

American Legal History – Russell

Daniel Webster, *Autobiographical Sketch, 1829* from Charles M. Wiltse and Harold D. Moser, eds., *The Papers of Daniel Webster, Correspondence, Volume I, 1798-1824* (1974).

Being graduated, in Aug 1801, I immediately entered Mr Thompson's Office, in Salisbury, next door to my fathers house to study the law. There I remained till Jan, following, v[i]z Jan: 1802. The necessity of the case required, that I should then go somewhere and earn a little money. I was written to, luckily, to go to Fryeburg, Maine, to keep school. I accepted the offer--traversed the Country on horseback-- & commenced my labors. I was to be paid at the rate of 350 Dlls per annum. This was no small thing; for I compared it, not with what might be before me, but was actually behind me. It was better, certainly, than following the plough. But let me say something in favor of my own industry; not to make a merit of it, for necessity sometimes makes the most idle industrious. It so happened, that I boarded, at Fryeburg, with the Gentleman, (James Osgood Esq) who was Register of Deeds of the then newly created County of Oxford. He was not *Clerical*, in & of himself; & his registrations were to be done by Deputy. The fee for recording, at full length, a common deed, in a large fair hand, & with the care requisite to avoid errors, was *two shillings & three pence*. Mr Osgood proposed to me, that I should do this writing, & that of the two shillings & three pence for each deed, I should have one shilling & six pence, & he should have the remaining nine pence. I greedily seized on so tempting an offer, & set to work. Of a long winter's evening I could copy two deeds-- & that was half a dollar. Four evenings in a week earned two dollars -- & two dollars a week paid my board. This appeared to me to be a very thriving condition; for my 350 Dlls salary as a Schoolmaster was thus going on, without abatement or deduction for *vivres*. I hope yet to have an opportunity to see once more the first volume of the Records of Deeds for the County of Oxford. It is now near thirty years, since I copied into it the last "witness my hand & seal."--& I have not seen, even its outside, since. But the *ache* is not yet out of my fingers; for nothing has ever been so laborious to me as writing, when under a necessity of writing a good hand.

In May, of this year, (1802) having a weeks vacation, I took my quarter's salary, mounted a horse, went straight over all the hills to Hanover, & had the

pleasure of putting these the first earnings of my life, into my brother's hands, for his College expenses. Having enjoyed this sincere & high pleasure, I hired me back again, to my School, & my copying of deeds. I staid at Fryeburg only till September. My brother then came to see me, we made a journey together, to the lower parts of Maine, returned to Salisbury, I resumed my place in Mr Thompson's office, & he went back to College.

At Fryeburg, I found another Circulating Library & made some use of it. I remember to have read, while at Fryeburg, Adams' defence of the American Constitutions, Mosheims Ecclesiastical History, Goldsmith's history of England, & some other small things. I borrowed Blackstones Commentaries, also, & read I think two or three vols of them. Here also I found Mr Ames' celebrated speech, on the British Treaty, & committed it to memory.

From September 1802, to Feb. or March 1804, I remained in Mr Thompson's Office, & studied the law. He was an admirable man, & a good lawyer himself; but I was put to study, in the old way, that is, the hardest books first, & lost much time. I read Coke[s] Littleton through, without understanding a quarter part of it. Happening to take up Espinasse's Law of Nisi Prius, I found I could understand it, & arguing that the object of reading was to understand what was written, I laid down the venerable Coke *et alios similes reverendos*, & kept company for a time with Mr Espinasse, & other [of] the most plain, easy & intelligible writers. A boy of twenty, with no previous knowledge on such subjects, cannot understand Coke. It is folly to set him upon such an author. There are propositions in Coke, so abstract, & distinctions so nice, & doctrines embracing so many conditions, & qualifications, that it requires an effort, not only of a mature mind, but of a mind both strong & mature to understand him. Why disgust & discourage a boy, by telling him that he must break into his profession, thro such a wall as this? I really often despaired. I thought I never could make myself a Lawyer; & was about going back to the business of school keeping. A friend has recently returned to me a letter, written by me to him, at that time shewing my feelings of despondence & despair. Mr Espinasse, however, helped me out of this, in the way I have mentioned; & I have always felt greatly obliged to him. I do not know whether I read much, during this year & a half, besides law Books, with two exceptions. I read Hume, tho' not for the first time, but my principal occupation with books, when not law books, was with the Latin Classics. I brought from College a very scanty inheritance of Latin. I now tried to add to it. I made myself familiar with most of Tully's orations, committed to memory large passages of some of them,

read Sallust, & Caesar, & Horace. Some of Horace's odes I translated, into poor English rhymes. They were printed. I never have seen them since.

