quarters—which would seem to indicate something more than a temporary occupation. If this be so, alas for what remains of our stock! But we will continue to trust in Providence. . . .

Yours,

E.

For some weeks, however, little trouble seems to have been sustained, other than the difficulty of obtaining labour in consequence of the loss of control by masters over their slaves:

Mrs. Caroline Machen to A. W. Machen (at Baltimore).

Walney, July 10, 1862.

My dear Arthur:

. . . . I fear we shall lose considerable hay in consequence of the wet season and difficulty of obtaining labour. Wages are very high. Servants are hiring themselves and receiving their wages right before their masters' and mistresses' eyes—I have hired none as yet without their permission to pay the servant.

Your affectionate Mother,

C. Machen.

By the first of August, depredations by Union soldiers had become more serious:

⁹ The Stovins of Airley, Fauquier County, Va.

Miss Emmeline Machen to A. W. Machen (at Baltimore).

Walney, August 5, 1862.
Tuesday evening.

My dear brother:

. . . . In my last, I mentioned that four of our best sheep had been shot; another, the fine old Cotswold (or I believe South-down) was so wounded that he died. Application was made to the colonel, more with the hope of preventing further depredations than of obtaining remuneration for what we had lost. His answer was, that we ought to be thankful all were not taken, and that if his regiment remained another day, we might be assured they would be. Encouraging, was it not?—when we had already lost that day a fourth part of our flock! Two more have since been killed, we have good reason to believe by some men having the care of several hundred army cattle who have been pasturing on our and other unenclosed land near us.

Your attached

E.

Mrs. Caroline Machen to A. W. Machen (at Baltimore).

Walney, August 6, 1862, Wednesday.

My dear Arthur:

Emme wrote to you last night, and started this letter this morning, but fearing it might share the fate of many others and never reach you, I have taken up my pen again this morning intending to embrace the first opportunity of sending it to the Office.

The next question is, What shall I write? All is so sad and gloomy; except the face of nature, and that is so beautiful, that it teaches me to cast off all fears for the future, and humbly trust "that what e'er shall betide the Lord will provide." You will see by Emme's letter that a large inroad has been made upon our little flock of sheep, and other things intruded upon. It seems a hard and unjust case to me, that one who spent near fifty years in the service of the Government should be robbed by that Government's officials, of all the produce of his farm. When I look upon your poor, sick father and recollect the many sleepless nights he has spent in that Capitol, I think that, perhaps, it is well that

he is now too feeble to realize much of what is passing around us. He reclines upon the sofa pretty much all day, seldom walking, except a few steps at a time—of nights, he sleeps very quietly, and does not suffer pain at any time, which is a great blessing both to him and myself. . . .

I hope there is no insurmountable obstacle to your coming to see us; if there should be, it will be a very great disappointment. Perhaps, Mr. Blagden could aid you in getting a pass. Your Pa says, "Arthur won't come." Straining eyes are watching the gate every day and night; I shall not give up hope till August is gone.

It makes me melancholy sometimes to think of the wages—how we shall ever be able to sell anything to pay them, is not easy to see just now.

Your Mother,

C. Machen.

Upon receipt of this letter, my father, disquieted by the injuries his people were suffering, and incited by his mother's appeal, seems to have made an unsuccessful attempt at Washington to obtain permission to visit his home and his parents. His mother thereupon in her next letter suggests certain friends in Washington who might be able to intercede with Mr. Seward, the Secretary of State (with whom, by the way, my grandfather had been upon terms of friendship¹⁰ and for whom he seems to have entertained a real admiration):

Mrs. Caroline Machen to A. W. Machen (at Baltimore).

Walney, August 14, 1862.

My dear Arthur:

. . . . I am sorry you had such bad luck in Washington. Our friend Mrs. Hall, is very intimate with Mr. Seward and his family and would do anything in her power to serve us. They are now living in their own house on C street. Their eldest daughter Ellen was married last winter, and they had quite a

¹⁰ Supra, p. 146.

large party on the occasion. Mr. Blagden and family were there, the Secretary of State and other dignitaries. She married a Mr. Curtis. . . .

We shall be very much disappointed if we have to forego the happiness of seeing you this summer, but do not feel uneasy about us, I don't know that you could do anything for us. It is a great blessing to be able to hear from you once a week, and to apprise you of any change that might take place here—all is very quiet just now. . . .

Your affectionate Mother,

C. Machen.

The suggestion of an appeal to Seward seems to have borne fruit, for my father obtained the following letter of introduction and recommendation to Mr. Seward from Mr. William H. Collins, who was one of the most prominent Union men in Baltimore and an excellent lawyer, and who entertained a very high opinion of my father and subsequently afforded him valuable assistance in his professional career:

Wm. H. Collins to Wm. H. Seward.

Baltimore, August 27, 1862.

For the Hon. William H. Seward,

Sir:

Arthur W. Machen, Esq., the bearer of this letter, is one of the very most talented and promising young lawyers of Baltimore—of the highest personal honour, and will sacredly keep any engagement he may enter into.

Mr. Machen's father, Lewis H. Machen (who was for many years Chief Clerk of the United States Senate and whom you probably knew), is now very old, and paralysed, and resides near Centreville in Fairfax County, Va., with his aged wife and an unmarried daughter.

In the existing condition of the country, Mr. Machen is very anxious that his aged parents and his sister should be exempted from alarm and danger from the military movements going on in that region—and it may be that he may desire permission to visit his friends.

I do not mean to present Mr. Machen to your kindness on the ground of his political sentiments—for his Virginia extraction has somewhat modified his feelings on those questions;—I place his case before you as that of a son seeking safety for his parents, and a brother desiring to protect his sister.

At the same time, I should do injustice to Mr. Machen if I did not add, that, taking no public part in politics, his course has a spice of conservatism about it which I could wish some of my friends would imitate. His highest ambition is to stand high in his profession, and I know no one more likely to achieve his purpose.

Allow me to express my most earnest wish that our Union may last forever and to assure you that I am,

Yours most truly,

William H. Collins.

Whether the failure to present this letter was due to a well-founded fear lest the doubts which it suggested as to my father's sympathies in the War would have defeated the object of the letter with so uncompromising a persecutor of rebels as Seward, cannot be ascertained with certainty. The Second Battle of Manassas occurred before the letter could be presented; and for some time after that battle, a visit to Walney from Washington by a civilian was obviously impracticable.

A week or so prior to the battle, the books which had been stored at Warrenton, or so many of them as the care of Rev. Mr. Barten had saved, were brought back to Walney:

Mrs. Caroline Machen to A. W. Machen (at Baltimore).

Walney, August 20, 1862.

The waggon started yesterday (Tuesday) and returned this afternoon with the books all disarranged. It will be a work of time to tell what are missing, no doubt some must be. Mr. Barten said they were scattered all over Warrenton—and yesterday they had to be placed in the waggon in the greatest haste (not having time to box them regularly), and leave Warrenton last night,

as a part of Gen. Pope's army was expected there to recruit—so said John Wesley's son. He went with the books when they were taken away, and I thought him a good person to go with Mr. Perry to bring them back. I trust they will not be found much injured—we have reason to be thankful that they were not all lost, as there is no doubt they would have been if it had not been for Mr. Barten. He would not take anything for their removal. If we should ever have an opportunity, I should like to make him a handsome present. He had not received your letters.

It afterwards developed that the most serious losses had been among the illustrated books. Apparently pictures had more attraction for the Federal soldiers than Greek or Latin literature.

During and immediately after the Second Battle of Manassas, which was fought on August 29th & 30th, 1862, Walney farm was literally sacked by Union troops, and the family subjected not merely to much pecuniary loss but also to personal indignity and threats of bodily harm. Only by the heroism of my grandmother and my aunt, especially the former, were the rude soldiers prevented from forcing their way into the room in which my grandfather was lying ill. For several weeks afterward, the country around Centreville was either in the possession of the Confederates or was a no-man's-land between the hostile armies; and not until almost a month after the battle, was communication with Baltimore re-established. The letters which were then written by my grandmother and her daughter give the only written account of the stirring events of which the once quiet farm was the scene:

Mrs. Caroline Machen to A. W. Machen (at Baltimore).

Walney, September 27, 1862.

My dear Arthur:

Since writing you last we have passed through scenes that I do not like to think about, and can now hardly realize that

strength was given me to sustain them. During the last battle near Bull Run, from Friday afternoon to Monday night, we had a constant succession of soldiers around and in our house, robbing us of everything they could lay their hands upon. They broke open the stone house, your father's secretary, the closet in the entry, and took from them whatever they pleased—broke in the meat house, and took six or seven hundredweight of bacon, took off the cellar door and robbed that, stole every fowl that we had, and even took iron and tin articles from the kitchen, and robbed Jinny and Charles¹¹ of many valuable articles of clothing. Our barn and stable fared no better; they broke open both, took from the barn all the tobacco and threshed wheat, ten bushels of corn I had just bought for family use—from the stable, all our horses and our carriage—both pair of oxen—killed one cow and two yearlings, all our hogs, all our potatoes and other vegetables. Every apple and peach was threshed off the trees, and carried away.

One thing, however, the kind Providence of God prevented their accomplishing (which they tried very hard to do) break into the house where your father was lying sick. On Monday afternoon they were battering two of the doors, at at least twenty or thirty of the worst looking men I ever saw in and around the house. I was outside with my back against the door leading from the passage; with eight or ten in front of me. I told them they could not enter. I felt assured they would be prevented; the words were scarcely spoken, when Capt Cowan of a New York Battery rode up to the door, and soon relieved us from our unwelcome visitors. He had been here the evening before and dispersed them, and returned again from Centreville with a written protection from Maj. Gen. Smith which he told me to read to any that disturbed us, which I did, and it had the effect to turn some away—but those on Monday even said it was a forgery—"they knew his handwriting."

In man's most dark extremity
Oft succour dawns from Heaven.

I never can forget the relief afforded. Should you ever meet

¹¹ Negro servants.

Capt. Cowan, return him my warmest thanks. I had not the opportunity, as an alarm was raised, and he had to leave in haste. If you should ever have an opportunity to do him a favour, I am sure I need not ask you to exert yourself to the utmost.

We have an army again in our midst, but we have not suffered. They have given us a guard.

Some hay that was left has been bought by Gen. Stol, and some others under his command. They have given us certificates payable in Washington. When the way is open, don't you think I might ask Mr. Blagden (if he is in Washington) to aid the person who took them down in getting them presented to the right person?

Your father is no better, I don't think as well in some respects as when you saw him. Our situation here is by no means pleasant, but we might be worse off, and I really do not see where we can go. I have sometimes thought Cousin Martha might take us to board; it is more out of the way, and would be less lonesome—I wish we could see you and consult together.

Your father asked for pen and ink this morning to write to you, but he is not able to write; he told me to tell you he wished you would come and see him. Emme intended to write, but may not be able, having a bad headache.

If you will write immediately and enclose the letter to the gentleman whose address I send,¹³ I hope I may get it.

Your box reached us in safety, many thanks from E[mme] and myself for its contents.

Cousin Martha spent a day with us a short time since. P. also made us a visit. Both were well and send love.

Your loving Mother,

C. Machen.

Miss Emmeline Machen to A. W. Machen (at Baltimore).

Walney, September 27, 1862.

My dearest Brother:

I have a severe pain in my eye this morning and cannot write much, but I could not let Mother's letter go without a line to

¹³ Doubtless the Federal soldier mentioned *infra* pp. 321, 322-3.

tell you how happy I am to have once more an opportunity of talking with you, though only on paper. We have passed through so much since, that it seems a very long time to us since any letters have passed between us. Mother has told you of some trying scenes during those four days which will ever be memorable in our history; but it would be difficult for any one to realize what we underwent unless he had been present to see the manner and listen to the insulting language which added tenfold to the injury of our despoliation. Our escape from the pillage of the frame house seems miraculous, and we can only attribute it to the interposition of Heaven. I do not think any of Father's books were taken except some on the parlour tables—my personal loss was the greatest in the sacking of the stone house—all my letters and papers were rummaged over, and I know not how many taken. I miss articles of at least \$30 value, several of them books which no money can replace, being gifts from friends and premiums that I have had ever since I was a little girl. You never saw such a scene as that house presented. Father's drawers were pulled out, the contents, and those of my closet, scattered all over the floor of the parlour; and upstairs bore evidence to similar scenes of pillage and rummaging.

The last letters we received from you were the two which so strongly urged our removal to Baltimore, and if there had been time for it before what Aunt Jinny appropriately calls the *battle* of Walney, we should now have reproached ourselves for not acting upon your suggestion, great as the undertaking seemed to be to move father and our household goods, &c. It is not very pleasant to live as we are now, but if we were certain of never being any worse off, we would be thankful, and not think of going anywhere else; we know not what day there may be a change in the military which would deprive us of a guard, and perhaps not replace it, and leave us exposed to a repetition of those terrible days. Our situation, once so secluded, seems fated to be a military post and highway during the war.

