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WILLIAM, RUSSELL SMITH
OF ALABAMA

by

ANNE EASBY-SMITH, Ph.D.

In possession of: MRS. MARTHA S. WILDER

Cochran Journal
Cochran, Georgia

Also included is a statement from the teacher of William
Smith, dated December 7, 1868.

WILLIAM RUSSELL SMITH
OF ALABAMA

WILLIAM RUSSELL SMITH OF ALABAMA

HIS LIFE AND WORKS

Including the Entire Text of

THE USES OF SOLITUDE



Engraved by T. C. Smith

From the list
W. R. Smith

BY

ANNE EASBY-SMITH, PH.D.

*Religious of the Society of the Holy Child Jesus.
Member of the Faculty of Rosemont College*

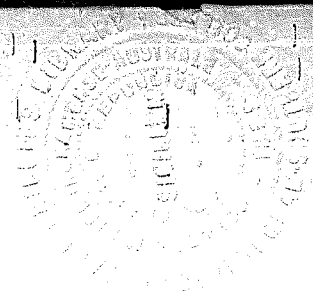
FOREWORD BY

GEORGE H. DENNY, LL.D.

President of the University of Alabama



The Dolphin Press
1722 Arch Street Philadelphia
1931



"Schoolmaster, Dec. 9, 1868,
 who is to certify that
 William Smith has been a
 pupil of mine for several months.
 During that entire period, it is
 but an act of simple justice to
 say to you I have found him
 industrious, docile, attentive and
 studious. He has invariably
 shown himself the friend of
 good order, and a lover of letters.
 I consider him a young man
 of talent, and his gentle and
 dignified manners must secure
 for him warm and lasting
 friends, wherever his qualities
 are known. I regret to lose
 him from my school.

Thos. W. Richardson, Prn.
 "Schoolmaster" Institution, Mo.

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FOREWORD

JUDGE WILLIAM RUSSELL SMITH justly ranks as one of the distinguished sons of the State and of the University of Alabama. He was an unusual combination of versatility, brilliancy and general usefulness. Through sixty years, crowded with the most stirring events in the State's history, he exercised with astounding vigor and success his varied gifts. His mind was characterized by poise, vigor, penetration and extraordinary detachment.

Judge Smith was a member of the first class of the University of Alabama. Forced by the necessity of earning a livelihood, he left the University before the completion of his course, but with his training and inspiration, he continued his journey upon the rugged road to scholarship, lofty citizenship, and high success in his chosen profession. He read law in the office of General Crabb, one of Alabama's distinguished lawyers and won recognition as a practitioner, a jurist, and as a writer on legal subjects. He had an active interest in public questions and became a conspicuous figure in the public affairs of the State. In politics he was noted for his candor, independence and sound judgment. He served with distinction two terms in the Legislature, and three in Congress. In Congress his notable achievement was his effectual opposition to the involvement of the United States in the Kossuth revolution in Hungary. For this service, he was referred to as the "Kossuth Killer".

FOREWORD

In the secession movement, he ranged himself on the side of conservatism, counselling patience, soberness and compromise. As delegate to the secession convention in Montgomery, in 1861, he opposed taking Alabama out of the Union. Fortunately for the historian, his fine sense of values, and his historical-mindedness impelled him to make a complete record of the debates and proceedings of this convention. This work constitutes an exceedingly valuable contribution to the history of the State and of the country. When hostilities began, he raised a regiment, and then entered the Confederate Congress for the duration of the war.

His conservative course during Reconstruction and his reputation for scholarship and sound judgment led the Board of Regents of the University of Alabama to elect him president in 1870, in the hope of successfully reopening and rebuilding the University. Success, however, with a faculty composed of Radicals, was impossible, and President Smith resigned after a year's tenure.

While assiduously pursuing law and politics Judge Smith found time to exercise his literary talents. He was a proficient Greek and Latin scholar and attracted attention as a journalist. He wrote extensively on legal, historical, literary and philosophical questions. His writings are characterized by conciseness, clarity and liveliness, by elegance of diction and individuality of style. His portrayals are unusually vivid, as is shown by his *Reminiscences*, which, incidentally, ranks high in this kind of literature.

Judge Smith belongs in the ranks of Alabama's strong men of the past. His career is a source of inspiration to the sons and daughters of the University of

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Alabama, and it is particularly appropriate that this history of his life should appear in the year when we are celebrating the Centennial of the University's existence.

GEORGE H. DENNY, LL.D.,
President of the University of Alabama.

INTRODUCTION

The mind
By Contemplation, brings the Passions kneeling
To worship at the Shrine of Intellect.

The Uses of Solitude,

W. R. Smith

THE life of a man of whom it has been said, "He was a statesman and a soldier; a jurist and an orator; a politician and a patriot; a poet and a philosopher—a truly great citizen—an epitome of many men!" cannot fail to be of interest, especially when he was actively engaged in national and state politics for half a century.¹

Such a man was William Russell Smith. The words quoted above seem to describe his character. He was a man of wide and varied interests, of many and great gifts, sensitive, virile, responsive, and, as his life progressed, the mind became more and more supreme, until at the time of his death at the advanced age of eighty-one, the intellect triumphed over the failing body and maintained control to the end.

Willis Brewer, a well-known author, wrote of William R. Smith, a few days after his death:

The most extraordinary of Alabamians died at the federal capital, February 26. Extraordinary in the vicissitudes of his public career, and even more so in the versatility of his intellectual stores. I say this as one acquainted with the history and annals of our State, and the fruits she has borne * * * Besides, his character, talents, and career were unique; he can be grouped

¹ Wm. Coleman Nevils, S.J., President of Georgetown University.

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with none other, and the thick-strewn events of his life would interest the stranger at our doors. Moreover, he was the single instance in our State's history of a man whose ruling passion was the Muses, and who yet was a successful politician.

Joel Du Bose, in his admirable *Sketches of Alabama History*, thus summarizes the work of this son of Alabama:

William Russell Smith was probably the most versatile and voluminous writer the State has produced. His works embrace a wide range of subjects and display an intellectual genius of high order. In all the history of his times, he never ceased to give forth the products of his pen. His entrance into business life was marked by intense interest in letters which made him well-known for scholarship, and opened wide the doors of the best houses of society. His companions were among the most literary and learned, whose respect and admiration outlived all the checkered policies and politics of an era that tried the souls of men. His high genius rose above the storms of parties, and found constant delight in books and literary company. He loved the old masters and translated the *Iliad* for the use of schools. He was an able lawyer, a learned judge, and a congressman who won, immediately on entering the House of Representatives, a notable prominence by his opposition to the measures in behalf of Louis Kossuth.

He appeared always kind and gentle, the soul of benevolence, with a suggestion of great power united to an imperturbable calm. Every woman was to him a queen, and to his daughters he was a very prince. Two considerations have induced the writer to prepare this memoir and to give it to the public: first, no biography worthy of William Russell Smith has appeared; and secondly, that his descendants, who are numerous, and who are to be found in many parts of the Union he loved so well, might be able to draw from the perusal of his biography inspiration and encouragement along the

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arduous path of lofty citizenship and Christian idealism. And lest filial affection should unduly color the picture she has endeavored to limn, the sayings and writings of others, rather than her own words have been employed, wherever this course was possible. It was difficult, from the quantity of material at hand to select wisely, and it will be her misfortune as well as that of the reader, if the choice has not always been the best.

I

BOYHOOD AND YOUTH

My mother was as fair and lovely a woman as could well be in this world of sun and snow. . . . She wrote the word AMBITION in my heart.

Memoirs of An Ambitious Man,

W. R. Smith

A YOUNG woman was seated at a window of her home in Russellville, Kentucky, about the year 1819. She was still young and beautiful, but her eyes were sad, and she seemed oppressed by sorrowful thoughts. A little boy about four or five years old danced into the room, and ran up to her eagerly. Seeing her sad face, he gazed awhile in wonder, and tried in vain to attract her attention. An abstracted caress was all the notice she bestowed on him, not even turning her eyes towards him. His little heart was full of a sadness he could not understand, and, at last he ran down into the garden to play. Occasionally he looked towards the windows, but there was no change in his mother's position, and he could not win even a smile from her. So indelibly was this scene impressed on his childish imagination, that years afterwards he described the incident and its sequel. Let us hear his own words:

Suddenly, I heard the sound of martial music. A bright banner gleamed in the air. A large body of soldiers was approaching the cottage on their return from the Seminole War. I was surprised. I looked towards the window where my mother was sitting. She bent forward in mute anxiety. Her dark eyes flashed with that intense feeling—joy struggling in the arms of

WILLIAM RUSSELL SMITH

hope and doubt—"It is! it is!", she exclaimed wildly, as she swept by me and ran towards the paling fence. I remember his red plume and his sword. My mother threw her arms over his neck. He was my father.

The boy was William Russell Smith. He was born on March 27, 1815, at Russellville, Kentucky, a town which had been founded by his kinsman, William Russell of Virginia. William was the son of Ezekiel Smith and his wife Elizabeth Hampton, both of whom were descendants of old colonial families of Virginia, and both of whose fathers fought in the battle of King's Mountain.

Ezekiel Smith was a true son of the soldiers of the Revolution, and his name is found among those enlisted as volunteers in the War of 1812. He was in the Sixth Regiment of Kentucky volunteers under Colonel Barbour, and again, under Colonel Johnson. Afterwards, when a call for volunteers to reinforce General Jackson in the South was sent out, he enlisted under Colonel William Murchisson. He took part in the battles of Detroit, the Raisin, the Thames and New Orleans. The family of Ezekiel Smith claimed that he killed Tecumseh with his own hand, and they preserved for many years the tomahawk of the giant chief as a precious heirloom. History, as we know, gives the credit of that deed to General Richard Johnson. After the battle of New Orleans, Ezekiel Smith returned to his planter's life. In the Seminole War, he again enlisted, and in that war he was wounded. He died not long after his return home, leaving six young children, the eldest of whom was about thirteen, and the youngest, an infant. He did not leave his widow unprotected for; she had property, slaves, and ample means. After the death of her husband, she took her young

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family of six to Huntsville, Alabama, where her brother, Sidney Lowry Hampton, resided. In that city she built a white stone house in which she lived for several years. Here, her youngest son, Joseph died, and thus it happened that William was the youngest and became the dearest child. About the same time, Sidney Hampton was accidentally killed, and probably this fact, and a desire to seek a more healthful climate, induced the young widow to move to Tuscaloosa,² then the capital of Alabama. Here she built a cottage in what was called New Town. Both the stone house in Huntsville and the cottage in Tuscaloosa were standing when William R. Smith died.

Those who remembered Elizabeth Hampton Smith, spoke of her in after years as "a beautiful and gifted woman, well-fitted to begin the education of her children."

In the memoir quoted above, which is partly fanciful, partly true, the author thus described his mother:

My Mother was as fair and lovely a woman as could well be in this world of sun and snow. I was her pet. She could deny me nothing. She wrote the word *Ambition* in my heart. All her conversation was about heroes and great men. Napoleon was at that time attracting the attention of the world and she used to rehearse to me his great exploits. . . . She showed me my tomahawk, frequently, and when she saw that I revered it, was happy. I was now seven years old. I had never been to school, but my kind Mother had taught me more than I could have learned under any other instructor. I could already read with considerable ease, and had begun to write. The time arrived, however, when it was necessary that I should go to school. . . . I looked forward with eagerness to the approaching Monday.

² In the spelling of *Tuscaloosa*, it will be noticed that sometimes the "k" and sometimes the "c" is used. The early form was *Tuckaloosa*, and it is so found in all of Judge Smith's writings. The present usage is *Tuscaloosa*.

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The *Memoir* informs us that this first school was made of logs, and that the teacher was kind to the little boy. When William was eight years old, his mother died, the victim of one of the epidemics common in those days. Those to whom she entrusted her affairs, embezzled the funds, and secretly sold the slaves, or, as one biography of Judge Smith expresses it, "spirited away the slaves." Thus the five orphans were left destitute. The kindhearted people of Tuscaloosa, however, undertook to care for them until Sidney, the eldest, who had obtained work, could provide a home for them. This brother seems to have exerted a strong influence over the others, for when a relative came from Kentucky, and wished to take the orphans back to their own people, he would not let them go. Judge Smith always considered this a great mistake. Louisa Smith, the oldest sister, was the first to marry. Her husband, William M. McDaniels, was a tailor, and William was accustomed after school hours to help in his shop. This gave rise to the rumor that he was apprenticed to a tailor. Adaline Elizabeth, a second sister, married Mr. Daniel M. Johnson, in 1826, and later, moved to Texas. Two of her sons, George M. Johnson, and Sidney Smith Johnson, were captains in the Texan Rangers of the Confederate army, and won the affection of the Texans in very much the same way as Judge Smith's son, Sidney Binion Smith, in Rhodes' Brigade of the same army, won that of the Alabamians. Glovina, William's third sister, was twice married, first to Thomas J. Morris, of Tuscaloosa, in 1851, and after his death in Texas, to Charnel Hightower of that state.

Among the early teachers of the ambitious boy were Doctor Reuben Searcy and the Reverend Mr. Harris. Sixty years later in *Reminiscences*, William R. Smith

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acknowledged his indebtedness to the former in a brief biography wherein he wrote:

Young Searcy had in him the elements of a good teacher, possessing several qualities very essential to success in those early times. He had a wild set of boys to manage. It was sometimes necessary to knock down and drag out, or rather *drag in*. There were *primitive boys* in those days, just as there were "giants" in other days. . . . The young teacher had seen somewhere in his reading the celebrated lines, "Spare the rod and spoil the child," and he was determined to profit by the instruction. There was to be no *spoilt children* so far as he was concerned. The doctor was young then and slim and trim—and was equally ready for a foot-race, or a fight, if need be; and on more than one occasion do I remember him entering energetically into a trial of fleetness to catch and bring back a refractory fugitive. Bynum Glover and 'Till Brown were incorrigible imps and Sandy Glover was hard to beat in the same line.

The writer of this article takes this occasion to express his gratitude to Dr. Searcy; for at this school he was pretty effectually drilled through Rudiman's Latin Grammar, and that without any charge on the part of the teacher.

In the same volume, *Reminiscences*, the author relates, without acknowledging in so many words, the identity of the culprit, a trick he played on the Reverend Mr. Harris.

When the Rev. Mr. Harris opened his school on the first day of July, 1829, among his pupils was a very small urchin, who, upon being called up to be classed, presented the teacher with a brand-new Latin grammar (Rudiman's). The teacher at once assigned a lesson, marking it with a pencil, and the boy retired to his bench to study. By the time Mr. Harris had arranged his classes, this urchin stood at his elbow, without being called, and pushing forward his book remarked that he had learned his lesson. He recited this with more than common accuracy, and the teacher marked another lesson. In a short-time the boy was again ready and recited. During the first day this youth passed over a number of lessons quite unusual in Mr. Harris's experience.

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This marvellous aptitude and diligence were repeated on the second and third days, when Mr. Harris presented the boy to the assembled school as an example worthy of being imitated. At the end of the first week the boy had actually mastered the adjectives, nouns and the conjugations of the verbs! On the Monday morning of the second week the young student was put to translating the "Historia Sacra", and here he exhibited the same diligence, and achieved the like success; and at the end of the second week he had repeated by heart all the rules of syntax! Mr. Harris was amazed at these wonderful performances, and the little fellow was the theme of his laudations. . . . The village was actually beginning to believe that it nursed a prodigy. But this delusion was not permitted to last. The Rev. Mr. Harris was dilating upon the marvelous development of his pupil in a crowd of gentlemen sitting one Saturday afternoon in front of Fontaine and Battle, Main Street, in which crowd happened most inopportunately to be a young man by the name of Reuben Searcy, then just beginning active life in Tuscaloosa. This young man with one of his bland and mischievous smiles (which his face had ample room to display) after listening to the teacher's eulogies, quietly said:

"Parson, there must be some mistake in all this."

"No, sir," replied Mr. Harris, "no mistake at all; I tell you it's wonderful."

Searcy proceeded: "No, it is not at all wonderful. That same chap came to my school last year, and it took me six months to thrash him through the conjugations of the Latin verbs! . . . This cruel speech on the part of young Searcy was quite enough to mark him as eminently fitted for the profession he afterwards embraced: and I doubt much whether in his whole career as a successful surgeon, he ever caused as much real torture on any other occasion, even in the pulling of a tooth or the amputation of a limb.

An interesting account of the library to which a boy in Alabama from 1820 till 1830 had access is given by William R. Smith, in a memoir never published:

When I was a boy, in the then wilderness of Alabama, there was no such thing as a library, at least within my reach or knowl-

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edge. The very nearest approach to a library consisted of a shelf of school books, rounded off at one end by the Holy Bible, at the other by a Methodist or Baptist hymn book. The contents of the shelf might thus be stated; Webster's Spelling Book, Pike's Arithmetic, The New York Reader, The COLUMBIAN ORATOR (the book of books to the aspiring young orator), the Rudiman's Latin Grammar, Historia Sacra, the Greek Testament, and for higher students in English, Blair's Rhetoric. . . . Of another book, Weems' Life of Washington, I was, at ten years, the happy owner. It was not only my book, but it was the only life of Washington circulating in the community. It was written in a style to me the most captivating and simple. There was a tinge of romance about it which then did not occur to me, and I took the whole to be nothing but the solid truth. It was true to its great office and duty, and that was, to make the American youth feel and believe with all his soul that Washington was the greatest man that ever lived in all the annals of time, and that the country he delivered was the greatest country on the globe. This book, I am proud to say, did that job for me most completely, so completely indeed, that I believed it then and I know it now. I read this book over and over again, until I knew it almost by heart. It was good historical reading, and while I was overwhelmed with admiration for George Washington, I was acquiring knowledge about my country's history. . . . After a boy has acquired a knowledge of Washington, as presented by Weems, the picture that then figures in his mind is colossal. And I hold that it is most fortunate that it should be so. Though Washington was a man of flesh and blood, as the rest of mankind, yet his deeds and his fortunes made him a colossal character, and it is in this light that he should be viewed. Therefore I look on that boy as most fortunate who in his youth has had painted on his mind this figure in its grandest proportions. When this has been done, there is no possibility of the picture ever being obliterated. As the Greek boy, credulous in the mysteries of Mythology, can see Jupiter Tonans as god of thunder, only in the great statue carved by Phidias, so let the American boy be taught to look at Washington as painted by Weems. Thus taught, the Father of his country will ever appear to him as a figure altogether grander than the figure of any other man.

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Every Friday afternoon was set apart, in the school attended by William at this time, for public declamation. The boys memorized and declaimed the entire Farewell Address, and Judge Smith said that the foundation of his political faith was laid at this time, and was based on the principles of Washington.

At one of the public debates held in the school, General Crabb, one of Alabama's noted lawyers, was so attracted by the unusual intellect and forensic talent of the aspiring orator that he offered to defray his expenses at college. The offer was accepted and the funds advanced were afterwards repaid by clerical work in General Crabb's office. "The memory of General Crabb, and his lovely wife," wrote Doctor Owen, "was ever held in the deepest reverence and affection by Judge Smith."

An incident which occurred when William was about thirteen years of age reveals the pertinacity of his character, and also gives a glimpse of his sense of humor and his facility in verse-making. He had practised the gentle art of rhyming ever since he could hold a pen, and thought that he had at last produced something worth while. The editor of *The Alabama Sentinel*, however, was of another opinion and refused to publish the lines. Nothing daunted, the young writer, with the aid of the printer's "devil", succeeded in getting the following effusion into a corner of the paper.

PIGEON TOES

There is a girl in our town
She has a pretty nose
The only fault about her is
She walks with pigeon toes!

BOYHOOD AND YOUTH

I meet her every morning
And my heart with fervor glows
And I confess the witchery
Despite the pigeon toes!

And when I see her slippers
Just where the drapery flows
I wonder how such ankles
Could sprout with pigeon toes!

I'll go and see the doctor
And ask him if he knows
If there is any way on earth
To straighten pigeon toes!

The rage of Mr. Grantland, the editor, may easily be imagined when he found a crowd collected outside the office of the *Sentinel*, roaring with laughter over the day's edition just out!

In the spring of 1831 the University of Alabama opened its doors to students. William Russell Smith was one of the thirty-five who matriculated the first day.

At the University it was his good fortune to find distinguished professors, men who would have graced the halls of any university in the world. Among these were Doctor Alva Wood, professor of Philosophy, Gordon Saltonstalls, professor of Mathematics, Henry Tutwiler, of whom Judge Smith afterwards wrote, "It is not too much to say of Professor Tutwiler that he was a whole faculty in himself," and Henry Hilliard, professor of English Literature, one of the most distinguished orators and public men in the State.

From his first day at the University, William Russell Smith was a forceful element. His interest in all things pertaining to college life is illustrated in a letter recently brought to light among other papers hidden in

WILLIAM RUSSELL SMITH

the cellar of the Observatory before the burning of the entire University by the federal soldiers in 1865. The papers were discovered in 1888. The letter is dated December 13, 1832.

To the Honorable Board of Trustees of the University:

It is with deep and heartfelt regret that we have understood that our estimable and worthy Steward, Mr. Ashe, is about to be ejected from his present situation. We deem it our duty to inform the Trustees that Mr. Ashe has, by his exemplary manner, endeared himself to all, and has succeeded by dint of perseverance and assiduity in giving the most cordial satisfaction to all who partake of his table. He has conducted himself as a perfect gentleman, always evincing a disposition to please, and a desire to accommodate to the best of his power. He has so entirely won our esteem as to make us unwilling to exchange his services for those of any other individual whatever. The high respect and esteem which we entertain for him, and the general satisfaction which he has had the rare good fortune to render, and the hope that this manifestation of our sentiments may produce some effect on your determination, all these combined have induced us to make this petition to your honorable body—that he be not removed.

W. R. SMITH	I. WEBB
B. BOYKIN	B. H. MITCHELL
A. D. TURNER	I. S. THORINGTON
GREEN MARK WOOD	A. S. POPE
GEORGE D. SHORTHIDGE	E. F. BOUCHELLE
GEORGE F. MANNING	(A number of names follows, sixty in all)

Mr. Paoli Pascal Ashe was a man of refinement and culture, as Judge Smith bore testimony in *Reminiscences*, published in 1889, and had evidently won the affection of the student body. One of his daughters, Julia, became the wife of Dr. Tutwiler, for many years president of Green Springs College. Another daughter married Dr. C. G. Smith who was president of the

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Alabama University from 1874 to 1878. His two sons were distinguished citizens of the State, one an eminent doctor, and the other a gallant soldier, killed at Petersburg.

William R. Smith was first in all the fun that went on, stood high in the classes, and made friends whose esteem was lifelong. In his eighteenth year, he published what is probably the first book of poems, in fact the first literary production, that was printed in Alabama. This was "College Musings, or Twigs from Parnassus," a book of one hundred and twelve pages, containing sixteen poems, printed by D. Woodruff at Tuscaloosa in 1833. The only copy of this book that can now be found is in the library of Brown University, Providence, Rhode Island.³ This little volume is unusually interesting. On the title page are these words of Byron's:

A schoolboy freak, unworthy praise or blame
I'll print, for older children do the same.

The dedication is to Burwell Boykin, one of his classmates, older in years, a man for whom through all his long life Judge Smith entertained the same tender, boyish devotion that had developed during their student days. Their friendship was unbroken, from the time when Boykin left college to marry, until his death many years later. One of the most beautiful tributes to friendship ever written is the article on Burwell Boykin in *Reminiscences*. The following lines are typical of the whole essay:

My remembrance of Boykin is much in the nature of a dream

³ The courtesy of the authorities of Brown University made it possible to procure a photostat copy of *The Twigs from Parnassus*, from which the extracts given in this volume have been taken.

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—sweet in the opening, bright and dazzling in the ascent, and precipitant in the close. I look upon him now through a mist of tears, and embrace him with a fluttering heart. He has been missing in this world for thirty years; but during all that time he has been a great part of my inner household, and he looks down upon me from the swinging walls with those large, black, lustrous eyes undimmed, his brow radiant, and his lips benignant and placid as they were

Before Decay's effacing fingers
Had swept the lines where beauty lingers.

The biographical article from which these lines are taken occupies eight pages, and the portrait of Burwell Boykin drawn by the pen of his devoted friend, together with an engraving accompanying the article, presents a most attractive personality. The author tells of an episode in their college days, when he wrote verses for his friend to send to a young lady to whom the latter was engaged, and whom he subsequently married. Boykin could not keep the secret of the authorship of the verses, but the fair lady seemed not to have been displeased. His friends always regretted that Burwell Boykin left the University in his senior year, and married, for many considered him the brightest man in the class.

A sonnet written by Judge Smith when he heard of Mr. Boykin's death, in 1858, is an example of his mature work, and incidentally reveals his power for friendship.

BOYKIN
A Sonnet

Dead? Boykin dead? the boy love of my heart!
Oh, he had genius of celestial cast!
He dug the deep mines of the golden past
And turned up gems, unconscious of his art.

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BOYHOOD AND YOUTH

Ambition filled his manly soul, and Fame
Tempestuous call'd; he heard the loud acclaim,
And listened; but a gentler, softer voice
Detained his ear and made his heart rejoice.

Caught on the plane where Fame and Beauty meet,
He laid Ambition down at Beauty's feet;
For love and cottage comforts, he resigned
The gorgeous gold-cloth of a mighty mind;
Turn'd from the forum where renown is won—
Apollo changed into—Endymion!

This was the man to whom the youthful poet dedicated his first book, and the dedication as well as the preface show a decided diffidence, and plead for the kindly criticism that will encourage future effort. The dedication ends with these words: "In consideration, therefore, of having passed with you some of my happiest hours; of having often wandered with you over the joyous groves of Academeus, when first our young fancies were taught to soar above the bounded visions of the vulgar; and above all, in consideration of the talents which I have long admired; and in hopes of strengthening the thread that binds our hearts together, I hope that you will suffer me to inscribe to you this my earliest publication." In the Preface he writes: "Some of the pieces have been written very lately, and others have been *ripening* for two or three years; and as I can see no approach towards mellow perfection save the dust that has settled on the leaves of my common-place book, I have concluded to snatch them from obscurity and let them live their day amongst the other children of idleness."

The first poem is called *Shakespeare*. It is written in heroic couplets, and contains nearly five hundred lines. The perfect rhythm and rhyme for which all of

—25—

WILLIAM RUSSELL SMITH

William R. Smith's verse was noted are found here. There is also evident his love for the classics, and for historical parallel, while, at the same time, the faults of youth are equally apparent. There are repetitions of the same rhymes, and a certain carelessness which facility is apt to inspire in beginners.

A philosophical and meditative note appears, in reflections on the lives of many of the world's great men:

Unhappy genius! since the world began
Thy lot hath been the lowest lot of man;
Spurned for the paths that nature prompts thee tread;
Thy hopes may gleam awhile, but soon are dead.
Thorns are oft mingled with thy fading bloom;
Thy transient joys are sudden turned to gloom.

* * * * *

Indignant nature bids us to despise
All who can soar where we can never rise.
And thou, proud cleaver of the air, whose flight
Is far above the vulgar vision's sight,
Think not that men will view thee with an eye
Free from the envious veil of jealousy.

* * * * *

A genius? lo! where Goldsmith wends his way
A wandering lamp of meteoric clay!

* * * * *

Is he the bard that sang in strain so sweet
That Heaven saw all her fairy angels meet
To list the sound of his ecstatic lyre,
And smile the happy minstrel to inspire?
Yes, he, the bard whose sounding lyre serene
Sang of sweet Auburn's desolated green.
Green be the vines that twine thy hapless brow!
The envious herd is withering lifeless now!
Hallowed the wreath that glitters on thy shrine
Vain Johnson's head is lower far than thine.
Dim Rasselas shall wither by the side
Of honest Primrose blooming in his pride.

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There is a description of the "crystal stream where poets drink and lay them down to dream" and we are told that Homer, Pindar, Byron, and others drank of the Grecian font, to which at last the youthful Shakespeare came. Apollo was charmed at once, and as the youth slept, whispered:

Pride of Albion, hail!