My Brother was a far better Latin scholar than myself, & in one of his vacations we read Juvenal together. But I never mastered his style, so as to read him with ease & pleasure.

At this period of my life, I passed a great deal of time alone. My amusements were fishing, & shooting, & riding; & all these were without a companion. I loved this occasional solitude then, & have loved it ever since, & love it still. I like to contemplate nature, & to hold communion, unbroken by the presence of human beings, with "this universal frame, thus wondrous fair." I like solitude, also, as favorable to thoughts less lofty. I like to let the thoughts go free, & indulge in their excursions. And when *thinking* is to be done, one must of course be alone. No man knows *himself*, who does not thus, sometimes, keep his own company. At a subsequent period of life, I have found that my lonely journies, when following the Court on its Circuits, have afforded many an edifying day.

Before proceeding to state some events which happened in 1804, I ought to say, that it would not have been possible for us to have got along, had it not been for the small income derived from my father's official situation. As soon as the war of the Revolution was over, & the pursuits of peace returned, he was elected into such Public Offices, as it might be supposed he was qualified to fill. His qualities were integrity, firmness, decision, & extraordinary good sense. His defect, was the want of early education. He never saw the inside of a School House, in the character of a learner; & yet the first records or some among the first, of the Town of Salisbury, are in his hand writing. What he knew, he had taught himself. His character was generous & manly, & his manners such as gave him influence with those around him. Early & deeply religious, he had still a good deal of natural gaiety, he delighted to have some one about him that possessed a humourous vein. A character of this sort, one Robert Wise,--with whose adventures, as I learned them from himself, I could fill a small book,-- was a near neighbor, & a sort of humble companion for a great many years. He was a Yorkshire man--had been a sailor--was with Bing [Admiral John Byng] in the Mediterranean--had been a soldier deserted from the Garrison of Gibraltar--travelled thro' Spain, & France-- & Holland--taken up afterward & severely punished--sent back to the Army--was in the battle of Minden--had a thousand stories of the yellow haired Prince Ferdinand--was

sent to Ireland, & thence to Boston, with the troops brought out by Gen Gage--fought at Bunker Hill--deserted to our ranks--served with the New Hampshire troops in all the succeeding campaigns, & at the peace built a little cottage in the corner of our field, on the River's bank, & there lived to an advanced old age. He was my *Isaac Walton*. He had a wife, but no child. He loved me, because I would read the Newspapers to him, containing the accounts of battles in the European wars. He had twice deserted from the English King, & once, at least, committed treason, as well as desertion, but he had still a British heart. When I have read to him the details of the victories of Howe, & Jervis, &c, I remember he was excited almost to convulsions, & would relieve his excitement by a gush of exulting tears. He finally picked up a fatherless child, took him home, sent him to school, & took care of him, only, as he said, that he might have some one to read the Newspaper to him. He could never read himself. Alas, poor Robert! I have never so attained the narrative art, as to hold the attention of others, as thou, with thy Yorkshire tongue, hast held mine. Thou hast carried me many a mile on thy back, paddled me over, & over, & up & down the stream, & given whole days, in aid of my boyish sports, & hast asked no meed, but that, at night, I would sit down, at thy cottage door, & read to thee some passage of thy Country's glory! Thou wast indeed, a true Briton.

My father was of such consideration among his neighbors, that he was usually in such public employment, as they had to bestow. He was a member of the Legislature, & a Senator; & about the year 1791, I think, appointed a Judge of the Court of Common Pleas for the County. This place afforded three or four hundred Dollars a year, a sum of the greatest importance to the family. He lived just long enough to witness my first appearance, & hear my first speech in Court.