I have been so much interrupted that I have been unable to make a complete examination of the books from Warrenton, but I have ascertained enough to know that there are some 150 or 200 volumes missing—a number of broken sets of works which

MRS. CAROLINE MACHEN, AT ABOUT 34 YEARS OF AGE

From a Photograph



Pa particularly valued—viz, G. Morrerri, folio, 1 vol. gone; The-saurus Stephani, do; Bailey Dic. folio 4 of vol. one; 2 volumes of De Thou; 2 volumes of Locke; 6 of Burke; Pope's and Cowper's and Wakefield's Homer, numbers of each missing; 6 volumes of that handsome English Portrait Gallery, and many other broken sets, besides a number of entire works, Moliere, Clarendon, Dryden, Wordsworth, Pope, and others I cannot enumerate. But we should be thankful to get back as many as we have. P. saw Mr. Barten lately and he told him of several libraries placed in Warrenton for safe-keeping which were entirely gone, as ours would doubtless have been but for Mr. B.

Your box came to us just before the stoppage of communication with Alexandria, and I cannot tell you how acceptable the contents were, as proofs of your kind love and thoughtfulness. We like the dresses very much, and the books and candy were greatly enjoyed. Don't forget to give our love and thanks to Mrs. G[ittings] for the patterns and her kind assistance about the trimming. I must say goodbye. Do write immediately or the soldier to whom this letter is to be enclosed may be ordered away. He has the care of a hospital. Mother supplies him with milk, and he kindly offered to send a letter and have your reply enclosed under cover to him.

I suppose we cannot see you until more settled times. Would that we could. May the Almighty bless and preserve you, prays

Your own,

E.

Both ladies modestly understate their own bravery in withstanding the efforts of the soldiers to break into my grandfather's chamber. My aunt often said, however, that upon her mother's point-blank refusal to let the soldiers open the door, in front of which she stood, saying that her ill and aged husband was within, they tauntingly replied that they knew well enough it was no sick gentleman but some d—d rebel who was inside. They then pointed their muskets at her and threatened to shoot her, or stab her with their bayonets unless she yielded. She stood her

ground, however, and at this point was saved by the kind intervention of Capt. Cowan, as described in her letter.

The good friend of the family, Mr. Thomas Blagden, of Washington, writing a few weeks later, indicates clearly the contemporary estimate of my grandmother's courage and presence of mind:

Thomas Blagden to A. W. Machen.

Washington, October 20, 1862.

. . . . I hope you have favourable intelligence from Walney. In a letter I had from Mrs. Blagden the other day, she thus wrote about them:

"Words fail me to express my admiration of the heroism of the Machen ladies, and my deep, heart-aching pity for them. What a wonderful thing, that a *woman* should have been able to protect her husband by her firmness and bravery, by resisting those *nine* lawless ruffians who might have killed her! Truly God did mercifully interpose for them." . . .

For some days or weeks, Walney echoed with the tramp of contending armies, but my grandparents and their daughter never left or even tried to leave their homestead, and through the kindness of the Federal soldier, as also mentioned in a letter quoted above, succeeded in maintaining communication with my father in Baltimore:

Miss Emmeline Machen to A. W. Machen (at Baltimore).

Walney, October 2, 1862.¹³

Thursday ev'g.

My dear Brother:

Mother and I wrote to you nearly a week ago, the letter was to be sent by a soldier, under cover to whom we hoped to have received a reply ere this. He generally comes to the house twice

¹³ The date is written "Sept. 2, 1861;" but "Sept." was corrected to "Oct." by my father in his own handwriting, and 1861 is an equally obvious slip for 1862. In the confusion of war times, errors in dates were very common, perhaps because there was so little to distinguish one day from another in the isolation and desolation of the farm.

a day, and after each disappointment we console ourselves with the anticipation that next time he will be the welcome bearer of a letter from you. Ours, I trust, reached you safely by the military mail. I knew how very anxious you would be to hear from us when such large armies had been all around us—we have been almost in the midst of battles. Indeed, a cavalry charge was made in our corn field, and troops were drawn up in line of battle in our North West field. The uncertainty whether cannon balls and shells might not be falling about us at any moment, added not a little to our unpleasant situation, especially after the theft of our horses and oxen left us entirely without the means of moving if the danger to life had seemed ever so imminent. The citizens of Centreville were required to leave their houses, it was generally believed because the place was considered unsafe by the Military.

But I gladly turn to pleasanter themes, for in the midst of my sentence I was interrupted by news of the arrival of Mr. Van B.¹⁴ with a letter! I cannot tell you with what delight it was welcomed. Mrs. Watt is going to Alexandria tomorrow and I embrace the opportunity of writing by her. We feel greatly indebted to Mr. V.¹⁵ for his kindness in procuring us the great treat of communicating with you. If you will write again and direct in the same manner, the letter will doubtless come to us safely, unless he should change his location. Please also write and direct to Alexandria—persons from the neighbourhood can now go there, and we might have an opportunity of receiving as well as sending a letter;—by your directing a letter to Alexandria and C[entreville] also, we should have a double chance of hearing from you.

As to our condition, it has not changed since we wrote, except that there is now a picket of fifteen men who stay under the large walnut and in the locust grove (when they are not in the kitchen, on the stone steps, or in other places about the house). As you may suppose, it is unpleasant to have our privacy thus broken in upon. Once, we would have been seriously annoyed by hav-

¹⁴ Henry A. Vanbrocklin, of Company L, 9th New York Cavalry. Presumably he was the soldier mentioned at the beginning of the letter.

¹⁵ Mr. Vanbrocklin, *supra*.

ing so many jabbering Dutchmen¹⁶ so close to us; but we judge of everything by comparison, and compared with those memorable three days this is nothing. We still have the guard continued to us—if the picket were disposed to be uncivil, the guard do not allow them to be so, and we shall be very well able to endure this part of our experiences of the war. Why the picket could not have been placed at the barn or somewhere in the lane, it would puzzle a poor civilian to say, but we are so grateful to the Military Authorities for the protection afforded us, this time, that we very uncomplainingly submit.

Our larder was in a low state, but we have been replenished in some things, and hope to get some groceries through Mrs. W.¹⁷ Do not be uneasy about us—Providence has thus far provided daily bread, and we will trust on for the future. Our nearest approach to starvation point was during our *siege*—we had but little heart to eat, and did not anything more than to bake a little bread, and we found it impossible to accomplish this except after night. One morning, some rolls that we were depending upon greatly were stolen from the fire, spider and all! Our neighbours have been very kind in sending us vegetables—we should else have none. Fortunately, Mrs. Watt's garden was not molested, and she very kindly sends some from time to time. Mrs. Fairall the other day sent several different kinds and three chickens.

Mrs. Watt's invalid mother died during the Bull Run battles, and was buried in C[entreville] amid all the confusion of that time.

Moving now, even as far as Cousin Martha's¹⁸ seems difficult, if not impossible. If times should change, you would probably be able to come on and consult with us. I must confess that our experience has made Mother and me feel very differently about leaving here. You did not say what you thought of the Gum Spring plan.

But I must say good night with abundant love from all.

Ever your own

E.

¹⁶ It is noticeable that the Northern soldiers who committed the worst acts of vandalism during our Civil War were Germans, as this passage tends to indicate.

¹⁷ Mrs. Watt, a tenant.

¹⁸ Miss Martha J. Lewis, of the Gum Spring, in Loudoun County.

That such tidings from his home would induce my father to visit his parents at the earliest possible moment can readily be understood. Accordingly, in the following month, November, 1862, he succeeded, through the intervention of Reverdy Johnson, in obtaining a pass entitling him to repair to Walney, and bring his father, mother and sister to Baltimore, together with their household effects, including of course the beloved books saved so as by fire from the theatre of war. About the middle of the month, the removal was effected. They drove from Walney to Washington accompanied by several waggon-loads of personal effects, including the books. All except my father stopped en route at Argyle, the Blagden place near Washington, for a week or more, while he was preparing a house in Baltimore for their occupancy. By the first of December, the whole family, with the exception of my uncle James P. Machen, who was in the Confederate Army, were comfortably established in their new home in Baltimore on North Charles Street a few doors south of Centre Street, in a building now part of the St. James Apartments.

The sad condition of Centreville and the surrounding country during the remainder of the War—a condition in which, unhappily, it still continues—is sufficiently attested by a letter to Mr. Thomas Blagden, my grandfather's dear friend, from a relative in the Union Army who was stationed near Centreville:

George Blagden to Thomas Blagden (quoted in letter from Thomas Blagden to A. W. Machen, dated July 25, 1863)

Near Centreville, Va., July, 1863.

I inquired about Walney the other day from an old negro. He was more particularly posted on "Mr. Jim Machen" as he called him. "Mr. Arthur," he also knew of. I don't think he was in the habit of visiting the ladies in the family.

I shall certainly visit Walney if it is possible. I shall have to go probably with a guard, however, as the bushwhacker "goril-

las"¹⁹ render the roads hereabouts impassable for a solitary horseman of the Union species. . . .

The general condition of the country is very sad and dreary. I do pray that this unnatural state of things may speedily be brought to a close. The town of Centreville may have looked gay once, but its appearance now, to use an expression of J. Phillips²⁰ down-east servant is exceedingly "wunk"—the word carries its own definition.

The separation from the son and brother, and the illness of the father, together with the anxieties incident to the War, were the only drawbacks to the happiness of the household in Baltimore during the next year. On January 24th, 1863, my grandmother wrote to her son James, who was then in the Confederate Army:

Mrs. Caroline Machen to J. P. Machen.

Baltimore, January 24, 1863.

We received yours of the 25th ult., with what pleasure I leave you to imagine, as we had received no tidings for some months previous—most thankful were we to hear that your health was good.

It is now over two months since we left our country home. Harrison (the blacksmith) went into the house the day we left—we brought all the books, even the account books.

Your father's health is not any better than when you saw him last. He bore the removal better than I expected, but he often wishes to go back, says it is so "contracted" here. . . . We have a very fine commodious house and are very happy here. . . . I must stop or lose the chance of sending this poor scrawl.

In the summer of 1863, although my grandfather's strength was waning fast, my father yielded to the persuasions of his mother and sister and went to Cape May for a

¹⁹ Doubtless, Mosby's Men.

²⁰ Explained by Mr. Thomas Blagden as "his cousin and one of his lieutenants."

vacation. While he was absent, his sister found one of the all too rare opportunities of writing to her brother James:

Miss Emmeline Machen to J. P. Machen (in the Confederate Army).

Baltimore.²¹

Not the least painful circumstances attending our separation from you is the inability to communicate. We occasionally hear of you—our last direct tidings, the last of May. . . . Father has been a great invalid since our arrival, and I am grieved to say his physician gives no hope of any improvement. . . . Arthur has been taking a little holiday jaunt for a week or ten days. We thought he needed the change and urged his going, but I am impatient now for his return, for both Mother and I fear Father is seriously worse than when he left.

A few days later, my father was summoned to return at once to Baltimore on account of an alarming change for the worse in his father's health; but before he could reach home, on the afternoon of August 11th, 1863, his father, Lewis H. Machen, died. He is buried in Greenmount Cemetery, Baltimore.

During the remainder of the War, the three surviving members of the household lived as calm and undisturbed lives as were possible in those unsettled days. One anxiety they had to endure was the draft. On the first occasion, my father escaped by presenting a "certificate" prepared for him for the purpose by Dr. Thomas H. Buckler, who, perhaps as a Southern sympathizer, regarded as meritorious any assistance he could render in avoiding the draft. But on the next occasion, upon presentation of the same certificate, the physician in charge of the draft, burst into a roar of laughter, saying, "Does Tom Buckler think I would be fooled by *that*!" However, my father was lucky, and was never drawn. He refused to join any of the clubs or mutual

²¹ Undated but evidently written early in August, 1863.

associations for defraying the expenses of purchasing substitutes for any members who might be drafted; for, as he has told me, he preferred to have no part or parcel in the prosecution of the War by the North unless under absolute compulsion and for the purpose of relieving his person or property from duress.

The intensity of feeling in the society of the border city of Baltimore is shown by an incident which my father records as occurring at Cape May in August, 1863, with reference to Gen. Schenck, who had been in command at Baltimore and had ordered the arrest of many prominent Marylanders:

Draft of Letter or Diary by A. W. Machen.

Cape May, August 3, 1863.