Hail to the bard whose variegated lyre
Shall melt the heart and turn the soul to fire!
Whose simple notes shall please the lowly churl
And charm the ears of lady, lord and earl.
Whose lofty strains shall draw the princely tear
While freedom laughs and petty monarchs fear
That tyrant sway must fail—while to the stage
The power is given to rule the groveling age;
To bring the deeds of tyrants to the light
And threaten kingdoms in one single night.

Venus came and promised him:

A spark of heaven now burns within thy breast
'Tis thine to be the wonder of the age
'Tis thine to add new lustre to the stage.
Thy name shall be synonymous with time
Immortal bards shall weave it in their rhyme;
And when they seek a simile for fame
They need but echo Shakespeare's honored name.

* * * * *

Marked you the eagle as he soared on high
Losing himself amid the cloudless sky
Yet piercing all beneath him with his keen dark eye?
Thus soared great Shakespeare, buoyant, strong and proud
Wielding his silver wand with lightnings on the cloud.

These extracts give a fair impression of the first poem in the little volume. The other verses are less ambitious. They are lyrics in varied meter, many of which he himself doubtless sang, as we read that he was

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very fond of serenading the young ladies of the town, accompanying himself on the guitar. One, "A School Girl's Petition", was doubtless the occasion of much merriment. She is begging her mother to recall her from boarding school. Note the lines:

Oh Mother, Mother, take me home;
I'm sure I know enough,
I've studied Kame quite through and through
And Euclid—paltry stuff!
I know my Logic all by heart
Philosophy I know;
And you will see from *this* I've learned
To write a verse or two.
I love romance, and when I take
A novel up to read—
Oh! then I want a pair of wings
To fly away with speed!

And notice how naively she gives herself away!

Oh, Mother, Mother, take me home;
I heard the other day
That Edmund had returned to town
A real Henry Clay;
They say he is so eloquent—
I long to hear him speak—
But oh! he will forget the bloom
That decked my childish cheek;
I have the very cedar twig
He gave three years ago!
Oh, Mother, Mother, take me home,
My heart it flutters so!

In this lyric is found one of those unexpected turns of thought that makes up part of the liveliness seldom absent from this author's writings:

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My voice is sadly out of tune,
My harp is on the shelf
And if you do not take me home,
I'll soon be there myself!

The variety found in the few pages of a very small book may be imagined from the titles of the poems. These are some of the titles: Sweet Jenny Lee; The Little Orphan Boy—A Ballad; Laura; The Magic of Love; I Cannot Forget Thee; . . . Advice to a Friend; The Wish; Answer to a Serenade; Lament of Waverly, and others. *The Orphan Boy* was inspired by the memory of his mother, whose influence over the mind and heart of her son was unusually strong. All through life, he was accustomed to think of her with gratitude and reverence. She impressed on his child-mind a reverence for God, a belief in the nobility of man, a love for truth and fair dealing, and responsiveness to high motive, which were all conspicuous in his entire life. Reference to his mother is frequent in his writings, and lines to her were found among his papers after his death.

In *The Little Orphan Boy*, the following lines are no doubt descriptive of the writer:

And as the little orphan boy
Grew up apace to know
That he would have to stem the world
In sorrow and in woe;
He veiled himself in solitude
And stores of knowledge gained;
His lot was heavy, but he bore
His grief not e'er complained.

In his case, too, it was true that

The favorite of the village
Is the little orphan boy.

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The Lament of Waverley was written after Scott's death. It is a creditable essay, in musical prose, rather above the achievement of the average undergraduate. The last words of the *Lament*, and of the volume are these:

The mighty must fall—and now, how has the mighty fallen—the hand is cold—the eye is closed—the spark has fled to blaze brighter in another world.—He no longer sits by his midnight taper, like a grey cloud by some solitary star.—The voice of Ossian is no longer heard in the hall of Fingal, and the bard of forty years has left his harp upon the willow of repose—Peace to thy shade, oh! child of genius! May thy brow be bathed in the waters of thy favorite Helicon—may thy sleep be an eternal dream of happiness.

In the volume we have been considering, there appeared a notice to the effect that *The Bridal Eve* was ready for publication and would soon follow this book of poems, that lack of suitable paper for printing, alone, caused the delay. All copies of this romance of an Indian couple have been lost. It is spoken of by contemporary writers, and by those who read it in their youth, as Willis Brewer who wrote: "I remember that as a boy I read it with pleasure, bound as it was in a little volume with some sonnets and lyrics." It was characteristic of Judge Smith that he made no effort to preserve the poetic effusions of his youth, ranking them as "school-boy freaks." They are interesting enough to those who like to find in a man's youthful work the promise of his mature accomplishments.

After three and a half years, William was compelled to leave the University, his course unfinished. Ambitious and diligent, he had made a brilliant student in a class of pupils, many of whom rose to prominence in later life. He attained a high standard of scholarship

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in English, French, classical and scientific studies. His friend Boykin had left in his senior year because he came of a wealthy family, and was free to marry and live at leisure, a fact which his friends always regretted as it had prevented Boykin from attaining the heights he might have easily reached in the literary world. Just the opposite reason compelled William R. Smith to abandon his course, and begin the Reading of Law in General Crabb's office. Had he lived in the New England States, his life would probably have been devoted to literary pursuits, as conditions in that part of the country were more favorable than in the more primitive State of Alabama.

Instead, we find this boy with the heart of a poet going from the University into a law office, and so diligently did he apply himself that within a year he passed the examination, and was admitted to the bar. At the age of twenty he began the practice of law in Greensboro.

William R. Smith has been thus described by Doctor Thomas Owen: "He was short of stature—about five feet, five inches in height, but with a sturdy, well-knit frame, capable of great and prolonged endurance, mental and physical. He had dark brown hair, large eyes of the same color, and an expressive mouth, indicative of an affectionate and generous nature, and at the same time, of an unbounded determination." William Garrett in his *Public Men of Alabama* wrote of him at this time:

He was much respected for his talents and high social qualities which rendered him a conspicuous figure in society. He dressed fashionably with somewhat of the appearance of a Spanish cavalier in the cut and wearing of his cloak.

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Willis Brewer wrote:

In the versatility of his gifts he was the Brougham of Alabama, but he would never have baked pancakes on the great seal, nor visited Louis Philippe in striped trousers. He relished a joke, but would have despised himself as a comedian.

In 1836, his older brother, Sidney Lowry Smith, had joined one of the Alabama companies raised to help the Texans in their war for independence. He was killed in the Goliad Massacre. He, with many young men from northern Alabama, under Captain Ticknor, was in the small band of four hundred and twenty commanded by Colonel Fannin which was surrounded by a large force under Santa Anna. They surrendered under promise of exchange with Mexican prisoners. The treacherous Santa Anna, instead of keeping his word, had the whole band ignominiously shot on Palm Sunday which that year fell on William R. Smith's twenty-first birthday. Both brothers seem to have inherited the martial tendencies of their ancestors, for we find that William had interrupted the practice of his profession to join General Frazier's regiment which was engaged in putting down a revolt of the Creek Indians. He brought to the general a company of mounted infantry which he himself had recruited and of which he had been elected captain. Returning home from the disbanding of his company, he learned of Sidney's death, and of the wiping out of the whole of Fannin's command. He burned with desire to avenge the death of the brother whom he loved with passionate devotion, a brother who had been father and mother to him, as well as comrade in every sense of the word. He immediately set about recruiting a company for the purpose of supporting the Texans and of avenging

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the Goliad dead. They went as far as Mobile, where they learned of the Battle of San Jacinto, and of the success of the Texans.

Instead of returning home, William remained in Mobile, the first large town he had seen. For a year he devoted himself to literature, the spell of which he never quite resisted. It was small wonder, when his talents were so many and so varied, that the work of his profession did not at first secure his entire devotion. Here seemed a class of people who might, perhaps, respond to his literary ambition. Willis Brewer thus speaks of his sojourn in Mobile:

Lodi and Marengo and Austerlitz began to fade away and the Muses resumed their sway. Mobile had at that time reached the high water mark of prosperity. . . . He soon had a literary magazine launched. This was a very different game from playing hide and seek, gun in hand, in the Everglades; but one who has naught to lose can afford to lose that in any game. I much question if Judge Smith ever realized that the Southern people are not a literary or bookish people. Any way, his bantering died in its swaddling clothes. . . . He now courted Melpomene, and wrote *Aaron Burr, A Tragedy*. And he took the leading role in the performance, too. Sol Smith was manager of the theatre and in his *Memoirs*, written thirty years later, speaks of the play as a work of genius, praising, also, the young author as an actor and regretting that he quitted the boards. There was indeed, always a vein of the histrionic in Judge Smith; in his voice, in the demeanor of every day life; inasmuch that his bearing on the stump partook of the nature of the mystery that reigns behind the drop-curtain. I have been with him in hours of relaxation and sociability, and can attest that he never quite disrobed, never forgot himself; or to use a figure of Curran's he "would have taught even a stream of agony to flow decorously down his forehead."

Mr. Brewer is not quite correct in assigning the reason for the singular reserve every one noticed in Judge

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Smith's character. He was a sincere man, as all attest. He was unusually thoughtful. When interested in any problem or public question, he was indefatigable in searching out a solution. Not content with available data, he applied every faculty of his powerful mind to work out the correct result. This habit seems to have been lifelong, and made him a deeper man than most of his fellows. At the same time, he was the soul of courtesy, and those who were admitted into the inner circle found delight in his companionship. The inability to "forget himself" was a misfortune he did not fail to recognize and regret. Aubrey de Vere's words seem to apply to him:

Vainly heart with heart is twined,
For the greatest still is single.

An expression of this feeling of reserve is found in a letter to his wife from Richmond dated July twenty-first, 1861:

I never in all my wanderings realized so sensibly the solitariness of my *nature* as I do in this town, and under the present circumstances. If it were not for you I would be a hermit vagabond—or a vagabond hermit—with no disposition to look for a location. Though I meet hundreds of acquaintances here—men whom I have known for years—and with most of whom I have been on the kindest terms, I feel no more interest in them than if they were total strangers.

This was, of course, the extreme of loneliness to which he ever arrived, and the circumstances—his want of sympathy with the enthusiastic desire for war that was in evidence all about him, the wild expressions on all sides against every one and every thing in the North, the efforts of many to encourage a spirit of hatred and suspicion of all on the other side—all threw

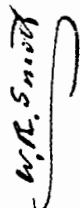
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him back upon himself. The newspapers, also, printed the extravagant sentiments that some of the northern editors allowed themselves to express with regard to the South, thus stirring up that animosity so provocative of war, and so foreign to Judge Smith's saner views and his ambitions for his State. The quotation will, doubtless, show why he often appeared incommunicative, for if no good could come of opposition, it was his custom to remain silent, while the candor of his nature forbade equivocation.

II

FEARLESS PATRIOT

Ah! nothing so inspires the soul of youth,
And urges him to noble enterprises
Plann'd for the future, as the wish to live—
To live immortal in the world's esteem;
That dead, he still may hear the lauding shout
Mellifluous climb the advancing walls of Time,
Sounding his name and calling generations,
Each as they pass to note his character.

The Uses of Solitude,  W.R. Smith

THE magazine which William R. Smith founded in Mobile was *The Bachelor's Button*, a monthly periodical, devoted entirely to literature. It is said to have been the first purely literary magazine attempted in the State. It met with feeble support. Six numbers, however, appeared, four published in Mobile, and two, in Tuscaloosa, whither the editor returned after his year's sojourn in Mobile. Most of the pages were penned by the young editor himself. Do not the following lines, taken from an article, *The Whig, or the Diary of a Young Candidate*, show an understanding seldom found in the young?

Ambition is the first thought that enters into the mind of the young American, because he early hears that there is nothing that cannot be removed from his path to fame and honor. Here there is no hereditary house of peers; no born king; no titled nursing. The crown of his country may be worn by himself, if his genius and integrity make him the favorite of the people. He goes

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forth into the world to carve his own way, and if he be a skillful graver he can cut his name on every stone and pillar of the nation and write it in every heart.

Ambition rules the young mind with more absolute sway than the old ones. It kindles on the altar of young enthusiasm, and THOUGHT soon becomes the temple dedicated to its worship. . . . It is unfortunate for our country and our fame as a nation of orators that the field of political advancement is so early opened to the young candidate. Before he is capable of adding dignity to the council-board of legislation, he is sitting at it, perhaps the most garrulous of its members. Before time has cast his mind in the mould of wisdom he is seen on the stump, haranguing a crowd of gaping fools with sonorous words and limping phraseology. His rant is mistaken for eloquence and inspiration, his earnestness, for patriotism, and he is sent to minister to a country diseased! How unwise! how impolitic! how prejudicial to the country; how unfortunate, how ruinous to the promoted! It requires a philosopher to resist the influence of temptation; and few men are philosophers at twenty. Public attention flatters his vanity. He is immediately filled with self-importance. He forgets that he is too feeble in intellect to advance in the slightest degree towards perfection the code of his country; and his early prejudices, his false and immature reasoning may lead him into a thousand errors—errors which a life of future usefulness could scarcely wash out.

In the fifth number of this magazine appeared *Young Allen Glenn*, a poem of from seven hundred to eight hundred lines by William R. Smith, of which one of his critics wrote that it "contained occasional flashes of the sparkling little similes for which he afterwards became noted."

Returning to Tuscaloosa, William R. Smith devoted himself to the practice of law. He was a successful lawyer, but it was impossible for him not to write. Beginning in 1838, he edited the *Monitor*, a Whig paper, for several years. Politics, also, beckoned to him, and at twenty-four, he was Mayor of the city.

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He supported Harrison for the presidency. When the inhabitants of Tuscaloosa, after the death of the President, held a memorial service, he, by appointment, delivered a Eulogy on the life and character of William H. Harrison. A few days after the ceremony, the young orator received a written request from a committee of the inhabitants of the city, for a copy of the Eulogy for publication. His answer was characteristic:

Gentlemen:

Your note requesting a copy of my Eulogy on the life and character of the late President of the United States, is at hand. I am pleased to learn that my friends were satisfied with the effort; and I am too much gratified, by the compliment conveyed in your request, to think of withholding the manuscript from you. It is therefore placed very respectfully at your disposal.

I also transmit to you that portion of the Eulogy which I omitted, on account of its political character in respect to our democratic friends who joined us in the melancholy ceremonies of the occasion: you will please exercise your discretion whether or not to print it.

Most respectfully,

WM. R. SMITH.

A few words on this Eulogy will not be out of place. It is scholarly, and full of feeling, and contains within the narrow compass of fourteen pages, the outline of the life of William Henry Harrison, told with richness of detail, combined with terseness of expression. The opening words were:

Is it patriotism that moves this assembly? what else can it be? What other spirit could calm the turbulence of political warfare, and bring the people together, on this mournful occasion, without distinction of party? What, but a common love of the constitution could make men forget the strifes of the forum, the recent bickerings of the hustings, the shouts of victory and the chagrin of defeat? Verily, sorrow has gained the mastery of

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anger, and grief has swallowed up the bitterness of contention. And it is well; for where all that remains of a man is buried, there should be buried all animosities.

The religious tone of his mind, and his esteem for nobility of character are evidenced in the following lines:

They (the American people) have seen him carry to the executive mansion the simplicity of his cottage, and the economy of his domestic fireside; they have seen that he could not be induced by the trappings of splendor, the outward habiliments of grandeur, or the power and pomp and patronage of office, to lay aside for a moment, the republican features of his character, or to forget like Wolsey, in his "*full-blown pride*", his duty to his country; they have seen him to the last, the PEOPLE'S FRIEND—dispensing power, not as if it had fallen to him as an inheritance, for his own personal benefit, and for the uses of ambition, but as a generous and wise governor, making "all his ends his country's, God's and truth's." And as they contemplate his character, thus exhibited to the world, marked by every feature which should adorn humanity and illustrate the grand idea of a man—the bright embodiment of a nation's pride and a nation's hope—suddenly, by an all-wise and just PROVIDENCE, he is cut down in the midst of his usefulness and glory. But we question not the decree: "*to everything there is a season; and a time to every purpose under the heaven; a time to be born and a time to die.*"

After a review of the life of the late president—a review in which one finds, not a tedious summary, but an attractive biographical sketch—he continued:

If it be true that the *ruling passion is strong in death*, then we have ample evidence that the ruling passion of our lamented friend was *his country*. His last words indicate not only his attachment to the constitution, but the heroic fortitude of his mind. If the frowns of men could not drive him from the constitution while he lived in the midst of health and prosperity, neither could the terrors of the grave. As the sable folds of death were gathering around him, the icy grip of the all-subduing

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conqueror was forced to be relaxed for a moment, that he might utter an oracle to liberty; and he spoke: "I wish you to understand the principles of the government; I wish them carried out; I ask nothing more." If words can build a monument, that is one; more durable than the magical creations of art, or the huge pyramids of ambition. Time cannot efface the sentiment from memory. No fire can reach it.

In the fall of the same year, William R. Smith was elected to the Legislature of the State, which then met in Tuscaloosa. He was the regular Whig candidate, and served for two terms. Thus at twenty-six, he found himself a citizen of some importance in the city of his adoption. He bore his honors with dignity and shouldered his responsibilities in a business-like way that was often commented on during the years of his life as representative of the Fourth District, whether in Tuscaloosa, Washington, or Richmond.

On Christmas Day of the year 1841, however, occurred an incident that caused much merriment, and showed that, on occasion, the young legislator could enter into the spirit of the season, and contribute very substantially to the success of "the fun-makers", as he called the junior members of the Legislature. For reasons unknown, the Alabama Legislature had refused to adjourn for the holiday, and the recalcitrant members determined to break up the session. They secured the aid of the Honorable Jerry Clemens, who was somewhat older, and had already attained a certain prominence, and he introduced the following resolution:

Be it resolved by the Senate and House of the State of Alabama in General Assembly convened, that the two houses assemble in the Hall of the House of Representatives, at 11 o'clock this day, for the purpose of singing the

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JOINT SONG

Now Christmas comes, and merry
Let every bosom be;
Lay down the mallet, Terry,
And let the Senate free.
This is no time for spouting
Make no resolves today;
Thy voice is great at shouting
The merry roundelay.
The Senators are dozing—
The thing is evident;
They all feel like reposing—
Some are at least half bent!
Let Philpot and the Major
Have holiday, I pray,
And I will lay a wager
They are sober half the day.
Look not so grave in glasses,
Most gracious Doctor Moore;
Adjourn the House of Asses,
And let them bray no more.
Bring down thine ivory hammer
And let its voice proclaim
One day's respite from grammar,
One day to eggs and game.

Three stanzas followed, but these are sufficient to let the reader enter into the spirit of fun. The Speaker (Mr. Rice in the chair) decided that the motion was out of order, but the House was adjourned in a few minutes, it being impossible to establish any order. An editor in 1911 commenting on the incident, said: "The song was the work of that inimitable wit, William R. Smith."

In 1843, William R. Smith severed his connection with the Whig party, because, according to Doctor Owen, "He disagreed with Mr. Clay on the tariff and

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other questions." In his political career, he seemed always to stand rather for principle than for party. As we know, the Whig Party was breaking up, and there was active agitation already moving towards secession that part of the Democratic Party which leaned toward extreme measures—those who were called "fire-eaters". William R. Smith, his love for the Union being so intense, could not be an adherent of such a party. He was called a *Hunker* or Union Democrat. The Union seemed to him, even during the war, not only desirable but necessary to the best development of the South. Few men have the courage to change political parties, much less to belong to none, but to those few it is necessary to be honest with themselves and to face the consequence of standing almost alone. Willis Brewer expressed this well when he wrote:

There were not wanting men who said that this "new man" was all things to all men, but for that he had the example of Paul the Apostle who was a famous saint. Impulsive or zealous people are fond of deriding as "on the fence" or a "trimmer" or as selfish those who are often led by thoughtful forbearance, or philosophical prescience to rise above the ardor of faction. Moderation is none the less the fruit of such conduct.

Nothing could be more uncompromising than Judge Smith's own expression of his political faith. In his speech in Congress on January eighteenth, 1856, for instance, he spoke fearlessly:

I am no trained partisan—no harnessed Democrat. I always do my own thinking, and my acts are usually based on my best judgment. I expect to support this administration in all things that are consistent with genuine democratic faith; and I do trust, Sir, that I will not find it necessary to oppose it for any important movement of an anti-democratic tendency.

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And in the same speech, he expressed his unalterable opinion regarding secession:

I am a southern Democrat, and yet I denounce the doctrine of secession in all its phases—in all its aims, and even in all its abstractions. And in that opinion I expect to live and die. The union of these states and the harmonious compromises which have been passed by Congress heretofore and indorsed by the Democratic Convention in Baltimore are dearer to me than all the political abstractions of your most learned statesmen.

His independence was always exasperating to the political leaders of Alabama, and it must be confessed that their treatment of him was seldom generous, even after he had proved his absolute devotion to Alabama and her cause. It was characteristic of him that he never failed to recognize the intrinsic worth of his opponents, of whom he wrote on all occasions with admiration. It is necessary only to read his works to be convinced of this fact.

During the years in which he was building up his political career, he contributed regularly to *The Southern*, a magazine published in Tuscaloosa. One of the other contributors was F. A. P. Barnard, then president of the University, and afterwards president of Columbia University. Professor Barnard wrote charming verses in his younger days, some of which appeared in *Reminiscences* in the article bearing his name. In 1841, at the age of twenty-six, William R. Smith published the *Alabama Justice*, a book that was declared very useful for magistrates and which passed through three editions. It is natural to wonder how he found time to do all that he did, not only at this time, but during his whole life. Already, as Brewer noted, "he had felt his way in poetry, oratory, the law, authorship, law-making, the stage, the press, and politics." Which

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was he to choose? Many have said that if he had devoted himself exclusively to any one of these pursuits, he would have achieved a world-wide reputation. This is perhaps true. A man gifted as he was, however, would seem, in a way to stultify himself if he were to develop one talent to the exclusion of the others. He developed his gifts of mind and heart, and the greatness of his own soul was the result. Let us hear, again, Mr. Brewer:

He loved life, this human existence, as every mortal should love the brightest gem that nature gives; and he cut it into shining facets, polished it into a glowing jewel till the lustre of it was shed on the State he served and on the times in which he lived.

At the age of twenty-seven William R. Smith married Jane Binion. She died two years later, leaving him an infant son, named for the brother he loved so well, Sidney Binion Smith, a son who was to be one of the idols of the Tuscaloosa people during the war, and after the war, the youngest mayor to hold the office in the city. After the death of his wife, William R. Smith removed to Fayette County. He built up a large and lucrative practice. In 1844 he was elected Brigadier General of the State Militia. Here, in 1847, he married Mary Jane Murray of Fayette. Three children were the fruit of this marriage, Lucy who died in early youth, Sophia who married William Walker of Fayette, Alabama, and William R., Second. For a second time death invaded the home of Judge Smith, and the mother of these three children died in 1853. In his biography of William R. Smith, the late Doctor Thomas M. Owen said: "Among those who knew them, the memory of these two women is very sweet."

In 1848, an article, *War and its Incidents*, published

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by William R. Smith in the *Southern Quarterly Review* for January, caused universal comment. It foreshadowed the election of General Taylor to the presidency. William Garrett, in an article in *The United States Law Magazine and Examiner*, April, 1852. speaks thus of this article:—

The elaborate article in the January number of the *Southern Quarterly Review*, entitled "War and Its Incidents" is characteristic of his various traits of mind and the diversity of cultivation. Read it and group it into the mind, and you will perceive the exactness of judicial analysis; the severity of the scholar's criticism; the sarcasm of a caustic wit; the dashing bravery of a southern cavalier; and the aspiration and inspiration of the poet. Frequently these characteristics seem to be concentrated in eight or ten lines.

"The history of war is the history of men, more than of nations. The eye of the reader, as in the heat of conflict, follows through the ranks of carnage, that favorite plume which courts and defies danger;—and which seems a signal—an inspiration—a shout and a victory wherever it goes. The political effects of a battle are not seen, but only felt in after ages, when dreamy speculation hunts for the cause of revolutions, and inquires for the throne that was."

In 1849 William R. Smith was elected judge of the Seventh Judicial District. From that time, he was invariably spoken of as the Judge. He resigned the office to take his seat in the United States House of Representatives in 1851.

He was elected to Congress as an independent or Union Democrat, running against the regular Democratic nominee. He was thirty-six years of age when he entered Congress. A few days after the opening of the session, the famous Kossuth incident took place. The event is graphically described by William Garrett in the first volume of *Livingston's Portraits and Mem-*

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of *Eminent Americans*, in an article, *William R. Smith of Alabama*. These "portraits" were first published in *The United States Law Magazine*, and the sketch of Judge Smith, accompanied by an engraving, which is a good likeness, appeared in the issue for April, May and June, 1852.

Mr. Garrett's account is doubly interesting from the fact that he was an eye-witness of the occurrence:

No member of the present Congress has excited so much public interest among the masses of the people as the man who first raised his voice in a positive and distinct manner in Congress against the extravagant propositions and arrogant pretensions of Kossuth.

A brief notice of Mr. Smith's debut in Congress will not be without interest.

On the eighth day of the session, when the states were called for petitions, etc., the member from Alabama arose, and requested the House, in rather a timid manner, to excuse him from serving on the committee on claims, to which he had been appointed by the Speaker. . . . In courtesy to the request, the House, being in a good humor, voted to excuse him. After this, he again arose, and throwing off the apparent humility and timidity which had marked the manner of his request, he called the Speaker's attention and said: "I give notice to the House that on tomorrow, or some subsequent day, I will introduce joint resolutions, requiring the Secretary of State to furnish Louis Kossuth with the laws of treason and misdemeanors against the United States; the resolutions go further to declare that if after reading the laws, Kossuth should continue to make his incendiary speeches, it shall be the solemn duty of the President of the United States to cause him to be arrested."

The Kossuth excitement was, at the moment, at its highest pitch; of course the House was taken by surprise, and presented for an instant, the singular spectacle of a body of men haling between two opinions, and knowing not whether to laugh, to hiss or to applaud. The thing passed off amidst a huge laugh, and the member from Alabama was marked as at least a bold poli-

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tician, not having exhibited the slightest excitement during the whole scene.

Mr. Stanton of Kentucky asked:—"Does the gentleman wish to revive the Alien and Sedition Laws?"

Mr. Smith:—"No, Sir; but we must have no more *Pampero* expeditions."⁴

Thus the matter ended for the present.

Mr. Smith speaks of his position as "very uncomfortable; not a single member of Congress expressed the slightest sympathy with me; the newspapers from all quarters commenced abusing me; my mail was literally crowded with insulting epistles and lampooning editorials; but I felt confidence in the certainty of a reaction in my favor, and only desired an opportunity to vindicate my resolution."

On Saturday, 13th. of December, the Senate passed the welcome resolution; on Monday, the 15th., as soon as the House met the resolution was brought in from the Senate, and the previous question on its passage was called and sustained. This cut off all debate; and when Mr. Smith entered the hall as he says in his speech, he "found the House voting the adoption of the Senate resolution. I was forced to vote for the resolution in order to secure for myself the privilege of moving for a reconsideration, hoping in that way, to be able to make my vindication; but in this I have been anticipated by the gentleman from Indiana (Mr. Robinson), who moves to reconsider, and to lay his motion on the table.

"I now as a last shift, move to reconsider the vote by which the title to the resolution was adopted, and under that motion I ask leave to make a personal explanation."

Here ensued one of those scenes of confusion and disorder so common in the House; and every possible obstacle was thrown in the way of the speech. The confusion and uproar lasted

⁴In August, 1851, Lopez, the Cuban patriot, although the President of the United States had issued a proclamation forbidding Americans to take part in the Cuban insurrection, embarked, in the *Pampero*, at New Orleans, with about 400 young men, most of whom were Americans, for the purpose of joining in a Cuban uprising. They were captured by the Spaniards. The Cubans were executed as pirates, or sent to Spain to work in the government mines. Lopez was garrotted in Havana. The Americans were eventually pardoned by the Spanish government.

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more than an hour, during which time Mr. Smith exhibited the utmost composure, leaving the objecting members to settle the questions of order with the Speaker, who, to his great credit, sustained Mr. Smith in all his decisions.

