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T. W. WHITE, PRINTER AND PROPRIETOR.

FIVE DOLLARS PER ANNUM.

TO THE PUBLIC,

AND ESPECIALLY THE PEOPLE OF THE SOUTHERN STATES.

The favorable reception of the first number of the Messenger has been a source of no small gratification. Letters have been received by the publisher from various quarters, approving the plan of the publication, and strongly commendatory of the work. The appeal to the citizens of the south for support of a substantial kind, was not in vain. Already enough have come forward as subscribers, to defray the necessary expense of publication; and contributions to the columns of the paper have been liberally offered from different quarters. The publisher doubts not that with his present support, he will be enabled to furnish a periodical replete with matter of an acceptable kind. The useful and agreeable—the grave and gay—will be mingled in each number, so as to give it a pleasing variety, and enable every reader to find something to his taste. Thus will the paper become a source of innocent amusement, and at the same time a vehicle of valuable information.

That such a paper is to be desired in the southern states no one will controvert, and all must be sensible that an increase of public patronage will furnish the most effectual means of having what is wanted. An enlarged subscription list would put it in the power of the publisher to cater in the literary world on a more liberal scale; and the extended circulation of the paper, which would be a consequence of that subscription, would furnish a yet stronger inducement to many to make valuable contributions.

The publisher also makes his grateful acknowledgements for the friendly and liberal support received from various gentlemen residing in the states north of the Potomac. Many in that quarter, of literary and professional distinction, have kindly extended their patronage.

Already the number of contributions received, has greatly exceeded the most sanguine expectations of the publisher. Still he would earnestly invite the gifted pens of the country to repeat their favors, and unite in extending the INFLUENCE OF LITERATURE.

Letter from Mr. Wirt to a Law Student.

THE countrymen of WILLIAM WIRT hold his memory in respect, not more for his mental powers than for his pure morality. Every thing which comes to light in regard to him, tends to show that his character has not been too highly appreciated. The letter which occupies a portion of this number, and which is now for the first time published, exhibits him in a way strongly calculated to arrest attention. A young gentleman who is about to leave the walls of a university, and looks to the law as his profession, who is not related to or connected with Mr. Wirt, nor even acquainted with him, and knows him only as an ornament to his profession and his country, is induced by the high estimate which he has formed of his character, and the great confidence that might be reposed in any advice that he would give, to ask at his hands some instruction as to the course of study best to be pursued. Mr. Wirt, with constant occupation even at ordinary

times, is, at the period when this letter is received, busily employed in preparing for the supreme court of the confederacy, then shortly to commence its session. Yet notwithstanding the extent of his engagements, he hastily prepares a long letter replete with advice, and of a nature to excite the student to reach, if possible, the very pinnacle of his profession. What can be better calculated to increase our esteem for those who have attained the highest distinction themselves, than to see them submit to personal trouble and inconvenience, for the purpose of encouraging the young to come forward and cope with them? It would seem as if there were something in the profession of the law which tends to produce such liberality of feeling. We find strong evidence of this, if we look to the course of the two men who are generally regarded as at the head of the Virginia bar. How utterly destitute are they of that close and narrow feeling which, in other pursuits of life, not unfrequently leads the successful man to depress others that his own advantages may with greater certainty be retained.

A few remarks will now be made upon the contents of the letter. The student, says Mr. Wirt, must cultivate most assiduously the habits of reading, observing, above all of thinking: must make himself a master in every branch of the science that belongs to the profession; acquire a mastery of his own language, and when he comes to the bar speak to the purpose and to the point. He is not merely to make himself a great lawyer. General science must not be overlooked. History and politics, statistics and political economy, are all to receive a share of attention.

Much of this advice may well be followed by minds of every description, but some portion of it seems better fitted for an intellect of the highest order than for the great mass of those who come to the bar. Lord Mansfield could be a statesman and a jurist, an orator of persuasive eloquence and acute reasoning, and a judge "whose opinions may be studied as models." And Sir William Jones has shown that it was possible for the same individual to be a most extensive linguist, an historian of great research, a person of information upon matters the most varied, an author in poetry as well as prose, and a writer of equal elegance upon legal and miscellaneous subjects.