Gen. Schenck left this morning, his daughter remaining. Some little stir had been made in our Baltimore circle by a lady belonging to it having manifested displeasure at the act of courtesy in the gentleman who attended her in exchanging salutations with him. He was quite well acquainted with General Schenck, who also was walking with one of his daughters. The extreme view of the lady was not shared by her friends. With the exception of this incident, a matter too trivial for observation but as a sign of the times, politics, by common consent, seems to be ignored, everybody being resolved to enjoy all things—the sight of our neighbour's enjoyment among others.

Throughout the War, my father's pecuniary resources were strained to the utmost, notwithstanding his rapidly growing law practice, by claims of Confederate prisoners upon his sympathy and assistance. Relations, friends, acquaintances, and even entire strangers—anybody from Virginia—seemed to feel that they could demand pecuniary aid from him as a right. Rarely if ever did he reject these appeals, however peremptory in form, although occasionally he was obliged to explain his inability to do all that was asked. For example, a Virginian, a mere acquaintance, confined in Fort McHenry wrote to him as follows:

——to *A. W. Machen*

Fort McHenry, November 3, 1863.

On the 7th of October in answer to yours of the 30th of September, I addressed you a note, requesting you to deposit, for my benefit, the sum of thirty dollars in the hands of Lieut. E. W. Andrews, then Provost-Marshall at this post. Since then I have heard nothing from you. Will you be kind enough to inform me whether or not you have received my first note.

——to *A. W. Machen*.

Fort McHenry, November 10, 1863.

Yours of the 5th inst. inclosing the sum of thirty dollars has been received, for which you will please accept my thanks. In consequence of the lateness of its arrival, nearly the whole amount has been consumed in the payment of my debts to my fellow prisoners, and I must again ask of you the loan of a similar sum, which you will inclose, as before, at your earliest opportunity.

To this repeated draft, my father replied with the following patient and courteous refusal, three days later:

A. W. Machen to——.

Baltimore, November 13, 1863.

I am very sorry it is not in my power, now, to send you some more money as you desire. My father and mother, you know, necessarily had claims before all others. Their property, swept bare in Gen. Pope's retreat, was made worse than unproductive; and the family have had to look to me for everything. The expenses of their removal, and of taking and furnishing a house, maintaining them since, etc., have been very heavy.

But I am besides constantly called on to render aid to relatives and friends who by, reason of captivity or other circumstances of peculiar distress, require such assistance. Persons having few or no other sources of relief naturally apply to one whom they know to be a Virginian by origin in preference to utter strangers. To

these appeals I respond to the utmost of my ability. It occasions me more pain than I can express to seem ever in any degree indifferent to them. At this very time I have before me at least three other applications by or on behalf of persons confined in other military prisons, two of whom can urge some special claims. I cheerfully do all I can, and if I appear to come short, friends will do me the justice to believe it is not owing to lack of will.

The surrender at Appomattox brought with it a reunion of the family, and the restoration of my uncle to his home at Walney. Immediately upon the cessation of hostilities, my grandmother embraced the opportunity of writing to her son at Walney:

Mrs. Caroline Machen to J. P. Machen.

Baltimore, May 9, 1865.

My dear James:

I was delighted to get your letter yesterday. I wish we could come down with Arthur to assist you in righting up our loved homestead, but that at present seems impracticable. . . . I fear you will have to resort to primitive times, and like Franklin live on corn gruel and eat with a pewter spoon—but let us thank God that our lives have been spared and that we still have a shelter from the weather. . . .

You will find your mother much changed—old age has come on rapidly in the last four years. . . . I wish you could see our present home. We are surrounded by every comfort, in the most pleasant part of Baltimore, and dear Arthur has been the best of sons, so liberal and kind to both mother and sister. May the Almighty reward him sevenfold. . . .

Your brother has made two attempts to see you. I hope it will not be long before you meet—he will be able to tell you all that I have omitted about our concerns.

Heaven bless and protect you. Emme unites with me in love to yourself and George—kind regards to her mother.

Your loving Mother,

C. Machen.

A few weeks later, his sister writes in a similar strain:

Miss Emmleine Machen to J. P. Machen (at Walney).

Baltimore, May 21, 1865.

I cannot tell you how Mother and I long to see you. We feel as though we could wait no longer; and as each day goes by, we hope that the next will bring you to us, as we cannot, at present, go to you. Arthur has been intending to write—I think he has been waiting until he could say “come” without fear of any disagreeable consequences. As far as we can judge, this would seem to be the case now. We hear of a number of Marylanders who have returned and have been unmolested, and we know of some Virginians who have been here on a visit—Major N——d of Middleburg among others.

CHAPTER VI

THE LAST FIFTY YEARS

The conclusion of the Civil War found the firm of Machen and Gittings with a highly flourishing and rapidly growing practice. In Baltimore County, they were retained on one side or the other in almost every important litigation, and in Baltimore City, while their position was of course by no means so pre-eminent as in the county, yet they enjoyed a practice which betokened a rank among the very forefront of the bar. The professional income of the firm was, if not princely according to present standards, at least comfortable.

In the twenty years from October, 1867, when the Court of Appeals first sat under the new Constitution, to October, 1887,—a period covered by thirty volumes of Maryland Reports,—my father argued more reported cases in the Court of Appeals than any other lawyer in the State save only I. Nevitt Steele and S. Teackle Wallis. The extent of his practice in our highest court may be illustrated by the following table showing the number of cases argued by various prominent members of the bar reported in the thirty volumes of Maryland Reports from 28 Md. to 67 Md., inclusive:

<i>Name</i>	<i>No. of Cases Argued 28 Md.-67 Md. inc.</i>
S. Teackle Wallis.....	133
I. Nevitt Steele.....	130
Arthur W. Machen.....	121
John P. Poe.....	118
Charles Marshall.....	112
Bernard Carter.....	101
George Hawkins Williams.....	88
Edward Otis Hinkley.....	67
Albert Ritchie.....	55
Wm. Pinkney Whyte.....	43

In the meantime, Walney was still suffering from the ravages of war. James P. Machen, upon his return from the army, found his home indeed intact—and in this respect he was more fortunate than many of his neighbours—but his means of livelihood were gone. The land remained, but nought wherewith to make it productive. Moreover, one of the mansion houses on the farm—the house which had been designed by his father for James P. Machen's own occupancy in the event of his marriage—had been burned by Federal troops. Finally, the war had caused the abandonment of a railway which was laid out to pass very near the farm and which was actually under construction at the outbreak of hostilities. However, the farm was unencumbered, and with some assistance from my father he set out to earn a subsistence from the land under the changed conditions.

In the spring of 1866, he was married to Miss Georgie Chichester, to whom he had been engaged throughout the War.

His mother and sister continued to reside with my father in Baltimore, although spending their summers at Walney.

In 1867, my father made his first European trip, in company with his good friend, Mr. William A. Fisher. Two years later, he made another trip, this time without a companion. He desired strongly to see Rome; and although the season was midsummer, then regarded as deadly in Rome, he went boldly thither. While there he formed a pleasant acquaintance with John G. Chapman, the artist, and his daughter.

The two members of the firm of Machen and Gittings, not many years after the end of the War, found themselves with a larger practice than they could attend to. In particular, they had difficulty in giving adequate attention to their office at Towsontown without slighting the more lucrative practice which was to be sought in the city. In order to

relieve the situation, they took into their firm Colonel David G. McIntosh, who after his distinguished service in the Confederate Army had lately settled in Maryland. He resided at Towson, or Towsontown as it was then called, and had charge of the Baltimore County office, the firm being known as Machen, Gittings and McIntosh. The old firm of Machen and Gittings, with unchanged membership, kept up the city office.

Colonel McIntosh soon became not merely a valuable associate but a warm personal friend. He had, to be sure, no new clients to contribute to the firm; but he possessed a high degree of legal ability, and moreover his military record was at that time a valuable asset in Maryland.

In the spring of 1870, at the residence of Mrs. Edgeworth Bird, in the dwelling now known as 22 East Mt. Vernon Place, my father first met her niece, Miss Minnie J. Gresham, of Macon, Georgia. She was then on her way to New York, from which she sailed for Europe shortly afterwards. The acquaintance was renewed upon her return to this country in the autumn, and again in the following year,—in the spring at Baltimore, and in the summer at Saratoga. In April, 1872, they became engaged; and on February 13, 1873, they were married in the First Presbyterian Church of Macon, Georgia, by Rev. A. W. Clisby. After a wedding trip to New Orleans, they established their home in the house on Madison Street between Charles and St. Paul Streets which for several years past had been occupied by the bridegroom with his mother, and sister. It was then known as No. 62 West Madison Street.

In the following summer, he and his bride travelled through Europe together, visiting England, France, Belgium, Holland, Switzerland, and extending their journey as far eastward as Vienna.

Upon moving to Baltimore in 1863, his mother and sister had transferred their membership to the Franklin Street

Presbyterian Church from the Presbyterian Church in Washington, with which, notwithstanding their long residence in Virginia and diligent support of the Protestant Episcopal Church in Centreville, they were still technically members. Although there was no division among the Presbyterian churches of Baltimore until several years after the War, Rev. Dr. J. J. Bullock, the pastor of the Franklin Street Church, was known as a man of Southern sympathies, whereas Dr. Backus, the pastor of the First Church, was of Northern birth and, although broad-minded and catholic, an avowed Union man. The family, therefore, naturally connected themselves with the Franklin Street Church in preference to the First Church.

My father during a part of the War was a pewholder in Christ Church, but took a pew in the Franklin Street Church when his mother and sisters joined that congregation. Immediately after his marriage, he himself joined the Franklin Street Church, and speedily became one of its most influential members. He was elected a trustee of the Church in 1880, and was re-elected every year until his death.

In 1873, he was chosen president of the Library Company of the Baltimore Bar, to fill the vacancy created by the elevation of the former incumbent, George William Brown, to the Supreme Bench. Besides Mr. Brown, the library, since its incorporation in 1842, had had but one president, John V. L. MacMahon. My father was re-elected yearly from 1873 until his death, thus holding the office for forty-two years.

On the last day of the year 1875, the larger of the two dwelling houses at Walney with virtually all its contents was destroyed by a fire caused by a burning chimney. The loss of many heirlooms and family records was irreparable; and the ladies of the family, at least, never ceased to lament this calamity. What the Northern soldiers spared, the fire consumed: "that which the locust left, the canker-worm hath eaten."

Soon after this, another loss, of a very different character, was sustained; for on July 8, 1878, his mother, Mrs. Caroline Machen, died, in the ninetieth year of her age, at his home in Baltimore. She was buried in Greenmount Cemetery, beside her husband.

A few years before her death, her eyesight had failed; and when the end came, she was virtually blind. But until just before her last illness, her mind was strong and clear. She possessed a discriminating intellect, and could sometimes discern what one would not have expected to be perceived save by those who had enjoyed more educational opportunities. For example, in reference to a popular preacher, whom crowds of church people weekly gathered to hear, all oblivious to his failure to grasp the fundamentals of Christianity, she remarked, "Mr. ——— would be a great preacher if he were only converted!"

Although her life was rounded to its close at the ripe age of eighty-nine years and eight months, her children never ceased to mourn her loss. A letter of condolence from Colonel Richard Malcolm Johnston, beautifully expressed the feelings of many friends:

R. M. Johnston to A. W. Machen.

Pen Lucy, Md., July 8, 1878.

Doubtless your own heart knows in the midst of your grief where to find the best consolation. But one of the first thoughts occurring to me when I heard the news of your mother's departure was the sweetness in the memories her children must have, both of what a blest life, in its main elements and accidents, she led, and how the burthens of its long protracted duration were lightened by their faithful, tender assiduities. All who knew that small circle looked with constant pleasure upon these goodly sights.

I often think of how you talked to me once, very soon after I became acquainted with you, of your father, what his loss had been to you, and your long sorrow for his death. Such memories

of our parents in time go to sweeten ineffably the thoughts with which dutiful children recall them to their hearts when they have gone from their earthly places.

And so, my dear friend, along with my sympathy I cannot forbear to send you my congratulations—congratulations for having had such parents, for having known their value, and for the consciousness which you have that to themselves while alive, and to their memories now that they are gone, you did then and do now render what was and what is their due.

In November of the following year, the family residence was removed to the house on Monument Street, then known as 97 West Monument Street, where my father lived until his death, where all save one of his children were born, where for thirty-six years the affectionate circle of parents and children continued unbroken, and where even now, in the midst of the books he collected and loved, his presence seems to dwell as in a shrine.

The year after moving into his new home, my father's vigorous frame threatened to give way under the strain of his professional labours. Though now in middle life, he never relaxed in his attention to professional duty. He would constantly work at the Bar Library until the closing hour, only to resume work at his residence, and continue it unabated until one or two o'clock in the morning. Then, usually after dipping for a few moments into some favourite author by way of diversion, and invariably after reading a portion of the Bible, usually in Greek, he would throw himself into bed and fall immediately asleep—for he could always sleep, however intent he might be upon some critical work.