Mr. Garrett's article continues in the same delightful strain, and shows an appreciation of Judge Smith which a man of his fine temper could not fail to have. Of the Speaker of the House on this occasion, Mr. Lynn Boyd, Judge Smith himself wrote:

I had the good fortune to have made him my friend; whether I was in order or not, he so ruled as to let me keep the floor. He may not have been a great man, but he had a great heart, as on that occasion I had an opportunity to learn; and I have the utmost reverence for his memory.

It is not easy for one today to realize the excitement caused throughout the length and breadth of the land by the visit of Louis Kossuth. In New York, for instance, for two weeks, the daily press evidenced this excitement.⁸ His movements were chronicled with ardor, under the headings, "*Kossuth's First Day in America*"; and likewise on each succeeding day, sixth or eighth as the case might be. On one occasion, December 12th, the whole front page and almost the whole of the fourth page of the *Herald* were dedicated to him. It was on the day of the "Municipal Banquet" in Kossuth's honor, at the Irving. The menu was printed; numerous letters of regret and sympathy were read. Among the last, were letters from Henry Clay, Secretary of State, Hamilton Fish, the Governor of New York, and other influential men. The Mayor of New York spoke cordially, the President of Columbia University spoke at length. Kossuth's own speech was

⁸ The *Freeman's Journal*, a Catholic periodical, edited by the fearless and vigorous James A. McMaster, was the first New York paper to oppose the mission of Louis Kossuth.

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sparkling with joy and expectation. In the following day's issue, long accounts were given of the various delegations that waited on Kossuth; — the Colored Delegation from New Jersey; a delegation for Hartford; the Presbyterian Delegation from Brooklyn; one from Columbia College with an address; an address from the Board of Education of New York, and so on, a list too lengthy to enumerate. In the editorial of the *Herald* that day is found:

In a word, the mission of Kossuth is active, Russian non-intervention and, within the limits of the law assistance—political, material, and financial assistance to Hungary.

Similarly, in the *Herald* for "The Fourth Day", there are three columns devoted to Kossuth's cause, and in the editorial, under the heading "Freedom of Hungary and Europe", it is shown very plainly that Kossuth's desire was that the United States should acknowledge the independence of Hungary, and that a national loan should be negotiated. At another time, the militia of New York State turned out to be reviewed by the hero. It is noticeable that many of the pastors of the non-Catholic churches made Kossuth the text of their Sunday sermons. Mr. Eddy, a prominent minister, spoke of "Kossuth, God's own man for the times;" and took occasion to add, "who, in all the country, except the Archbishop of New York and his adherents, could wish the social, religious, civil state of the nineteenth century exchanged for that of the centuries between the sixth and fifteenth?" Another pastor, Mr. Sidney Carey, preached in the same style, assailing Archbishop Hughes. The congregation of the Lutheran Church prayed for Kossuth.

So bitterly were the Catholics assailed in the *New*

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York Press for not promoting the cause of Kossuth, that Mr. Michael Doheny wrote an able and spicy defence of his co-religionists which was published in the *New York Daily Tribune*, December 13, 1851. An advertisement of "The Hungarian National Loan" certifying to the holder one dollar with 6% interest, appeared in *The Herald*. These words followed: "The *Herald* recommends all to help by buying one."

The Journal of Commerce, on the other hand, offered the most sane opinion, in its editorial for December 13, 1851:

The objections to inactive interference, then, are that it would be ineffectual, and hurtful to our power and influence. The objection to active interference is what Kossuth admits, that it is not required of our country, and it would amount to, or produce actual war.

These extracts give an idea of the extravagant admiration for the Hungarian patriot, and the enthusiasm for his cause that prevailed at the time. To one interested in the question, the perusal of the daily papers of the day is fascinating.

One instance will show a lack of knowledge of the real state of affairs with regard to Kossuth in members of the Senate as well as in those of the House.

On the morning of December 11, Mr. Cass said in the Senate:

I take it for granted that there is not a sane man in this country who dreams, even, of intervening by force in this affair, or of sending a fleet to cover the Adriatic and to blockade the lagoons of old Venice and the Port of Trieste, or another to take its station on the Sound and close the entrance to the Baltic to the ships of Russia.

On the evening of the same day, at the celebrated banquet given him by the New York Bar, Kossuth said:

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Well, I am not the man to decline the consequences of my principles. I will not steal into your sympathies by slippery evasions. Yes, gentlemen, should Russia not respect such a declaration of your country, then you are obliged, literally—obliged, to go to war, or else be prepared to be disgraced before mankind.

These words were loudly cheered by the company.

On December 15, William R. Smith made his famous speech in denunciation of Kossuth's methods and the nation-wide support of his proposals. The speech was printed by the author with copious foot-notes and makes agreeable reading. It illustrates many of the traits peculiar to the speaker, and portrays his character and mental acumen. With difficulty, as has been said, he obtained a hearing, for Kossuth had many friends, and those powerful, in both houses of Congress.

The first three pages of the published speech are taken up with efforts on the part of the member from Alabama, supported by Mr. McMullins from Virginia, two members from Tennessee, and Mr. Evans to obtain leave to address the House. He was violently opposed by Mr. Cartter of Ohio, but was sustained by the Speaker. Then for the whole of quite a lengthy speech, there was no interruption. The reason is clear to one reading the time-stained pages, for the attention and interest are sustained to the very end. With masterly hand, he marshalled facts, supporting them by quotations from history, from the press, from Kossuth's own words, and from dispatches to and from Europe, and from different parts of America—all proving that the Hungarian was not only endeavoring to incite the youth of America to take up arms against Austria, but that he had already received thousands of dollars and promises of men and munitions to aid the so-called

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Republic of Hungary. Familiar with the history of Hungary from the time of Saint Stephen to that of Kossuth, he made it clear that the recent revolution in that country had for its aim, not the freeing of the masses from oppression, but the domination of the Magyar nobles, and the subjugation of the Croations and the Wallachians. He asked no one to take his word, but quoted authorities and showed his sources. Such reasoning is convincing. It will be remembered that the Resolution of Welcome to Kossuth had been passed, and that Judge Smith had asked for a reconsideration in order to make a personal explanation, in view of the overwhelming abuse he had suffered from the press in some quarters. In this he succeeded, and at the same time, his speech was enlivened by such passages as the following:

Mr. Speaker, is the object of the resolution we have just adopted, to contribute to the happiness of Kossuth? Let us inquire a moment into his condition. It is thought by some persons to be the greatest evil that can happen to a man to be banished from his country. But this is not always a fact. The extent of the misfortune, however, depends on circumstances—the country from which he is banished, its situation, its wealth, its poverty, its laws and the home condition of the party banished. Indeed it is not always a misfortune. I remember that Diogenes counterfeited coin in order that he might be banished from Pontus. I remember that Stronicius committed forgery in order that he might be banished from Straphos. They thought that being banished from such countries was getting out of prison.

Now, if we look at the case of Kossuth, at the time of our intercession in his behalf; if we consider the condition of Hungary, both before and after the war; if we look upon the condition of the exile at the time of his banishment,—we are bound to conclude that Kossuth must not only not be considered an unfortunate, but truly the most fortunate of men. We have it in the story of Themistocles, that when he was banished from Athens, he

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fied to the court of Persia, where he was received with much graciousness. The great monarch of Persia set apart for him six cities; one for his wine, one for his bread, one for his chamber, one for his wardrobe, and, I suppose one for his kennel. Well, Themistocles, while living in so much splendor, forgot poor little Athens, and considered himself the most fortunate of men; and, contemplating the splendor and luxuries with which he was surrounded, was led to lay his hands upon the heads of his children, and exclaim in the excess of his delight: "Ah, my children! we should now be undone, but for our undoing!" Happy Themistocles! Now, let us look at Kossuth again. There he stands before the American people, welcomed as no man was ever welcomed before. Private assemblies and public assemblies go forth to greet him; private mansions and public mansions, heart and all are opened to receive him. Military chieftains and municipal authorities attend him with all the pomp and circumstance of place and power; and musical bands with all their glowing and charming incidents combine to welcome him to these shores.

Wine and wit and beauty still their charms display,
Light all the shades and guide him on his way,
Happy, happy Kossuth!

With convincing proofs Judge Smith then showed that Kossuth's mission to America, in spite of direct denial in both Houses of Congress, had the following objects:

1. He comes to raise money;
2. He comes to incite the young and old of this country to take up arms in favor of Hungary;
3. He comes—a monarchist—to teach Americans how to interpret the teachings of Washington;
4. He comes—the dupe of England—to endeavor to unite England with the United States in a plan of "armed non-intervention" in the affairs of other nations, and to induce us to depart from our ancient custom of attending to our own business and letting other nations do likewise. . . .
5. He comes to interfere with the freedom of religious opinions as it now exists in our constitution.

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The array of quotations presented is almost startling and the industry that contributed to their gathering is praiseworthy. Only a trained mind, however, could have welded them together as William R. Smith did. There was no hesitation on the part of those listening to accept the truth. An eye-witness claimed that those present did listen till the very end.

One thing that outraged Judge Smith's sense of propriety was Kossuth's interpretation of Washington's ideas, and his impudence in lecturing Americans on the meaning of his declarations. After quoting at some length from Bowen's *War of the Races* to prove the difference between the Hungarian Revolution and that of the American Colonies, he exclaimed:

Yet Kossuth came here a Republican!—a better Republican than any of us who were born Republicans! Expounding for us the policies of our fathers! and giving us *new readings* of the *doctrines of Washington*! Well, I rejoice at his conversion! I congratulate him and the friends of liberty throughout the world that the American atmosphere has had such a magical influence on him. But, I must hasten on. In his Manchester speech, he compliments the Father of this country for promulgating what he is pleased to term in his unique phraseology, "the letter-marque of despotism."

He then quoted from Kossuth's speech in Manchester the following words—and the quotation was direct from the English paper:

That is the principle, the sovereign right of every nation to dispose of itself. But this is not the non-intervention which would be defined in these words, "I do not care whatever be the fate of humanity, whatever the disposal of the world may do with Europe or its liberty, because my principle is non-intervention." That, I say, is not non-intervention, it is the letter-marque of despotism; it would be an assurance to society to carry with certainty the victory of despotism.

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No doubt it gave William R. Smith real pleasure to quote about two hundred fifty words from Washington's *Farewell Address*, for he had a true love for them, imprinted on his memory in early boyhood and never effaced. After reading these lines, he said:

Every body knows, Mr. Speaker, what has been our policy. It makes no odds whether Washington recommended it in so many words. And what has been the result of that policy? Why, from the small beginning of three millions of inhabitants, we now have twenty-three millions; from a small number of states we are now over thirty; from a ragged population we have risen to the greatest wealth and prosperity. Why and how did we get all this? By adhering to the principle of *staying home and minding our own business*. . . . But Kossuth says we may now depart from that policy—that it was wise when we were young, but now that we have grown to be a giant, we may abandon it. Here is another bit of philosophy for you. We can all resist adversity. We all know its uses;—

Sweet are the uses of Adversity
Which like a toad, ugly and venomous
Wears yet a precious jewel in its head.

It is the crucible of fortune. It is the iron key that opens the golden gates of prosperity. I say, God bless ADVERSITY; she pricks me and I bleed, and I am well. But the rock on which men and nations split is PROSPERITY. This man says we have grown to be a giant, and that we may depart from the wisdom of our youth. But I say, now is the time to take care. We are great enough; let us be satisfied; prevent the growth of our ambition; prevent our pride from swelling, and hold on to what we have. Do you remember the story of the old governor who had been raised from rags? His king discovered in him merit and integrity, and appointed him satrap, a ruler over many provinces. He came to be great, and it was his custom to be escorted throughout the country once during the year, in order to look into the condition of his subjects. He was received and acknowledged as a great man and a great governor. But he carried about with him a mysterious chest, and every now and

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then he would look into it, but would let nobody else see what it contained.

... Finally he was prevailed upon by some of his friends to let them look into it. And what did they see? They saw an old ragged, torn suit of clothes . . . he said that he carried them about with him in order that when his heart began to swell and his ambition to rise, and his pride to dilate, he could look upon the rags—they reminded him of what he had been—and thereby he was enabled to resist the temptations of prosperity. . . . Raise the veil, if there be one, that conceals the poverty of this Union when we were but thirteen states. Raise the veil which conceals the rags of the soldiers of the Revolution. Lift the lid of the chest that contains the poverty of our beginning, in order that you may be reminded, like this old satrap, of the days of your poverty, and may be enabled to resist the voice of the tempter who tells you that you were wise in the days of your youth, but that now you are a giant you may depart from that wisdom! . . . Great is the man, and greater is the nation that can resist the enchanting smile of prosperity.

In this speech there is a passage relating to religious freedom which throws a light on the personal convictions of one who was afterwards to ally himself for a while with the American or Know Nothing Party. It shows conclusively that what attracted Judge Smith was not the religious side of that movement, but solely the views the party leaders held on immigration and naturalization. He quoted from Tefft's book the following extract:

The Hungarians were not only to give political freedom to those countries, but they were destined to become the champions of the *Protestant religion*, and to bring about the *downfall of Papal Rome* . . . I saw, as all men saw, that republican principles and the *Protestant religion* in the whole of southern Europe would rise or fall with these brave defenders of the Truth.

Judge Smith then added:

I refer to these extracts, Mr. Speaker, in order to inquire if

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freedom of religious opinion is not one of the corner stones of our institutions. I ask if it is proper in the Congress of the United States by its assembled wisdom, in solemn form to say to this man,—“Come here—stir us up, in order that we may superintend secret expeditions against Austria; come here and feast, and harangue our mobs. Come! *teach us politics*, and interfere in questions of religion also.”

So much for the discussion of the situation and the denunciation of the actions of Kossuth. There is another paragraph of this speech which is characteristic of the orator:

I am willing to acknowledge that Kossuth must be a man of eloquence. I am perfectly satisfied of that. I have read his speeches with great admiration not unmingled with a little indignation, and that opinion I have expressed. But allow me to say that these speeches are mere rhapsodies, and not arguments. I am not a man to turn my eyes away from the face of genius. Wherever it exists, whatever may be its sentiments, I love to look upon it, because I know that in the face of genius there is the image of God. I am willing to say that Kossuth possesses all the charms to make him a most accomplished and engaging man, and I should consider it my misfortune if he should pass through Washington without my seeing him.

Mr. Garrett in the article formerly quoted, comments further:

The published speech was received everywhere by the impartial press with the highest approbation; and Mr. Smith took his place in Congress as one of its most remarkable members. *The New York Atlas* says of this speech: “We found it a rich treat. It most faithfully sustains the position assumed by the resolution; evinces great research in reference to the Hungarian question, and reflects infinite credit on the author.” *The New York Evening Mirror* says of it: “It is a bold, pithy, pungent production—full of hard hits all round. Mr. Smith treats the whole Kossuth Committee as a humbug, and seems to be well posted, not only in regard to the history of the Hungarian re-

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volition, but in all the movements and doings connected with the Kossuth mania in New York. Bennett, Barnum, Genin, Hagadorn, and others get sly hits from the witty Alabamian, and even grave and dignified senators come in for a share of his satire. At the time of its delivery, Mr. Smith was on the unpopular side of the question, yet we should not be surprised if the reaction in the tide of Hungarian enthusiasm swept back, even beyond the position so boldly taken and so ably maintained by the gentleman from Alabama.

One feels, on reading Mr. Garrett's words, that his admiration for Judge Smith was unbounded. His article, however, serves to show the opinion many of the latter's contemporaries entertained for him. To quote further:

This reaction has taken place. The public is now greatly amused at the harmless excess of the most singular delusion and enthusiasm which has ever prevailed. Honor to whom honor is due. When we reflect that at the time of this movement, Mr. Smith was a new member of Congress—a young man—a stranger in Washington—unknown beyond the limits of his State—standing in the feeble and silent minority of sixteen against three hundred members in Congress—and in the face of the whole country which seemed to be absolutely swept away by the torrent of popular delusion, the positive reaction in his favor must be considered a remarkable parliamentary triumph. What is most gratifying of all—the Alabama Legislature adopted resolutions, almost unanimously, sustaining the principles of his speech. . . . The writer of this sketch was informed by Mr. Smith, on the night before their introduction, of his intention to offer the arrest resolutions, and he very strongly remonstrated against it as hazardous in the extreme, but was answered in a phrase he will not soon forget;—"I intend to seek difficult positions in order to get out of them." This is a characteristic remark, and shows a self-reliance which, if backed by actual capacity, cannot fail to achieve a successful career. . . . Mr. Smith's career in Congress promises to be brilliant. He is modest and unobtrusive in his intercourse with its members, never mingling in the discussions

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most of his speeches, Judge Smith showed, especially on being interrupted, a ready wit that conciliated the sincere, and exasperated the captious. The House often laughed heartily at his sallies. On this occasion Mr. Nabers of Mississippi, interrupted, saying: "I only want to ask the gentleman a single question."

Mr. Smith. I do not want to lose any time. I will be more neighborly at any other time. (Laughter.)

Mr. Nabers. Well, I only want to ask him what he means by "Young America"? I want him to show me the difference between the *old men* and "Young America."

Mr. Smith. I mean by Young America every man over twenty years of age, and (to include the gentleman from Mississippi) under sixty. (Laughter.) The gentleman from Mississippi is amongst us (Laughter) for I apprehend that he is not more than fifty-nine. (Renewed laughter.)

Another example of ready wit is found in a speech in which he advocated the bestowal on Colonel Winfield Scott the title of General by brevet. The reaction of the House on this occasion, to his reference to Kossuth,

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which ordinarily arise; he seems to be resolved not to occupy the time of the House, except upon matters which he has matured into a speech. He has delivered but two speeches in Congress, and each of them was marked with the appearance of having been well considered beforehand. The last speech produced upon the members of Congress a more favorable impression than the first, and was listened to with a respect and attention which is now so uncommon as to be considered the highest compliment. This last speech upon the subject of *Printing the Census*, and politics incidentally, exhibits a mind remarkably acute, with a richness of historical and literary illustrations not commonly met with in congressional speeches. These illustrations are so happily applied as to relieve the orator from any appearance of pedantry, and to exhibit, at the same time, traces of the studious and laborious habits of the author.

In the last speech referred to, as in most of his speeches, Judge Smith showed, especially on being interrupted, a ready wit that conciliated the sincere, and exasperated the captious. The House often laughed heartily at his sallies. On this occasion Mr. Nabers of Mississippi, interrupted, saying: "I only want to ask the gentleman a single question."

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indicates the great change that had taken place in the attitude of the members towards the latter:

I must pay my respects to the gentleman from Ohio (Mr. Cartter). He talked yesterday about the heraldry of nobility, and titles, and *mock legislation*, and moved an amendment to insert the word "lord" so as to make it read "Lord Lieutenant General Winfield Scott". Well, now, I merely want to suggest as an amendment to that, the better to suit the taste of that gentleman, to insert after the words "Lord Lieutenant General" the words "Louis Kossuth, alias *Alexander Smith*". (Great laughter and cries of "Bravo! bravo"). The gentleman (Mr. Cartter) was a hero in the Kossuth contest in this House. Was that *mock legislation*, or the rewarding of a mere *runaway governor* with honors unheard-of and unprecedented in this hall, inducing the Congress of this nation to stand up uncovered in the gorgeous presence of that arrogant foreigner. . . . The same gentleman, on this occasion, speaks against a resolution conferring on one of his own countrymen a mere military badge of honor which is dearer to a soldier's heart than anything except a victory!

William R. Smith was again, in 1853, elected to the House of Representatives, being opposed by the regular nominees of the two parties. The candidates in those days did most of their own campaigning. We are fortunate in having Judge Smith's own graphic description of an incident in this campaign which shows his resourcefulness, as well as the methods then in vogue. It is found in *Reminiscences*, published in 1889:

SUNDAY NIGHT IN A PRINTING-OFFICE

A Bit of Autobiography. How I Won in that Triangular Fight.

In 1851, I had defeated, by the aid of the Whigs, the regular nominee of the Democratic convention in the old Fourth district. The issue in that race had been a square one—independent Union against organized Secession; the latter mischievous doctrine having been then recently vitalized by the Nashville convention, of which my competitor had been a distinguished member.

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In 1853 the Democratic leaders denounced me, and by a convention had nominated Gen. Syd. Moore, of Greene County, as their candidate. The Whig leaders, thinking it a good opportunity to elect one of their own favorites, held a convention and nominated Col. Steven F. Hale, also of Greene County, as their candidate; both these gentlemen had acquired reputation in the Mexican war. I stood alone, with no organized forces. Not only did the leaders on both sides denounce me, but all the newspapers in the district, thirteen in number, were hostile to me; the Whig press being for Hale and the Democratic press for Moore!

The newspapers had been particularly venomous in their assaults upon me—but they were all "weeklies." I carried them in my pocket, and on the stump I issued my "daily" in response. My pen was a red-hot wire, and I think I did some pretty smart scorching.

The issue in 1853 was the same as in 1851—"independent Union against organized Secession." I never allowed this issue to be lost sight of, and the result was a UNION TRIUMPH.

The race had been a fierce one, and the labor incessant. The regular canvass had closed on the Wednesday previous to the election. Meantime, each man was at liberty to go where he pleased, and look after his affairs, on a still or wild hunt, as he might elect.

I had made plans to skim the entire district during the remaining four days. Riding all Wednesday night, I made a speech at Butler, in Choctaw County, on Thursday at 10 o'clock. I found the state of things there absolutely appalling! The two old parties were rigidly organized, the Whigs for Hale, the Democrats for Moore! I told the people, who turned out well to hear me, that they would have to occupy a back seat in Congress if it should so happen that they had refused to vote for the man who should be elected; but that, nevertheless, they might rely on my generosity if they would *comp.* with me on fifty votes in the county! remarking that I might need about that many votes from Choctaw to save me. In other words, I said, "If you will give me fifty votes in this county, I will recognize you as part of my constituency." (Note.—As a singular coincidence it may be noted that Choctaw, in 1853, gave me exactly fifty votes, and hence this speech of mine was ever afterwards considered as prophetic. It will be seen, by accurate calculation, that if these

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fifty votes had been taken from me and given to General Moore I would have been defeated; but if they had been divided between the two competitors, I would still have been elected without a single vote from Choctaw.)

Notwithstanding this square and gruff way of talking of the people of Choctaw County, they were rather amused than indignant, and when I drove out of the village I left the crowd in a good humor, with many a cordial hand squeeze, but with more averted eyes.

I was at Livingston at midnight Thursday, where I was advised that General Moore had taken a fly into Fayette, the county of my residence. I immediately took horse, and was at Gainesville by daylight Friday morning. There I got a fleet team and a close carriage, so that I could sleep and be driven at the same time. I made two or three short fence-corner speeches on the way between Gainesville and Carrollton, at which latter place I got a fresh team, and continued my journey, so that I was within twenty miles of Fayette Court-House Saturday at daylight. I ran up on General Moore at 2 o'clock Saturday afternoon, at Hester's precinct, eight miles north of Fayetteville, where I found Col. Joe Terry on the stump making a rousing Smith speech in reply to General Moore's.

My advent on the spot was better than any speech I could have made; so that I simply circulated among the crowd until towards sundown, when I rode back to the village, in company with General Moore.

I had not been in bed since Tuesday night! Yet I felt as fresh as a rose.

Before daylight next morning, Sunday, I was on the road to Tuskalooosa, where I arrived about dark.

When I reached Tuskalooosa my friends advised me that there was a certain very damaging report circulating throughout the county, touching one of my votes in Congress. Learning precisely what it was, I saw that it was a falsification of the records and the fact, and that it was very important to have it contradicted and explained.

It was now Sunday night, and the election next day! no railroad, no telegraph—a circular was the only practicable remedy. Not anticipating the slightest difficulty in having a circular printed, I went to the residence of Marnaduke J. Slade, the pro-

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prietor of the Independent Monitor, a Whig paper, and told him I wanted a short circular printed in his office, to correct a very damaging report; and I was quite surprised, as he declined to do the job, upon the plea that it was Sunday night, and that he was a member of the Baptist Church! He absolutely refused to print the circular! I felt some displeasure at this refusal, and believed that his excuse was a subterfuge, and that his real objection was a political one, for he was a very warm supporter of Colonel Hale. I then went to Mr. James Warren, the proprietor of the *Flag of the Union*, the Democratic paper, and requested him to do the job. He bluntly refused, offering no excuse, excepting that he was a Democrat, and that it would not "hurt him to see me beat—out of my boots"—as he was pleased to express it. I admired his candor and swallowed his impertinence.

I charge this partisanship on his part to the hard terms of Democratic task-masters. Warren doubtless thought that his refusal to print my circular was a great partisan merit. Yet it denied fair play.

But it was Sunday night and a circular must be printed. I felt the impending crush that would fall upon me if the story remained uncontradicted, for I had counted myself ahead in the race by a mere "neck and shoulders"—and that, too, outside of this new and perplexing development.

I went again to Slade, and requested him, as he could not work on Sunday, to let me have the key to his office!

"What good will that do?" said he.

"I will print the circular myself," said I.

He looked at me incredulously and quizzically, and said:

"Well, if you will agree not to go into the office until after 12 o'clock you shall have the key."

"I will not touch a type until Monday morning," and so I got the key and hurried away.

Now, I had once been the editor of this same Independent Monitor, and during the time I had been so much about the office I had learned how to set type—I could not do it with facility, but I knew the modus operandi, and the location of the letters in the boxes.

Having provided myself with matches and candles, I sat upon the steps at the office door until the clock struck 12.

It was a sweet, balmy night, peculiar to August, not hot, but

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luxuriously soft, and moistened by the breezes that swept over the placid waters of the adjacent river; while the ancient city of Tuscaloosa was as still, as silent, and apparently as dead as Pompeii after the eruption—excepting that instead of the roar of Vesuvius the shell-like murmur of the distant falls of the Black Warrior River sighed wistfully among the branches of the oaks that lifted their heaving bosoms towards the moon-lit cloud banks of the melodious sky; and there I sat, on the dilapidated steps of that printing-office, a restless atom of humanity, degraded from a poet to—a politician!

It was 12 o'clock. I entered the office, lit two candles, and put one on either side of me on a long primer case, seized a composing stick, and began my job. I had not written the circular, but composed it as I set up the types. This mode of operation tended towards the condensation and brevity of the paper, and at the end of two hours I had a stick full of types. I had read it over in the stick, line by line, and had it satisfactorily complete, punctuation and all; but my practice in the art had not extended to the delicate task of removing the types from the stick to the galley. I knew that the thing had to be made wet, by a sponge, artistically; but having no sponge at hand, I dipped my handkerchief into a basin of water and applied it to the types until they were well saturated.

I protest that I took infinite pains and care in the performance of this operation. I maneuvered with eyes wide open and with hands nimbly alive to the delicacy of the task; so that I succeeded in lifting out the types, and held the contents in my hands, freed from the stick, but as I was about to place the types on the galley my right elbow hit against something in the way, and the types fell in a disjointed mash before me!

To say that I was worried, but mildly expresses my feelings; and now, after long years, looking back on the situation, I feel in my soul that my conduct on that occasion, at the great Judgment, will be held as an atonement for many a little sin, for if under those trying circumstances I denounced anything it was simply the luck! But I am forced to confess that never in all my life have I confronted a pie with a more completely subdued appetite. It was now 2 o'clock in the morning!

Leaving the pie to be devoured by Mr. Marmaduke J. Slade, at his leisure, I seized the stick and began speedily to recon-

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struct the overthrown paragraph, and the job was done; so far as the typesetting was concerned, by 4 o'clock. Day was then breaking! The circular was short—only about fifteen of twenty lines—and had this very imposing head-line, in large letters:

“HEAD THAT LIE.”

About this time, much to my gratification, a young man by the name of Hill, one of the employes of the office, came to my relief, and took charge of the job, putting it on the press, and working off speedily several hundred copies.

In the meantime fifteen horses had been put under saddle, and these were mounted by as many reliable men, with proper instructions.