But these were men whose extraordinary endowments have caused the world to admire their strength of understanding and their great attainments. Mr. Wirt seems to think it best to open a field the whole extent of which could only be reached by such minds as these, and excite others to occupy as large a portion of it as practicable, by inculcating the belief that "to unceasing diligence there is scarcely any thing impossible."

That much may be effected by labor and perseverance, no one will controvert. Mr. Butler is an example. He states, in his reminiscences, that he was enabled to accomplish what he did, by never allowing himself to be unemployed for a moment; rising early; dividing his time systematically; and abstaining in a great degree from company and other amusements. Yet while

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the student is exhorted thus to persevere, some caution may be requisite lest his time be lost amid the variety of subjects that are laid before him in the extensive course which Mr. Wirt has prescribed.

Generally speaking, the student of law will fail to attain the highest point in his profession, unless the principal portion of his time be given to that profession. While travelling the road to professional distinction, he may, without greatly impeding his course, for the sake of variety, occasionally wander to the right or to the left, provided he will speedily return to his proper track. But if he open to himself a variety of paths, walking alternately in them, and spending in one as much time as in another, he will find that he can never travel far in any. In *England* the lawyer commonly devotes himself with great constancy to his profession, and suffers his attention to be diverted from it by nothing else. In our country, and especially in the southern states, more politicians than lawyers are to be found at the bar.—Hence the English lawyers are generally, as lawyers, more able and more learned than those of our country. There, as well as here, the lawyer who devotes a large portion of his life to politics, will become less fit for his peculiar vocation.

Lord *Brougham* is mentioned by Mr. Wirt, but he constitutes no exception to this remark. He was, it is true, at the same time an extensive practitioner at the bar, and a leading member of the House of Commons. He kept pace with the literature of the day, and contributed largely to the periodical press. The wonder was how he could do all this and go into society so much as he did; how *he* could do it, when so many able men found the profession of the law as much as they could master. But his fellow practitioners could, to some extent, solve the problem. The truth was, that Lord *Brougham* was more remarkable as an ingenious advocate than as an able lawyer, and made a much better leader of the opposition than he has since made a Lord Chancellor. There are many abler lawyers now presiding at his bar, and the decrees of his master of the rolls are more respected than his own.

In our country every one must, to some extent, be informed on the subject of politics, that he may be enabled to discharge his duty as a citizen; and history and general literature should certainly receive from all a due share of attention. But if the student of law remember what has oft been said of his profession, that the studies of even twenty years will leave much behind that is yet to be grappled with and mastered, he will perceive the necessity, if he desire to become a profound jurist, of making all general studies ancillary and subordinate to that which is his especial object. If he would know to what extent his attention may be divided, he may take Mr. Wirt himself as an example. In him extensive legal attainments were happily blended with general knowledge; powers of argument and eloquence were well combined; and in the forcible speaker was seen the accomplished gentleman. His good taste and sense of propriety would never allow him to descend to that low personality which has now become so common a fault among the debaters of the day.

A word to the gentleman who forwarded the letter. His reasons for transmitting it are not inserted, because it is believed that no relative or friend of Mr. Wirt can possibly object to the publication of *such* a letter. C.

My dear sir :