His physician thought that he was threatened with paralysis, and advised a trip to Europe. Thereupon, leaving his infant child in the care, first, of a dear friend, Mrs. Post, and then of his mother-in-law, he, with his wife and her brother, spent some months in travelling through Europe, in the

summer of 1881. Upon his return, no improvement in his health was discernible. Discarding physicians, he betook himself to a liberal use of Morison's pills, in the efficacy of which he was always a strong believer; and for more than thirty years longer—thanks, as he always thought, to that sovereign remedy—he enjoyed robust health.

In 1882, he was invited, and even importuned, to accept a nomination as one of the judges of the Supreme Bench of Baltimore City on the so-called "New Judge Ticket," but by this time, the position of *nisi prius* judge had lost all attractions for him, and moreover the salary attached to this office was much less than he was then earning at the bar. Accordingly, he declined the honour.

Another great sorrow fell to his lot in August, 1882, when his partner, Richard J. Gittings, died after a brief illness, at Ocean City, Md. The loss was heavy and irreparable in every way. The best of friends, reposing an implicit and fully justified confidence in each other, they were rather brothers than mere business associates. My father was hastily summoned to the bedside of his friend from Atlantic City, N. J., where with his family he was spending a few weeks of holiday; but before he could reach Ocean City, the end had come. Thirty-one years afterward, on August 18, 1913, he wrote to a friend:

I always necessarily have fixed in my memory that second day of August when my life was broken in two by the death of Richard Gittings. My habit, however, is not to store my memory with sorrowful anniversaries. I could not tell you off-hand the date of the death of my father or of my mother or of my dear sister.

This calamity of Mr. Gittings's premature death was thought to have been superinduced by an undermining of the constitution by incessant professional work. The surviving partner was besought by his wife and his father-in-law, Judge

J. J. Gresham, to heed the warning, and slacken his labours. His mother-in-law added her voice of entreaty:

Mrs. Mary B. Gresham to A. W. Machen.

Macon, Ga., November 16, 1882.

Pray take care of yourself, dear Arthur—your life and health is very precious to many.

To some extent at least, these requests were heeded, for never after his partner's death did my father subject himself to such prolonged and continuous strain as before. The firm of Machen, Gittings and McIntosh was dissolved by the death of Mr. Gittings; and the surviving senior partner preferred to devote himself exclusively to his city office, leaving Colonel McIntosh in sole charge of the office at Towsontown. As my father thus practised alone, he did not feel that by devoting less assiduous attention to his office he was wronging an associate, and was thus able to gratify to some extent the demands of his health and the entreaties of his family.

He still worked hard enough, in all conscience, as the writer, from recollections of childhood, can attest; but the strain and stress—the "*Sturm und Drang*"—was not quite so great.

In 1887, the health of his only sister, Miss Emmeline Machen, gave way, and on May 30, 1887, she died, at her brother's residence on Monument Street, and was buried beside her parents in Greenmount Cemetery.

For several years prior to 1888, my father had been a member of the Board of Foreign Missions of the Southern Presbyterian Church, the office of which was then in Baltimore. Together with the Pastor of the Franklin Street Church, Rev. Wm. U. Murkland, and a number of prominent Baltimoreans including Dr. Henry P. C. Wilson and Mr. Charles F. McCay, he gave unremittingly of his time and

advice to this important work. Unfortunately, there is reason to fear that the services of these strong, godly men were not appreciated at their real worth by the Church at large; and the General Assembly of 1889, after an *ex parte* statement by the Chairman, with whom a majority of the Board had presumed to differ, removed the offices of the Board to Nashville, thus getting rid of the Baltimore Board.

At the General Assembly of 1888, the Moderator, Rev. Dr. J. J. Bullock, appointed my father one of the lay members of a committee from the Southern Presbyterian Church to negotiate with a similar committee from the Northern Church with reference to a union of the two bodies. The committees met in New York; but the merger was not effected, in consequence of the intransigent attitude of the Northern Committee on the negro question and on the expunging of certain resolutions, obnoxious to Southern men, which had been adopted in 1861.

In 1891, the family spent the summer in a cottage at South Yarmouth, Massachusetts. On September 2nd, the day preceding that fixed for their departure, while my father was in his bath-house finishing dressing after his bath in the tidal river, or arm of Nantucket Sound, a cry was heard that a woman was drowning. It was after the usual bathing hour, and few persons were still in the water. Throwing open the door of his bath-house, my father, without a moment's hesitation, plunged into the water, pausing only to throw off his coat, but not removing his shoes or any of his other clothes. The tide was running very strong, but he had the good judgment to start from a point where it would aid instead of hinder him in reaching the drowning woman. By the time he got to her, she was just sinking, and was too much exhausted to struggle. He pushed her unconscious body to the shore, where she was speedily resuscitated. She turned out to be a servant girl named Janet Richards. The gold watch which he was wearing—an old time-piece which his father

had worn until his death—stopped at the minute of his plunge into the salt water. It is still carefully preserved, with the hands at the place at which they had stopped.

At the time of this rescue, my father was *sixty-four* years of age.

The most affectionate relations subsisted between him and his father-in-law. From the latter's wise counsel, he derived much instructions and advice in matters of finance; and conversely the latter had entire confidence in his son-in-law's integrity and wisdom. Upon his death, on October 16, 1891, his will designated my father as one of his executors.

At a congregational meeting of the Franklin Street Presbyterian Church, held on May 10, 1893, Arthur W. Machen was elected a ruling elder. He had twice before been honoured by an election to this office, but each time he had declined. But on this occasion, he was persuaded to accept, and, on June 18, 1893, was duly ordained and installed. The Pastor, Rev. Dr. Murkland, wrote him as follows:

Rev. W. U. Murkland to A. W. Machen.

Baltimore, May 11, 1893.

I write this to express my own great gratification at this action of the people, and the joy with which I will welcome you as a fellow ruler in the Lord's House. It must gratify you, and help your decision in the premises, to know that your name was proposed by every member of the Session and so heartily approved by the members of the Church. . . . Do not, my dear Brother in Christ, decline this high, honourable work to which you have been called by God's Spirit through His Church.

Ever since the Civil War, my father was affiliated with the Democratic party. He never took an active part in politics—indeed, for years, during the period of unquestioned Democratic supremacy in Maryland, he did not even take the trouble to vote. Although he had been brought up as a Whig and had clung to the last vestiges of the Whig party,

his vigorous mind was never given to half-way measures, and when once he joined the Democratic party, he did so with all his soul and strength. For this reason, he always opposed the various independent movements in Maryland politics from 1875 to 1895, and adhered with strict and invariable regularity, down to 1915, to the candidates of the Democracy.

To be sure, in 1896, he felt that Bryan and his fads did not represent Democratic doctrines; and he could not lend himself to such a gross absurdity as the free and unlimited coinage of silver at the ratio of sixteen to one. But, nevertheless, he could not bring himself to vote for the Republican candidates, and therefore cast his ballot for Palmer and Buckner.

In no case—save in one or two instances of judges, and other non-political officers—did he ever vote for a Republican. In 1900, and again in 1908, he voted for William Jennings Bryan, although he never approved the man's vagaries. Indeed, except in 1896 and in one or two instances of minor offices, he invariably, after 1860, when he voted at all, exercised his suffrage in favour of the regular Democratic candidate.

During the year 1897-8, he was president of the Bar Association of Baltimore City.

He was counsel for the Baltimore City Passenger Railway Company from its incorporation in 1862. He had previously represented Mr. Henry E. Tyson, its first president, and the voluntary association which was the predecessor of the corporation. He invested his own savings from time to time in stock of this company, as his intimate connection with its management assured him of the safety and future of the investment. So absorbed was he in caring for this investment through the medium of his counselship that for the sake of devoting himself to the company's business he frequently refused cases from other clients. Nevertheless, after the

introduction of rapid transit upon the company's lines, damage suits multiplied to such an extent that he found himself unable to attend to all the work. At his instance, therefore, William Shepherd Bryan, Jr., was retained as his assistant. In 1908, all the stock of the Railway Company was sold at a price sufficient to net him and the other holders a handsome profit; but as he was never regularly retained by the purchasers, or the new corporation which they caused to be formed, a very large part of his practice vanished, and he was of course too old to get back the clients whom, for the sake of the Railway Company, he had allowed to drift away.

Upon the death of Dr. Murkland in April, 1899, the session of the Franklin Street Church was subjected to an anxious and laborious responsibility in the selection of a successor in the pastorate. For over two years, my father and his fellow-elders corresponded, consulted, investigated, and advised the congregation, in this difficult task. Moreover, the pastoral care of the congregation during the interregnum devolved upon them. Finally, however, they were rewarded by the election and installation of Rev. Harris E. Kirk, who, being of congenial tastes, at once became not merely a pastor, a co-worker in the Church, but a close personal friend.

Although my father was very fond of travel—of seeing new scenes, and of visiting places possessing historic or literary associations—he did not cross the Atlantic for twenty-seven years after his valetudinarian trip of 1880. He spent his summer vacations, which gradually increased in length as he grew older, in America—usually in the White Mountains, where with his wife and sons he tramped over almost every foot of the Presidential Range, until, as an Irish servant-girl expressed it, “the name of Machen would take you up the mountain and down the mountain,” or on the coast of Maine, where in his little cottage at Seal Harbor, surrounded by books and flowers, he passed many happy days. His long abstinence from European travel was caused in part by the

necessity of keeping in touch with his office and in part, in later years, by a disinclination to undertake the care and responsibility incident to foreign travel. In 1908, however, and again in 1910 and 1911, each time in company with one or more of his sons to conduct the party, he spent the three summer months in Europe.

Especially in his middle life, he was a voracious novel reader, and every summer would supply himself with a large number of the latest publications. He was also for at least forty-five years before his death a subscriber to *Littell's Living Age*, and a constant reader of the articles and stories there reprinted from foreign periodicals. He stocked his library with books on biblical archaeology and criticism, and kept abreast of the latest discoveries and theories in that branch of research or speculation. He also read extensively in the most recent books of history. For instance, he purchased, and actually read through, most of the volumes of the Cambridge Modern History.

Shortly after his marriage, he filled a gap in the library which he had inherited from his father by purchasing a number of sets of modern authors in well bound and well printed editions; but although he had succeeded to his father's fondness for early printing, he made few additions to the collection of incunabula until after the year 1900. At about that time, he attended an auction in New York at which a very fine collection of early printed books and fine editions were sold, and became the purchaser of many at bargain prices. Stimulated by this success, he made in the next few years large additions to his collection, although generally he was obliged to pay much higher prices.

His only brother, Mr. James P. Machen, lived at Walney alone, after the death of his wife in 1895, and the removal and marriage of his children. In 1908, he suffered a severe attack of pneumonia, and only by his iron constitution was his life saved. Never afterwards, however, was he really

himself again. His eyesight was all but gone, and on October 6, 1913, he died in a hospital at Washington. He is buried in the churchyard at Centreville.

My father thus became the last survivor of his family. He also outlived all his friends of approximately his own age. The death of any of them was always a grief, though he never outwardly showed depression.

The longest livers of his Law School friends he saw but seldom. With one of the closest, C. C. Langdell, his acquaintance was renewed at the time of my own studies at the Harvard Law School. The tie between them had always been strong, although they corresponded but seldom. In 1887, Mr. Langdell wrote:

C. C. Langdell to A. W. Machen.

Cambridge, June 22, 1887.

My last lecture has been delivered, my last examination has been held, and to-day I have read and marked my last examination book. In short, my year's work is finished. And now I am going to write to you.

It may strike you as odd that I should not have been able to answer a letter (written last Thanksgiving Day) till my year's work was done; but you must not commit the injustice of comparing me with yourself; you must not (in judging me) think of one who cannot write a poor letter if he tries; you must consider the case of one who cannot write a good letter if he tries ever so much, and to whom it is a great burden to write at all; to whom, moreover, the fact of having an excellent letter to answer operates not as an inspiration, but as a discouragement. Of this you may be sure, namely, that my long silence has not been because of forgetfulness, nor because I did not value your letter highly. If I had written to you one tenth as often as I have thought about you and talked about you, you would have been tired of receiving letters long before this.

How like a dream that celebration seems! Nothing has happened since I can remember that so stirred me up. For days after you left, we felt more than the loneliness of Sunday (you

know that the idea which a New England boy associates with Sunday is chiefly that of loneliness).

I was much grieved to hear of the death of your sister. I do not know whether you had more than one sister; but I cannot doubt that this was the one of whom you spoke so often, and who read Co. Litt. to you. You must feel her loss very keenly. You have my warmest sympathy.

Yours affectionately,
C. C. Langdell.