In order to give the affair an exciting turn, I directed the squad to be drawn up in line, in front of Washington Hall, and I told the men each to start off on his respective route with as terrific a whoop as possible! So that the city was startled from its slumbers about sunrise by the tremendous clatter of the rapid hoofs of the horses, and the far-reaching shouts that echoed along the streets: “Head that lie!” “Head that lie!”

Many a window was thrown up, many a neck, head, and arm reached out, in amazement at this unusual scene, so that by the time breakfast was over the excitement had reached the point of absolute consternation. The enemy was confounded, and so opened the labors of the day in a panic. The notable departure of fifteen horsemen under whip and spur, created the liveliest sensation of the times; and the rapid organization of “Smith’s Cavalry” was for a long time the mysterious theme of chimney-corner conversation.

That the circular saved me, is deducible from the fact that at one of the precincts, thirty miles away, which my circular did not reach until after nearly all the ballots had been deposited, there was a falling off of upwards of twenty votes of my calculated strength; a corresponding loss at the other precincts in the county would have left me 300 behind! As it was, in the whole district, I was only 85 votes ahead of General Moore and 250 ahead of Colonel Hale.

Heaven bless the man that first invented types!

III

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With all the riches of Apollo's tresses
 She has his sun-lit brow, effeminated
 And softened by the orbs that glow beneath;
 Those eyes would charm an old astrologer
 And leave him puzzled, so mysteriously
 Their mingling rays combined to fascinate;

* * * * *
 Her voice would move inexorable Pluto
 As did the lute of Orpheus when the bard
 Won back his stolen bride.

* * * * *
 Now she approaches; be your own good judge.

Polyxena,

W. R. Smith

IN June, 1854, William R. Smith and Wilhelmine Easby were married in the house of the bride's father, Captain William Easby of Washington. He was a native of Yorkshire, having been brought by his parents to Philadelphia at the age of five years. Later, he had settled in Washington, and had become one of its leading citizens, a patriotic American, closely identified with the civic and social life of the growing community. In the War of 1812, Captain Easby was one of the company that vainly tried to keep the British from the Capitol. He owned and operated a large shipyard at Easby's Point, since absorbed in Potomac Park. He was the first Commissioner of Public Buildings in the District, and it is to him that Washington owes the trees that help to make it one of the most

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beautiful cities in the world. Wilhelmine's mother, Agnes King Overstreet, was the second wife of Captain Easby and she was their only child. Agnes King had first married Colonel Overstreet of North Carolina. Her father, Benjamin King was born in the Isle of Man, and had fought with Rochambeau at Yorktown. Through her mother, Hannah Davis, Agnes King was descended from pioneer families of Pennsylvania and Delaware. Hence Wilhelmine Easby, as well as William R. Smith came of pioneer stock. At the time of their marriage, she was in her nineteenth, and he in his thirty-ninth year, but the genius of both marvelously bridged the gap of years, and for forty-two years, their comradeship was perfect. Wilhelmine's influence on the life of her brilliant husband was profound, and in nothing more evident than in his literary work. He regarded her as a critic whose praise was most to be desired. To him she was a guiding star, encouraging him along a path that was often painful, sometimes perilous, always arduous. At the hour of his death, she knelt by his side, and by her sweet presence and virile Faith, helped to make his passage through the Valley of the Shadow, not only less terrible, but even sweet and peaceful, strengthened as he was by the Sacraments with which the Church lights her children home, and which came to him largely through her prayers.

It is easy to find traces of Wilhelmine's influence in the poetical works of William R. Smith. The description of Polyxena, at the head of this chapter, was given with her in view, and not only are many sonnets written to her, but in much of his other verse one catches glimpses of her. No one who ever looked into Wilhelmine's eyes could doubt that these lines from *The Uses of Solitude* are their description:



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... did brush aside
The ringlet veil that covered her brown eyes—
Wells bottom-paved and lucid with rare gems—
On me she turned their full-orbed radiance.

His perfect tribute to her is found in the dedication
to Polyxena, a drama in blank verse, written in 1879:

TO EGERIA

Not her who in the philosophic grove
Beguiled the soul of Numa, as is sung
In fabling poesy;—the ever young
And blooming phantom of platonic love;—
Spirit prophetic of the mind create
To shape oracular the rising State,
Teaching the monarch in her dim retreat
Where wild imagination's gorgeous dome
Arises on the borders of old Rome,
Covering the realms where mystic spirits meet
To charm and cheat each other;—not to her,—
But to my life-long comfort—
To thee, devoted mother, faithful wife,
I bring these visions of thy dreamer's life.

Wilhelmine's education was the best Washington could give. She attended private schools—there were no public schools then, in the city—and spent several years at the Visitation Convent in Georgetown, where, although a Protestant of decided and outspoken opinions, she formed friendships with students and teachers which were life-long and tender.

Three girls, namely, Willie Easby, Matt Fitch and Frank Fetterman were inseparable. Frances Fetterman was a younger sister of the beautiful and gifted Gertrude Fetterman who became the wife of the heroic and devoted James A. McMaster, the pioneer Catholic journalist of the United States. Martha Fitch, who married Mr. Charles Denby, and with him spent many

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years in China where he was United States Minister, was Wilhelmine's dearest friend. In after years, Judge Smith, in a series of sonnets, called *To Family Portraits*, wrote one to Martha Fitch, beginning, "So this is Matt!" In a letter to his wife, written during the Civil War, he refers to her devotion to this friend of her youth:

A great long letter such as you write to Mattie with your soul overflowing and your fancy flying—this would be glorious. . . . I sometimes fancy that it would be nice if I were only an old friend far off, just for the sake of getting such a letter.

During the remainder of her life, the names of the Sisters at the Convent were household words, and none of the friends made in youth were forgotten in later years. She became an accomplished pianist and harpist, and a linguist of no mean attainment. Ardent and affectionate, ambitious and studious, gifted with rare personal beauty, and a sympathetic, well-cultivated voice, she won the heart of William R. Smith and retained his chivalric worship to the very end. He often said he had only to shut his eyes and see her as he first saw her, tripping down the stairs at a White House reception. Mr. Fillmore was president, and Abbie Fillmore, although older than Wilhelmine, was her devoted friend and classmate. Abbie was an accomplished musician, and when Captain Easby brought his daughter a harp from England, both girls became enthusiastic in mastering the instrument. While Abbie was awaiting the arrival of her own harp, Wilhelmine's was lent her, and was in the President's house for some time. A picture of Wilhelmine Easby with the harp, taken the year of her marriage, shows her youthful beauty, and the sonnet written by Judge Smith to this picture, years later, may be inserted here:

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SONNET

Pensive or gay, 'tis music marks the line,
See, on her harp she leans her head inspired,
As if the memory of some song divine
Lit the quick spark and all the pulses fired.
Goes the rapt fancy back to other days?
Or sweeps it thoughtful through th'uncertain ways
Of the dim future years? What doubts even now
Pile their huge bodings on her youthful brow?

Still musing on the memory of a tone?
Bold harp! thy magic is not all thine own—
Thou stringed Mercury, in apt disguise—
Deluding ears to mystify the eyes—
All the rich music that around thee lingers,
Thou cunning thief! was stolen from her fingers!

Wilhelmine Easby to her dying day loved the scenes and friends of her childhood and youth. Easby's Point, although in the City of Washington, enjoyed all the advantages of a rural district, and Wilhelmine's girlhood was passed among scenes of beauty, and amidst joys that are denied to city-bred children. She was her father's constant companion and drove with him from point to point in the city, unconsciously laying up in her retentive and alert mind, a thousand memories that enriched her later life. She shared his love of beauty, of nature, and of books. His was the finest private library in Washington. As a young child she became acquainted with many of the prominent men of the city and vicinity. She saw Morse demonstrate the telegraph. She often saw Robert Lee, "Black Bob", for the Lees lived just across the river, and the families were accustomed to share boats as they might be left at the respective landings.

Before Wilhelmine's marriage, her beloved brother, James Overstreet, was accidentally killed in a riot in



Wilhelmina M. Easby
May 1854.

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Los Angeles in 1853. He was a brilliant young doctor of twenty-five when he was appointed surgeon on the U. S. Revenue Brig, the Lawrence. This boat was built at the Easby Shipyard, and was launched in 1847.

William Easby had the very natural wish to see his name perpetuated, and by a pre-nuptial agreement, the children of this union were to bear the double name, Easby-Smith. Although Captain Easby then had two married sons, he seemed to have had a premonition, as it were, that the male line would fail. As matter of fact, the only children of the fourth and fifth generations that bear his name are the descendants of Wilhelmine.

Six weeks after the wedding of William R. Smith and Wilhelmine Easby, Captain Easby in the prime of life died after a brief illness. The esteem in which the people of Washington held William Easby was strikingly manifested at his death. The whole community seemed to mourn him as a personal friend, and the press was loud in expressions of regard for one who "to his friends was a friend indeed—to the poor and unfortunate, charitable, kind and generous." Another expressed the same thought in more poetical language: "The poor will need him; his friends will miss him; the energetic and active will inquire for him; and the answer to all will be in the ancient phrase of the Preacher, 'Man goeth to his long home, and the mourners go about the street.'"

Judge Smith's marriage made no change in his political life. In 1855, he openly allied himself to the American, or Know Nothing Party, and immediately became one of its leaders. In the campaign of 1853, as has been said, he defeated the candidates of the two regular parties, running on an independent ticket which

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he called "Independent Union against Organized Secession." In that part of the State which he represented, as its subsequent history reveals, love for the Union was strong. Judge Smith had broken with the Whigs and never whole-heartedly embraced the Democratic Party, deterred as he was by the secession policy they made no effort to conceal. It was to be expected, then, that this new party, calling itself *American*, would attract him strongly, its chief tenets seeming to be the principles he had always held, the restriction of immigration, the enforcement of strict naturalization laws, and the reservation of public offices for native-born Americans. Added to this was his conviction that the principles of Washington and the Constitution of the United States formed a platform ample enough to support any candidate for office. His scorn of the party-man who could not think for himself was open and sincere, and made him many enemies. That these facts, however, should have blinded him to the party's intolerance, even so far as to defend it, is a mystery that those who knew his broad, liberal mind could never understand. He, himself, later deeply regretted that he had been associated with this party on any lines other than those of immigration and law enforcement.

The new party soon spread far and wide. Its policies were vigorously attacked in the House of Representatives, and on the fifteenth of January, 1855, Judge Smith made his famous defense of the party. Thousands of copies of the speech were circulated, and every newspaper of note commented on it. Like his other public utterances, this defense bears the mark of studious preparation. After a few words about the probity and "pure Americanism" of the members of the Know Nothing Party, he set forth their chief intentions:

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They propose to exclude unnaturalized foreigners from the ballot-box, and to check immigration, by wholesome laws for that purpose. That is the utmost extent to which they propose to go.

Intimately connected, however, with this question is one of a very delicate character—the question of Catholicism in this country. It is said that it is the policy of this new party to exclude Catholics from office. I have no doubt that such is part of their policy, not on account of the Catholic Religion, but because the Roman Catholic Church in this country is so intimately connected with foreign influence that it is impossible to separate the two—and they have to take the whole or exclude the whole.

After this introduction, Judge Smith said that he thought the Congress then in session would not consider any legislation that would remedy the evils of unrestricted immigration and of loosely enforced naturalization laws, but that he would like to lay his views before them. He proposed remedies, which may have seemed, at the time, drastic, but which were adopted years later in the immigration laws. The next six pages of the printed speech were devoted to setting forth the evils of which he had spoken, and they show a thorough grasp of the facts and a lucid exposition of them, together with an eloquent appeal to intellect and feeling alike. Among other things, he read the following letter which cannot fail to interest us today:

MAYOR'S OFFICE, NEW YORK,
JANUARY 2, 1855.

HIS EXCELLENCY, FRANKLIN PIERCE,
President of the United States,

Dear Sir:

There can be no doubt that for many years this port has been made a sort of penal colony for felons and paupers, by several of the continental European nations. The desperate character of a portion of the people arriving here from those countries, together with the increase of crime and misery among that class

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of our population, together with other facts before us, prove, conclusively, that such is the case.

It is unnecessary to refer to the gross wrong thus perpetrated upon this city. It requires from me no allusion to the jeopardy of our lives and property from this cause. Men who by a long career of crime and destitution have learned to recognize no laws either civil or natural, cannot fail to produce feelings of terror on their approach.

The inherent right of every community to protect itself from dangers arising from such immigration, cannot be questioned. New York has submitted to it long enough. The disease and pauperism arriving here almost daily from abroad is, of itself, a sufficient evil, but when to it is added crime, we must be permitted to remonstrate. We ask the interference of the General Government. As it is its duty to protect us from foreign aggression with ball and cannon, so it is its duty to protect us against an enemy more insidious and destructive, though coming in another form.

I call your attention to this subject, hoping it will receive from you that action which its very great importance to the whole country demands.

I am very truly yours, etc.,

FERNANDO WOODS, Mayor.

A note appended to the published speech informs the reader that before the end of January this letter had been favorably answered by the President, in that the government had prevailed upon the Sardinian Minister to prevent the landing of undesirables from the frigate *Des Genéys* which was approaching New York.

Judge Smith then read statistics of immigration for the previous six years, making it plain to all that a tide of objectionable aliens was rushing in, while, at the same time, comparatively few asked for naturalization papers. In New York, for instance, in 1854, three hundred and fifty thousand immigrants had landed, and during that same year, only five thousand applica-

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tions for naturalization had been made. He then commented on the influx of Chinese and Japanese into California, and noted the ease with which a foreign enemy could, in case of war, flood the country with soldiers disguised as immigrants. Many extracts from the current press were read, illustrating the strength, activity and undemocratic principles of many alien societies spread all over the country. He read the resolutions recently made by the "German Social Democratic Association of Richmond, Virginia," among which were the following, reminding us of the Soviet propaganda going on at present:

We demand:

1. Universal suffrage.
2. The election of all officers by the people.
3. The abolition of the Presidency.
4. The abolition of senates, so that the legislature shall consist of one body.
5. The right of the people to recall their representatives at pleasure.
6. The right of the people to change the constitution when they like.
7. All law-suits to be conducted without cost.
8. A department of government to be set up for the purpose of protecting immigration.
9. A reduced term for acquiring citizenship.
- ... abolition of all neutrality ... intervention in favor of every people struggling for liberty.
- ... abolition of laws for the observance of the sabbath ... abolition of prayers in Congress ... taxation of church property ... prohibition of incorporations of all church property in the name of ecclesiastics ... state ownership of railroads ... promotion of education (a) by obligatory school attendance—free from clerical influence; (b) by instruction in the *German* language; (c) by establishment of a *German* university ... abolition of capital punishment.

With many other quotations he proved that these alien associations with un-American principles were widespread. Judge Smith showed, also, that in a number of places naturalization papers were frequently issued by mere clerks of the courts, in flagrant breach

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of the law. The history of immigration demonstrates how sound were the views of Judge Smith, although the Civil War and the subsequent desire to people the West delayed the inevitable enactment of stringent legislation on the subject.

If the defense of the American Party had ended when these well-authenticated facts had been set forth, we would have only praise for the orator. Unfortunately, he let himself be carried away by his enthusiasm into a lengthy attack upon the "Church of Rome", her "arrogance", and her methods. This was the more deadly for being sincere, as no one who reads the twenty pages of this speech can possibly doubt. It is impossible to despise the logic, even where it is misapplied, or the erudition, although sometimes it is incomplete.

It is perhaps likely that no man in the House knew more history than William Russell Smith, for it had been with him a life-long study. There was, at the same time, always in his mind the background of anti-Catholic bias, inseparable from an education such as his. His early teachers were either Protestant divines or staunch non-Catholics. At the University of Alabama, as at most non-sectarian colleges in America, Hume, Gibbon, Hallam, and others of the same school of thought were accepted, and in Judge Smith's own researches, it is probable that he seldom met with unprejudiced authors, for such historians were, indeed, few. Even today, when the man in the street can, if he will, find arguments on both sides, we hear of learned men making the oft-refuted accusations against the Church. Need we then be surprised that seventy-five years ago, when the English-speaking world had not, in the field of history, the wealth of fair-minded

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writings which we have today, that a man should have been deceived? In the whole speech, wide reading and a familiarity, not only with the past, but with the current history of Europe and America are evident. An idea of the scope of the historical illustrations may be gathered from a list of the instances cited, and commented on. Among these are found the Chinese Missions dispute; Pope Saint Gregory VII and Henry IV; Henry II and Saint Thomas a Becket; the excommunication of King John; the case of Pope Honorius; the doctrine of Infallibility; a recent quarrel between the Turin authorities and the Jesuits; and even an excommunication in Jersey City! This part of the speech is rich in quotations. Bower's *Lives of The Popes* and Hume's works are quoted on historical questions; De Maistre, Bellarmine, and Bishop England, on Infallibility, and letters and articles from the current press, on the more recent events.

Some of these topics are merely touched upon and others exhaustively treated. To the satisfaction of the American Party, the case against Catholicism was proved, and an organ of the party published the speech and scattered it broadcast over the United States, while many editors extolled it as a complete vindication of the policies of the American Party.

One paragraph shows that Judge Smith had no idea of the violence that would be associated with the Know Nothing Party:

I propose no law to invade the sanctity of the Roman Catholic altar, or to touch with rude hand the sacerdotal robe. I invoke public opinion.

The friends of William R. Smith have often wondered why he did not bring to the study of the claims of

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the Catholic Church the impartial and thorough investigation he accorded other questions. No doubt there existed somewhere in the recesses of his mind, too deep, perhaps, even for him to reach, the conviction common to men of lofty intelligence outside the Church, that Catholicism fetters the human mind. He had habituated himself to the reign of reason over passion and prejudice, and could not brook the idea of any control over that royal faculty. As he looked at it, "infallibility" meant the arrogant assumption of power by an institution to override the decisions of reason. He did not understand that the real meaning of the claim to infallibility is that Christ's promise not to fail the Church must of necessity connote an inability on her part to teach false doctrine. He was always a Christian, with profound reverence for the things of God. When he thought at all about his "religion", it was with the underlying note of Protestantism, "personal interpretation of the Scriptures", dominant. Vernon Johnson, in his late book, *One Lord, One Faith*, so full of radiant feeling, expresses this thought most clearly:

Readers may wonder why it was so long before I took the final step. The answer is that I am just a very ordinary Englishman, and as such I had within me, bred in my very bones, all the dread and fear and suspicion of Rome, and the distrust of what I considered ecclesiastical intrigue and Italian government,—the latent hostility which I had inherited as part of the usual English education and tradition—all this I had to quite an extraordinary degree.

In the fall campaign of 1855, Judge Smith was elected to Congress on the American Party ticket. Willis Brewer wrote of this time:

Smith had become a platform in himself. The Whig Party

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went into liquidation about this time. Its members at the South went almost bodily into the American or Know Nothing Party, which began as a secret society. It is not at all probable that Judge Smith ever went into a lodge of Know Nothings, but he so trimmed his sails as to catch their breeze, well aware that the Democrats would never forgive him. He and Judge Moore were the opposing candidates in 1855. Smith succeeded by a majority of 1900. This election fixed his political position permanently. His course in Congress was in opposition to the Democrats. Indeed he was considered by many a suitable nominee with Mr. Fillmore for the American ticket in 1856.

What has been said about Judge Smith's paramount desire to prevent secession, his views on immigration and his dislike of foreign influence on American politics will doubtless show that he did not "trim his sails to catch the breeze" of the Know Nothings. He was, rather, a leader, and as such was everywhere spoken of. A meeting of the Council of the American Party was held in Philadelphia on February 18, 1856, as had been resolved in the June meeting of the previous year for the purpose, according to the *Public Ledger*, in its issue for February 20, of reconciling "differences which exist in the American organization relative to the 8th and 12th sections of the Philadelphia platform adopted last June." The Louisiana delegates objected to the former section, which contained the Catholic test, while a number of delegates had left the party on account of the twelfth section regarding slavery. The picture presented to the general public in the pages of the Philadelphia and New York papers was that of a party on the eve of dissolution because of dissension in the ranks of its adherents. The National Convention, also called the Nominating Convention, had been scheduled to meet in Philadelphia on the 22nd of February. Its deliberations were also chronicled by the press. The

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Public Ledger, in the issue for Monday, February 25th, describes the meeting as "taken up with discussions of platforms—general disgust and disagreement" being evident. Mr. Walker, of Alabama, said he was "singing the swan song" of the American Party, and added: "I am constrained to go—and bid you goodbye."

"Mr. Smith, of Alabama," the *Ledger* continues, "got the floor and made a feeling and impressive speech. He said he was not one of those who believe that the Union is on the point of dissolution. He did not unite with the fire-eaters of his State and vicinity. He warned the Convention that if it adjourned, the American Party was disbanded forever, and asked members if they were prepared for that after having worked so hard for it. . . ."

An account of this speech of Judge Smith's, given in *The North American* and *The United States Gazette*, Philadelphia, for the same day, is fuller, and was quoted by the press of the whole country.

Hon. William R. Smith of Alabama followed with a hopeful and thoroughly union speech. He ridiculed the tone in which the dissolution of the Union had been prophesied, and declared that he firmly believed that the Union of the States was a political indestructibility. They wanted a platform and that platform, a man. If the convention adjourned without making a nomination, the American Party would be disbanded forever. The speaker was frequently interrupted with applause, and at the conclusion, was greeted with tremendous cheers. Some of the southern delegates who had concluded to withdraw from the convention rushed upon the honorable gentleman, shaking him warmly by the hand, and expressing their conviction that he had saved the party. The speech was certainly electrical in its effect, and completely changed the current of feeling among the southern members.

The words, "The union of the States is a political indestructibility" were frequently quoted.

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The meeting the next day was successful in making the nominations. In the *Public Ledger* for February 26th is found the following account:

Mr. A. Stewart of Pennsylvania nominated the Honorable Millard Fillmore of New York for President, and Mr. Andrew J. Donelson of Tennessee for Vice-president.

Mr. Sly of Maryland, nominated the Honorable William R. Smith of Alabama for vice-president.

Voting was in the afternoon, with the result, —
Millard Fillmore, President,

Donelson of Tennessee, vice-president.

Speaking of this era in Judge Smith's career, Mr. Garrett, in *Public Men of Alabama*, wrote:

While serving in Congress 1855-'57, when the American Party organization was strong for power as a rival of the Democratic Party in public favor, Judge Smith was a member of it, and his name was suggested by some papers for the vice-presidency. When he was in the public arena, he was quite a tactician, and whatever he fixed his mind upon he had the industry and tenacity of purpose to accomplish.

Before the meeting of the convention in February the following paragraph had appeared in a Maryland paper, *The Patapsco American*, and was copied in the Alabama papers, and in those of other states:

FOR PRESIDENT

WILLIAM R. SMITH OF ALABAMA

It will be seen on glancing at the head of this column that we have nailed to our mast head the name of the Hon. Wm. R. Smith of Alabama as being our undoubted choice for the presidency of the United States.

This has not been done prematurely. We have long since expressed our preference for Mr. Smith over all others.

We have ever maintained the principle, so emphatically embodied in the platform of our party, that "the office should seek

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the man, not the man the office." In truth, this can be said of Mr. Smith. That this distinguished gentleman has claims upon the American public cannot for a moment be doubted.

The article goes on to speak of the Kossuth affair, of Judge Smith's other public speeches, and of his principles, but sufficient has been quoted for our purpose. In the April of 1855, the *American Era*, published in Florence, Alabama, had proposed the following:

FOR GOVERNOR OF ALABAMA
GENERAL WILLIAM R. SMITH OF FAYETTE COUNTY
Subject to the nomination of the American Party

There is our flag for Governor of Alabama! General Smith is a true-hearted and fearless American, who, knowing the right, has the nerve, under all circumstances, to maintain it. He is a Democrat—a gentleman of finished education, a fluent and eloquent speaker, with great energy and determination of character. In short, just the man for the times. . . .

In the meantime, the name of William R. Smith was well-known all over the country. Many spoke of him as "the coming man." Washington correspondents of various papers chronicled his utterances, and applauded his views. One extract from *The Cincinnati Daily Times*, April 18, 1856, will illustrate the trend of the times:

There is no firmer nor more consistent advocate of American doctrines on the floor of this Congress than the Hon. W. R. Smith. His *Americanism* is neither of recent growth, nor is it blended or allied with visionary and impracticable ideas. It is the pure and genuine sentiment, the natural outgrowth of a wise and patriotic spirit. Mr. Smith assumed a position antagonistic to foreigners and foreign influence some five years ago, when there was no "American Party" to sustain him, and has openly, boldly and nobly maintained that position ever since.

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Several paragraphs follow, reviewing Judge Smith's speeches and the comment they called forth, describing his attitude and conduct in the House, and continued:

As an orator, he is graceful and earnest, speaking in a clear, distinct and cogent style and always attracting attention from the House. As a business man, he is prompt and correct, seldom absent from his seat, and ready to perform his full share of committee labor. Physically, Mr. Smith is of a quick and nervous temperament, though gifted with great power of self-control. He is about medium height, with black hair and beard, heavy eyebrows, and features indicative of energy and decision.

While numerous editors extolled Judge Smith, there were many who abused him in no less decided terms. It could not have been otherwise. According to one, he was "a demagogue who betrayed every party he joined." Another wrote, "Democrats! you must reconquer this old battle field of Payne and Inge, and administer a fitting rebuke not only to Wm. R. Smith, but to every future apostate from Democracy!" In large type in an Alabama paper appeared the words:

THE MAN-EATER AGAIN LOOSE!

The Great Man who devoured Kossuth!

Often, also, from his political enemies, Judge Smith received the highest compliments. The following story illustrates this. Judge Smith was passing one of the large hotels in Washington, and a gentleman of high position in the city said to his companions: "There goes a man I hate, but there is not enough money in the United States' treasury to buy him."

The one political mistake of his life was his association with the American Party. With the violence that characterized the action of this party in many places he had no sympathy, and in a letter to his constituency

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in January, 1856, one year after his public denunciation of Catholics, he wrote:

I think with General Washington—and he is a very high authority,—that it does not comport with the policy of this country to appoint foreigners to office to the exclusion of the native-born. But I wish to say that I proscribe no man on account of his religion; I denounce no man because of his politics: I accord to all the largest liberty of opinion, of expression, of conscience and of worship.

A speech made by Judge Smith in the House, in February, 1857, in defense of Mr. Welch of Connecticut, attracted wide attention. The gentleman was on trial under a charge of having obtained his election by fraud. No evidence had been forthcoming, and the motion was made that Mr. Welch be expelled from the House because "a member of the United States Congress should be free from suspicion."

Judge Smith asked for and obtained leave to speak in defense of Mr. Welch, whom he confessed he did not know personally. The following quotations will illustrate the character of the defense:

When a man is brought before the courts of this country to be tried for any criminal offense, even for stealing a pen-knife, he is entitled to a jury solemnly sworn to decide his case upon the evidence; and the jury is bound to be convinced *beyond a reasonable doubt* of his guilt, before they can so decide; and in weighing the testimony the jury are not only bound but are also instructed by the judge that if they entertain reasonable doubts of his guilt they should acquit him. They are admonished to discard suspicions and to decide on facts clearly defined and well understood. So, Sir, I think that a member of Congress is entitled to as full and fair a chance for his character as a knife-stealer for his back! (Laughter) . . . There is nothing against the party now on trial in Triplett's evidence—nothing except the vague inferences of

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his own mind; and these inferences he does not pretend himself to have been well ascertained even in his own mind. Sir, in courts of law, a witness of facts is not allowed to *infer*; he is not allowed to *think*; he must state *facts*, and well-defined recollections; and from these facts it is the great office of the jury to *infer*. . . . In addition to the oath of Mr. Gilbert which entirely exonerates Mr. Welch, and in addition to his own solemn asseveration, there is another witness, now, as pure and spotless as a white-robed angel. That is a long life of unimpeached integrity, which in courts of law or of conscience is always heard in vindication against all the ingenious accumulation of suspicions. Mr. *Caruthers* arose and addressed the chair, but resumed his seat.