Your letter, dated "University of ———, December 12," was received on yesterday morning—and although it finds me extremely busy in preparing for the Supreme Court of the United States, I am so much pleased with its spirit, that I cannot reconcile it to myself to let it pass unanswered. If I were ever so well qualified to advise you, to which I do not pretend, but little good could be done by a single letter, and I have not time for more. Knowing nothing of the peculiarities of your mental character, I can give no advice adapted to your peculiar case. I am persuaded that education may be so directed by a sagacious and skilful teacher, as to prune and repress those faculties of the pupil which are too prone to luxuriance, and to train and invigorate those which are disproportionately weak or slow; so as to create a just balance among the powers, and enable the mind to act with the highest effect of which it is capable. But it requires a previous acquaintance with the student, to ascertain the natural condition of his various powers, in order to know which requires the spur and which the rein. In some minds, imagination overpowers and smothers all the other faculties: in others, reason, like a sturdy oak, throws all the rest into a sickly shade. Some men have a morbid passion for the study of poetry—others, of mathematics, &c. &c. All this may be corrected by discipline, so far as it may be judicious to correct it. But the physician must understand the disease, and become acquainted with all the idiosyncracies of the patient, before he can prescribe. I have no advantage of this kind with regard to you; and to prescribe by conjecture, would require me to conjecture every possible case that *may* be yours, and to prescribe for each, which would call for a ponderous volume, instead of a letter. I believe that in all sound minds, the germ of all the faculties exists, and may, by skilful management, be wooed into expansion: but they exist, naturally, in different degrees of health and strength, and as this matter is generally left to the impulses of nature in each individual, the healthiest and strongest germs get the start—give impulse and direction to the efforts of each mind—stamp its character and shape its destiny. As education, therefore, now stands among us, each man must be his own preceptor in this respect, and by turning in his eyes upon himself, and describing the comparative action of his own powers, discover which of them requires more tone—which, if any, less. We must take care, however, not to make an erroneous estimate of the relative value of the faculties, and thus commit the sad mistake of cultivating the showy at the expense of the solid. With these preliminary remarks, by way of explaining why I cannot be more particular in regard to your case, permit me, instead of chalking out a course of study by furnishing you with lists of books and the order in which they should be read, (and no list of books and course of study would be equally proper for all minds,) to close this letter with a few general remarks.

If your *spirit* be as stout and pure as your letter indicates, you require little advice beyond that which you will find within the walls of your University. A brave and pure spirit is more than "*half the battle*," not only in preparing for life, but in all its conflicts. *Take*

it for granted, that there is no excellence without great labor. No mere aspirations for eminence, however ardent, will do the business. Wishing, and sighing, and imagining, and dreaming of greatness, will never make you great. If you would get to the mountain's top on which the temple of fame stands, it will not do to stand still, looking, admiring, and wishing you were there. You must gird up your loins, and go to work with all the indomitable energy of Hannibal scaling the Alps. Laborious study, and diligent observation of the world, are both indispensable to the attainment of eminence. By the former, you must make yourself master of all that is known of science and letters; by the latter, you must know *man*, at large, and particularly the character and genius of your own countrymen. You must cultivate assiduously the habits of *reading, thinking, and observing.* Understand your own language grammatically, critically, thoroughly: learn its origin, or rather its various origins, which you may learn from Johnson's and Webster's prefaces to their large dictionaries. Learn all that is delicate and beautiful, as well as strong, in the language, and master all its stores of opulence. You will find a rich mine of instruction in the splendid language of Burke. His diction is frequently magnificent; sometimes too gorgeous, I think, for a chaste and correct taste; but he will show you all the wealth of your language. You must, by ardent study and practice, acquire for yourself a *mastery* of the language, and be able both to speak and to write it, promptly, easily, elegantly, and with that variety of style which different subjects, different hearers, and different readers are continually requiring. You must have such a command of it as to be able to adapt yourself, with intuitive quickness and ease, to every situation in which you may chance to be placed—and you will find no great difficulty in this, if you have the *copia verborum* and a correct taste. With this study of the language you must take care to unite the habits already mentioned—the diligent observation of all that is passing around you; and *active, close and useful thinking.* If you have access to Franklin's works, read them carefully, particularly his third volume, and you will know what I mean by the *habits of observing and thinking.* We cannot all be *Franklins*, it is true; but, by imitating his mental habits and unwearied industry, we may reach an eminence we should never otherwise attain. Nor would he have been the *Franklin* he was, if he had permitted himself to be discouraged by the reflection that we cannot all be *Newtons*. It is our business to make the most of our own talents and opportunities, and instead of discouraging ourselves by comparisons and imaginary impossibilities, to believe all things possible—as indeed almost all things are, to a spirit bravely and firmly resolved. Franklin was a fine model of a *practical man* as contradistinguished from a *visionary theorist*, as men of genius are very apt to be. He was great in that greatest of all good qualities, *sound, strong, common sense.* A mere book-worm is a miserable driveller; and a mere genius, a thing of gossamer fit only for the winds to sport with. Direct your intellectual efforts, principally, to the cultivation of the strong, masculine qualities of the mind. Learn (I repeat it) *to think—to think deeply, comprehensively, powerfully*—and learn the simple, nervous language which is appropriate to that kind of