In the winter of 1804, it had become necessary for either my brother or myself to undertake something, that should bring us a little money; for we were getting to be "heinously unprovided." To find some situation for the one or the other of us, I set off, in Febry, & found my way to Boston. My journey was fortunate. Dr. [Cyrus] Perkins had been in the instruction of a school, in Short Street; he was about leaving it, & proposed that my brother should take it. I hastened home, & he had just then finished a short engagement in school keeping, at Sandbornton, or was about finishing it, it being near the end of the winter vacation, & he readily seized the opportunity of employment in Boston. This broke in upon his College life, but he thought he could keep up with his

class. A letter, stating the necessity of the case, was sent to the authority of College, & he went immediately to Boston. His success was good, nay great; so great, that he thought he could earn enough, to defray, in addition to debts & other charges, the expense of my living in Boston, for what remained of my term of study. Accordingly, I went to Boston, in July, to pass a few months in some Office.

I had not a single letter, & knew nobody, in the place to which I was going, except Dr. Perkins, then a very young man, & like myself struggling to get on. But I was sanguine, & light hearted. He easily persuades himself that he shall gain, who has nothing to lose, & is not afraid of attempting to climb, when, if he fail in his first step, he is in no danger of a fall. Arrived in Boston, I looked out for an Office, wherein to study. But since I knew none of the legal Gentlemen, & had no letters, this was an affair of some difficulty. Some attempts to be recd into a Lawyer's office failed, properly enough, for these reasons; altho' the reminiscence has since sometimes caused me to smile.

Mr [Christopher] Gore had just then returned from England, & resumed the practice of the Law. He had rooms in Scollay's buildings, & as yet, had no clerk. A young man, as little known to Mr Gore as myself, undertook to introduce me to him! In logic, this would have been bad--"*ignotum, per ignotum*". Nevertheless, it succeeded here. We ventured into Mr Gore's rooms & my name was pronounced, I was shockingly embarrassed, but Mr Gore's habitual courtesy of manners give me courage to speak. I had the grace to begin, with an unaffected apology--told him my position was very awkward--my appearance there very much like an intrusion-- & that if I expected any thing but a civil dismissal, it was only founded in his known kindness & generosity of character. I was from the Country, I said, had studied law two years--came to Boston to study a year more--had some respectable acquaintances in N. Hampshire, not unknown to him--but had no introduction-- That I had heard he had no clerk--thought it possible he would receive one--that I came to Boston to work, & not to play--was more desirous, on all accounts, to be his pupil, & all I ventured to ask, at present, was, that he would keep a place for me in his office, till I could write to N.H. for proper letters, shewing me worthy of it. I delivered this speech, *trippingly* on the tongue--tho' I suspect it was better composed, than spoken.

Mr Gore heard me with much encouraging good nature. He evidently saw my embarrassment,--spoke kind words, & asked me to sit down. My friend had

already disappeared! Mr G. said, that what I had suggested was very reasonable-- & required little apology. He did not mean to fill his office with Clerks, but was willing to receive one or two, & would consider what I had said. He inquired, & I told him what Gentlemen of his acquaintance, knew me, & my father, in N. Hampshire. Among others, I remember, I mentioned Mr Peabody, who was Mr. Gore's classmate. He talked to me, pleasantly, for a quarter of an hour; & when I rose to depart, he said, "My young friend, you look as if you might be trusted--you say you come to study, & not to waste time--I will take you, at your word. You may as well hang up your hat, at once, go into the other room, take your Book, & set down to reading it-- & write, at your convenience, to N. Hamp. for your letters."