Mr. Smith of Alabama (Resuming) I am very glad, Mr. Speaker, that the gentleman from Missouri has taken his seat without speaking. He is a large and rather scary looking customer (much laughter) and as I am now on the wrong side of the House, I feel particularly sensitive just now to the uprising of a *border ruffian*. (Prolonged laughter.) - Of course, my honorable friend will take these remarks as they are intended, in the best of humor. I am not only glad, Sir, that the gentleman has taken his seat, but I am delighted at this universal prevalence of good humor and merriment. It is a good omen for the gentleman from Connecticut. Joy and Justice are twin sisters, and are apt to go hand in hand together. It is the surest sign that justice will be done. When I hear a good laugh, I know that a good heart lies under; but when I see a gloomy, dark-browed, melancholy juror, cutting his tobacco into snuff, I know he is ready to say, "Guilty! guilty!" (Prolonged laughter.)

. . . Who is free from suspicion? Whoever answers "I am perfect", condemns himself. There is none perfect except the long-faced kin of that immaculate old man in the Testament, who with a long robe stood up and thanked God that he was *not like the rest of men* (laughter). . . . The misfortune is that as some men are constituted, suspicion assumes the shape of certainty, for the mind loves to jump at a conclusion. . . . I know nothing that so tends to degrade the mind as suspicion. But, as suspicion in some minds is an evidence of weakness and vacillation, so the absence of it in others indicates a noble nature.

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The Know-Nothing Party met with unexpected reverses in the campaign of 1857. Although Judge Smith's friends and admirers supported him gallantly, and he pursued this campaign with his wonted vigor and persuasiveness, he was defeated by Judge Moore whom he himself had twice defeated. In reading the account of this campaign in the Fourth Alabama District, one is struck with the resemblance it bears to present-day methods. The "whispering campaign" was used then, as now, only there was no radio for rebuttal. Although a disappointment, this defeat was perhaps a blessing in disguise. Had he been returned to Congress even for the next two terms, his principles would have obliged him to retire from that assembly when Alabama seceded. As it happened, he resided in Tuscaloosa for the next three years, his young wife became acquainted with Alabama people, he wrote his most inspired poem, and was a prominent member of the Secession Convention wherein his conduct won him imperishable renown.

On his retirement from Congress, in 1857, Judge Smith returned to Fayette, and soon afterwards, to Tuscaloosa which he made his permanent abode, resuming the practice of law and continuing his writing. His family at this time consisted of his wife, Sidney, William R., Second, Lucy, Sophie, Mary Agnes, aged two and a half years, and William Easby, about one year old. On all the children Wilhelmine lavished the tender care of a true mother, and won the undying love of her step-children. Sophie, the only one of these last who survived her, had the happiness of spending several months with this dear mother before her death.

Their home life was a happy one. Wilhelmine was capable of appreciating and sympathizing with her

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gifted husband whom she well nigh worshipped. Every interest of his she embraced whole-heartedly. Both were dowered with rare personal charms, and strong individualities, which latter never seriously lessened their mutual understanding. She acquired an unusual knowledge of the law, and the Judge often said that he owed the success of many a case to her penetrating mind which often saw the crux before he did.

In 1858 a great grief came to them in the form of the death of their third child. Born on her father's birthday, and inheriting her mother's beauty as well as her name, this little one lingered with them for three months, and left a great void when she took her flight to heaven. Her grave in Tuscaloosa may still be seen. There was always something of the mystic in Wilhelmine. A few years before when she had heard the family and friends discussing, as they always do, the looks, resemblances, and other qualities of her first-born, she had said in her own mind: "How can they be so careless? I can only think that this little soul has been confided to me by God, and how shall I fulfil the trust?" Then she was in her twentieth year. With the loss of Wilhelmine, the babe so passionately loved, came the thought that she had, perhaps, cared for her with a love that was of the "earth, earthy", and that the good God had taken the little one home lest her presence might withdraw her parents from the perfect love of Himself. This seemed always to color her future conduct towards her children. This note appears in many of her letters, and while they all knew that she would coin her life's blood for any one of them, there was no softness in her affection, nor weakness. It was tender, but virile, and she could not compromise when duty spoke. Many who looked on from the out-

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side thought that her discipline was too severe, but it was because they did not understand, and no one ever suggested that strength of will in her children was weakened, or their affections dulled, by her training.

In order to divert her mind from the sorrow that so oppressed her, Judge Smith persuaded Wilhelmine to study Greek under his tutelage. She was a good Latin scholar, and so assiduously applied herself to the new study that she acquired a love for the "liquid gold" of Greek poetry which she never lost. He left no stone unturned to cheer and comfort her, showing a tenderness that was practical. He had a happy way of expressing himself which lifted the smallest thing out of the commonplace. On the first page of a small book of prayers, he wrote:

To the Wife
Whose piety lends
A thousand graces
By the Husband
Whose Faith is only not sublime
Because it is in Her.

In 1860, fearing the approach of trouble, it was decided to send Mary Agnes, or "Mamie" to board at Georgetown Academy. Her grandmother was in Washington at the time. It was a heartbreaking separation, and was the cause of much suffering on the part of parents and child. It brought out evidences of deep love, and laborious efforts were made by both father and mother to print out letters that this darling child might read.

These letters, preserved for seventy years, fill one with astonishment. The mother's were long, and full of affectionate solicitude. Those of the fond father were more brief, but carefully printed, and usually con-

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tained one or two gold dollars, fastened to the sheet by sealing wax, the stains of which are quite clear. In one letter from the little girl, now in her sixth year, are the words, in immature printed characters: "I think you write very short letters. Is *they* going to be War? I hope *they* is not. It will not be *very* nice. Mamie loves dear Papa."

With irresistible appeal this little scrap of paper drew the following from the father. It was written from the floor of the Convention in Montgomery when he was busy with absorbing work, and when he, too, "hoped that there would not be war", but with ever decreasing hope. March 17, 1861, was the date:

My darling little daughter:

You gave me quite a scolding in your letter, but I forgive you. You wish to know what I am going to give you for your birthday. You will find a gold dollar in the corner of this letter.

I will send you money every time you send me a nice letter.

Your little brother Easby has been sick, but he is getting well. I will give him a bird in a cage.

Be a good girl and I will love you.

Your Father.

There were many such letters for a while, printed most carefully, from both parents, but the passage of letters between the divided states became well-nigh impossible, and many anxious days and nights were spent, waiting in vain for news of this child. Her father wondered if she was "sharp enough to see the value of the speculation" suggested in the last letter, and to write often. To fail to understand Judge Smith's life with his family, would be to miss more than half the breadth and depth of his character. It never interfered with his public life, but by its deep reality, enriched his being.

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In 1860, as the produce of leisure hours, he published *As It is*, a novel, which was said to depict Washington life at that time. A copy of this is listed among the works of William R. Smith in the Library of Congress, but for some time it has been "off the shelves", and it has been impossible to obtain any data regarding it. In the June of the same year, Judge Smith wrote what is considered his most inspired poem, *The Uses of Solitude*. The Alpha of the Phi Beta Kappa Society of the Alabama University had requested him, in 1859, to read an original poem at the next year's meeting. During the year, he had been working on his novel, and also revising the *Alabama Justice*, and had scarcely thought of the poem. His friends urged him to write, and six days before the day appointed, he set to work, and in three days finished *The Uses of Solitude*, an ode of about nine hundred fifty lines in blank verse. It was published by the society for which it was written, and later, by the author. At the request of a number of friends the ode will be published at the end of this memoir. The ode is of rare poetical quality, and is rich in classical and historical allusions. The great souls of all ages, who were nurtured or perfected in solitude, or who by patient, lonely research have wrested Nature's secrets from her grasp, are brought before the reader, each in his proper setting, Greek, Chaldean, Roman, European, even American. For instance:

Behold the Athenian boy in solitude
Calling the waves to crowd about his feet!
Timid of living auditors, but bold
To mate his periods with the shouting sea!

and these lines:

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Plato saw
Without the aid of revelation, places
In the deep future where the soul might rest
Immortal, from its clay-cold element
Removed and purified—beyond the grave.

This poem reminds one of Milton, with this difference; there is a greater reality, a more human appeal in the lines of this ode than in the pages of the Puritan poet. Yet there is the resemblance—a likeness without an imitation. Has Milton any lines more beautiful than these?

The air
Yielding a channel to the downy breasts
Of sweeping swallows, clothed their wings with tones
So delicately soft that Harmony
Stood tiptoe with her shell to gather them.

The following lines seem an unconscious description of himself:

The man of lofty genius who consorts
With Labor as his chosen mate, and sits
And talks with her as conjugal, and leans
Confiding on her fondly for support,
That man meets few denials; to his eye
Nature reveals all secrets; to his ear
Selectest melody is ever shaped
And harmonies divine delight his soul.
The chest of ancient lore whose ponderous lid
Is never lifted to the indolent
To him is open thrown and all its gay
And gaudy contents are spread out before him
For his especial use.

The delight that he, in common with thousands of cultured minds, found in literature is well expressed in the lines:

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I held high festival myself, last night;
In my own closet with my books alone.
My little chamber thronged with visitors.
Some were the spirits of antiquity,
Those demigods that walk the dusky realms
Of dim tradition; misty forms that grace
The niches of the old world's Pantheon.
And others of a giant race who came
Grateful to greet their masters. Poets came
Fresh from Olympian sports with bays yet green
And flowers unwilted by the century suns;
Came warriors storming from the battle-fields
With dinted shields and foreheads darkly gashed.
O these were glorious guests; Milton was there
And seemed that he would let me touch his robe!
And not without fair BEAUTY was my throng:
Eve came with swollen cheeks, but timid fled,
As if the flaming sword were driving her!
Came Helen from the thundering walls of Troy
Searching the Grecian hosts with misty eyes
To catch the towering form of Menelaus;
Pericles heralded the bright Aspasia,
To whose sweet voice the ear of Socrates
Leaned listening as if charmed with harmony;
Wild Sappho stood a moment in my presence
But glided into clouds as doth a rim
Of beauty from a rainbow, nor returned;
Esther, the queen, in summer smiles arrayed;
And Ruth, the widow, in her reeds was there;
The desolate Hagar from the wilderness,
With wreath of moss upon her shaded brows;
And Jephtha's daughter, in her long, white robes,
Passed through with troops of virgins following.
* * * * * broke the spell
All my dream company had taken leave
And open wide the Iliad lay before me.

The last lines of the ode are beautiful and full of meaning. To one who does not know the author's deep

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faith in God, they appear despairing, but to those who understood him, they have another aspect:

There is a solitude that all must reach,
And go alone! must edge a precipice—
Edge it alone—for on its crumbling brink
The nearest friend withdraws the kindred grasp
And drops impatiently—reluctant drops
The icy form into the yawning gulf —
Whose shadowy waves no beaches find to lave.

A copy of this poem was sent by the author to his little daughter at Georgetown. A few months before her death, in 1929, she wrote:

I have lost my copy of *The Uses of Solitude*, which he gave me when I was six years old. Sister Bernard used to keep it for me in her study and would not let me take it out for fear I would injure it. Many an hour have I spent lying on my stomach on the rug, reading and studying it. Of course I could not understand the poem, but the music of the rhythm must have appealed to me, for my greatest delight was "to read my father's book."

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I sing the Solitude of Mind; the power
To draw the sense from its accustomed use
Of natural avenues; the power to be
Still in the uproar, deaf to all the shouts
Of angered multitudes; the power divine
To pluck from turbulence the time to think;
To shape the growing thoughts to themes sublime
And meditate perfections infinite
While Fury raves and mobs tumultuous reign.

The Uses of Solitude,

W. R. Smith

THE campaign of 1860 was, without doubt, the bitterest ever carried on in this country. Lincoln, the "Black Republican" candidate, as he was called in the South, ran against a divided Democratic Party—the Douglas, Breckinridge, and Bell, all belonging to that party. Lincoln carried all the states north of the Mason and Dixon Line; Breckinridge, the whole lower South, while Douglas, with Bell who ran on a platform "The Constitution, the Union and Enforcement of the laws", was supported by eight states of the upper South, with part of Alabama. These states opposed secession on the one hand, and the intolerant government of the Republicans on the other. Lincoln's election is an example of one in which the successful candidate did not have a majority of popular votes, and yet an overwhelming number of electoral votes. One hundred-eighty electoral votes were cast for Lincoln, while the other three candidates received altogether one hun-

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dred-twenty-three. Lincoln, on the other hand, received only 1,357,610 out of the 4,648,390 votes cast.

Judge Smith, as one would expect, warmly supported Bell and Everett. The people of his district shared his sentiments. At a celebration in Tuscaloosa, in October, 1860, after a torch-light procession in honor of Bell and Everett, the ladies of the city, led by Mrs. William R. Smith, presented a silk flag of their own workmanship to the Bell and Everett Club. The cluster of stars in this flag appeared as one star, and an appropriate speech was made by the leader, of which a few words will be given. We are not accustomed to associate campaign speeches with ladies as far back as 1860, and there is something unique about this one:

Woman's appropriate place is her own fireside; but when danger threatens she may without impropriety come forth to encourage those who are armed in the defense of her country.

Often in the days of chivalry, when the gallant knight was preparing to do battle for the Holy Sepulchre, it was woman's hand that laced the corselet and buckled the spur.

You are engaged in a cause scarcely less sacred; you are to meet and repel the foe that would desecrate the shrine of a patriotic Union—that shrine where, in the glorious days of the Republic, knelt a Washington, a Jackson, a Webster and a Clay.

The ladies of Tuscaloosa, touched by the spirit of enthusiasm, are here this night, hoping to impart to your energies the genuine inspiration that they feel they can only express.

The group of stars that glitters in the flag is emblematic of our national Union—many in one—a blazing constellation. Add another, and the splendor will be brightened—blot out but one, and the effulgence will be dimmed. Keep them together and their mingling rays, subdued by harmonious association, will form a center of living light to which the eyes of men and ages will be turned in admiration—but divide and scatter them,—then, however bright may be each individual star, it will take a telescope to find it.

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The speech ended with an eloquent tribute to the American flag, but we shall come back to it again on another occasion. The quotation is sufficient to show the intensity with which many southerners, before the war between the States, loved the Union, and may give a little hint of their sufferings during the four years of that awful struggle. With the triumph of the Republican Party came a feeling of intense bitterness and resentment on the part of the southern people, for they had long considered that the Republicans had encroached on constitutional rights, and knew not what to expect in the future. How were they to interpret expressions such as the following quoted from the speeches of Lincoln: "We will make war upon the southern people until we force them to change their social system"?

Even staunch friends of the Union, like Judge Smith, felt indignation. He, however, was prudent. Experience had taught him many lessons, and his knowledge of the history of the revolutions of the world could not fail to make the futility of secession apparent to him. He knew the almost limitless resources of the Federal Government, the unpreparedness of the South for a protracted struggle, and he knew, also, the chivalrous courage of his own people, and foresaw that they would fight till their fighting men were wiped out. Fifty years after this time, at the request of friends, Judge Smith's widow wrote an article on her husband's part in the Secession Convention, and her words give a vivid picture of the times, burned as they must have been in her very soul. The article was published in the *Montgomery Advertiser*, January 8, 1911. The following lines describe the feelings and sentiments of many of the people of the South:

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I had never dreamed of defeat. I was young then and in the time of youth, hope is ever radiant. The heart-sickness of the disappointment was overwhelming; for with the election of Lincoln came the crushing thought of the awful possible consequences which might result from the resolution of our Legislature, which had provided, should this very crisis arise, for an election of delegates to a convention to meet on January 7, 1861, to take action on the premises.

I well knew the determination of the party we then called "fire-eaters" to secede from the Union, and however strongly I believed in "State Rights"—and for that matter still do—I also realized that Secession meant *War*. As in all uprisings of a frenzied people, fanatical platitudes were heard on all sides, such as, "No war will come from secession"; "The North will never fight"; "In all our wars the southern arms have gained the victories".

Judge Smith, then in the prime of life, put forth all his energies to prevent the State from seceding. Robert Jemison and William R. Smith were elected by a two-thirds majority to represent their district in the State Convention. Their platform was this:

Resolved, that we hold it our duty, first to use all honorable exertions to secure our rights within the Union, and if we should fail in this, we will maintain *our rights out of the Union*—for as citizens of Alabama we owe allegiance first to the State; and we will support her in whatever course she may adopt.

These two men became the minority leaders in the Convention. At first, the minority counted forty-six out of one hundred members. Few, apparently, of the writers of the history of Secession know how terrible was the struggle in the South—between the Unionists and the Secessionists. In Texas, many of the counties refused to send delegates to the State Convention, and the vote, there, was not representative. In the other states, the highest minority vote was cast in Alabama.

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This is not excepting Georgia, where Alexander Stephens, the future vice-president of the Confederate States, was bitterly opposed to secession. The Georgia vote stood 208 against 89; that of Alabama, 61 to 39.^e

It has been the custom of some writers to speak contemptuously of those who clung to the Union at this time, calling them "middle-of-the-road" men, and other opprobrious names. Posterity, however, to whom they appealed, has not failed them.

Immediately at the meeting of the Convention, all the members of which were present at the first roll-call, it was known that the Secessionists were in the majority. The minority held a caucus at which they bound themselves, "should they find an unrelenting majority opposing them, to exert every effort to prevent any disruption at home." This resolve, and the manly execution of it, in the face of contemptuous taunts from one or two of the majority, saved the State from anarchy. To anyone interested in the history of the Secession of Alabama, or in the letters sent by her to the other southern states previous to the meeting of the convention and the answers received from them, William R. Smith's *History and Debates of the Convention of the People of Alabama* affords valuable information. Of this volume, Thomas Owen, LL.D., said: "It is a work absolutely invaluable to the history of the times." Mr. Willis Brewer said of it:

^e The votes of the seceding States have been thus recorded:

South Carolina	 unanimous
Georgia	 208- 89
Florida	 627- 19
Alabama	 61- 39
Louisiana	 113- 17
Texas	 116- 7
Mississippi	 84- 15

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"I cannot sufficiently admire the foresight which inspired and the diligence which prepared this book amidst all the excitement of the times. This labor, under the circumstances would alone suffice to stamp William R. Smith with a unique celebrity and carry his name to a remote posterity."

In this, more than in any other of his works, he proved that he had

the power divine
To pluck from turbulence the time to think.

The outstanding figure in the Alabama Secession Convention was William Lowndes Yancey. He was a gifted orator, the idol of the people for many years. His oratory was fiery and compelling, and made him an ideal leader of a revolution. In the Charleston Convention he had been a delegate, and all knew his sentiments. His biography shows him determined to lead Alabama into secession. Many called Yancey another Patrick Henry. He dominated the convention from the beginning, and won over some of the opposition. Of constructive ability, he showed none in this body, and contributed little or nothing to the later meetings of the assembly. It was in this later stage of the proceedings that William R. Smith displayed what Mr. Brewer calls "a state-craft more elevated and broad than I find in the speeches of any other delegate." Mr. Brewer wrote further:

He had not the fiery eloquence of Yancey and Clemens, nor the influence of Jemison or J. T. Morgan, but in scope and pre-sence as to public policy Smith outranked them all; and this remark includes Dargan, Brooks, Bragg, Watts, Gibbon, Cockran and Shortridge. If you will read a book of 464 pages, now before me entitled Smith's Debates, printed in 1861, you will sustain this claim.

At the very beginning it was decided to hold meetings with closed doors. The truculent spirit that characterized one or two of the members was evident from the first. Equally in evidence were the self-restraint and true patriotism of all the others. A member of the convention wished to introduce a set of resolutions, and did so in language calculated to intimidate and ridicule the members of the minority:

Mr. Smith of Tuscaloosa then said: Mr. President, I do not object so much to the resolutions themselves, as to the reasons assigned by the gentleman for their introduction. It is proclaimed that this is intended as a test; the test is as to *sub-mission*. The intimation is ungenerous. It is inconsistent with the desires of harmony and conciliation that have been openly expressed here by all parties. It is an injudicious beginning of our deliberations. It is true that it has been ascertained by the elections which have just been had here that we are in the minority. I am one of the minority, but I do not associate with *submissionists*! There is not one in our company. We scorn the prospective Black Republican rule as much as the gentleman from Calhoun, or any of his friends.

In the face of stormy and contemptuous opposition, words like these speak for themselves. Not once did Judge Smith depart from this course. His words, in *Reminiscences*, describing Mr. Jemison, might fittingly be applied to himself:

Colonel Jemison passed through the exciting labors of this convention with a dignified composure of manner characteristic of a great mind laboring under vast difficulties and perplexing uncertainties, surrounded by great responsibilities involving the vital interests of the commonwealth, and at the same time the personal reputation of those who had been intrusted with public affairs. His record will stand the test of the closest scrutiny and will be regarded by generations yet to come as a monument of patriotic devotion to his country, and a vindication of his statesman-like sagacity.

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Today the wisdom of those who opposed withdrawing from the Union is apparent, and it is equally plain that their opposition was doomed to failure. At the time, however, so intense was the excitement, that the secession party could not understand the position of the minority. Mr. Robert Jemison replied to a violent speech made by the majority leader, in words that reveal a whole world of meaning:

The gentleman from Montgomery (Mr. Yancey) has made the remarks of myself and my colleague (Mr. Smith) the text, or rather the pretext, of reading for the benefit of ourselves and the Minority of this convention a long and very racy and pointed commentary on the law of *Treason*. He tells us that the political nomenclature of '76 will be revived; that parties will be known and distinguished as of yore by the names of Whig and Tory; that in times past the friends of the country were known as Whigs and its enemies as Tories. He tells us further, that though the Ordinance of Secession may pass by the majority of a single vote, that those who shall not submit to it are guilty of the crime of treason, and must be treated as traitors. . . . When the greater leader of the Majority shall call the Minority Party Tories, shall denounce us as traitors and pronounce against us a *traitor's doom*, were I to pass it in silence, the world would consider me worthy of denunciation and of that doom.

When Mr. Yancey explained that he was not referring to the minority, but to the people in certain sections of the State who had declared that if the ordinance should pass, they would not obey it, Mr. Jemison said:

I am glad, Mr. President, to hear the gentleman disclaim any imputation of disloyalty to the Minority of this convention. But has he bettered it by transferring it to the great popular masses in certain sections where there is strong opposition? Will the gentleman go into these sections and hang all who are opposed to secession? . . . Is this the spirit of southern chivalry? . . . Are these the first fruits of the Southern Republic? Ah! is this

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the bloody charity of a party which seeks to deliver our own beloved South from the galling yoke of a fanatical and puritanical abolition party?

These few extracts will give an idea at least, of the atmosphere of the convention. Judge Smith's impressions are conveyed in a letter to his wife, January ninth:

It is a gloomy morning. The majority is positive and domineering. We sit with closed doors. The city is full of excitement—but the debates are not stormy. . . . There can be little doubt of dissolution, and that in a few days. . . . There is little disposition here to make long or set speeches yet. The times are so ominous that we hardly know what to do. The telegraphic dispatches are of the most exciting character—no doubt most of them false—calculated to mislead and hasten the action of the convention.

On January tenth, he wrote:

The Ordinance of Secession will be brought in from the committee today at 11 o'clock. It is understood that it will not be pressed for a vote until tomorrow. There is no doubt of its passage. Before this reaches you, Alabama will be a *Sovereign State!* The people will be overwhelmed with trouble—but there will be a day of reckoning for the wicked.

There is no apprehension of trouble in our part of the State. The excitement and difficulties will be in the south. So you need have no fear of personal danger.

There is a calm and deliberate determination here, to hold our enemies responsible, in the future, before the people whose will has been violated—and whose peace, if not liberty, has been destroyed.

The letter written on the fateful January the eleventh from the floor of the Convention bears on its face the emotion of the writer:

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My darling Wife:

We have just taken our seats, expecting to be called upon this day to vote upon the Ordinance of Secession. This day the Union existing between Alabama and the *United States* will be dissolved.

Our governor has already sent 500 men to aid Florida in seizing the forts at or near Pensacola. War is inevitable. 3 o'clock.

The Ordinance is passed—under extraordinary excitement—the majority 22.

I have made two short speeches today upon which I have been earnestly and heartily congratulated.

I am trembling under the scene around me—I mean the frantic character of the rejoicing—no personal danger—all good feeling uniting.

Will write at length tonight.

God bless you, my *Life*

S.

The two speeches to which he referred in this letter are the speech he made before the final vote on the ordinance was taken, and the "flag speech." The former is considered by many his most sublime utterance. In the next day's letter to his wife, he explained the necessity of this speech:

You cannot imagine the delicacy of my position. The act of secession having been consummated by a prejudging and unrelenting majority left me two alternatives—either to array the people of the State one against the other in a desperate civil war, or to surrender my scruples for the sake of union among ourselves. The latter course was prompted by every feeling of patriotism, by every sense of better judgment. . . . But this is all very sad. You will weep tonight. I have learned by experience that to shed many tears will, indeed, "make the head ache". The sternest men have been weeping like children! I have seen *Jemison* crying.

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In *Smith's Debates*, an account is given of this day's proceedings. Before the voting, many of the delegates spoke feelingly, and with marked sincerity. No one could read unmoved the words of these men. They were not hot-headed fanatics, ready to bring sword and famine on a devoted people. Judge Smith spoke. It must have been a great sacrifice to him to lay aside his carefully prepared speech which, however hopeless of success, would nevertheless have shown to posterity the profound and solid reasons that guided his decision, and for the sake of peace, merely in a few words, state his position. *Smith's Debates* thus records this speech:

Before the final vote on the Ordinance of Secession on the 11th of January, 1861, Mr. Smith of Tuscaloosa said:

Mr. President: I will not at this time express any argument of opposition I may entertain towards the Ordinance of Secession. I have many reasons for this course.

I meet here a positive, enlightened and unflinching majority. I have respect for them, and I despair of being able to move them.

In times like these, when neighboring states are withdrawing one by one from the Union, I cannot get my consent to utter a phrase which might be calculated, in the slightest degree, to widen the breaches at home. My opposition to the Ordinance of Secession will be sufficiently indicated by my vote; that vote will be recorded in the book; that book will take up its march for posterity; and the day is not yet come that is to decide on which part of the page of that book will be written the glory or the shame of this day.

It is important to the State that you of the majority should be right, and that I should be wrong. However much personal gratification I might feel hereafter in finding that I was right on this great question, and that you were wrong, that gratification would indeed be to me a poor consolation in the midst of a ruined and desolated country. Therefore, as the passage of the Ordinance of Secession is the act by which the destiny of

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Alabama is to be controlled, I trust that you are right and that I am wrong, I trust that God has inspired you with His Wisdom, and that under the influence of this Ordinance, the State of Alabama may rise to the highest pinnacle of national grandeur.

To show, Sir, that the declarations that I now make are not forced by the exigencies of this hour, I read one of the resolutions from the platform upon which I was elected to this convention.

"Resolved, That we hold it to be our duty, first to use all honorable exertions to secure our rights in the Union; and if we should fail to do this, to maintain our rights out of the Union;—for, as citizens of Alabama, we owe our allegiance first to the State; and we will support her in any course she may adopt."

Thus, Mr. President, you will observe that the course I now take is the result of the greatest deliberation, having been matured before I was a candidate for a seat in this convention; and there is a perfect understanding on this subject between me and my constituents.

It but remains for me to add that when your Ordinance passes through the solemn forms of legislative deliberation, and receives the sanction of this body, I shall recognize it as the supreme law of the land; my scruples will fall to the ground, and the devotion which I have heretofore through the whole course of my public life given to the Union of the States, shall be concentrated in my allegiance to the State of Alabama.

Any comment on this speech would be superfluous. Judge Smith lived up to its utterance in every detail. He devoted time, energy, talents, in no stinted measure to the cause of Secession. He even succeeded in making himself believe, at times, in the possibility of its success. His letters during the War reveal this over and over again. His submission to the will of the majority was graceful and sincere, but he could not bring himself to sign the Ordinance of Secession. With twenty-four others, he refused to affix his signature to the document. It was one thing "to support the State in any course she may adopt", and quite another to

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sign what he thought would be the instrument of her ruin. Nearly thirty years later he wrote in *Reminiscences* under the chapter entitled *Robert Jemison*:

I believe the only noticeable difference in our records in the Convention is that he signed the Ordinance of Secession, which I declined to do for reasons satisfactory to me at the time—a course I have never regretted.