Again, after the celebration of the twenty-fifth year of his connection with the Law School, upon the occasion of his resignation as dean, Mr. Langdell wrote:

C. C. Langdell to A. W. Machen.

Cambridge, June 28, 1895.

My dear Machen:

It was a great pleasure to me, on Tuesday last, as I could not see you personally, to receive your very kind and sympathetic letter.

I find that the older I grow the keener is the interest I feel in friends of early days; and while the proceedings of last Tuesday had more special reference to my relations with those who have been in the Law School during the last twenty-five years, yet (ought I to say, "to my shame be it spoken"?) I must confess that my interest in those who were in the school in my own time is much keener.

With yourself in particular, all the earlier and more interesting part of my stay in the Law School is most intimately associated; and I do not in the least resent the feelings which I know you entertain, that the Law School was a much nicer place in those old days, and that too in spite of (doubtless you would say "because of") my boasted labours of the last twenty-five years.

Very truly yours,
C. C. Langdell.

In the summer of 1915, the last survivor of the friends of his boyhood days in Washington, Judge A. B. Hagner, departed this life. Each had a deep affection for the other. In 1910,

as a preface to a cordial invitation to visit at his house in Washington, Judge Hagner wrote:

A. B. Hagner to A. W. Machen.

Washington, October 26, 1910.

Dear Machen:

Your delightful letter of the 22nd inst. gave me great pleasure. You express exactly my own feelings about our long friendship, and our present feelings toward each other, which have been unchanged since the days of our boyhood.

By all means let me strive to preserve these kind relations as long as we live; and see that they are strengthened year by year instead of allowing them to become relaxed by age and non-user.

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Faithfully, with regards to your wife,

Your friend,

A. B. Hagner.

From few of my father's characteristic letters written in the last twenty or thirty years of his life is it possible to quote. Many of those written to members of his immediate family were devoted exclusively to matters of routine household arrangements, and those that would most truly represent himself are of two intimate a character to print. A series of letters, however, written in the fifteen years preceding his death to one between whom and himself friendship was raised to the third power—the daughter of one of his closest friends among the women of his own generation—beautifully illustrate some traits and sides of his mind and character, and prove that his ability as a letter-writer has not diminished with the coming of old-age. Some extracts from this correspondence follow:

A. W. Machen to Mrs. E——— R———

Crawford House, N. H., September 15, 1901.

I wish with all my heart I could give you some comfort in this time of the greatest sorrow that has ever visited you. You know,

at least, that I too grieve and have good cause for grief and sadness in the same calamity, and must be sorrowful on my own account even if I were not moved with sympathy for you. The last time I saw your mother, and her hand clasped mine in recognition, she said to me, in calling to mind the many friends we had had in common who had left this earth before us, "How strange that you and I should be still here, and all those gone." Now she is gone, and I am left to bear alone the memories we shared of a world of shadows, of forms and voices so living to us, yet so forgotten generally. But if I had never known them, and there had been nothing real in those departed times but her own gracious presence, what a charm those times must have had! And now all that loveliness only lives in the memory of those who had the good fortune to be admitted within the circle of its influence. What a privilege I have enjoyed to have had such a friend! And for you, what a blessing to have had such a mother!

In the appointed course of nature, parents must die before their children. Terrible it would have been—the fate of your mother—if you had been taken, and she left. The *inevitable* sorrow is hard to bear, yet when all meet in Heaven it will be recognized that God's ordering was best. You remain, to be to your children what she was to you. Your loving care, concentrated upon them, will have its reward; and, in process of years, when they attain maturity, and you see your hopes realised in their advancement, you will remember your dear mother as tenderly as now, but the bitter pang of separation will have passed away. And we do not grieve as those who are without hope. We *know* that Christ has risen, and that in him we have the true life, that never can be taken away from those who come to the Father through him.

A. W. Machen to Mrs. E——— R———

Seal Harbor, Me., July 16, 1902.

This is a good world after all. What if now and then disagreeable events turn up in an unpleasantly sudden manner; on the other hand, how many delightful surprises meet us when least expected. The coming of your letter was such an incident. When we learned in Baltimore of the arrival of your steamer at

its British port and thought and talked of you, I remarked to Minnie—sadly having in mind your austere disinclination to indulge your friends with sight of your handwriting—"Well we may be sure we shall get no *letters* from E——!" And now, lo! to reproach me, comes your letter—considering what Dr. Johnson, if he were alive, might call the usual 'exiguity' of your notes, a good long letter at that. Long or short, a most dear letter it is, and giving me assurance of a place in your heart which I would not give up upon any consideration. Minnie says the date shows it was written about the time I uttered that hard saying about you, and insists that a mysterious line of mental or spiritual telegraphy exists between us. I am not so sure as to the date, but I am glad to believe that our souls may be in company, independently of the accidents of space and time.

I have dreamt of Norway for many a year—ever since the time when in my Cambridge days I read in my German book of selections a tale, written I think by an old fellow whose name is pronounced "Shocky"—or something like that,—the scene of which was laid in a weird tract of land on the far Norwegian coast. I have forgotten the stories, but the landscape picture remains in my memory. I have that confidence in you now, that I believe you will write to me some more, and let me see the reflections made upon your heart by those glorious visions of Nature in her wildness and majesty and loneliness. We do not know—could not understand if it were told to us—what we shall see in the future world, but I am confident that God, who makes nothing in vain, would not have bestowed upon us the sense of beauty, if its highest exercise were not to be found in our future home, where all that is joyful here will be garnered up for those who love him and come to Him through our Lord.

A. W. Machen to Mrs. E—— R——

Seaside Inn,
Seal Harbor, Me.
August 29, 1905.

Your letter went direct to my heart. What if Time and Tide flow unfeelingly on, if one can get such letters? The Dolomites must be worth loving, if you take to them so. I am *sure* I could

find joy in their company, too. I agree that to climb a grand mountain is an undue familiarity, and how can any one so become really acquainted with it? It is like an attempt of an ant to study the Apollo Belvedere by climbing to the tip of his nose, or to the top of one of the uppermost curls on his head. Now, to climb a mountain of the second class in order to get a better view of the great mountains, that is different. The Eggishorn, the Gornergrat and the Rigi are given us for such a purpose. But you and I are not members of the Alpine Club, and I humbly feel that the Illuminati would smile at the conceit of the ignoramus who assumes to claim to know and appreciate a mountain peak by looking at it from the plain.

Dear E——, the past is *with* us with the present, if we will only take life so. Events and persons once closely associated with our lives and affection remain ever in our real world of thought and consciousness. And yet, present things also belong to us—present in time, or according to the calendar—to be enjoyed none the less because of the co-presence of those memories which have become part of the fibre of our being. It is part of the privilege of the immortality with which we are endowed to hold on to *all* that are dear to us. And there is less sadness in the companionship of those who are no longer with us in the body, than of the living; for we have to share the sorrows and pains of the living friend, while the other walks upon the clouds of heaven, forever exempt from earthly suffering.

I went to Baltimore last week upon a business (professional) end, and found it very lonely. I slept at home, and had the books around me there, to be sure. And they cheered me considerably each evening, dear faithful creatures that they are—as faithful as any dog, and so much more intelligent, if making less display of *sympathy*. I took my meals at the University Club—but even the club-rooms seemed uninhabited, only an occasional member showing here and there as if inspectors of the solitude. As I sat alone the first day, to take my dinner, at a window commanding a good view of the statue of John Eager Howard, the twilight gave a picturesque sobriety to the scene. I watched the bronze horse, and thought how tired he must be holding up that left foreleg so steadily, and my pity was awak-

ened. And what do you suppose occurred? I distinctly saw the poor beast straighten the limb and put the hoof down solidly, and an expression of satisfaction came over his face. This happened before I had touched my half-bottle of California, I assure you. Some might think the movement did not take place; *but my eyes saw it*. Regretfully I found, a little later, that the foreleg was again uphoisted in the same old, and uncomfortably monotonous, posture.

A. W. Machen to Mrs. E——— R———

Pine Forest Inn, Summerville, S. C.

March 21, 1914.

How do you find Plato, in the Republic, on full experience? Dreamy, vague, less satisfying than St. Paul and St. John, in the Epistles, I apprehend. When we have the solid revelation and wisdom of the New Testament to rest upon, giving all the light which our Adamic visions are capable of using, it always appears to me vain, unprofitable and delusive to grope after the humanistic philosophers—the great ancients or the little moderns, to say nothing of unhealthy and unnatural psychic experimentation which never has led, and never can lead, to any real scientific knowledge.

In December, 1915, he seemed to be enjoying his usual health. On Thursday the sixteenth of the month, he felt slightly unwell, and, Friday being a very snowy day, he kept within doors; but on Saturday he was at his office as usual, drew a number of cheques in payment of bills, dictated and signed some business letters, and returned to his home without any visible indication of illness. He spent the evening in his library, reading, as was his wont. The books which he was reading and which were left on his table included, besides the Bible, the Works of Plautus, a volume of Macaulay's History of England, and Scott's Fortunes of Nigel.

On Sunday morning, he was much interested in the newspaper reports of the wedding of President Wilson, defended

him from the charge of marrying too soon after the death of his first wife, saying that if he had been a younger man he could have afforded to wait, but that at the age of fifty-nine it behoved him to marry quickly if at all. He walked to Church in company with my mother and myself, sat in his accustomed seat, and listened with close attention to a sermon by his pastor, Dr. Kirk, from the text, "The Word was made flesh and dwelt amongst us, and we beheld his glory, the glory as of the only begotten of the Father, full of grace and truth."

At the conclusion of service, as he was leaving the Church, a member of his family asked him whether he had heard the sermon—for he had become a little hard of hearing. He replied, "I heard most of it."

He then walked home, and probably overexerted himself in order to keep pace with a friend with whom he was engaged in conversation. Immediately upon reaching his residence, he sank down on the chair which stood nearest the front door; and a few moments afterwards was assisted by his brother-in-law and youngest son to a sofa in the parlour. Here, quietly, without a word or groan, surrounded by his family, and with the great words of the text yet ringing in his ears, his strong, self-reliant spirit, securely trusting in his Saviour, left his outworn body.

Sad, indeed, and broken, was the household which remained. The vacant place in every heart was such as no one else could fill, and each survivor knew that throughout life the sorrow, changing indeed in character with the passage of time, would yet always be present. Nevertheless, in the midst of grief, none—not even the one upon whom the blow fell with most annihilating force—failed to rejoice in the memories and associations over which, even in this world, death has no power.

His children love to remember with what rapt attention in the days of their childhood they would listen while he told

them tales from classic mythology—the story of Ulysses and Polyphemus, or of Romulus and Remus; with what never flagging delight they would hear him read aloud, with a gusto which none, at least to them, can ever equal, and with a pleasure scarcely less than their own, Southey's "How the Water Comes Down at Lodore;" and what mutual pleasure they and he would derive from his readings of tales of rah-jahs and ranees and rakshas in "Old Deccan Days."

All who survived looked back with pride over the notable life which had just closed. Not one of the remaining members of the family could remember a day in which, though he lived to the age of eighty-eight, he had ever from illness kept his bed. Though using his eyes incessantly throughout his life—save only in the intervals in his young manhood when he perforce spared them for a season—though he would almost invariably read until twelve o'clock, frequently till one o'clock, at night, or still later,—yet never till the day of his death did he use glasses. "His eye was not dimmed, nor his natural force abated." The merry twinkle with which he would hear or tell a good joke was, like the keen sense of humour which it evidenced, one of his most prominent characteristics.

One distinctive form which this humour took was a quaint, semi-humorous use of long or unusual words to express everyday thoughts—always without the slightest touch of pedantry. For instance, in one of his early letters he speaks of "personal efforts in the eradication of mulleins." A day or two before his death, he asked at the dinner table for a "moiety" of a turnover. Foreigners were sometimes puzzled by this use of language. For example, at the Grand Cañon of Arizona, he asked a Frenchman who had just returned from the bottom of the cañon whether he had been "remunerated." The bewildered traveller thought the inquiry was whether he had been paid for making the descent! On another occasion, he told a Swiss hotel-keeper that the

electric lights in his establishment were "indifferent"—much to the poor man's perplexity.

To the very end, his energy and optimism were marvellous. If Cato learned Greek at eighty, my father did not hesitate to plunge into a new language when he was even older. On his summer vacations, during the last two or three years of his life, he was accompanied by an Italian grammar, which he studied with such effect as to be able to read Italian prose well enough to gather the sense. Nor was he lacking in mere physical energy. On March 4, 1913, he surprised all his family by slipping over, alone, to Washington, in the midst of the crowd and confusion, in order to witness the inauguration of President Wilson. At eighty-eight years of age, his heart was more youthful than that of most men at forty.