I was conscious of having made a great stride onward, when I had obtained admission into Mr Gores Office. It was a situation which opened to me the means of studying books, & men, & things. It was on the 20th. of July, 1804, that I first made myself known to Mr Gore; & altho' I remained in his Office only till March following, & that with considerable intervening absences, I made, as I think, some respectable progress. In August the Supreme [Court] sat. I attended it constantly, & reported every one of its decisions. I did the same, in the Circuit Court of the United States. I kept a little journal, at that time, which still survives. It contains little besides a list of books read. In addition to Books on the common & municipal Law, I find I read Vattell, then for the third time in my life, as is stated on the Journal, Ward's Law of Nations, Lord Bacon's elements, Puffendorf's Latin History of England, Giffords Juvenal, Boxwell's Tour to the Hebrides, Moore's Travels, & many other miscellaneous things. But my main study was the common Law; & especially the part of it which relates to special pleading. Whatever was in Viner, Bacon & other books then usually studied, on that part of the science, I paid my respects to. Among other things, I went thro' Saunders Reports, the old folio Edition, & abstracted & put into English out of Latin & Norman French the pleadings, in all his reports. It was an edifying work. From that day to this the forms & language of special Pleas have been quite familiar to me. I believe I have my little abstract yet.

I remember one day, as I was alone in the office, a man came in, & asked for Mr Gore. Mr Gore was out, & he sat down to wait for him. He was dressed in plain grey clothes. I went on with my book, till he asked me what I was reading, & coming along up to the table, I held out my book, & he took it, & looked at it. "Roccus," said he, "de navibus et naulo"--"well, I read that book

too when I was a boy"--& proceeded to talk not only about "ships & freights," but insurance, prize, & other matters of maritime law, in a manner "to put me up to all I knew"; & a good deal more. The grey coated stranger turned out to be Mr [Rufus] King.

On my aforesaid Journal, Some characters at the Boston Bar, 1804". They are drawings, not worth preserving; but I quote what I find is written, at least a part of it, on one.

"T[heophilus] P[arsons] is now about 55 years old, of pretty large stature, & rather inclining to corpulency. His hair is brown, & his complexion not light. His face is not marked by any striking feature, if we except his eye. His forehead is low, & his eye-brows prominent. He wears a blue coat, & breeches, worsted hose, and a brown wig, with a cocked hat. He has a penetrating eye, of an indescribable color. His manner is steady, forcible, & perfectly perspicuous. He does not address the Jury, as a mechanical body, to be put in motion by mechanical means. He appeals to them as men, & as having minds capable of receiving the ideas in his own. Of course, he never harangues; he knows by the Juror's countenance, when he is convinced, & therefore never disgusts him by arguing that of which he is already sensible, or which he knows it is impossible to impress. He is not content with shining on occasions; he will shine every where. As no cause is too great, none is too small for him. He knows the great benefit of understanding small circumstances. It is not enough for him that he has learned the leading points in a cause; he will know every thing. His argument is therefore always consistent with itself, & its course so luminous that you are ready to wonder why any one should hesitate to follow him. Facts which are uncertain, he with so much art connects with others well / proved, that you cannot get rid of the former, without disregarding also the latter. A mind thus strong, direct, prompt, & vigorous, is cultivated by habits of most intense application. He has no fondness for public life, & is satisfied with standing where he is, at the head of his Profession."

These paragraphs, which I have transcribed without altering a word, were written when I was 22 years old, & T.P. 55, after studying him a month in Court, but never having spoken to him, nor come nearer to him than the

Students seat, in the outer row of the Bar, in the Old Court House. They do not fully describe P's character, but they do not altogether mistake it. About seven years afterwards, I was introduced to him, for the first time; & passed two or three evenings with him, much to my delight.

There is a page or two, on this Journal, for S[amuel] D[exter] as next following T.P. I transcribe only one paragraph, intended to exhibit the different modes of argumentation, adopted by these distinguished persons.

"P. begins with common maxims, & his course to the particular subject, & the particular conclusion, brightens & shines more & more clearly, to its end. D. begins, with the particular position which he intends to support. Darkness surrounds him. No one knows the path, by which he arrived at his conclusion. Around him, however, is a circle of light, when he opens his mouth. Like a conflagration seen at a distance, the Evening mist may intervene between it & the eye of the observer, though the blaze ascend to the sky, & cannot but be seen."