After the passing of the ordinance, the doors were flung open to the anxious crowd, and there occurred the scene described in *Smith's Debates*, as the presentation of the new flag:

Simultaneously with the entrance of the multitude, a magnificent flag was unfurled in the center of the hall, so large as to reach nearly across the ample chamber. Gentlemen, mounted on tables and desks, held up the floating ends, the better thus to display its figures. The cheering was deafening for some minutes. It really seemed that there would be no end to the raptures that had taken possession of the company.

Mr. Yancey addressed the company in behalf of the ladies of Montgomery who had deputed him to present to the convention this flag—the work of the ladies of Alabama. In the course of his speech he described the mottoes and devices of the flag, and paid a handsome tribute to the ardor of female patriotism.

The writer has to regret that he has been unable to obtain a copy of Mr. Yancey's speech, and that he has no notes from which he can make a satisfactory report of it.

The *flag speech* to which reference has been made, then followed:

Mr. Dargan offered the following resolutions:

Resolved, That the flag presented by the ladies of Montgomery be received, and that the President of the Convention be requested to return to them the thanks of the convention.

Resolved, That the flag shall hereafter be raised upon the capitol as indicative whether the convention shall be in open session.

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Mr. Smith of Tuscaloosa said:

Mr. President, I was not prepared for this surprise. I knew nothing of this intended presentation. The suddenness with which this gorgeous scene has been displayed before us overwhelms me with emotions that impel me to give utterance to the sentiments that inspire me.

In looking upon this flag, a thousand memories throng my mind. The battle-fields of my country are spread out before me—and amid the smoke and clamor of contending armies, I see floating over a gallant and triumphant soldiery, the Star Spangled Banner!—a flag sacred to memory, embalmed in the best blood of the greatest nation of the earth, and consecrated in history and in poetry as the herald of Liberty's grandest victories on the land and on the sea.

Under the Star Spangled Banner still float a thousand ships whose appearance is cheered in every port. Under the Star Spangled Banner battles have been won, whose victories, as they adorn the annals of an age proclaim to posterity the untameable valor of an infant people. Under the Star Spangled Banner, as the lurid eyes of the British Lion have grown dim, British swords have been surrendered, and, in later days, in the ancient homes of kings, on the dismantled towers of dismembered nations, the Star Spangled Banner in triumph has been displayed.

In parting, shall we not salute it?

Have we no gratitude for the past? No recollection of the glories that have been achieved under the glittering folds of the Star Spangled Banner? No thanks for the fame that it has brought to the country? In the name of the gallant soldiers that lie on the field of death enshrouded in its folds; in the name of Perry, of Decatur, of Lawrence and Jackson, and the long line of illustrious heroes—

"Let him who has tears prepare to shed them now"

now as we lower the glorious ensign of our once vaunted victories.

We accept *this Flag*. It is presented by the ladies of Alabama. I see upon it a beautiful female face.

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Oh woman, in our hours of ease,
Uncertain, coy, and hard to please,
And variable as the shade
By the light quivering aspen made,
When pain and sorrow wring the brow,
A ministering angel thou!

Presented by the daughters of Alabama! The history of the world teaches that in times of trouble and danger to her country, woman is always in the van. Her heroism is reserved for revolutions. She has been known to tear the jewels from her ears, the diamonds from her neck, and the rings from her fingers, and sell them to buy bread for the starving soldier. Nay, in order to aid a struggling army, we see her cutting away the glorious locks that adorn her beauty and consenting even for them to become the "dowry of a second head." What wonder that now, in these stirring times when "grim-visaged War" wrinkles the brow of Peace, what wonder that the daughters of Alabama should thus endeavor to impart to our veins the burning currents of their own enthusiasm. What wonder that they should strive by these graceful devices of female ingenuity to lift us up to the height of their own hallowed inspiration!

We accept this flag; and though it glows with but a single star, may that star increase in magnitude and brilliancy until it out-rivals the historic glories of the Star Spangled Banner!

Mr. Dargan's resolutions were adopted and the president deputized Mr. Baker of Barbour to return the thanks of the convention to the ladies.

The flag of Alabama adopted that day was thus described in the *Montgomery Advertiser*, January 12, 1861:

The flag which now floats from the capitol is a unique affair. On one side is a representation of the Goddess of Liberty, holding in her right hand a sword unsheathed, and in her left, a small flag with one star. In an arch just above this figure are the words, "Alabama—Independent now and forever!" On the reverse the prominent figure is a cotton plant with a rattle snake coiled at its roots. Immediately above the snake are the words:

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"Noli me tangere." Also on the same side appears the coat of arms of Alabama.

It is said that the flag of Alabama floated on every battle-field of the war, and that the last battle was fought on her soil, at Fort Blakeley, April 9, 1865.

The convention remained in session for some days after the passing of the Ordinance of Secession, and then adjourned until the fifth of March. The last few days were crowded with work for the delegates. In spite of this fact, Judge Smith found time to write frequently to his wife—letters full of tender consideration for her and interest in the home affairs. They reveal his changing feelings—fear of inevitable war, and hope of peace—and a constant nostalgia for the quiet life he loved. In one, for instance:

I am a little relieved as the excitement subsides, but the shadowy future is peopled with the demons of desolation; the country is destroyed unless God in His wisdom should roll back the tide of this disastrous revolution.

In another letter of the same date, January 12th, he refers to the sudden death of Bishop Cobbs who had prayed that he might die before Alabama was severed from the Union. This venerable divine had opened the convention on January 9th with a solemn prayer. The letter begins:

My Darling:

I met Mr. Cushman today. He is here on the melancholy occasion of the funeral of the Bishop who died yesterday before the dissolution of the Union—and who is to be buried tomorrow.

I gave Mr. C. a copy of the poem. He spoke of having heard my flag speech of yesterday much praised, and expressed a great desire to see it printed. It was a sudden, and I think, a happy impromptu, and I stole that eloquent passage in your speech describing the triumphs of the American flag. It brought down

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the House and the galleries most tremendously. If I ever publish the speech, I shall acknowledge in some delicate way, the theft.

She, however, would not allow him to do this.

Another passage throws light on the condition of the finances of the State:

In the matter of money, it is said that the State has none! not even to pay the delegates. Propositions are afloat to borrow on the faith of the State, several millions. It will take forty millions to support the State in war one single year upon the scale we propose, for we are, of course, to help our neighbors in their fights. Thus the sweat of the freeman is taxed in advance! This is Saturday night. We are to meet again tomorrow. They say that in a revolution there is no Sunday. God *made* a world and *rested* on Sunday; man *destroys* a nation and *works* on Sunday!

On January 15, he wrote:

At the challenge of one of my old friends I wrote a sonnet which is much admired, and here it is—

THE LOST PLEIAD FOUND

Long years ago at night a female star
Fell from amid the spheres and thro' the space
Of ether onward on a fiery car
Held furious, headlong, her relentless race.
She burnt her way through skies; the azure haze
Of heaven assumed new colors in her blaze.
Sparklets emitted from her golden hair
Diffused rich music through the heavenly air.
The neighboring stars stood mute and wondered when
The erring sister would return again.
Through ages still they wondered in despair
And now, behold, careering from afar
The long-lost Pleiad! Lo! she takes her place
On Alabama's flag—and lifts her radiant face!

You will not like this. But you must not think that I have

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forgotten the Star Spangled Banner. The idea is, I think, hyperbolic, but ingenious.

In another letter he speaks of the happenings in Montgomery:

We are almost in a state of anarchy. The legislature meets tomorrow—and hardly knows its position or its office. When its members met last winter, they swore to "support the *Constitution of the United States*—and of the *State of Alabama* so long as they *continued citizens thereof*." They depend for their absolution on the fact that the Ordinance of Secession closes up their *citizenship* in the United States;—a legal fact, but a moral quibble. * * * There are many honest and patriotic men in the body referred to.

The account of the last days of the first session of the Convention is absorbingly interesting to the student of history. On January twenty-third an Ordinance was introduced on the confiscation of the property of those who were enemies of Alabama. . . William R. Smith was its strongest opponent. Many people will be surprised to know how many southern sympathizers were in the State of New York alone. In part, Judge Smith said:

The deliberate act of confiscation by the law-making power of a state is regarded among civilized nations as a declaration of war. It is not the custom of nations to confiscate the property of any except their actual enemies—enemies in war; not of a political enemy, merely, nor of one likely to become an enemy. . . . I maintain that in a belligerent sense we have no enemies. And I understand it to be the desire of this convention that we should not so govern our movements here, as to create enemies. . . . Do you wish to provoke retaliation? Set the example here, and your own citizens who own property at the North will be the first to suffer. . . . The gentleman from Lauderdale (Mr. Jones) has the true conception on this subject. He has told you that this confiscation would reach our friends first. . . . In the city of New York in the late presidential election *our friends* carried the polls by nearly forty thousand votes. In the State of New

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York in the same election we were defeated by less than forty thousand majority. We have in the State of New York 313,000 voting friends—nearly half the state—nearly enough *voting friends* to make four states as populous as Alabama! And it should not be forgotten that in the city of New York where our friends are forty thousand majority is due the bulk of the southern debt, and due our friends. . . . Shall we then destroy our friends? . . . Sir, in every act here we ought to look towards the preservation of peace. That seems to be the inclination of many. It is my intention so to act. I am not one of those who have lost all hope of a restoration of our relations with the General Government. I have not despaired of the Republic. I trust that in the progress of a peaceful revolution a sense of duty on the part of our political enemies will bring them to the footstool of justice; and that they will listen to our reasonable demands. I have faith in this revolution. For the first time during the existence of the government, the *North* is reading the sad lesson by which she is taught practically how much she depends upon our friendship, and how much she loses by the withdrawal of our trade. . . . I cannot say that I believe that all will be made right; but I do look forward with fondest hopes that the day is not far when upon a basis perfectly satisfactory to the *South* there may be a *reconstruction* of the government. I pray for the day that may bring a redress of our grievances; indemnity for the past; complete and unequivocal guarantees for the future. Sir, we are in no condition to drive away our friends. We should do nothing to lead to hostilities. We shall not need to invade any territory. We will defend our own. In times of peace we may prepare for war; I am ready to do this. This is the duty of every people who wish to preserve their liberties. I am ready to vote supplies to any extent. But I would hold the Olive Branch above the Sword, until honor and safety should advise the sad alternative of war.

As a result of this speech, a motion to recommit was made and carried.

An ordinance was introduced prohibiting the resumption of the African Slave Trade. The reason for the introduction of the ordinance was that it had been

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rumored that the seceding states intended to reopen this trade, and the report, it was feared, would prevent the border states from joining the Confederacy. The discussion was long and earnest. Judge Smith was anxious to pass this ordinance and to make it binding on delegates to the Confederate Provisional Congress which was to meet in February. One paragraph of his speech is interesting as showing the opinion of many regarding the *morality* of the slave trade. A delegate who had spoken before Judge Smith had said that if the ordinance in question were passed, it would be tantamount to admitting that the slave trade was immoral.

Mr. Smith said:

The question of morality does not of necessity arise here. As a matter of opinion, I do not believe that the African Slave Trade would in itself be immoral now—or that it has ever been immoral. I hold that the African taken from his native wilds and placed in ranks that march onward from savage to civilized life is greatly benefited. He is humanized and christianized. He rises from the condition of a brute into the position of a Christian man. The present condition of the Alabama negro illustrates this. Place a native African side by side with an Alabama negro—how vast the difference in stature as well as in intellect. The one has the graceful limbs of a Hercules—the other is a mere mongrel. In nine cases out of ten, the Alabama negro is happier than his master. His cottage is built for him; his food is provided; his hearth is spread with substantial comforts, and his long nights are for those blissful dreams that are undisturbed by the knowledge of coming necessities. He has no cankering cares, no buffetings of fortune, no aspiration for expanding acres, no care for rain or sunshine. He has neither cloth nor meat to buy; he is free from debt, he is above all civil law—he looks forward to Christmas, not as the maturity of his bills, but for his holiday. Sir, there can be nothing immoral in placing a savage in such a condition as this.

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He then spoke of the effect the passing of the ordinance prohibiting the resumption of the African Slave Trade would have on the people of the North:

It would disarm our northern foes. They have branded us in advance that one of the leading causes of our desire to break with the Union is to escape the law which denounces and punishes the African Slave Trade. The passage of the ordinance by a solemn vote of this convention, instead of arming would disarm our northern foes, and prove that on this question either they were deceived in their judgment or were deliberate slanderers.

Several times the discussion was interrupted, and resumed; various amendments and substitutes were advanced. The whole discussion is full of interest. Judge Smith was alert and easily grasped each changing attitude, clinging to his resolution to be just to all, and loyal to friends. An amendment was offered declaring that no slaves might be brought into the Southern Republic from any source whatever—this with a hope of forcing the border states into the Confederacy. To this Judge Smith objected, saying:

There is something in this amendment that demands examination. Let us look at it cautiously. It is fraught with evil and disaster. There is an old saying, "whom the gods would destroy, they first make mad." And it does seem to me we are rushing upon our destruction with blind fury and heedless inconsideration.

We have made strangers and enemies of three-fourths of our countrymen, and now we propose deliberately to flout the faces of our friends; for I view this amendment as nothing less than a threat of defiance held out to the border slave states, carrying in a closed hand, a bribe; "If you do not come, you shall have no slave market here; if you do come, you can have a slave market."

What is the all-important question we should keep always in view? We have dissolved the Union; declared ourselves independent. The building up of a new state, so far as the organic

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form of law is concerned, however important, is still secondary to the greater question; Having declared ourselves independent and set up for ourselves, *how* are we best to preserve that independence and sustain our position? . . . If, before this Southern Confederacy is formed, Alabama should say to North Carolina and Virginia: "We will not import slaves from your state", will it not check the feeling and movement towards secession there?

These old states are the sources of your own blood. If you will not bear a threat patiently, is it sensible to believe that they will bear it? If a threat arouses you, will it not arouse them? . . . They are flesh of your flesh; bone of your bone. They sent out pioneers to cleave away the wilderness; to drive away the panther and the bear; to risk the scalping-knife and the tomahawk, and brave all the horrors, privations, disasters of border life for the sake of civilization. . . . In the splendor of your prosperity, you forget the land of your nativity, and the graves of your ancestors. . . . It is said by the gentleman from Montgomery (Mr. Yancey) that by prohibiting the introduction of slaves from the border states, we shall offer them inducements to secede and join us. I do not adopt this sentiment. It would be measuring the patriotism of the border states by dollars and cents. The best way to secure their co-operation and union, is to treat them as brothers and fathers; to claim their countenance and strong arm as due to us by the indissoluble ties, not only of common interest, but of common blood. . . . You who expect that the cotton states alone will be able to sustain this contemplated war, without the aid of your neighboring sisters, do overestimate your strength and count without your hosts. I know the unbending spirit and unquailing valor of the people of Alabama; but courage is not the only sinews of war. I know the wealth of our people and the prodigality with which it will flow when needed for the public safety; but wealth is not the only sinews of war. It may be that in some respects we are not ready for an immediate outbreak of active hostilities. There is no need of rushing into war. Let us husband our resources; arrange our engines and prepare for the conflict; and in so doing, while we defy our enemies, *let us hold fast to our friends.*

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Here was a new triumph for Judge Smith. The amendment in dispute was defeated and the following resolution was adopted with only three dissenting votes:

Resolved, That it is the will of the people of Alabama that the deputies elected by this convention to the Southern Convention to meet in the city of Montgomery on the 4th day of February next to form a Southern Republic, be, and they are hereby instructed to insist on the enactment by the said convention of such restrictions as will effectually prevent the re-opening of the African Slave Trade.

In the last letter written during the first session of the Convention, Judge Smith said:

Yesterday we elected delegates to the Southern Congress. Mr. Yancey was defeated by a positive vote, 39 to 50. Robert R. Smith of Mobile beat him. The majority have picked their own men except in two districts, the 5th. and 6th. In these districts the delegates in the counties composing them being unanimously union men, were allowed to select their own. In our own district we have only four to eight for union.

After the recess, which according to his custom Judge Smith spent with his family, the Convention re-assembled on March 4th. His letters continued to recount the interesting occurrence in Montgomery, and contain also numerous passages showing his unflinching thoughtfulness for his own. These letters appear to have been written at intervals between business, and often contain unrelated paragraphs. In the letter of March 5th, for example:

There was nothing of importance done in the convention yesterday. The inaugural address of Lincoln is causing much warlike feeling here—and we will have much excitement. There is a wide-spread feeling of dissatisfaction. The crowds are stirring in appearance, and we may look for interesting events in a few days.

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I have met several old Washington acquaintances here, among which are Mr. Keith and Mr. Boyce, both of whom inquire very kindly after you. I know about half of the members of Congress, and expect to spend my time here this session more pleasantly than I did the last.

I am still oppressed with sad and gloomy feelings about Easyby—I am almost afraid to write his name. It is now about time for the crisis—and how do I know whether or not he still lives!—and I cannot expect a letter from you until tomorrow.—I shall be in great agony until I hear from you.

The news here is that the Border Conference has, in effect, been a failure, and that Virginia is preparing to secede. I will keep you posted by letter on these interesting questions. I enclose the inaugural.

The letter of March 10th is of interest:

I have been uneasy about you, fearing that your attentions to Easyby would wear you out. And I have felt it a great hardship to myself that I could not relieve you. But—your letter satisfies me that he is himself safe and that your annoyances are not as great as I feared. Tell the little fellow that I shall bring him a *Bird* to sing for him and a cage to keep it in.

I imagine how each morning the garden must be improving.—I shall expect small radishes and fine lettuce when I come home. Will we be disappointed in our hopes regarding the celery?

After this there is a long paragraph about domestic affairs, showing his keen interest in all that went on at home, and then:

I have at last seen the President; he is much broken since I last saw him, about seven years ago—and he is looking twenty years older! In seven years I shall be as old as President Davis is now. Isn't this sad? What a *parchment* I shall be in seven years! But this is presuming on the certainty of life. In seven years, what will be the condition of this country? Who can predict? * * * I am still of the opinion that peace will be preserved notwithstanding the feverish inclinations of the rabble of loafers who seek war for the sake of *employment*. The appli-

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cants for office are nearly all *military* aspirants. There will be no scarcity of "officers." This is the class of men who will precipitate us into war; if they are not carefully watched.

On the 12th, he wrote:

The new constitution is now before our convention and will be ratified here, beyond a doubt. I shall make *my* speech against it tomorrow, and leave the consequences to the future.

On March 13, the President of the Provisional Government gave a reception to the members of the convention which Judge Smith amusingly described, adding:

The President was extremely cordial and impressed everyone favorably. The Cabinet was present—and Benjamin was quite a lion. When I approached him, he met me with cordial eagerness, called me *my dear Judge*—and expressed great pleasure at renewing my acquaintance.

Benjamin was Secretary of War in Davis' cabinet. His career is well known. From a letter written to Judge Smith's wife on March 14th a glimpse of many things may be obtained:

My friends have all gone to a party to which I was invited, but to which I did not go. I declined an invitation last night, too. The gay assemblages would only make me feel doubly alone—for I am always with you when I am not in company. . . . I have been at work on the MS of the new book. The thing will not cost me a great deal of labor. But I despair of the brilliancy . . . nevertheless, there will be some very readable speeches and many important and interesting public documents in the book that will render it a real necessity to the future politicians of Alabama.

I made a speech yesterday—against the ratification of the constitution by the convention and in favor of referring it to the people—of about an hour's length—which is commented on by others as being the best of the session . . . you think it is a

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poor compliment to be called the best of Alabama speakers! There was wisdom, deep-seated, and far-reaching ambition in that remark of Caesar's when he was a young man: "I would rather be first in Brundisium, than second in Rome!" . . . I told you I would have the best speech in the book! . . . Do you know that it is not impossible that Tuscaloosa should be the seat of the Confederate States? It is much spoken of in that connection.

This reference to Tuscaloosa is explained in part by an interesting paragraph that appeared in a Montgomery paper on March 15, 1861:

At a brilliant private entertainment given at the Montgomery Hall by the Honorable James Williamson of Lowndes to a number of his friends, amongst the many enlivening and sparkling flashes of wit and humor, there was one little speech, so unique and characteristic, that it ought not to be forgotten.

Our host, in order to call out the gentleman from Tuscaloosa, proposed a toast "The City of Tuscaloosa, the old capital of Alabama". The Honorable William R. Smith being present, arose and said:

Mr. President: Could I fail to be inspired at the mention of Tuscaloosa, I would be unworthy of myself; unworthy of the people I represent; unworthy of the oak-bowered streets of that beautiful city, and of the lovely daughters that throng its avenues. I have seen it grow up out of the wilderness; for I remember it when the first plank was cut from its lofty pines, and when its shrubby streets were yet musical with the echoing footsteps of its ancient Indian masters.

Tuscaloosa! a sweet name; and to me redolent of the perfume of yet sweeter recollections.

Tuscaloosa! the ancient home of the Red Eagle Warrior, and the more recent home of the gifted poet who celebrated the exploits of that immortal chief.

Tuscaloosa! once the capital of Alabama; ever memorable for its genial climate; its spacious and quiet homes; its lovely women, and for its open-hearted, hospitable citizens.

The mention of Tuscaloosa by our generous host as the former

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capital tempts me to tell this jovial company a dream that I had the other night, which may not prove to have been *all a dream*. I believe in oracles, and often, aided by the magic of Sleep, the great magician, I seek the Temple of Delphi to consult the presiding Deity on momentous questions. On a late occasion, I sought to lift the veil of the future. As I approached the threshold of the mysterious abode of the Fates, I inquired with a loud voice—"Where is the future capital of the Southern Confederacy to be located?" To this there was no answer. Again I inquired—"Where is the future capital of the Southern Confederacy to be situated?" As still there was no answer, I felt despair seizing upon me. When, on reflection, I remembered that I had not correctly named the new republic; and knowing that the priestess was notoriously punctilious even upon the smallest matters, I inquired with more particularity—"At what place is to be located the National Capital of the Confederate States of America?" At this question, there was great commotion within the Temple; light streamed from all its windows; and a noise, louder than thunder, shook the surrounding hills! I began to feel a little weak about the knees under the apprehension that I had aroused the anger of the Fates, having tempted them too far. But, in a moment, over the quieted atmosphere the answer came! The word was pronounced—and the tone was never so musical—and the name was: "TUSKALOOSA."

It is needless to say that this happy and ingenious device by which the distinguished gentleman nominated his favorite city as the location for the national Capital of the Confederate States was received by the company with hearty applause.

The Red Eagle Warrior and gifted poet referred to in this speech were well known to the audience. Judge A. B. Meek's narrative poem bearing the name of the Indian warrior is one of the prides of Alabama literature.

In the mean time, the Provisional Congress of the Confederate States of America, in session in Montgomery, had drawn up a constitution, and submitted it to the Convention for ratification. Judge Smith's

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speech against its ratification by the Convention before it had been submitted to the people deserves a place beside his best public utterances. A few paragraphs will not be out of place, here:

How stands the account between us and the people? Since we know they will inquire into this, let us make the inquiry ourselves.

This revolution was begun without the express will of the people. It was inaugurated without consulting the people. This convention is the creature of the Legislature, which thrust upon the people the performance of the duty of electing-delegates.

When the necessity of performing this duty came, there was no reasonable time for examination of causes and effects. The canvass was conducted in the greatest hurley burley of excitement; and large masses of people voted at the polls in the midst of bewilderment and dismay. The election itself was a necessity that had been created without their advice.

Your body then is the creature, not of the people but of the Legislature. What have you done? That you would pass an ordinance of secession was to be expected. You did pass it, and you refused to submit it to the people; in this they are offended.

You created a new tribunal in the shape of a congress, and authorized the election of the deputies to this congress, and refused to give the election of these deputies to the people; in this they are offended. And the specious pretext for these assumptions was the danger of delay—the necessity of prompt and immediate action.

You, then, have made congress; the congress made the constitution, and the constitution is now submitted to you for your ratification. If you ratify it, while you have the power now of submitting it to the people, if you choose, will not the people naturally inquire, "In what, of all these things, have we been consulted?"

They find themselves under a new government! and in amazement, exclaim, "Who did this? Who elected this new congress? Who authorized it?" The answer is: "We are the people!" Sir, that "We are the people", in any way, except a representa-

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tive way, is absurd. It is the flimsy excuse for usurpations; it has been the characteristic of legislative tyrannies from the Areopagus to Cromwell's parliament.

I do not speak thus to upbraid this convention for its past action, but in the hope of inducing it to cure, by one single act of magnanimity, all the dissatisfaction that prevails in the public mind, by reason of its usurpations.

The usurpation of power is odious, while the surrender of it is admirable.

He spoke of the framing of the Constitution of the United States, under which,

in the brief period of three-quarters of a century a nation has arisen whose magnificence attracts the curious observation of mankind, and challenges the admiration of sages; whilst its irresistible march to civilization and power strikes the feudal kingdoms of the earth with consternation, as the ominous advance of human liberty threatens to invade the precincts of their consecrated dynasties.

He then contrasted the deliberate action of the framers of the first constitution with the precipitate conduct of the members of the Convention:

Who were the men that thus deliberated? We boast of the wisdom of our fathers. Those were the days of Washington, Jefferson, Madison, Hamilton—men godlike in attitude and thought, still standing like colossal statues, illuminating the niches of the shadowy walls of the American Pantheon. They paused over these momentous questions. Are they becoming dwarfs in our estimation? Verily, it would so seem—for *we*, the intellectual giants of *this* day, representing the sovereign state of Alabama, *are not willing* to deliberate a single day over the instrument that makes a radical change in the government, involving the destiny of the people! the happiness, the honor, the fortunes, the lives of millions!

After speaking forcibly and eloquently of the possibly fatal rapidity with which the Convention had acted,

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Judge Smith insisted that he did not wish to prophesy failure—but that he would arrest the progress of a course that seemed to threaten defeat:

This constitution has no marble to rest upon. All its materials are perishable; the thought is scarcely less mortal than the paper upon which it is written. Parchment cannot save it from the Great Destroyer. . . . There is but one way to perpetuate it; lodge it in the *hearts of the people!* There, and only there, will it find a permanent existence. That is the only foundation upon which the structure of a free government can rest. . . . But how is it to find a way into the hearts of the people? . . . Let them have a hand in building it. We love the creatures we have made. God Himself was pleased with His magnificent creation! . . . If you would lodge this constitution in the hearts of the people, give them a share in its creation; that when the day shall come that endangers its existence, they may throng around it, as they will in millions, for its protection, exclaiming as they rush to its rescue, "We made it! it is ours!" To a people thus inspired, armies and banners, the sword, fire and famine, present no terrors.

Magnificent as was this appeal, it was doomed to failure, as Judge Smith had foretold. The vote to refer the constitution to the people was lost, and the only thing to do was to vote for its ratification, since the constitution, itself, was on the whole acceptable to nearly every member.

The last letter written by Judge Smith on the floor of the Convention was dated March 17th. Among other things, he wrote:

Montgomery is assuming the appearance of a metropolis. The hotels are thronged with visitors, among them many distinguished citizens. The Congress now in session here is composed of good material, much superior, generally, to the body in Washington. The officers who have resigned in the army and navy will be preferred to our army and navy, and in this we shall have many first-class men. Ingraham, Tatnall, and Randolph—and

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such men will be in the *war* as soon as we have one. Capt. Bragg, the grape-shot man of Buena Vista, is made a brigadier general in our army.

I think I will be able to get a commission of lieutenant in the army for Mrs. Brooks' eldest son.

We expect an exciting week in the convention. . . . I am in the same room with Mr. Jemison—at the Exchange. I find it impossible to get respectable or comfortable quarters in any private house. He smokes like a steam-boat—but I am getting used to it,—should I stay with him long, you will have to lull me to sleep with a coffee-mill—or some such musical instrument.

There is a bit of Washington gossip:

From all accounts, things are dull and gloomy at Washington. There must be a great change in affairs there. The absence of the southern element is bound to be felt in a social as well as in a pecuniary light. The Black Republicans must appear almost as enemies to the citizens of Washington.