thinking. Read the legal and political arguments of Chief Justice Marshall, and those of Alexander Hamilton, which are coming out. Read them, *study them*; and observe with what an omnipotent sweep of thought they range over the whole field of every subject they take in hand—and that with a scythe so ample, and so keen, that not a straw is left standing behind them. Brace yourself up to these great efforts. Strike for this giant character of mind, and leave prettiness and frivolity for triflers. There is nothing in your letter that suggests the necessity of this admonition; I make it merely with reference to that tendency to efflorescence which I have occasionally heard charged to southern genius. It is perfectly consistent with these herculean habits of thinking, to be a laborious student, and to know all that books can teach. This extensive acquisition is necessary, not only to teach you how far science has advanced in every direction, and where the *terra incognita* begins, into which genius is to direct its future discoveries, but to teach you also the strength and the weakness of the human intellect—how far it is permitted us to go, and where the penetration of man is forced, by its own impotence and the nature of the subject, to give up the pursuit;—and when you have mastered all the past conquests of science, you will understand what Socrates meant by saying, that he knew only enough to be sure that *he knew nothing—nothing, compared with that illimitable tract that lies beyond the reach of our faculties.* You must never be satisfied with the surface of things: probe them to the bottom, and let nothing go till you understand it as thoroughly as your powers will enable you. Seize the moment of excited curiosity on any subject to solve your doubts; for if you let it pass, the desire may never return, and you may remain in ignorance. The habits which I have been recommending are not merely for college, but for life. Franklin's habits of constant and deep excogitation clung to him to his latest hour. Form these habits now: learn all that may be learned at your University, and bring all your acquisitions and your habits to the study of the law, which you say is to be your profession;—and when you come to this study, come resolved to master it—not to play in its shallows, but to sound all its depths. There is no knowing what a mind greatly and firmly resolved, may achieve in this department of science, as well as every other. Resolve to be the first lawyer of your age, in the depth, extent, variety and accuracy of your legal learning. Master the science of pleading—master Coke upon Littleton—and Coke's and Plowden's Reports—master Fearn on Contingent Remainders and Executory Devises, till you can sport and play familiarly with its most subtle distinctions. Lay your foundation deep, and broad, and strong, and you will find the superstructure comparatively light work. It is not by shrinking from the difficult parts of the science, but by courting them, grappling with them, and overcoming them, that a man rises to professional greatness. There is a great deal of law learning that is dry, dark, cold, revolting—but it is an old feudal castle, in perfect preservation, which the legal architect, who aspires to the first honors of his profession, will delight to explore, and learn all the uses to which its various parts used to be put: and he will the better understand, enjoy and relish the progressive improvements of the science in modern times.