I will here transcribe one other thing from this little journal, the record of an occurrence which had entirely escaped my recollection. I copy the paragraph *Verbum post verbum*.

"Mar. 5. This day, in one of the rooms of the State House, in presence of Isaac P. Davis, & Samuel A. Bradley, & Timo. Dix Jun, 1 examined the letters to Callender from Jefferson. Mr Dix told me he had often seen the signature of Mr. J. & on being asked whether he doubted that Mr. J. really signed the letters in question, he said he did not. I preserve this precious confession against time of need."

In March 1805, I was admitted to practice, in the Suffolk Court of Common Pleas. The practice then was, for the patron to go into Court, introduce the pupil to the Judges, make a short speech commending his diligence &c, & move for his admission to the Bar. I had the honor to be so introduced by Mr Gore. I remember every word of his speech. it contained a prediction, which I firmly resolved, *quantum in me fuerit*, should not go entirely unfulfilled.

In the January preceding my admission, I was the subject of a great honor. The Clerk of the Court of Common Pleas for the Co. of Hillsborough resigned his

place. My father was one of the Judges of the Court, & I was appointed to the vacant Clerkship. This was equal to a Presidential election. The office had an income of fifteen hundred dollars a year. It seemed to me very great, & indeed it was so, rebus consideratis. The obtaining of this object had been a darling object with my father. Its possession would make the family easy-- & he hastened to send me tidings that the prize was won. I certainly considered it a great prize, myself, & was ready to abandon my profession for it; not that I did not love my profession, & not that I did not hate the clerkship, & all clerkship[s]; --but simply from a desire to reach that high point of terrestrial bliss, at which I might feel that there was a *competency*, for our family, myself included. I had felt the *res angustae &c* till my very bones ached. But Mr Gore peremptorily shut me out from this opening paradise. When I went to him, with my letter in hand, to communicate the good news, he said it was civil, in their Honours of the Bench, & that I must write then a respectful letter; that they intended it as a mark of confidence in me, & of respect, probably, for my father, & that I was bound to make civil acknowledgements. This was a shower bath, of ice water. I was thinking of nothing but of rushing to the immediate enjoyment of the proffered Office; but he was talking of civil acknowledgment, & decorous declension. Finding my spirits, (& face too, I suppose) falling, he found out the cause, & went on to speak, in a serious tone, against the policy & propriety of taking such an Office. To be sure, his reasons were good, but I was slow to be convinced. He said, I was nearly thro' my professional preparation, that I should soon be at the Bar, & he saw not why I might not hope to make my way, as well as other's; that this office was, in the first place, precarious; it depended on the will of others, & other times & other men might soon arise, & my office be given to somebody else; & in the second place, if permanent, it was a stationary place; that a Clerk once, I was probably nothing better than a clerk, ever; and, in short, that he had taken me for one who was not to sit with his pen behind his ear; --"go on,["] said he, "& finish your studies; you are poor enough, but there are great[er] evils than poverty; live on no man's favor; what bread you do eat, let it be the bread of independence; pursue your profession, make yourself useful to your friends, & a little formidable to your enemies, & you have nothing to fear."

I need hardly say that I acquiesced in this good advice; tho certainly it cost me a pang. Here was present comfort, competency, & I may even say riches, as I then viewed things, all ready to be enjoyed, & I was called on to reject them, for the uncertain & distant prospect of professional success. But I did resist the temptation; I did hold on to the hopes which the law set before me. One