Then comes a delightful human touch, like a ray of light in a dark corner:

Monday:

I dreamed last night of seeing our garden—and that the corn was up and growing beautifully. What is the sign? I imagine you busy—moving in and out, and nursing your flowers. How I should like to be about—count each morning the extent of the night's growth to a lettuce leaf—or to feel if a radish was beginning to develop its root.

The account of the last day of the historical Secession Convention of Alabama is given in the *Debates* in a few simple words, covering only one page. The last words are:

Mr. Brooks, the President, made a farewell speech, heartfelt and touching. And when the clock struck *Two*, Tuesday, March 21, 1861, the President announced that the Convention was adjourned *sine die*.

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Let every man achieve his own renown,
Nor wait for Fortune; multitudes may shout—
O'er small deserts, and give elated Hope
Deceitful promises; Posterity
Will not be thus betrayed; who waits on others
Loses his time and dies without a name.

The Uses of Solitude,

W. R. Smith

THE secession of Alabama from the Union and the formation of the Confederate States of America were accomplished facts. To all who believe in the right of a state to secede from the Union—and they were and still are legion—there was only one path of duty. Judge Smith had written to his wife from the convention:

My business now is clear,—to shoulder the troubles of the State and to aid in carrying her to safety through the terrible tempest that is about to swamp her.

With unflinching step he pursued this course. Few foresaw as clearly as he did, the havoc that war would make in the South. His words, written during these years read like prophecies. With the exception of his young wife there was practically no one to whom he was willing to confide the alternating convictions of hope and despair that gripped his soul, and when absent from her he wrote almost daily, confiding the letters to trustworthy friends who were going from place to place.

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Immediately on the adjournment of the convention, he returned to his home in Tuscaloosa. He continued his labors on the *Debates*, and in less than sixty days advance sheets were being sent to the press, receiving favorable comment. The State ordered three hundred copies. The compiling of this work had been a labor, not always congenial, but, with his usual persistency, the author worked assiduously and found satisfaction in the result, which he expressed in the preface:

I deem myself happy in having attempted to collect the materials for this work. Of the conventions of the people that have recently been held in the seceding states, on the great question of dissolving the Union, there does not seem to have been any serious effort made in any, except Alabama, to preserve the debates. It is, therefore, my agreeable fortune, not only to set an example of diligence to the sister states, but to combine in an authentic record for future ages, both the acts of the Patriots of Alabama, and the fervent words by which they were mutually animated in the discharge of their great duties. . . . Some portions of this volume will appear almost romantic. The scenes of the Eleventh of January, when the Convention was deliberating on the final passage of the Ordinance of Secession, were extremely touching. The Minority rose to the heights of moral sublimity as they surrendered their long-cherished opinions for the sake of unity at home. The surrender was graceful and unrestrained, without humiliation on the one hand or dominant hauteur on the other. The speeches on this occasion were uttered in husky tones, and in the midst of emotions that could not be suppressed, and which indeed there was no effort to disguise. . . . Solemnity prevailed in every phase of the proceedings. In the debates of six weeks on the most exciting topics, but few unkind words were uttered. Forensic invective, so characteristic of legislative assemblies, was lost in devotion to the public good, and scarcely a jar of personal bitterness disturbed the harmony of the deliberations.

There was in William Russell Smith a buoyancy of mind and heart that never seemed to desert him. At

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this time, he was forty-five, in the full strength of his manhood, with a happy home, and a secure career at the bar; he had tasted phenomenal success as well as keen disappointment in the field of politics; he had found himself in the minority at the State Convention, although he, as well as the majority leader, claimed the plurality of the popular vote. In the convention, he was often hectored, and his generous denial to the contrary notwithstanding, often well-nigh insulted, but nothing seemed able to conquer either his indomitable will to serve his state in her hour of need, or the spontaneity of his ever-active mind. These facts are revealed over and over again in the *Debates*, and in the letters he wrote during these years, while one looks in vain for a word of bitterness. There is, however, no doubt, that the iron entered his soul. During the remainder of his life, few heard him mention the War. General Joseph Wheeler, on the contrary, often told delightful stories of his experiences. General Wheeler was a graduate of West Point, and about twenty-one years of age when war broke out. War was his business, and a more gallant record than his would be hard to find either in the War between the States or in the Spanish-American War. He was a friend of Judge Smith, and their families were on intimate terms. General Wheeler offered his services to the country when the war with Spain was declared. An amusing story was told of him during this brief war. He was encouraging his men in a difficult attack, and utterly forgot time and place: "Give it to them, boys!", he cried, "Pepper the Yankees!"

In April, 1861, Judge Smith went to Atlanta to see to the printing of his book. A description of the city

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as it then appeared, will perhaps be welcomed by those who know it only in its present form:

Atlanta has every advantage for becoming a considerable town. It is a sort of center of the South. Here you receive papers from all parts of the Union in the shortest time, as there are sail boats and expresses leading in every direction. . . . But the city itself is a rough, uncouth, muddy, smoky place without shape. It is by no means deficient in house room if I may be permitted to judge by my apartment. I am in a private boarding house, and my room is thirty feet by sixteen—so you can judge that I have ample room for pacing up and down—and indeed, I walk many miles a day—in my room and slippers!

It was a habit of Judge Smith's whenever he was doing any creative work, to pace his room for hours, his hands behind his back, lost to the world. His power of concentration was truly marvellous. While in Atlanta, he spent his leisure in reading Boswell's *Life of Johnson*, which he had not read for years, and his letters are full of references to it:

If you are not engaged in reading any particular book just now, I hope you will take up a volume of this and read occasionally. Then, *we will be close together*—our minds running on the same themes—contemplating the same great phases of human life and meditating the ways of men and the decrees of Providence.

Then follows a passage referring to the more prosy events of the time:

There are still rumors of war. The excitement here is intense. Dispatches from Charleston and Pensacola keep the city in a ferment.

Judge Smith's son Sidney, a boy of sixteen, like hundreds of other Southern boys, joined the army as a musician. In a letter dated May seventh, his father wrote:

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I have your letter on the 4th., in which I am informed that Sid is really off to the war. There is something at once solemn and amazing in this. But I am excited in an unusual manner when I think of it. This war is no child's play, if we are to believe the accounts from the South. The whole country seems to be roused to the pitch of an invasion of the North. If this is true we shall have our hands full. I have no fear of the courage of the South, but I am oppressed with the idea of our poor preparation. In the matter of supplies of every description, the North has greatly the advantage. There is scarcely a powder mill in the South!—and no gun factory of any consequence! But the end is not yet, and we must wait to see. I fear the worst. The South will never back down now—and the result will be annihilation or victory with us. I do not wish to make you gloomy. I will be with you very soon.

God bless you!

S.

No doubt Judge Smith thought of his own beloved brother Sidney who was cut down in the flower of his young manhood in the Texan war, and his heart was filled with misgivings about this eldest son of his.

In the meantime, Virginia had seceded from the Union. Governor Wise of that state was opposed to secession, but he advocated a preparation by the state for what he thought was an intended invasion of her soil. His views were later set forth in his book *Seven Decades of the Union*. Although the Virginia Convention had been in session since February thirteenth, it was not until Lincoln, after the fall of Sumter, issued a call for volunteers and demanded of Virginia her quota, that she passed the Secession Ordinance by a large majority and referred it to the people for ratification. She refused to furnish men to war upon her sister states, but armed to resist the coming invasion. The hesitation of Virginia at this time is easily understood when we recall the part she had taken in the

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Revolution, and how intimately she had shared the destiny of the Union. Her final action is equally reasonable. On May 29, at the invitation of Virginia, the Provisional Congress removed the seat of government from Montgomery to Richmond. Judge Smith, although not a member of this body, was in Richmond on the opening day, July twentieth. Lincoln had hoped to have the Federal Army in Richmond before that day, and but for the skill of Johnston and Beauregard would no doubt have succeeded.

Judge Smith was at this time collecting material for a history of the Southern Revolution, for many of his friends had advised him to prepare to write such a work. Of this, he considered the *Debates* a fitting introduction. News of the skirmishes that preceded the First Battle of Bull Run were at this time coming in to Richmond and causing the greatest excitement. Everyone realized that the fate of the Confederacy hung on the battle they daily expected, and that Richmond would be the first to feel the effects.

Two letters, one bearing the date July twenty-first, and the other, July twenty-third, 1861, portray the alternating feelings of hope and despair that filled Judge Smith's mind during the long period of the war. It was a struggle between his better judgment, and hope for the success of his country, and there were thousands of southerners who shared this struggle with him. He was writing to his wife, and she said in after years that his own words at the Philadelphia Convention in 1856: "The union of these states is a political indestructibility," were as a handwriting on the wall which he often saw. The first letter contains a dark and only too true prophecy:

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You see I am very gloomy. Who could be otherwise with desolation spreading its dark wings over the habitations of our happy and prosperous country? It may be victories at Manasses—but thousands upon thousands must fall—and though victors in the fight, we are bound to be overwhelmed in Virginia—for the North is pouring in upon us at that point, a power which already doubles us in numbers—and the army is driving its way wedge-like, inch by inch, and fortifying every mile behind it as it advances. It builds its forts and erects its *telegraph wires*, so that the most distant camp is in constant communication with the advance. And this is all the more threatening when we reflect that one part of Virginia is in open league with the Federals, and large masses of the citizens are evidently careless about every thing but the safety of themselves and their property. These, of course, will do nothing in the war. My solemn opinion now is that it is only a question of *time* as to the overthrow of the Confederate States in Virginia. And this brings us to the more serious question of what is to be the finale of the movement in the cotton states. . . . If the party in the South which has brought on the war remain stubborn, as they in the North seem to be—ruin is inevitable, for a long war, even without bloodshed, will fill the country with beggars—bullies—and thieves. Every village will be the quarter of a blustering corporal, and poverty, demoralized of its energies, will yield to him. The young men of the country, once industrious farmers and mechanics, will become mere stragglers, with whom pillaging in squads will be voted respectable;—poaching is one of the privileges of riotous idleness. Business will degenerate into mere huckstering—and the *paper rags* we now call money will be utterly valueless. Nearly every bank in the South is this day *broke*—and it is only by consent that the notes are current. This is a sad fact, for this money must grow worse, and hence those who are now able to live in comparative ease and comfort will find themselves beggars. Shall we see the day when every child will have to scratch for its own bread?

If I were young, and had no wife and children, I might refuse to allow my mind to run in this gloomy channel. And, indeed, my dear Wife, these expressions grow out of my reason and judgment, to which I have brought the experience of ages as taught in all history. In looking through the long vistas of history

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there is not a gleam to illuminate the dark realities of this sad day, so far as the South and her people are concerned. With the North, her desolation will be as complete,—but not so lasting. Her best people will suffer equally with us for the moment, but, as her permanent institutions are not threatened or in any way endangered, her recuperation will be more rapid and secure.

In all his dark prophesies, however, Judge Smith did not dream of the days of reconstruction, and “carpet-bag” rule that would devastate the South for so long. Nothing in his experience while a member of Congress prepared him to anticipate this most disgraceful chapter in our history. In all his public and private utterances, he was never known to express hatred of the North or her people. His was the rare power of separating the person from the offence. Doctor Owen wrote of him: “He was a man whose love for his kin never hesitated; whose affection and loyalty for his friends never wavered; a man singularly free from any taint of envy, jealousy or malice, even towards an enemy.” On the very day on which the letter just quoted was written the famous battle that raised the hopes of the Southerners and made the North realize the struggle that was before her took place. Quite naturally exaggerated accounts were heard on all sides. The official report in the War Record which was, of course, not available at the time speaks for itself.

Official War Record of the Battle of Manasses:

OFFICIAL WAR RECORD OF THE BATTLE OF MANASSES

	Killed	Wounded	Captured
Union	481	1011	1460
Confederate ...	269	1483	none

The reports that reached Richmond caused a revolution of feeling in Judge Smith's mind which he hastened on the twenty-third to impart to his wife:

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The enclosed slip will be old before it reaches you. It is significant of the state of things in Washington. The victory is indeed most wonderful and surpassing the most sanguine expectations. It is the more wonderful as it appears that only 1500 of our troops were engaged in the fight. We have taken enough arms of the best sort to equip twenty thousand men—and have also captured about eighty first class guns—the most celebrated batteries in the army, some of them 32 rifled cannon. . . . It is thought that probably our regiment (Colonel Rhodes) was not engaged in the actual fight—but if this is the case, we cannot yet learn. . . . This victory changes the whole course of my gloomy reflections as indicated in a recent letter. The sea is fairly turned for us, and I shall not again despair. I am trying to get a pass-port from the War Department to visit the battle ground. But there is difficulty in this. Proclamations excluded and drove away all civilians and visitors from Manasses—and none are now allowed to go except under extraordinary pretext. I must see this great historic field—before I come home—it is the rival of Waterloo. . . . It is certain that our regiment did not suffer in this fight.

On the twenty-eighth of August, a little daughter was born to Judge Smith. She was named Elizabeth Hampton for her father's mother, and was always the special object of his affection. In every letter thereafter, mention is made of her. When this babe was three months old, her father wrote two sonnets to her, which she has treasured through life with jealous care.

TO OUR BABY, ELIZABETH HAMPTON

I

This babe of ours whose tender eyes with fire
Celestial, have but burned an hundred days,
Tho' born midst war's alarms and bloody fray
While foes presaging desolation dire
Sweep the rich land with swords and storm the seas
With huge leviathans, this babe of ours
Lies in her cradle and is all at ease,
And crows as if she heralded the hours

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WILLIAM RUSSELL SMITH

Each as it comes. It will be hers to say
(In after years when she to woman's prime
Grows up in beauty—in the golden time),
"Ah, I was born in that inspiring day
When men were fierce in the pursuit of scars
And women followed, shouting to the wars."

II

Her eyes will grow familiar with the glare
Of rockets bursting on the midnight air;
Of sword and glistening bayonet—her ear
Will drink the cannon's roar—yet no fear
Will touch her heart—no tears will fill her eyes.
Her smiles will brighten while her mother sighs.
Her mind will be the storehouse of traditions
The silvery legends of the virgin brain,
Fabled realities that seem like visions
So vast in their proportions and so plain
Impressed upon its senses as they swell
'To pyramidal records, piled to tell
Th' unwritten horrors of a bloodier time
Than Homer made immortal in his rhyme.

December, 1861.

Labors very different from writing poems engaged
Judge Smith's attention during the fall and winter of
1861, and 1862. He raised a regiment for the defense
of Alabama.

The following letter is significant:

Confederate States of America,
War Department,
Richmond, Sept. 5, 1861.

Mr. Wm. R. Smith,
Richmond, Va.,
Sir,

In reply to your letter of the 4th. inst. I have the honor to say
that companies of infantry, armed and inlisted for 3 years, or

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ELIZABETH HAMPTON

Aged five



MARY AGNES

Aged five

CONFEDERATE WAR

the war, will be accepted. All the arms thus furnished will be paid for at proper valuation by a government officer, when the troops are mustered into service.

These companies, being accepted by companies, will be organized by the President, and the field officers will be appointed by him. If less than ten companies, they will be organized into a battalion. But if, in the meantime, before they were ready for orders, enough additional companies should be added to amount to 10, they would be organized as a regiment, and regimental officers be appointed.

These companies so soon as ready, may rendezvous at Tusculumbia, Ala., where they will be ordered into camp for instruction.

Respectfully,

L. V. WALKER,
Secretary of War.

These companies may be rendezvoused before they are armed.

L. V. WALKER,
Secretary of War.

In the *Pickens Republican*, about this time appeared an amusing paragraph:

Hon. Wm. R. Smith passed through Carrollton today, on his way to Columbus to meet, there, four of the eleven companies of the regiment he has been raising in a quiet way for the war. Judge Smith is to be the colonel. While we have had "nortions" from Dan to Beersheba of the getting up of other regiments, it is characteristic of this man to move thus noiselessly to the accomplishment of his plans. He despises all unnecessary display.

The camp of instruction was established at Tusculumbia, and his movements can easily be followed in excerpts from letters. He wrote from Iuka, Mississippi, September twenty-ninth:

I am in this place which is thirty miles from Tusculumbia, on the R. R. Came up last evening on business with the commissioner

WILLIAM RUSSELL SMITH

—I left the camp in very good condition—expect all the companies by the last of the coming week.

It is very important that I should not leave the camp for long at a time—and I cannot yet say when I shall be with you. My present impression is that I go to Richmond in the course of four or six days—and from that place I shall inform you precisely when to expect me. I want my commission before you move from home. You need not make any positive arrangements about the house until you hear again. Do your packing (of your clothes and mine) at your leisure—multum in parvo—

Here follow minute directions for the packing of furniture, books, etc.:

As for the books, box all—except such as you wish for yourself—for me, bring Plutarch (the marked copy), also your French copy—Xenophon, Tacitus, Sallust, Horace, Thucydides, Polybius, and such histories as you can pick up conveniently. In bringing the books, take lists of what is in each box.

He seemed to remember everything that would have to be done before they were to go to Tuscumbia. Sophie and Willie were to be sent to Fayette, to their mother's people; Lucy was to go to the Convent boarding school; the slaves were to be disposed of; she was to use her own judgment about bringing Easby, and if she left him behind, Sara, his nurse, was to be left to take care of him. Then he shows the anxiety about her health that he never failed to have:

Do all these things, my darling, at your leisure—so as not to fatigue yourself—for you have three or four weeks to do it in. I fear much for your rushing, that you will overwork yourself. This would be very unfortunate, as you might not be able to travel. . . . You must not allow yourself to be overworked. The idea of your being *near* me in this new life we have to lead is no more agreeable to you than to me. I do not think we shall be far apart during the winter. In the whole matter, the idea of having to leave you at home with a bustling family has most

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oppressed me. We cannot see the end—but we will hope for the best.

Then there is an expression of a certain diffidence in his own powers:

Certainly, I shall be out of place—but I shall endeavor to make the best of it. I am animated by the reflection that in all my public positions heretofore I have done at least as well as my friends expected.

The next letter from Tuscumbia, October 7, shows that the work of recruiting was not easy, nor altogether pleasant:

I am sorely worried. I have lost *three* companies—who refused to be mustered into service—and actually disbanded and left for home! But I have *five* companies mustered in, and things look quiet. I think the regiment will be complete in two or three weeks—hope, sooner. You have no conception of my troubles. If I surmount them all, I shall be a much greater man in my own estimation than I have ever been. I am surrounded by headless enemies who are striving to get the offices—and to dishearten the men. The camp is infested with office-seekers, and men who do not scruple in the most disgraceful way to excite discord.

Go on with your arrangements quietly. You need not fear that I will not have you along. I will have you near me if I go. I do not think I can be supplanted. I take things coolly. Do you the same, and we will go upward.

My health is good. I have lain many a night in the straw—and can bear more than you suppose. God bless you, my only Love!

He did overcome all obstacles. On October thirteenth he was commissioned Lieutenant Colonel of the Third Alabama Battalion, and in March, when he had raised sufficient companies to form a regiment, Colonel of the Twenty-Sixth Alabama Regiment. On the second of November, Sidney's General gave him leave of

WILLIAM RUSSELL SMITH

absence until he could be transferred to his father's regiment, then in formation. Soon after this, Judge Smith and his wife and two children were reunited in Tuscumbia, and they seem not to have been again separated until the following February.

In January, 1862, an event took place which was destined to have a tremendous effect on the life of Judge Smith and his entire family. Both he and his wife had been brought up in the Episcopalian Religion, but he had for many years drifted from religious practice, allowing public business to absorb his time. His wife, on the contrary, was quite zealous, taking part in Sabbath School work, and in the social activities of the church. She became convinced, while giving a course in Church History, of the claims of the Catholic Church to be the true Church of Christ, and with characteristic sincerity, she determined to embrace the Faith. Not until she had undergone the usual course of instruction, however, did she inform her husband of her intention. In a letter long afterwards to one of her daughters she wrote of that day:

When I took the step in 1862, it must have been the most severe blow that ever befell your father. Perhaps you may realize what it was to him. I was utterly independent of him financially; I had only to go to Washington and take my children where my share in my father's estate would have yielded me ample means. He was at the camp of instruction at Tuscumbia—and slept in the tent with his men. I was at the hotel where he spent all the time he could spare and remained until bed-time. One night before he left I told him I was going to be received into the Catholic Church on the morrow. He only looked at me—went very white—made no reply and went out, shutting the door with enough force to make me understand how deeply he was offended.

When I returned to the hotel the next morning, after having been received into the church, making my First Communion, and

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having breakfast at the house where the Mass had been offered—I did not know what to expect—whether he would bid me take my children and go—or what—. He was in my room playing with Bessie. As I entered, he looked up in that quizzical way of his, and asked me, "Well, how did you get through?" What a wonderful battle he must have fought with himself that night! And I knew that only his great and abiding love and respect for me could (under God) have ever brought him to accept the bitter draught that my action must have been to him.

This simple narrative gives a faint glimpse of the dread possibilities consequent on this act of Wilhelmine's. She had weighed the pros and cons, and no one ever knew with what anguish of spirit. She always said that her call to the Faith had been so personal that she could never speak of it to any human being. With her, light seemed always to require action, and she was ready to give up all, if fidelity to grace required it. As for Judge Smith, the decision of that day was never revoked, but he loyally supported her in her efforts to bring up their children devout Catholics. Sophie and Willie and the three youngest children were instructed in the Faith and baptized. Little Mamie wrote from Georgetown in her baby writing: "I am so glad to be a Catholic, and I am glad that my dear Mama and my sisters and brothers are Catholics. I wish my dear Papa was a Catholic." Judge Smith spent much of his leisure in reading early Church History and the writings of the Fathers, and many other books that were thrown in his way. Soon after his wife's reception into the Church, the troops at Tuscumbia, being still unarmed, were ordered north on account of the proximity of the Federals. Forts Henry and Donelson had fallen into their hands and they had reached Florence. Judge Smith took his wife and children as far as Huntsville, and left them there with their nurses, in

WILLIAM RUSSELL SMITH

safety. The Federals parted him from his family for some months and it was rumored that they were permanently separated on account of her change of religion. Mr. Van Hoose, an intimate friend of both, asked Judge Smith at a public dinner if the rumor were true. "Well, Van, Mrs. Smith has become a Catholic, and the Yankees have come between us, but she may take her own way heavenward, and I'll hang on to her skirts!" Not long after this, a prominent minister was speaking to him about the Church. After he had exhausted all his arguments, the Judge said: "You have to acknowledge, Fitts, that the Catholics have history on their side."

By one of those coincidences that seem to show the hand of God, at the same time that Wilhelmine entered the Church, her mother in far-away Washington took the same step. In a letter dated the thirteenth of May, 1862, Agnes Easby wrote: "Ere your letter of the 18th of January reached me, I was seeking by prayers and inquiries—was that not something to be contemplated as miraculous?—I have been baptized by Father Early, Agnes Anne Maria—on the 11th inst.—I am happier than I have ever been—I have read and have been instructed."

Wilhelmine, also, on the day of her baptism, had added *Mary* to her name.

In the meantime, Judge Smith was in Richmond. On February 10, he received notice that he had been elected to represent his district in the permanent Confederate Congress. He informed his wife of his action on its reception:

I have concluded to take my seat in Congress and to give up my Regiment. This is done in pursuance of the advice of my friends here, and under the belief that I can serve our unhappy

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country more effectually here than in the field, considering the present condition of our army. The Regiment has been ordered to this place to be armed and equipped for the field.

He then advises her to go to Tuscaloosa, and with great care arranges the route for her. Before the end of the letter, he adds that he has just received her telegram from Huntsville informing him that she was down with the measles.

On March fourth, Judge Smith received the intelligence of the serious illness of his eldest daughter, Lucy, who, he learned later, had died on the second of the month. She had been an attractive, gentle girl, much loved by all, and particularly by her younger brothers and sisters.

Martial law was proclaimed in Richmond on March fourth. The distilleries were stopped, and all the liquor houses closed. His letter on this day ended characteristically:

I. M. Botts has been arrested today for disloyalty. So you see the thing is assuming *French* dimensions.

With man and nations still the rule is good—

Adversity is virtue's sweetest food;

Prosperity betrays the weaker minds

As too much luster dazzles us and blinds:

True metal sings the clearest, hardest beat

True valor shines the brightest in defeat.

S.

On March 1, Judge Smith received his commission of Colonel of the twenty-sixth Alabama Regiment. On the next day he resigned it, having already determined to remain in the Confederate Congress. The Twenty-sixth Alabama Regiment had a glorious history. It has often been noted that the flag of Alabama floated

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WILLIAM RUSSELL SMITH

on every battlefield of the war. The same thing might almost be said of the regiment that Judge Smith recruited in northern Alabama. According to Brewer's History of Alabama, it was first placed in General Rains' Brigade, and was under fire for six weeks, with little loss. Under General Joseph E. Johnston, in the battle of Williamsburg, it suffered inconsiderably. At Richmond, it was placed in the brigade of General Rhodes of Tuscaloosa. This brigade lost twenty-two per cent of its men in the battle of Seven Pines. Already reduced in numbers to six hundred men, the Twenty-sixth Regiment in the terrible battles of Gains Mill, Frazer's Farm and Malvern Hill lost three hundred men. It was in the van of the army that crossed the Potomac, fighting at Boonsboro and Sharpsburg and losing ten killed and forty-five wounded in the two battles. The Regiment was also at Fredericksburg, and, in the very front of the grand advance of Jackson at Chancellorsville, its colors were seen, led by General O'Neal. The loss in this battle was heavy. At Gettysburg, its loss was seven killed, fifty-eight wounded, and sixty-five missing. At Kell's Ford, and Mine Run in Virginia its loss was so great that the Alabama Legislature petitioned for it to be sent home to recruit its thinned ranks. Soon, it was again in the field, in Canty's Brigade at Dalton; and, in the incessant battle from Dalton to Atlanta, lost gradually but steadily. With General Hood, it was badly cut up at Nashville, leaving only a remnant to surrender with General Johnston at Greensboro, North Carolina.

Sidney Binion Smith, transferred to this regiment in 1861, was soon elected second lieutenant. During the long struggle he was several times wounded. At Gains Mill, he was not only wounded, but left on the battle



CAPTAIN SIDNEY BINION SMITH, C. S. A.

At eighteen, with the sword presented by
- the ladies of Tuscaloosa, 1863

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field exposed to the cold night air, and sent home, afterwards, to recuperate. At Cold Harbor, he was wounded in the wrist. He was one of the "beardless captains" of whom there were so many in the Southern army. On one of his visits home, on furlough, the people of Tuscaloosa presented him with a sword. He had not yet attained his full growth, and it is said that on the march, he was allowed to carry this sword over his shoulder. The men in his company said that his courage was contagious, and that he was accustomed to charge in front of his men. Mr. Fornay Moore, a Confederate veteran, who was a young man in this brigade, told the following incident. It happened during the Atlanta campaign:

A certain General, I think it was Bledloe, rode up to where Sidney Smith was standing, and said: "Who commands this battalion?"

"I do," said Captain Smith.

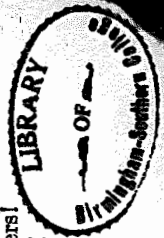
"I would be glad if you would make an opening up there", said the General, indicating a certain place; "I want to place my cannon there."

"All right, General!" said the Captain, "I'll have the place cleared in a little while."

And he soon had Sherman's Yankees on the run, although they seemed to cover the place, so great was their number.

The people of Northern Alabama loved Rhodes' Brigade. A song bearing its name was a favorite all over the South. The Smith family were especially fond of it, for Sidney seemed a part of Rhodes' Brigade. This was the refrain:

Fathers and mothers, you weep for your jewels!
Sisters, you weep for your brothers in vain!
Maidens, you weep for your sunny-eyed lovers!
Weep, for they never will come back again!



WILLIAM RUSSELL SMITH

After Sidney's death, in 1889, no one of his relatives could bear to sing *Rhodes' Brigade*.