He had come to the bar when the three giants, Reverdy Johnson, John Nelson and John V. L. McMahon, still held undisputed sway, and when the second rank was held by such men as Thomas S. Alexander, William Schley and I. Nevitt Steele, each of whom my father used to say was like Benaiah, the son of Jehoiada,—“Behold, he was honourable among the thirty, but he attained not to the first three.” He lived to see those who at the commencement of his career had held second or third rank succeed to leadership. He survived not only all of them but also all his own contemporaries—Bernard Carter, John P. Poe, Charles Marshall, William A. Fisher, and others scarcely less deserving of reputation. He even saw men like Edgar H. Gans, who were born when he was in middle life, come to the bar, rise to eminence, and pass away.

With this long and intimate acquaintance with the bar, he gave as his judgment that the greatest Maryland lawyer in all his time was I. Nevitt Steele.

Of judges, too, he had seen a succession of generations. The best proof of the ability of a practising lawyer is to win

the confidence and the consideration of the judges before whom he practises, be they weak or strong; for to persuade *them* to accept his contentions is the very object of his professional labours. But it is a still higher proof of a lawyer's ability when the judges whose attention and regard he wins are themselves great lawyers. It was no mediocre court with which Arthur W. Machen prevailed mightily; it was the Court of Appeals of Maryland, and the Court of Appeals at a time when it was perhaps stronger than it has ever been before or since—when it included such judges as Alvey, Miller, Bryan, Stone and McSherry.

The mere number of causes argued in the higher courts or tried in the lower courts is of course a very imperfect index of the extent of a lawyer's practice. Particularly as a lawyer grows older, the number of his causes is apt to diminish even if their importance increases. Yet even the mere number of causes, counted rather than weighed, is interesting. The accompanying table shows the number of cases argued by leading members of the bar, now deceased, in each volume of Maryland Reports from 10th Maryland, in which my father's first case in the Court of Appeals was reported, down to 110th Maryland, which contains the report of the last case he argued before that tribunal.

The funeral took place on Tuesday, December 21, the services being conducted by Rev. Harris E. Kirk in the Franklin Street Presbyterian Church. The body is buried in Greenmount Cemetery in the same lot with those of his father, his mother, and his sister.

On the next morning, the Baltimore "Sun" reviewed his career in the following editorial:

(From the Baltimore "Sun," December 22, 1917)

THE REPRESENTATIVE OF AN OLD REGIME

In the death of Arthur W. Machen Baltimore loses one of the few remaining human beings who linked it with a comparatively

early part of its history, and our local bar loses probably the last survivor of a professional period which was especially prolific in lawyers of unusual intellect and force. Merely as a human landmark Mr. Machen was peculiarly interesting, since his long life of nearly 89 years embraced an era of municipal change and progress which the young man and woman of to-day must realize, if at all, only at second hand and on the testimony of others. Mr. Machen was a part of old Baltimore as well as new Baltimore, of the Baltimore of the distant past as well of the Baltimore of the present, of the days when the railroad and the telegraph were still a wonder, and of the days when the automobile has become almost as common as the barnyard fowl, and when travel by air is becoming as familiar a spectacle as travel by stage coach once was.

Born ten years before the birth of *The Sun*, and coming to the bar sixty-two years ago, the mind of a man of Mr. Machen's breadth and training became the permanent depository of local history, the sensitive and receptive film on which the pictures of men and events were impressed with special clearness and significance. His life was a part of the community life for so long that his passing creates a very keen sense of family loss. A human factor has gone which we cannot replace, one which helped to preserve the feeling of community continuity and to keep us in living touch with our past. What an addition a man such as Mr. Machen could have made to local history had he been able to find the leisure to put down in black and white his personal reminiscences of men and things!

As a member of the bar Mr. Machen belonged to an era to which we can always point with pride. That he held a recognized place in the front rank of his profession in a day which boasted such men as Teackle Wallis, Charles Marshall, Bernard Carter, Judge Ritchie and John P. Poe, and in which Reverdy Johnson, Steele, McMahon, Nelson and Schley still held their own as veteran intellectuals, is the best tribute to his legal ability and standing. What gives him a wider claim to ordinary human interest and sympathy than his professional achievements was his intense and critical literary taste, and the broad culture by which he strengthened and rounded his professional studies. The lawyer

of the old régime was supposed to be a man of education and reading, and the old system built up its legal superstructure on a wide and solid foundation of learning. Mr. Wallis illustrated the fact that legal ability is not necessarily narrow and one-sided, and Mr. Machen, though he did not enter the realm of literature as a producer, maintained his love for it in spite of all the professional demands upon his time, and there can be little doubt that it returned his affection with profitable dividends in his legal labours.

The lawyer of to-day is necessarily in a hurry. The competition is greater, the rewards are larger for the elect. We cannot expect the same breadth of culture as in the earlier days, though legal learning and legal ability may be as profound and as marked as in the past. But when we review a career like that of Mr. Machen, we cannot but regret that the old school of legal training has so few representatives remaining, in this country at least, and that keen but narrow specialists occupy so large a place in a profession which was once the centre of literary arts and graces.

On Monday, January 10, 1916, the Bar of Baltimore City met in the Superior Court Room upon the call of the Supreme Bench to do honour to his memory. The following is the report of the proceedings.

MEMORIAL SERVICES IN HONOUR OF THE LATE ARTHUR W. MACHEN.

Memorial services were held in the Superior Court room yesterday afternoon at 2 p.m. in honour of the late Arthur W. Machen, who died on Sunday, December 19, 1915, in the eighty-ninth year of his age. The memorial minute was read by Col. D. G. McIntosh. The order of the other addresses is as follows:

MEMORIAL MINUTE.

The committee appointed by the Supreme Bench to prepare a "memorial minute" upon the death of Mr. Arthur W. Machen, beg leave to present the following:

When the bowl of life is filled to the overflow, and the end has come to a professional career marked by great success,—when the end comes quietly without a jar or pain, and it happens on a day set apart as a day of rest, and at a moment when the soul of man has been engaged in the act of public worship,—we may well indulge the wish that our last end should be like his.

Arthur Webster Machen was born on the 20th of July, 1827, in the city of Washington, where his father at the time was Chief Clerk to the Senate of the United States. He died on December 19, 1915, in the 89th year of his age, the oldest member of the bar, and a connecting link with several generations of the past.

Much of his boyhood was spent on his father's farm in Virginia. He attended private schools, and took a collegiate course in what was then the Columbian University in Washington, but much of his education was self-taught or received under the guidance and instruction of his father.

Well equipped and well grounded in the classics, he entered the Law School at Harvard in 1849 and graduated in 1851, having finished the course in less than the usual time. He returned to the school, however, and spent another year laying broad and deep foundations upon which he built his success.

While at Harvard he was made librarian of the school, which, besides a small honorarium, gave him the additional advantage of unrestricted access to the library. While there he won the friendship and admiration of Professor Parsons, who availed himself of Mr. Machen's assistance in preparing his work on Contracts, two entire chapters on Specific Performance and on Slavery being contributed by him.

Impaired health and trouble with his sight compelled relaxation from his studies; but with these restored by farm life, he came to Baltimore and was admitted to the bar in the year 1853.

At this time his means were limited and he utilized his literary tastes by writing magazine articles and prize stories, but always *in-cog*, and taking special care lest a suspicion should arise that he was wooing the muses rather than the law.

While at Harvard he formed a close friendship with the late Richard J. Gittings, and some little while after their admission

to the bar they entered into a partnership for the practice of the law.

The association was fortunate for both. Differing in temperament and in personality, no two men practising law together ever complemented each other more happily. Without surrendering their independence of thought they respected and deferred to each other's opinions. Their mutual confidence was supreme. Congenial and sympathetic, it was delightful to witness the warmth and cordiality of their personal relations.

They were not long in waiting for clients, and had soon to break their lances in the arena where Reverdy Johnson, McMahon, Schley, Alexander and others of no less note bore off the prizes. Mr. Gittings was the winning, persuasive advocate, gifted with a happy intuition in handling a witness, and possessed of wonderful tact in reaching the sympathies of the jury.

Mr. Machen made no attempt to cultivate the grace of oratory, but no one surpassed him in force and energy of expression. His arguments, whether to the Court or the jury, were always pointed, earnest and convincing. If addressed to the Court they were amply supported by precedent and authority. His mind was naturally logical and he cultivated severely the reasoning faculties. He furnished a capital illustration of what has been said of mental training and the study of the law by a statesman and one esteemed as among the first scholars of the day: "That there is no better discipline for the faculties of the mind than the study of law. It not only teaches men to reason closely and exactly, but it also drives home the great lesson so often left unlearned, that to most questions there are two sides at least and that it is necessary if you would master a subject to know every side and phase, and be prepared to meet all kinds of objections if you wish to be successful in presenting your case."

As safe and wise counsellors the reputation of the firm grew, and many large and important interests were confided to their care. The firm was dissolved in 1882, by the death of Mr. Gittings. Mr. Machen continued in active practice with great success almost up to the day of his death, his son, Arthur W. Machen, Jr., having been associated with him for a number of years.

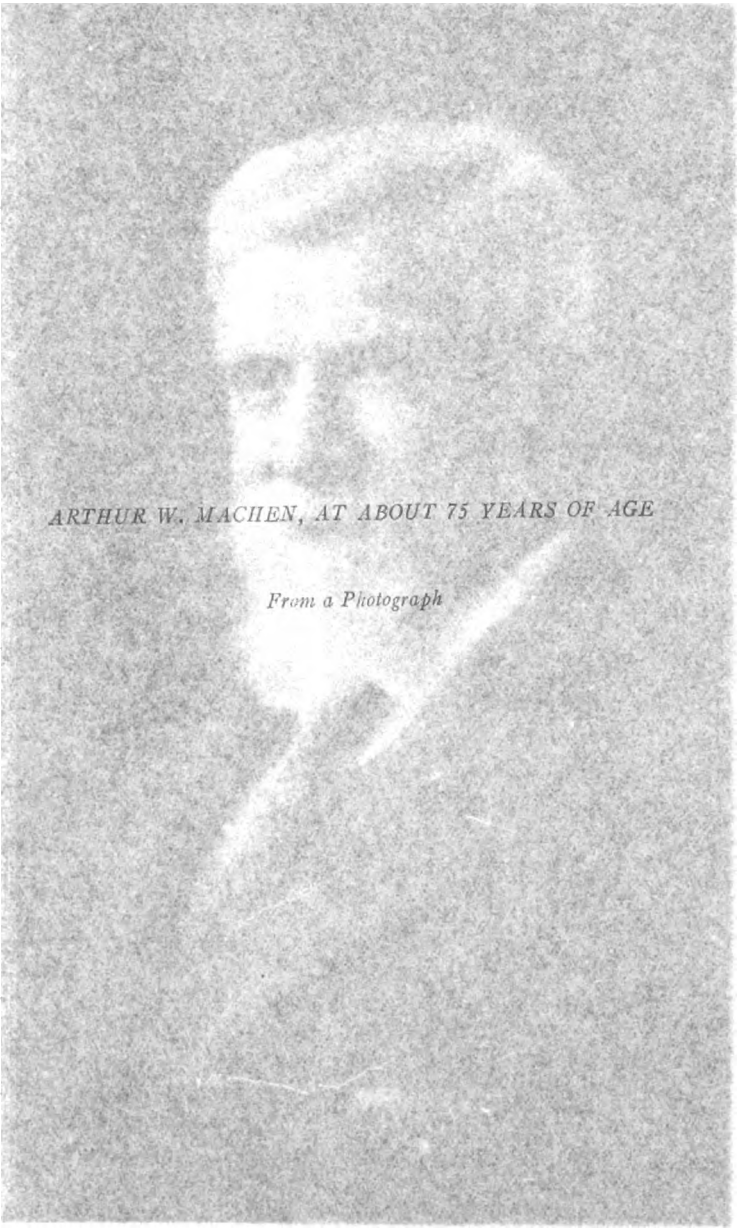
Mr. Machen's learning made him an authority upon many

branches of the law, and probably no one of his day was so thoroughly versed in the law relating to the perpetuity of estates. With all his learning he was most exact and careful in the preparation of papers, and nothing passed through his hands which did not receive the most careful scrutiny. His briefs in the Court of Appeals were marvels in industry and skill, and possessed the first virtue of a brief, that of being instructive to the Court. His relations to the Bench and his idea of what those relations should be, can be gathered from the remarks which fell from him in addressing Chief Judge Alvey upon his retirement from the Court of Appeals of Maryland. That eminent jurist declared in private that Mr. Machen's words afforded him more gratification on that occasion than those which fell from the lips of any other speaker. His labours in the Court of Appeals are to be found in the records of that Court, and in the printed volumes, beginning with Volume 10 and running through the succeeding one hundred volumes.