very difficult task, however, remained to be performed; & that was, to reconcile my father to my decision. I knew it would strike him, like a thunder bolt. He had long had this Office, in view, for me; it's income would make him, & make us all, easy & comfortable; his health was bad, & growing worse. His sons were all gone from him. This office would bring me home, & it would bring also comfort & competency "to all the house". It was now mid winter; I looked round for a Country *sleigh*, (Stage Coaches then no more ran into the centre of N. Hampshire, than they ran to Baffin's Bay) & finding one that had come down to the Market, I took passage thereon, & in two or three days was set down at my fathers door. I was afraid my own resolution would give way, that, after all, I should sit down to the Clerk's table. But I fortified myself, as well as I could; & put on, I remember, an air of confidence, success, & gaiety. It was evening. My father was sitting before his fire, & read me with manifest joy. He looked feebler than I had ever seen him, but his countenance lighted up on seeing his *Clerk* stand before him, in good health, & better spirits. He immediately proceeded to the great appointment, -- said how spontaneously it had been made, how kindly the Chief Justice proposed it, with what unanimity all assented, &c &c &c. I felt as if I could die, or fly. I could hardly breathe. Nevertheless, *I carried it through*, as we say, according to my plan.-- Spoke gayly about it--was much obliged to their Honors--meant to write them a respectful letter--if I could consent to record any body's judgments should be proud to record their honors, &c &c &c. I proceeded in this strain, till he exhibited signs of amazement, it having occurred to him, at length, that I might be serious, in an intention to decline the Office:--a thing, which had never entered into his imagination. "Do you intend to decline this Office,"? said he at length. "Most certainly,["] said I. ["]I cannot think of doing otherwise. I should be very sorry if I could not do better at present, than to be Clerk, for fifteen hundred Dollars a year, not to speak of future prospects! I mean to use my tongue, in the Courts, not my pen; to be an actor, not a register of other men's actions. I hope yet, Sir, to astonish your Honor, in your own Court, by my professional attainments.["]

For a moment, I thought he was angry. He rocked his chair, slightly--a flash went over an eye, softened by age, but still black as jet--but it was gone, & I thought I saw that parental partiality was, after all, a little gratified, at this apparent devotion to an honorable profession, & this seeming confidence of success in it. "Well, my son, your mother has always said that you would come to something, or nothing, she was not sure which. I think you are now about settling that doubt for her." This he said, & never word spoke more to me, on

the subject. I staid at home a week--promised to come to him again, as soon as I was admitted, & returned to Boston. Being admitted to the Bar, as already state in March, I went to Amherst, where the Court was then sitting, & where he was; & from Amherst to his own house. My design was to settle in the practice at Portsmouth; but I determined not to leave my father, during his life. Accordingly I took a room, in the little adjoining village of Boscawen, & there commenced the practice of the Law. My father lived but another year. He died in April 1806, & lies in the burial ground, in his own field, just at the turn of the road beneath the shadow of a tall pine. Beside him repose my mother, my three own sisters, & Joseph, my youngest half brother. Alas!--while the living all change, the tabernacle of the dear remain unaltered. To me, my little native village is now hardly known, but by its sepulchres. The villagers are gone. An unknown generation walk under our elms. Unknown faces meet & pass me, on my own paternal acres. I recognize nothing, but the tombs! I have no acquaintance remaining, but the dead!

In May 1807, I was admitted as Attorney & Counsellor of the Superior Court, and in September of that year relinquished my office in Boscawen to my Brother, who had then obtained admission to the Bar, & removed to Portsmouth, according to my original destination.

The two years & a half which I spent in Boscawen were devoted to business & study. I had enough of the first to live on, & to afford opportunity for practice & discipline. I read law, & history; not without some mixture of other things. These were the days of the Boston Anthology, & I had the honor of being a contributor to that publication. There are sundry reviews, written by me, not worth looking up, or remembering.

September 1807, I went to Portsmouth, there to practice my Profession. June 24, 1808, I was married [FN omitted]. . .

I lived in Portsmouth nine years, wanting one month. They were very happy years. Circumstances favored me, at my first beginning there. Owing to several occurrences, there happened to be an unfilled place among leading Counsel, at that Bar. I did not fill it; but I succeeded to it. It so happened, & so has happened, that with the exception instances, in which I have been associated with the Atty Gen of U. S. for the time being, I have hardly ten times in my life acted as Junior Counsel. Once or twice with Mr [Jeremiah] Mason, once or twice with Mr [William] Prescott, once with Mr [Joseph] Hopkinson, are all the cases which occur to me. Indeed for the nine years I lived in Portsmouth Mr