You must be a master in every branch of the science that belongs to your profession—the law of nature and of nations, the civil law, the law merchant, the maritime law, &c. the chart and outline of all which you will see in Blackstone's Commentaries. Thus covered with the panoply of professional learning, a master of the pleadings, practice and cases, and at the same time a *great constitutional and philosophic lawyer*, you must keep way, also, with the march of general science. Do you think this requiring too much? Look at Brougham, and see what man can do if well armed and well resolved. With a load of *professional duties* that would, of themselves, have been appalling to the most of our countrymen, he stood, nevertheless, at the head of his party in the House of Commons, and, at the same time, set in motion and superintended various primary schools and various periodical works, the most instructive and useful that ever issued from the British press, to which he furnished, with his own pen, some of the most masterly contributions, and yet found time not only to keep pace with the progress of the arts and sciences, but to keep at the head of those whose peculiar and exclusive occupations these arts and sciences were. There is a model of industry and usefulness worthy of all your emulation. You must, indeed, be a great lawyer; but it will not do to be a mere lawyer—more especially as you are very properly turning your mind, also, to the political service of your country, and to the study and practice of eloquence. You must, therefore, be a political lawyer and historian; thoroughly versed in the constitution and laws of your country, and fully acquainted with all its statistics, and the history of all the leading measures which have distinguished the several administrations. You must study the debates in congress, and observe what have been the actual effects upon the country of the various measures that have been most strenuously contested in their origin. You must be a master of the science of political economy, and especially of *financiering*, of which so few of our young countrymen know anything. The habit of observing all that is passing, and thinking closely and deeply upon them, demands pre-eminently an attention to the political course of your country. But it is time to close this letter. You ask for instructions adapted to improvement in eloquence. This is a subject for a treatise, not for a letter. Cicero, however, has summed up the whole art in a few words: it is—“*apte—distincte—ornate dicere*”—to speak to the purpose—to speak clearly and distinctly—to speak gracefully:—to be able to speak to the purpose, you must understand your subject and all that belongs to it:—and then your thoughts and method must be clear in themselves and clearly and distinctly enunciated:—and lastly, your voice, style, delivery and gesture, must be graceful and delightfully impressive. In relation to this subject, I would strenuously advise you to two things: Compose much, and often, and carefully, with reference to this same rule of *apte, distincte, ornate*; and let your conversation have reference to the same objects. I do not mean that you should be elaborate and formal in your ordinary conversation. Let it be perfectly simple and natural, but always, in good time, (to speak as the musician) and well enunciated.

With regard to the style of eloquence that you shall adopt, that must depend very much on your own taste and genius. You are not disposed, I presume, to be

an humble imitator of any man? If you are, you may bid farewell to the hope of eminence in this walk. None are mere imitators to whom nature has given original powers. The ape alone is content with mere imitation. If nature has bestowed such a portion of the spirit of oratory as can advance you to a high rank in this walk, your manner will be your own. In what style of eloquence you are best fitted to excel, you, yourself, if destined to excellence, are the best judge. I can only tell you that the *florid and Asiatic style* is not the taste of the age. The *strong*, and even the *rugged and abrupt*, are far more successful. Bold propositions, boldly and briefly expressed—pithy sentences—nervous common sense—strong phrases—the *felicitate audax* both in language and conception—well compacted periods—sudden and strong masses of light—an apt adage in English or Latin—a keen sarcasm—a merciless personality—a mortal thrust—these are the beauties and deformities that now make a speaker the most interesting. A gentleman and a christian will conform to the reigning taste so far only as his principles and habits of decorum will permit. The florid and Asiatic was never a good style either for a European or an American taste. We require that a man should *speak to the purpose and come to the point*—that he should *instruct and convince*. To do this, his mind must move with great strength and power: reason should be manifestly his master faculty—argument should predominate throughout; but these great points secured, wit and fancy may cast their lights around his path, provided the wit be courteous as well as brilliant, and the fancy chaste and modest. But they must be kept well in the back ground, for they are dangerous allies; and a man had better be without them, than to show them in front, or to show them too often.

But I am wearying you, my dear sir, as well as myself. If these few imperfect hints, on subjects so extended and diversified, can be of any service to you, I shall be gratified. They may, at least, convince you that your letter has interested me in your behalf, and that I shall be happy to hear of your future fame and prosperity. I offer you my respects, and tender the compliments of the season.

WM. WIRT.

For the Southern Literary Messenger.

MISFORTUNE AND GENIUS:

A TALE FOUNDED ON FACT.

“You have seen

Sunshine and rain at once: her smiles and tears
Were like a better day: Those happy smiles
That play'd on her ripe lip, seem'd not to know
What guests were in her eyes: which parted thence
As pearls from diamonds dropp'd.”—*King Lear*.

In a late excursion through the western districts of Virginia, having been detained at the picturesque village of F—, I took a seat in the stage coach, intending to visit some of the neighboring springs. The usually delightful temperature and clear sky of the mountain summer, had been suddenly changed into a cold misty atmosphere; and as I stepped into the coach, the curtains of which had been let down for greater comfort, I found a solitary female passenger sitting in one corner of the carriage, and apparently absorbed in deep contemplation. She was plainly but genteely