It was said of Blackstone the Commentator, when he entered Parliament, that he deserted his studies which brought him a fame worthy twenty judgeships, for the hot and sordid arena of party strife. Mr. Machen never sought and would never accept office. In 1859 Governor Hicks sent him unsolicited a commission as Judge of the Superior Court of Baltimore City to fill an existing vacancy, but the offer, though tempting, was declined. He preferred the richer prizes of his calling, even if they had to be won by greater labour. The glow of the mountain top was what attracted him.

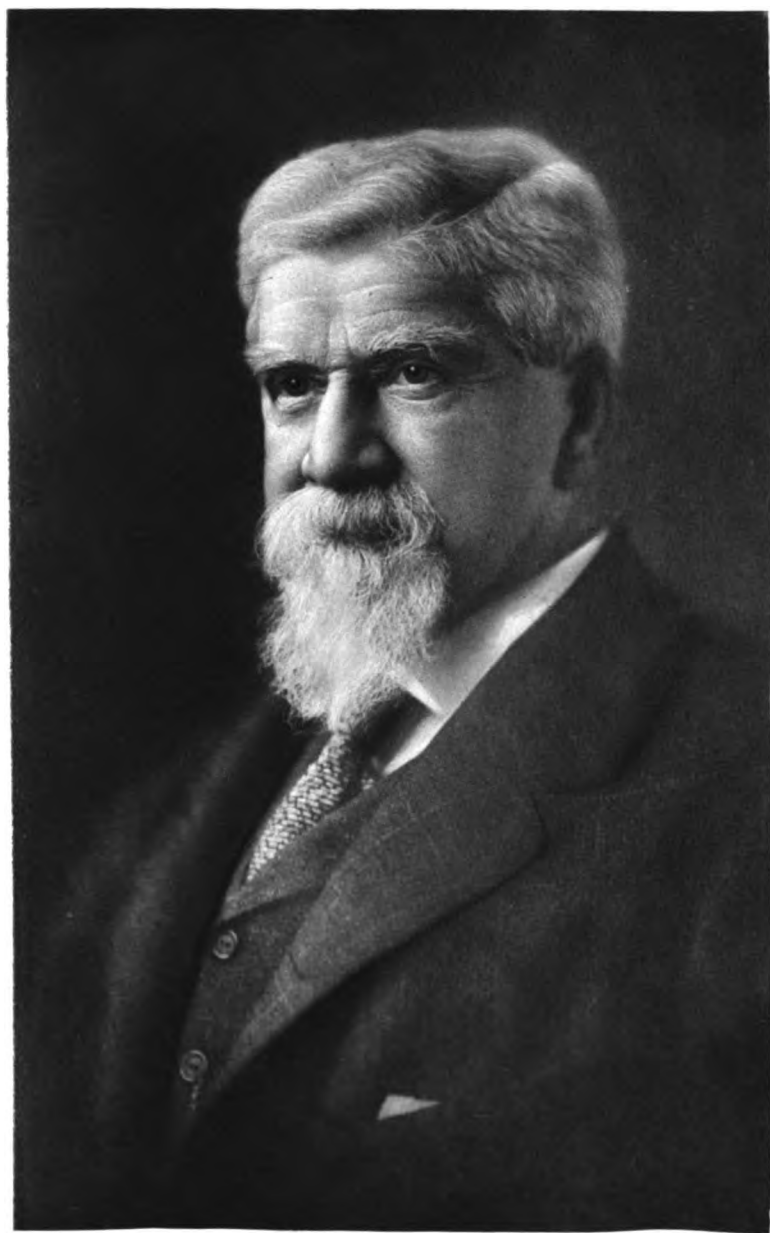
Mr. Machen was naturally modest and retiring. He never sought to project himself to the front, but back of his modesty lay great determination of character, not without a strain of genuine heroism, as was witnessed when more than sixty years of age he plunged into the surf at the seashore with his clothes on, and, swimming out, at which he was an expert, rescued an unknown girl from drowning. His sense of humour was keen, and whilst not a raconteur or given to telling stories, no one enjoyed more thoroughly a pointed repartee or a good joke.

In politics Mr. Machen was a Democrat. Attached in early life by heredity to the traditions of the old Whig party, as hap-



ARTHUR W. MACHEN, AT ABOUT 75 YEARS OF AGE

From a Photograph



pened to many others, these traditions were dissipated by the Civil War, and his active, though quiet, sympathies and interests became allied with the policies of the Democratic party.

His heart, however, was always in his profession and his books. His interest in the Law Library was transferred from the room in the old Court House, looking out on Lexington street, where he was long a constant habitu  , to the larger quarters in the new building, and for thirty years he had been its honoured president.

Looked up to by the members of his profession with veneration and respect, enjoying the confidence and esteem of his clients and business associates, fulfilling worthily his duties as a citizen, a consistent Christian and devoted to his church, of which he was long a trustee and elder, beloved by his family and friends, we mourn his loss, while we have an abiding faith that he has gone where he will receive the reward which belongeth to the just.

D. G. MCINTOSH,
A. C. TRIPPE,
RANDOLPH BARTON,
JOS. PACKARD,
CHAS. J. BONAPARTE,
D. K. ESTE FISHER,
WM. L. MARBURY,
ALBERT C. RITCHIE,
MOSES R. WALTER.

ATTORNEY GENERAL ALBERT C. RITCHIE

May it please the Court:

There is no surer inspiration that a young man coming to the Bar can have than the inspiration which radiates from older members of the Bar whose work and character have crowned them with honour and success. Those of us who came into the profession during the closing years of the last century were rich in this inspiration. There were then in active practice a group of men who splendidly maintained the learning and ideals which have ever been the heritage of the Maryland Bar. How splendidly they maintained that heritage we are realizing more and more

as the years go by. Many of them, most of them, have passed now into the great beyond, and it has been our sad privilege to assemble here from time to time to pay them the last tribute of love and respect from the living to the dead. Once more are we assembled for that purpose.

The life and influence of Arthur W. Machen have been pictured in the memorial minute which has just been read. It is not for me to add to that eulogy, nor to pronounce again the qualities of mind and heart which made the community and the profession richer for his presence and poorer for his going.

"The primal duties shine aloft, like stars;
The charities that smooth and heal and bless
Are scattered at the feet of men like flowers."

Truly the charities that smooth and heal and bless were largely his. They spoke through the purity of his private life, the integrity of his public conduct, the faith he had in God. These, with a disposition that was gentle and affections that were warm, are titles to remembrance better even than the professional success which was so completely his.

We are grateful that he was spared to live and move among us, until the full evening of his life, and now that the evening is over and the long night begun, it is comforting to know that we who are not yet called will live our lives and do our work the better because of his influence and example.

MR. CHARLES J. BONAPARTE

We do honour to the memory of a lawyer whose life justifies us in calling the law an honourable and a learned profession. When we are tempted to doubt, as, I fear, all of us must be sometimes, whether in thoroughness of training, in scientific knowledge of the law, in patient research and in scrupulous integrity and honour, the lawyers of our day and country are worthy to rank with their forerunners, we may remember with thankfulness and just pride that, for so many years, the Bar of Maryland included such a man as the brother who has lately left us. During his long and distinguished professional career, he displayed all those

great qualities which tradition has for ages associated with the eminent advocate called to aid in the administration of justice under the Common Law. He had that wholesome regard for precedent, that salutary respect for rules of interpretation and practice sanctioned by long established judicial observance, that wise conservatism of judgment and temper which have made American lawyers and judges such bulwarks of stability in our orderly freedom. He had that real interest in the law as a science which marks the genuine scholar at the Bar and he ever showed the modesty and industry which prove that a man knows much because he doesn't think he knows all there is to be known about everything. Finally, in his long and blameless life, in his punctilious fulfilment of every demand of professional duty, in the respect and confidence which he gained from all who knew him, because all who knew him also knew no man could better deserve respect and confidence, he has left us an example which the Bar of Maryland must and will follow, if the Bar of Maryland is to remain worthy of its dignity, its mission and its past.

MR. WILLIAM L. MARBURY

May it please Your Honours:

The death of Arthur W. Machen may be said to mark the end of an era in the history of the Maryland Bar.

His professional career, extending over more than sixty years, began during a period when the names of the leaders of our Bar were household words throughout the State, and in the case of some, throughout the United States.

"The old order changeth," or, as we look back over the records of that time, we seem to think so—whether for the better, or otherwise, let us not now stop to inquire.

However this may be, that old order was very fine in its day, and its history was in no small degree the history of our good State and her just pride.

Mr. Machen was distinctly a part of that old order, and when we say, as we easily may and do, that by reason of his high abilities, his great learning, his tireless industry and reproachless character, he contributed his full share of those things which made

in that day the fame of the Maryland Bar, we have said all that need be said to justify what we say and do this day to honour and perpetuate his memory.

When we think of Mr. Machen's well-known characteristics as a lawyer, his great age, his learning, his familiarity with the antiquity of the law and the long, long period during which he was held in such high esteem by the profession and by the community in which he lived, we are reminded of the story which the chronicler of the profession in England tells of Sergeant Maynard, an aged member of the English Bar, who by reason of his fidelity to the reigning house of Stuart had been compelled to discontinue his practice during the period of the commonwealth. When the great Civil War was over, when the restoration had taken place, one of those who came to offer their congratulations to King Charles was Sergeant Maynard. The Merry Monarch noticed the great age of the distinguished lawyer and he was said to have remarked to him: "You must have outlived all your contemporaries." "Yes," replied the old lawyer, "and if your majesty had much longer delayed your coming, I might have outlived the law." So Mr. Machen outlived all his contemporaries, all the great men who adorned the Bar during his lifetime. It remains to be seen whether we who have outlived Mr. Machen shall also outlive any of the high standards of conduct, the great traditions, the great ideals of our noble profession which he in his long professional life did so much to maintain and illustrate.

MR. A. C. TRIPPE

May it please Your Honours, in seconding the motion for the adoption of the minute submitted, permit me to add a word, more especially of personal reminiscence. I knew the old Bar to which it refers. I was a student with Mr. James Mason Campbell, the son-in-law of Chief Justice Taney, and more or less acquainted with its leaders of that day. There was Reverdy Johnson, who made his first appearance in the celebrated case of the mail robbers, making the opening speech on the law of "standing mute," with an apology for the inexperience of the artist, and who grew to be the leading lawyer of our State and of the Su-

preme Court of the United States, equalled by few and surpassed by none. There was Nelson, the model of exact diction. You could not take a word from one of his sentences, or a sentence from a paragraph, without destroying the chain of argument which culminated in a conclusion, as I heard him once express to the Court, "This is the rock upon which you can stand. All the rest is sea." There was Schley, learned, acute, well read in the law, with his short and emphatic sentences, winning contests wherever possible. And Campbell, scholarly, deeply read in the law, but with bright imagination and ready wit illuminating the discussion of the driest subject with appropriate illustration and keeping the jury in friendly humour while he explained the facts. When these men had a case in Court, and one or the other were always retained for plaintiff or defendant, it was a field day for the students, and indeed for many in the community, for the cases were of more public interest, and the citizens took more interest in the Bar than is done to-day.

The ambition of the Bar was the fame of professional and intellectual success to which the pecuniary compensation was only incident and not the chief aim, and inspiring its members to diligent and honourable action was the memory of Pinkney and Wirt and Taney, the great chief justice.

In this school Arthur Webster Machen entered and became one of its most honoured and able scholars and practitioners. He was deeply read in the law of his profession. His books bear the marks of his annotations indicating not only reading, but study of the question in the texts.

Without referring to others that have been mentioned, I think that the most extraordinary instance of his learning, tenacity and skill was shown in the case of Clark and another against one of our fidelity companies upon a bond involving a large sum of money. Knowing that the cause would be vigorously contested mostly on questions of pleading and law involved, I secured Mr. Machen's assistance. That case ran the whole gamut of pleading. On looking at my docket it noted 44 demurrers, and at last the defense, led by the lamented Gans, filed a plea in rebuttal, I believe it was, every word of which was true and as set forth made a complete bar to the action. I read it over and took it to

Mr. Machen and we discussed it together. Then taking it in his hand, his eye sparkling as I have often seen it do when he had a difficult problem of law to handle, he said, "Give it to me until to-morrow." The next morning I called upon him and from the stores of his legal knowledge he dug up the famous plea of "*absque hoc*," which had been long forgotten, and it broke the force of the plea and led to the settlement of the case.

In the days of the old Bar there was not that avalanche of decisions which overwhelms the Bar to-day, making the preparation of cases so largely mechanical, with a modified mental operation in their differentiation. These cases were decided upon legal principles which gave a larger field for the exercise of the lawyer's learning, talent and ingenuity.