Mason and myself, in the Counties w[h]ere we both practiced, were on opposite sides, pretty much as matter of course. He has been of infinite advantage to me, not only by his unvarying friendship, but by the many good lessons he has taught, & the example he set me in the commencement of my career. If there be in the Country a stronger intellect, if there be a mind of more native resources, if there be a vision that sees quicker, or sees deeper, into whatever is intricate, or whatever is profound, I must confess I have not known it. I have not written this paragraph, without considering what it implies; I look to that individual, who, if it belong to any body, is entitled to be an exception. But I deliberately let the judgment stand. That that individual has much more habit of regular composition, that he has been disciplined & exercised in a vastly superior school, that he possesses, a faculty of illustration, more various, & more easy, I think may be admitted. That the original reach of his mind is greater, that its grasp is stronger, that its logic is closer, I do not allow.

My professional practice while living in Portsmouth, was very much a Circuit practice. I followed the Superior Court, in most of the counties of the State. It was never lucrative. There was a limit, & that a narrow one, beyond which gains could not be made from it. I do not think it was even worth fairly two thousand Dollars a year. Business, too, fell off much, by the war; & soon after that event I determined on a change of residence.

I never held office, popular or other, in the Govt. of N. Hamp. My time was almost exclusively given to my profession, till 1812, when the war commenced. I had occasionally taken part in political questions, always felt an interest in elections, & contributed my part, I believe, to the political ephemeras of the day. Indeed I always felt an interest in political concerns. My lucubrations for the Press go back, I believe, to my sixteenth year. They are, or ought to be, all forgotten; at least most of them; & all of this early period.

When I visited my father, from Boston, in Jany. (or Feb.) 1804 [1805], a severe political contest was going on, between Govr. [John] Gilman & Govr. [John] Langdon. The friends of the former, [(I) & they were my friends) wanted a *pamphlet*, & I was pressed to write one. I did the deed, I believe, at a single sitting of a winter's day & night. Not long ago, I found a copy of this sage production. Among things of a similar kind, it is not entirely despicable. It is called an "Appeal to the Old Whigs." Like other young men, I made 4th of July orations; at Fryeburg, 1802; at Salisbury 1805; at Concord, 1806, (which was

published); at Portsmo. 1812--published, also. Aug. 1812 I wrote the Rockingham Memorial. It was an Anti War paper, of some note in its time. I confess I am pleased to find, on looking at it now, (for I do not think I have read it in all the 20 yrs that have rolled by since I wrote it) among all its faults, whether of principle or in execution, that it is of a tone & strain less vulgar than such things are prone to be.

Before this period, I think in 1808, I had written the little pamphlet, lately rescued from oblivion, called "considerations on the Embargo Laws".

In Nov. 1812 I was elected member of Congress, & took my seat at the extra session, May 1813.

In Aug. 1814 I was reelected. Of the little that I did, & the little that I said, while a member of Congress from N Hamp, the account is to be found in the history of the public proceedings of those times. I recollect some interesting occurrences, connected with important subjects, which I cannot narrate without refreshing my recollection of dates by reference to the Journals. My efforts in regard to the Banks, at different times projected, and in regard to the currency of the Country, I think were of some small degree of utility to the public. Other subjects were temporary, & whatever was done or said about them has passed away, & lost its interest. To these endeavors to maintain a sound currency, I owe the acquaintance & friendship of the later Mr [George] Cabot; who was kind enough to think they entitled me to his regard.

In the session of 1815 & 1816 I also made the acquaintance of Mr Francis C. Lowell. He passed some weeks at Washington. I was much with him, & found him full of exact practical knowledge, on many subjects. At the same session I made an acquaintance with our friend Mr [Theodore] Dwight, or renewed & cultivated a slight one of longer standing. His friendship & advice very much influenced my subsequent resolution of coming to Boston, when I left Portsmouth. I balanced, at the time between Boston & Albany; but finally settled to do, what I soon did. I could carry my practice in New Hampshire no further; I could make no more of it; & its results were not competent to the support of my family. Having resolved on a change, I accomplished it at once. In June 1816, I came over, with my wife, to see about a House. On the 16. of August I left Portsmouth forever

EOD