But Mr. Machen was learned in other directions than in the line of his profession. I remember once in returning from a visit to Palestine he was very anxious to learn from me about the area of the walls of Jerusalem. I could not make out at first why he desired this information, but found out on inquiry that he had been reading the history of Josephus and was trying to understand whether the number of persons killed by sword and famine in the siege of Titus, as reported by the historian, could have been enclosed in the city's walls. Thus he tested the knowledge he acquired.

During the fall of 1863 and 1864 I was convalescing at Hampden Sidney, Virginia. The faculties of the seminary and college used to meet every fortnight in a club which discussed all sorts of moral, theological and intellectual subjects. I was always invited to attend and formed the audience coming away one night with Dr. Peck, who had formerly held a ministerial charge in Baltimore, inquired for Mr. Machen, and when his question was answered, I asked him how he came to know him, and he told me of a club which once met in Baltimore that discussed the various schools of intellectual philosophy and especially that of Sir William Hamilton, that was then in vogue, and he added that Mr. Machen was one of the best read and intellectually able members of the coterie.

But his studies and researches had higher aims than these.

Daniel Webster was once found in profound thought and when

asked the occasion of it replied, "I am thinking of the problem of my existence." That problem Mr. Machen solved.

"Give me the book," said the dying Sir Walter Scott. "What book," was the reply. "There is but one Book," answered Sir Walter, and his attendant handed him the Bible. Of this Book Mr. Machen was a diligent and faithful student and learned the lesson of this life and of that which is to come.

I was associated with him for a number of years in the session of our church and knew his modest and unswerving piety, his wise counsel, his forgiving judgment of the erring and his large and unostentatious benevolence.

And so it happened one Sabbath noon, with the music of the organ and the song of the worshippers and the benediction of the service lingering with him, he passed by a painless transition from his church on earth to the General Assembly and Church of the First Born in Heaven. Honoured life; blessed death.

MR. D. K. ESTE FISHER

May it please Your Honours:

The death of Mr. Machen was a real sorrow to me, for it seemed to break one more of the fast parting links which connected my deceased father with the present.

In early manhood they were companions and intimate friends, and their friendship, which even took them into foreign lands together, continued through life and was founded on mutual confidence and respect. I have often heard my father refer to this intimacy and to the great pleasure which he and Mr. Machen enjoyed as young men, and the expedition they made together to Europe, when both were fresh and keen for knowledge and innocent profitable amusement. It was chiefly from hearing my father recount their experiences upon this occasion, full of mirth and entertainment for both of them, and from hearing my father speak of him, from time to time, in other connections, that I knew Mr. Machen, for so great was the disparity of our ages that my personal contact with him was not frequent. Nevertheless, I never met him without experiencing the kindness which the

son of his early friend might expect and which a man of Mr. Machen's character always extends to a younger member of the Bar, nor without recognizing the humour in his make-up. He seemed ever bright and amusing, as if he loved fun.

But it is chiefly, perhaps, with his qualities as a member of our profession that we are concerned to-day and with the great loss which the members of the Bar have sustained in his death, and the example he has left behind him for the guidance of younger men.

As I have said, there was a great disparity between his age and mine. He was more than thirty-three years of age when I was born—he belonged to an older generation; and necessarily my professional contact with him was not frequent. But I deem it one of the privileges I had, as a member of this Bar, that I did come in contact with him in a professional way, on quite a number of occasions, and had the opportunity to apprehend in him the thoroughness and soundness and force which are necessary to the make-up of a lawyer of a grade worthy of the tribute of a special memorial meeting of the Bench and Bar, to which we so easily recognize that the memory of Mr. Machen is entitled.

I remember that my first impression in hearing him in Court in the argument of a case was one of surprise. So modest did he seem in his manner that I did not realize what great force and learning he had until he warmed up in the progress of his case, when the vigour and accuracy of his mind displayed itself; and ever afterwards I knew that when Mr. Machen appeared in a case, it was as a master of his profession and of his case. He never failed to get out of a case all there was in it. He was made for the profession—he was a constant student of the law, and his knowledge of it was so thorough and accurate that I doubt whether there was another member of the Bar of his time who was more profoundly versed in its principles than he, or who knew better how to apply them. And I gained this impression of him not only from hearing him argue cases in which I had no special interest, but in cases in which I or members of my firm took an active part, and in business interviews with him at his office. His acumen and thoroughness were remarkable, and any adversary, no matter how high his standing at the Bar, had rea-

son to be apprehensive when Mr. Machen was on the other side, for if anything was overlooked, he would be sure to be aware of it, and, if proper, take advantage of it. It was fatal to make a mistake with Mr. Machen on the other side. Nothing escaped him. Thoroughness was one of his marked characteristics and this, with the natural keenness and power of his mind, had much to do with the height to which he attained in his profession, and made him ever ready to handle any kind of legal proposition or situation, and apparently gave him great confidence in legitimate litigation. His experience in the trial of cases was very great and extended to legal questions of every kind as a glance through the Maryland reports and the dockets of these Courts will show, and his mind seemed to delight in the most difficult branches of the law and to deal with them with a facility which was admirable.

Mr. Machen was a student not alone of the law; and the terms in which he expressed himself attested his familiarity with general literature and the cultivation of his mind. I remember especially one occasion in this Court on which he made a short address which was a luminous model of perfect expression of thought and feeling, such as is attained only by the reading of classical literature. And his style in speaking always, as I remember it, bore the evidences of general cultivation.

If I could feel, at the end of my professional career, that I had attained anywhere near the position which he occupies at the Bar, I should indeed feel that I had reason to be satisfied, and his career at the Bar may well be followed as an example by any man who aspires to success and a respected and honourable career. I thank your Honours for permitting me to say these few words which express so inadequately my feelings and respect for my father's early friend.

RESPONSE OF JUDGE SOPER

The extraordinary career of Mr. Machen seems to give added solemnity to this solemn occasion. Reflection upon the very great length of his professional life, the high quality and vast amount of the legal work which he performed in many matters of

grave concern seems to contribute to the very solidity of our respect for his memory, and to add weight and substance to this meeting in his honour. The whole span of man's life does not often exceed, if it equals, sixty-five years in duration. But Mr. Machen spent more than sixty-six years in the study of the law, and more than sixty-two years as an active practising lawyer in the Courts of Maryland. For this venerable man we rejoice that life was so long, success was so ripe, and that enjoyment of the pleasures of the intellect enriched with the wisdom of the ages was vouchsafed until the end.

Mr. Machen was not only a strong man: he was a wise man. He was vigorous in mind as well as in body. He had not only the power and endurance to stand the nervous and physical strain entailed by the active practice of the law, but he had intellectual vigour, and was able to acquire the learning and develop the legal skill that must characterize the highly successful lawyer of the first grade. Any lawyer who has resolved to devote himself to the trial of cases and the management of legal business, and to the study of the science of the law, would be proud to achieve such a career as brought affluence and prosperity, the highest professional standing and most important business in the law, to our deceased brother. His learning, his exhaustive presentation of legal doctrine in its application to particular facts, and his masterful unfolding of the merits of his cases gave him an influence and sway with the Courts, which was so great that at times the Courts seemed to desert precedent in order to follow whither the genius of Mr. Machen led.

It is a source of pride to have membership in a learned profession. Of late years there has seemed to be an opinion more or less prevalent that lawyers are to be commended rather for their capacity for business than for their learning. This could not be said of Mr. Machen. He was not only learned in the law, but he was a student of classical literature and of ancient tongues of very generous and very unusual attainments. His fine library evidences the scope of his varied intellectual interests. His career might indeed serve as a model for the imitation of the scholarly lawyer, for there has been in recent times no other man of such literary attainments and culture.

Let the memorial prepared by the gentlemen of the Bar be therefore received, let it be spread upon the permanent records of the Court in perpetuation of his memory, and in his honour let the Court now stand adjourned.

Early in the year 1916, the Session of the Franklin Street Presbyterian Church adopted the following minute, which was read from the pulpit on Sunday, April 23, 1916, at the morning service:

SESSIONAL MEMORIAL TO MR. ARTHUR W. MACHEN.

Died December 19, 1915.

"When the bowl of life is filled to the overflow, and the end has come to a professional career marked by great success,—when the end comes quietly without a jar or pain, and it happens on a day set apart as a day of rest, and at a moment when the soul of man has been engaged in the act of public worship,—we may well indulge the wish that our last end should be like his." These words, taken from the "memorial minute" adopted by his fellow members of the Baltimore Bar, fittingly express the feelings of his associates of the session, when they heard on that beautiful Sabbath day in December that Mr. Arthur W. Machen was dead.

This fine old saint had gone from his accustomed place in the house of God, with whose activities and beneficent influences his life had so long been associated, to his home; and in a moment, in the twinkling of an eye, the summons came, and without pain or suffering he went into the presence of the King of Glory, a fitting end of a noble and beautiful life.

The Session, which will long have occasion to remember the year 1915 (for it has pleased the Head of the Church to bereave us of no less than four of our associates in this period), desires to place on record some expression of its loss in the departure of this beloved member of our body.

Mr. Arthur W. Machen was born in the city of Washington on the 20th of July 1827; and after the completion of his collegiate and professional studies, he came to Baltimore and was admitted to the bar in the year 1853, His value as a citizen, and his re-

markable success in his chosen profession, are parts of the history of our city; but it is our duty and privilege to place on our minutes some estimate of his service to the Church of Christ, and some tribute to the blessed influence of his fellowship which we have enjoyed for many years.

Mr. Machen joined the Franklin Street Church on profession of faith in 1873. He was elected a trustee of the congregation in 1880, and served with conspicuous fidelity until his death. On June 18th, 1893, he was ordained and installed elder of the congregation, and it was in this responsible position that his great abilities were so liberally bestowed upon the church of his choice.

Every life has two sides. There is the side of tangible and visible services, and there is also the side of intangible influence; the one may be recorded in deeds and services of a visible kind, the other finds expression in the love, esteem and pious memories of those who have enjoyed intimate communion with personality.

Mr. Machen's visible services to his church and session were many and varied. He was a man of conspicuous fidelity to his duties; a regular attendant at the services of the sanctuary, a liberal and discriminating supporter of the doctrines, policies, and benevolent enterprises of the Presbyterian Church. His convictions were strong and constant, reinforced by deep learning, and made beautiful by genuine piety and Christian graces. He was wise in counsel, of surpassing capacity for friendship, and excelled us all in his unfaltering faith and unbroken hopefulness. Time dealt lightly with his spirit, and as the years passed over him his youthfulness seemed to increase. In the years following the lamented death of Dr. Murkland, when the church passed through great vicissitude and discouragement, his unfailing faith and cheerfulness were rare blessings to his associates. The present pastor can never forget the impression made upon his mind by a letter of Mr. Machen's when he was debating the question of coming to Baltimore; and in the grave problems of settlement here, in the unfolding of a new life of opportunity and in the transformation of the present congregation, Mr. Machen's love, sympathy, patience, and unconquerable hopefulness have left indelible impressions. The memory of his beautiful life will remain an unmixed blessing to us all, while time shall last. His generous heart responded eagerly to all kinds of need; his service was un-

forced and unostentatious, and he always did the right thing. He had the strong man's distaste for publicity, and believed, and rightly too, that the good life was its own vindication. But here we pass from visible to invisible things, to estimate that rare power of personality, whose results cannot be tabulated, but whose reality was known and felt by all who enjoyed the privilege of intimacy with him. He had a mind of natural loftiness and simplicity, a spirit that instinctively avoided evil; in fact his whole life and service made it easier to believe in the Christian religion. We who knew and served with him could say truly that he was a man of God. We looked upon his life and glorified God in him.

We cannot attempt to express the sense of loss to this church and congregation. In fact, with some of us, it seems almost impossible to go on without him. Such men as he are rare in any age, and our loss at this time is, and must remain in part, without compensation.

But we rejoice in the memory of his fellowship and example, and we are persuaded that his gracious influence will go on in the congregation, and that the Great Head of the Church who had wiser plans for him in the Father's House, will not fail to raise up others who can take up and carry on the work.

Like Enoch of old, he walked with God, and was not, for God took him. There is always something beautiful in the end of such a life as his. After eighty-nine years of consistent pilgrimage, he came to the shining gates with unabated strength, and undiminished zeal. His swift and painless going was characteristic of the mercy which had followed him all his days, the fruition of a faith which in all the vicissitudes of a long and useful life had made him,—

One who never turned his back but marched breast forward,
Never doubted clouds would break,
Never dreamed, though right were worsted, wrong would triumph,
Held we fall to rise, are baffled to fight better,
Sleep to wake.

We are bereaved in his departure, for we shall not soon see his like again; but we do not begrudge him his rest. "Well done, thou good and faithful servant, enter into the joy of thy Lord."



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