The Confederate Congress adjourned about the beginning of May, 1862, and Judge Smith hastened to spend the recess at home, taking with him Sidney, who was on sick leave. He had hoped to find his wife and children in Tuscaloosa but was disappointed, and the following letter tells all the news, and anxieties, gives advice about her journey and provides means and an escort:

Mr. Pollock leaves to day for Huntsville, and I would go with him, but deem it best to wait till I hear from Mr. Cobb. . . . I am having a desolate time of it here. I brought Sidney home with me—had to carry him, almost, from place to place. He is terribly reduced. He is, however, much improved. For several days after reaching home, I had much fear about him. He has gone to Fayette . . . I have started the garden. Have had bushels of strawberries and plenty of milk. Beauty's calf is just five days old, and its name is Bessie Hampton, Jr. Her other calf it quite a yearling and I call him Easyby.

We have had shocking reports of the threatening approach of the Federals from the north of Alabama. When I left Richmond, I intended to go in towards Blount, but found the way completely blocked up, and was advised not to attempt it. When I reached here it had been recently reported that the Federals were scouring north Alabama as far as Blountsville and Moultrie. We have news of the capture of Huntsville by our people. . . . I wrote you that if any thing threatened Huntsville to go to Blount by stage—and that I would meet you there. I took it for granted that if you got my letter, you would make your way out of Huntsville as soon as you could, and I calculated that if you did not get the letter, the Federals would, and would lay a trap for me. So I thought best not to venture. I selected Mr. Cobb because his father lived in Madison County and that would be the surest way of communication. . . . Times are gloomy here; the people are ready to stampede at the slightest occurrence. If you were here, I would feel quite as comfortable as I should

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in any part of the Confederacy. There is news of a fight going on in Corinth, but nothing definite.

I advised Mr. P. to keep a clear look out of every traveller, so as to be sure not to miss you. I fear you will have a poor chance of conveyance. I gave Mr. Cobb fifty dollars expense money, and I enclose twenty dollars in small bills, hoping it may reach you safe.

If our separation should be prolonged, I hope that you will be inspired with such fortitude as will enable you to keep up your spirits. Do everything with caution and prudence. I have the utmost confidence in your ability to take care of yourself.

God bless you!

S.

Judge Smith was in Richmond again in September, and one of the few letters that crossed the border to Mamie was written from there:

My darling child,

This letter leaves your father in Richmond in good health. Your mother is at home. She and all the children are well. Your little baby sister is one year old. Your sister Lucy is dead. Your brother Sidney is first lieutenant in the army, and has distinguished himself for bravery. He is now in full command of a company. He was severely wounded in the battle of Gains Mill, but is well again and at his post. You will be proud of your brother who, only 17 years old, occupies so good a position.

When the war closes, we will all meet, I hope. Remember your father and Mother and sisters and brothers when you pray.—And continue to observe obedience to the sisters.

Give our love to Grandma.

God bless you

Your father

W. R. Smith.

To Mamie.

His letters to his wife continue to show the trend of the times; his growing conviction that European recognition, alone, can save the Confederacy, especially after

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WILLIAM RUSSELL SMITH

the disastrous defeats in Maryland, and the Emancipation Proclamation. Many in the South thought that Lincoln's intention in making this proclamation was to incite the slaves to a rebellion. Others saw in it an effort to make England think that the South was fighting for slavery alone. The future was, indeed, dark and forbidding, and the present, full of anxiety.

On September twenty-first, he wrote:

I am yet without further information as to the fate of our dear boy, Sid, except that the brigade in which he was, suffered terrible slaughter. The fact that I hear nothing from him greatly increases my anxiety.

On October second, he wrote again:

I yesterday received a letter from Sid, which I enclose. He requests me to write to you for him. . . . I send you also the morning *Despatch*, which is rather interesting. The signs from Europe are good—and I do not see how the cabinets of Europe can longer delay our recognition. Any further delay would be a plain declaration that they are willing to let the most barbarous war on record go on—and the world must see in them that intense national selfishness which desires the fall of other nations in order that they may flourish. Certainly Lincoln's Emancipation Proclamation, looking as it does to negro insurrection, must be received in Europe with disgust, and rouse the nations to put an end to this terrible carnage. This proclamation does not create any serious alarm here, but I confess I think it fraught with the greatest danger. In fact, my Beloved, I see nothing to cause me to change the opinion I have lately expressed to you that nothing can save us but European interference. If that is withheld, there is no contemplating the horrors of the future of this generation.

There is a sullen *deadness*, here, to the condition of the country. The men who inaugurated this war are unwilling to admit the possibility of a failure—and I really believe that the slaughter of the women and children of the entire South would not change their stubbornness.

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"During these days of enforced inaction—for the work of the Congress was not always engrossing—William R. Smith occupied himself in "burnishing" some of his shorter poems. It had long been his custom to write every year a sonnet to Wilhelmine on her birthday. Of two of these he wrote at this time:

They are unquestionably the best poetry I have ever written. I think these two little pieces ought to convince you that you are beloved—and if I should never write you another line, your chances for immortality are pretty good—for these sonnets will live long after we have passed away—and may, perhaps be referred to in after times, to illustrate the strength of a poet's love for his darling wife. Who knows but that Wilhelmine may yet be as celebrated as Laura? . . . I am particularly charmed with the quaint hyperbole with which the last sonnet closes. . . . I imagine you want this copy to attach in some way to the picture. This reminds me that we did not have Bessie's picture taken before I left. Have it done—and I shall send you a copy of her sonnet.

One of the two sonnets referred to is undoubtedly the sonnet to the picture with the harp, which has been given in the Third Chapter. The hyperbole to which he refers is contained in the lines:

All the rich music that around thee lingers,
Thou cunning thief! was stolen from her fingers.

Another letter refers to other sonnets, and contains some of his spiritual yearnings and aspirations:

My darling Wife,

Your letter of the 19 is received, containing four sonnets. The lines shall be changed to suit you. The object I had in requesting copies was to perfect them—none of them have been considered by me as finished. These four especially—have never been subjected to a second thought. You need not copy "Coming Between", now.

WILLIAM RUSSELL SMITH

This is the sweetest and most life-like letter *you* have written. I love such letters—and you the more ardently for having written them.—You may be sure of this; when I shed tears over them, as I did over this one, I grieve that I am forced to leave such a heart so desolate. But you can find consolations which to “Faith” must come unbidden, else it is not intelligibly defined by Saint Paul. Let us hope for the best. To follow you through Eternity is an Elysian dream that I do sometimes indulge.—This world and all its glories, could I enjoy them, would be nothing to me to such an immortality. To a mind, and heart so disposed, the sweet, soft hour may come—with such a guide here, I cannot be shut out of Heaven.

... When the world votes me stoic and exclusive, they little know the multitudinem unicam I find in a single heart, and that I realize more than the poet's dream, as having

“One fair spirit for my divinity.”

Kiss our dear children, and make yourself happy! God bless you!

S.

Another occupation of his leisure hours was the writing of a five-act play, depicting war-time Washington. Lincoln, and his household, Seward, Scott and others figured in it. A summary of the entire drama was written to his wife, and several letters passed between them on the subject, showing how he valued her criticism, with which, however, he did not always agree. It was written in blank verse, and was a comedy rather than a tragedy.

After a recess of Congress and a reunion in Tuscaloosa, early in 1863, Judge Smith returned to Richmond, and his wife and children, to Mobile. The city of Tuscaloosa was called the West Point of the Confederacy, for at the University, Colonel J. T. Murphy, Military Commandant, drilled and prepared the cadets for the army. There were also in Tuscaloosa and the vicinity mills and factories where various articles for

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the use of the soldiers were manufactured. The city thus became the objective of Federal raiders, and Judge Smith was unwilling to leave his family there when he, himself, was in Richmond.

Extracts from a letter he received from his wife in Mobile will be of interest. It is written in her fine, easy script on a sheet of gilt-edged note paper having in the left hand corner a bunch of pansies and the words, “Pensez a moi!”, and is dated February 5th:

My own Love,

You are so uncommonly good about writing that after your example on a former occasion, I must give my thanks quite formally.

Tonight is to be celebrated by the “Oratorio.” * * * You see this is the last sheet of the present you made me so long ago, on a well remembered May day. Only think of keeping one sheet of paper in one's portfolio for 9 years—and what a nine years!—Then, we were a proud and prosperous nation; what are we, now?—what shall we be nine years hence? Perhaps even so soon as that another Gibbon may be writing of the rise and fall of the *Great Republic of the West*, and Freedom, Liberty and Self-government may be “among the things that were.” * * *

A letter from Richmond, dated February 8th, is in the same strain, and may have been an answer to hers. He gives expression to thoughts that harass him:

If there is anything sublime in the beginning of the formation of nations, when the giant intellects of the age are struggling at the foundations of the edifice, it is more in the imagination than in fact—or it may be that the parties here fall so short of that ideal grandeur which we are apt to ascribe to the earlier patriots of a country's career, that I fail to be moved by those solemn emotions which stir me when I contemplate through the vista of ages, the historical characters of Lycurgus, Solon, Numa and Washington. This may also be owing to the fact that there is nothing *original* in this movement, not the building up of a new

WILLIAM RUSSELL SMITH

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My own Love,

You are so uncommonly good about writing that after your example on a former occasion, I must give my thanks quite formally.

Tonight is to be celebrated by the “Oratorio”. * * * You see this is the last sheet of the present you made me so long ago, on a well remembered May day. Only think of keeping one sheet of paper in one's portfolio for 9 years—and what a nine years!—Then, we were a proud and prosperous nation; what are we, now?—what shall we be nine years hence? Perhaps even so soon as that another Gibbon may be writing of the rise and fall of the *Great Republic of the West!*, and Freedom, Liberty and Self-government may be “among the things that were.” * * *

A letter from Richmond, dated February 8th, is in the same strain, and may have been an answer to hers. He gives expression to thoughts that harass him:

If there is anything sublime in the beginning of the formation of nations, when the giant intellects of the age are struggling at the foundations of the edifice, it is more in the imagination than in fact—or it may be that the parties here fall so short of that ideal grandeur which we are apt to ascribe to the earlier patriots of a country's career, that I fail to be moved by those solemn emotions which stir me when I contemplate through the vista of ages, the historical characters of Lycurgus, Solon, Numa and Washington. This may also be owing to the fact that there is nothing *original* in this movement, not the building up of a new

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government, but a mere transfer of principles and a change of rulers and boundaries. And I may speak frankly to you, that I am not able to shake off those gloomy apprehensions that cover the future of our great continent with clouds of darkness too thick to be pierced by any mortal eye. This disruption may be the beginning of anarchy—or a state of affairs worse than anarchy—when the close of one revolution may be the beginning of another, more terrible than the last—when brute war shall become the trade of men, and servility, degradation, and wretchedness the fate of women. * * *

I imagine that at this hour you are in the midst of some outburst of sacred music, with your eyes dilated to an extent commensurate with the delicacy of your ear and your capacity to appreciate the divine harmony!

God bless you!
S.

In March, he writes:

I am pleased to hear of Bessie's improvement. I see the little darling in my fancy, trotting about with her bright eyes. Kiss her for me.

Congress is literally doing nothing. I groan under the thought of a long session. * * * I am still deep in my literary engagements. I expect to have an interview with the manager of the theatre here, in a day or two, touching the play. The troupe here is rather inferior—and I am a little timid to risk a performance, lest I should wake up and find myself the author of a—play * * * Yours as ever,

S.

In spite of the war, there were often weeks of happy reunion, and many pleasant hours were spent in the company of friends. The following lines were written on one such occasion by Judge A. B. Meek, whom Judge Smith considered a poet of distinction. They may still be read in Wilhelmine's album:

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A POET'S WIFE

In those young days of subtle thought,
Of feelings fine and tastes exquisite;
When life was with weird fancies fraught,
And visions, in Elysium wrought,
By day and night man's soul did visit;
When every virtue, every grace,
Received on earth an incarnation;
Thou hadst been class'd with thy fair face,
Amid the Muses' Orphic race,
Some poet's pride and inspiration.

By Grecian stream, in dimpled dell,
With morning's roses round him beaming,
Thy lucent brow, thine eyes' dark spell,
Thy laughing voice had woke his shell
And fill'd with bliss his spirit's dreaming.
On sunset hill, in moonlit grove,
Or in the Delphic vale of slumber,
Amid the peerless shapes that rove
Its bowers, he'd seen thine image move,
The loveliest of the classic number.

Those times, alas, of dreams and song
Have from our sterile earth departed;
But still to thee the spells belong
Which fired of yore the minstrel throng,
And captive led the loyal hearted:
Yes, thine's a nobler sphere in life
Than any Nymph or Naiad's station;
'Tis thine to soothe a poet's strife,
Far better than his muse—his wife—
His worship and his inspiration!

O! mayst thou ever love thy lot,
And prize it as the best and dearest!
Far better share the minstrel's cot,
And in his fame be unforgot,
Than dwell in oracles the rarest!

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May both your destinies combine
To bring forth songs of sweetest measure;
For well exclaimed the Stagerine:
"Fair girls and boys are hymns divine,"
And sources of immortal pleasure!

A. B. MEEK.

For Mrs. Wm. R. Smith.

Tuskaloosa, December 1, 1863.

For the last two years, anxiety on account of their little daughter at Georgetown weighed constantly on the hearts of both her parents. This grew so intense on the part of the mother, that she resolved at any cost, to go to Washington. One of the few letters that reached Wilhelmine was the following from her mother:

My Child,

Washington, Sept. 30, '62.

The time has been so long and so full of painful anxieties since I heard from you that my age seems doubled. The lieutenant who will pass this is named Miller . . . if this reaches you, you will have to pray for "Lieutenant Miller".

Sister Bernard is very anxious to hear from you; she has written at every *chance*, hoping that something would reach you. Mamie is in good health; she is tall for her age and shows great talent. The pencils I used to give her have induced Sister Bernard to place her in a regular class. Sister Clementine sent her drawing book that I should "look at" it. The eye and the touch are there. That, at least, is maternal transmission. She is not industrious at her music, but that harmony will be inseparable from the other. Have no care about her wants. Sr. Bernard is truly a guardian. Your presence is always kept before her . . . Father Early, the President of the College, is her great friend; but, truly, the Blessed Virgin has her in care. All her expenses are paid; she has abundance of clothes; her studies are regulated with a view to health, and her promotion on the First speaks for her progress. Her delight at that was greater than at her prize at the distribution.

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My health is good at my age; the time of our separation is very hard, but it might be worse . . . my friends here are as kind as when you were here. I have left society. My German is a source of pleasure to me in my solitude. My spiritual welfare is *comfortable*, though I should like to see you again. Present me as ever to yours. Bless you, my dear Willie,

Yours as ever,

AGNES M. EASBY.

During the War, only twenty-four pupils lived in the Convent at Georgetown. Mother Hardy of the Sacred Heart Convent at Manhattanville, offered the Visitandines a refuge at this time, but they preferred to remain in their own Convent. In both North and South, there were many alumnae of Georgetown, and the Convent was protected by powerful friends in Washington.

A letter from Agnes Easby to William R. Smith, dated November fifteenth, 1862, shows the difficulty which the passage of letters at this time involved:

My dear Sir,

Through the kindness of Captain B. L. Higgins, Commandant of this Station, I hope this will reach you. Yours of the 9th inst came through the Provost Dept. all right. This leaves us in health. Your child is improving in everything, shows uncommon talent, particularly in drawing; she was very small, but within the past year has attained the usual height for her age, and promises to be a blessing to you.

I can write on no other subject than our health; regretting the causes that separate us; hoping for the time when we shall be reunited.

I am boarding at 16 East Capitol Street, quite comfortably situated; save—the memory of my own "home", but I am cheerful, and should be grateful.

Yours truly,

AGNES M. EASBY.

William R. Smith,
Tuskaloosa.

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In the meantime, efforts were made to obtain a pass to Washington. The following letter increased the anxiety of her parents regarding little Mamie. The circumspection with which it is written reveals the fear of censorship:

Washington, January 21', 1864.

My dear Lady,

We have been looking for you daily, since receiving some knowledge of you from P. Maloney. We rejoiced to hear that you are still living, and of your desire to be with us; we have often written you; "no answer" is daily repeated. . . . As for poor little Mamie, she is in health . . . Sr. M. B. Graham tells me she is a child of uncommon capability. I plead your presence for the child. I can say no more. Surely they will let you come if they can feel—*at* what has a retired, humble woman to do with wars and politics within a convent school?

Our Lord help you!

Yours as ever,
AGNES M. EASBY.

Miss W. M. Easby,
Academy of the Visitation B.V.M.
Mobile.

This letter must have confirmed the recipient in her determination to run the blockade, for on February tenth, we find her leaving Richmond with a small party, and after many adventures, reaching a friend's house in South Washington.

She often told the story of this adventure, and no written account could hope to be as thrilling and interesting as her narrative. The party consisted of a confidential agent of the Confederate government, "the Doctor" a regular blockade runner, who was to pilot them, several persons to whom she referred as "the family", her two-year-old daughter with Mammy, the nurse, and Wilhelmine. The conditions imposed by

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the Doctor were absolute secrecy regarding the "underground passage", and the payment of three hundred dollars when they should reach Washington.

They left Richmond on the morning of Ash Wednesday, February 10, 1864. Arrived at Fredericksburg, they were delayed twenty-four hours. Colonel Streight had escaped from the Libbey Prison the night before, and all strangers were looked on with suspicion. The Doctor was arrested, but speedily released. The next day, having obtained from General Wade Hampton permission to leave Fredericksburg, they set out for Dumphries where they were again delayed twenty-four hours. At last, on Saturday night they embarked in an open row boat on the Potomac. All seemed safe, when suddenly, from the shore came the command to halt. Four men stepped out from the bushes. In her terror, Wilhelmine implored the help of the Blessed Virgin whom she always looked upon as her protectress. She had scarcely made this prayer when one of the men who seemed to be the leader, and who had told the other men to ground the boat, looked at her, and asked her name. She never knew why she said, "I am Wilhelmine Easby", but immediately the man asked her, "Are you Captain Easby's daughter?", and when she answered in the affirmative, he said, "You and your friends may pass. No harm shall ever come to Captain Easby's daughter while I am alive to prevent it." She did not know his name, but no doubt she often prayed for him. Her family, after this, always said at night prayers the Litany of Loreto which in her generosity and gratitude, Wilhelmine had promised to say daily for the rest of her life. The presence of the Confederate agent made the danger in case of a search very great. An amusing incident occurred when the boat was

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halted. Wilhelmine, when they left Dumphries, gave her pocketbook, containing most of the money she had with her, to old Mammy, thinking that if brigands should seek to rob them, no one would expect an old negress to have anything of value on her person. No sooner, however, did the men appear than Mammy handed over the pocket book to her mistress, crying: "Heah, Miss Willie, you bettah take yo' things!"

The party spent two nights on the Potomac, rowing with muffled oars, and stopping the crying of the babe with spiced syrup. Once they were fired on from the fort, but the gunner proved to be a bad shot, and they passed unhurt. The dead secret of the underground passage was kept, and at three o'clock Monday morning they found their way to a friend's house in South Washington, and from there in a hack to Mrs. Easby's home. The arrival in Washington was, however, only a partial success, for no sooner had Secretary Stanton heard of her presence in the city, than he had her apprehended, and sent back to Mobile under military escort. In vain did she petition to see the President, who, she well knew, would have allowed her to remain. To Stanton's mind, the wife of a member of the Confederate Congress had absolutely no rights, and her presence was a menace.

Fortunately, she had been able to see Mamie, and that had somewhat eased her heart of its anxiety. In a letter written a few days later, the child tells of her disappointment at her mother's non-appearance the next day.

Darling Mama,

I have now sat down to write to you. Dear Mama, you can only imagine with what impatience I waited for your return on Tuesday, and how unhappy I felt when you did not come.

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We have no record of the feelings of the husband and father during the days of anxiety while this hazardous journey was in progress. He had absolute confidence in her courage, strength of will and resourcefulness, but he knew the dangers and his mind must have been the prey of consuming uneasiness. When she reached Mobile, her determination to return to Washington was unshaken, but she did not succeed until the end of the year. She left Mobile for Tuscaloosa under a pass issued by the Provost Marshal, dated March 4, 1864. Here Judge Smith soon joined her, during a recess of the legislature. In May, he returned to Richmond. For the first time during the war, he had difficulty in reaching the Confederate Capital. In a letter from Danville, Virginia, dated May fourteenth, he tells of his travels:

I have had a most perplexing journey. When we reached Welton, we were met with the news that the enemy were in possession of the road between Pittsburg and Richmond, and that the armies were fighting. I, with several others, took the road by Raleigh and Queensboro to Danville, thus traveling about three hundred miles out of our way. When we reached this road we found that even the road between here and Richmond was cut, and we are now at a dead halt, but expect to go off this afternoon towards Richmond. I will leave my trunk here. It has about three hundred dollars worth of goods in it. . . . There is evidently very much confusion in Richmond, but I do not look for a speedy downfall of the city. The enemy will be unwilling to risk the fate of their army in any mighty fight—hence their method of cutting the roads to prevent reinforcements and supplies from the South reaching the main army.

I have heard nothing of the condition of our affairs in Georgia, since I passed through. But there is a road to Augusta without going through Georgia.

Seven days later, he wrote from Richmond:

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I reached this place last night, after many anxious delays and vexations. I find the city and inhabitants more quiet than could be expected, considering the many real causes of alarm. The Congress has held on so far with commendable fortitude, although the big guns have been heard on both sides of the capitol for many days almost continuously. . . . I spent nearly one thousand dollars in getting here, and am now paying twenty dollars a day at Mrs. Southals, a very good place. I never felt so gloomy, personally, during the war. . . .

On May twenty-fourth, another letter was sent to the anxious wife, at home:

We are in continuous excitement here, on account of the close proximity of Lee's and Grant's armies—and it is reported that the great fight will come off this week. There is a good deal of confidence felt here, but you will probably know all before this letter reaches you. We are also in considerable suspense and anxiety on account of Johnston's army in Georgia;—and I am in particular suspense because I do not like the idea of the army getting in between you and me. That, however, could hardly happen, even if Johnston should be defeated, as the enemy will probably not be able to get hold of Augusta and Columbia Road before I could get there—for if Johnston should leave Atlanta I shall not hesitate to come home.

Your letter of the 19th is the only one I have had from you since I left. I am glad that you express the fact that you are more cheerful and happy than you have been since your return from Washington. This is surprising to me, for I thought you would be eaten up with blues during the summer.

Do you see any thing peculiar in this letter? I write it through *spectacles*! You can imagine how *grave* and sedate I feel, sitting in the Hall of the H.R. "with spectacles on nose", inditing this epistle to you! . . .

Soon after this letter was written, the Congress adjourned, and Judge Smith, as usual, hastened to Tuscaloosa. In the meantime, Agnes Easby had not been idle. She had procured a pass from President Lincoln,

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and wrote to her daughter, as to a stranger, telling her the good news:

Mrs. W. M. Easby Smith

My dear Lady,

The President very kindly on the 29th rescinded every decision; "had your case been presented in its own simple bearing at first, your request would in justice have been acceded". Mr. P. Maloney has the necessary paper and will inform you. The President thought "Mr. Maloney could render you more service than anyone else, having heard your testimony."

Yours with great regard,
AGNES M. EASBY.

Washington, May 1st., 1864.

This pass was preserved as a great relic. It ran as follows:

Allow Mrs. Wm. R. Smith, late Miss Easby, pass our lines and go to New Orleans.

A. LINCOLN.

April 29, 1864.

New Orleans had been in the hands of the Federals since April, 1862, which accounts for the choice of New Orleans and explains why this trip was made by water.

Mr. Maloney wrote from New Orleans, June 11, 1864:

Mrs. W. M. Easby Smith,
Care of Rev. T. J. Murphy,
Tuskaloosa, Ala.

Madam,

Your mother being ill, desires to see you as speedily as possible. She has obtained permission for you to go by way of New Orleans. * * *

When you reach the city, please take the cars at Tivoli Circle, and ride to Carrollton. Cars leave hourly—distance six miles—fare ten cents.

Very respectfully,
P. MALONEY.

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The difficulty now was to obtain a pass from the Confederate Government. Delay in procuring this, proved too much for the long tried mother, and she left Tuscaloosa without one. Judge Smith, the same day, received the following communication:

Office Provost Marshall,
Tuscaloosa, Ala.,
August 11, 1864.

Judge,

The fact of Mrs. Smith's leaving town today has been reported to the Inspector General who is now here. He says he will report me if I do not take such steps as will bring her back. I don't wish to send a guard after her. Will you notify her to return? I will see you tomorrow.

I am, Judge,
Very respectfully,
Your obt. ser.,
TOM BALL.

Lt. and Provost Marshall.

Judge Smith appealed in vain to the nearest Chief of Staff. No passes were being issued, at that time. At last, in October, one was obtained from the War Department at Richmond. This pass permitted her to take her children with her if she desired. She went at once to New Orleans, and thence, by water to Washington. This time, she had leisure to transact the business that had required her presence, and returned to New Orleans where she remained till the fall of Richmond, and the close of the War.

At Richmond, the weeks dragged on, wearily enough. In spite of the courageous spirit of the Virginians, a look of desolation was apparent. During the last winter of the siege, people gradually lost hope. The deprivations at Christmas, that year, were unimagin-

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able. Turkeys cost from fifty to one hundred dollars; the ladies wore paper dresses at the dances, in the vain effort to keep up an appearance of gaily. At that time, carpets were being torn up and used for bed coverings for the soldiers; men gave watches, and women, their jewels, to help clothe the soldiers. The rehearsal of the sufferings of the people is heart-rending. As time went by, only Davis, in his blind optimism could see anything ahead but blank ruin. For some time before this, Judge Smith, as John M. Martin wrote of him, "in the Confederate Congress, with a small, but enlightened minority, foreseeing the inevitable termination of the unequal struggle, pressed for the earliest honorable accommodations with the United States." Their efforts were in vain. William R. Smith, when running for governor in 1865, spoke of this time, and of the impossibility of obtaining even a hearing on the subject:

When my judgment became convinced that the Southern cause was hopeless, I considered it my duty to feel for terms of accommodation. The party in power held the doctrine "Independence or extermination". It would listen to nothing else with patience. . . . Extermination was the rule of the savage nations before the Christian Era . . . to destroy themselves rather than fall into the hands of the enemy. . . . But in modern days, these false and ferocious ideas have given place to Christian moderation, and it is not considered disgraceful in our days, to end wars by negotiations. Christianity made the "pen mightier than the sword." . . . No one can deny that there were times during the War when the North would have made us such terms as would have been honorable to us as citizens and beneficial to us as holders of property . . . Secession was the first fatal error . . . and our final subjugation was brought about by the stubbornness and personal pride—pride of opinion—of all leaders. . . . The party in power consented to send commissioners of peace only in the last gasp of our cause, when it was too late, for the commissioners reached the point of conference *one day after*

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the United States had adopted the Amendment to the Constitution abolishing slavery.

Judge Smith knew whereof he spoke, for he was a member of the Committee on Foreign Relations, and that committee had much to suffer from what he called "an inebriate press whose editors, secure from all but paper bullets, urge on a devoted army to destruction under the influence of a too flattering prosperity."

There had been many occasions in which Judge Smith found himself in the minority, but he never failed to speak his mind. He opposed, for instance, conscription, saying that the battles for freedom were always fought by willing hands, and that the cause of the Confederacy was indeed drooping when enforced enlistment had to be adopted. He opposed "Taxes in kind" as unfair to the farmers.

The story of the fall of Richmond has often been told, and there is no occasion to dwell upon it here. The events of the fourth day of April, 1865, in Tuscaloosa, however, are not so well known, and a brief mention of them is necessary if one would understand why the people of northern Alabama suffered so intensely during the years immediately following the War.

A certain General who had marched south towards Alabama with the avowed intention of destroying the ordnance works at Selma and the University of Alabama, at Tuscaloosa, sent a large force to the latter place, under a brigadier general with special orders. The city itself was ungarrisoned, but this force met the videttes of General W. H. Jackson's army just north of the city, and a fight occurred. It did not prevent the federal approach to the city. In the evening, after dark, a small force was sent into Tuscaloosa, and the

cadets, under Colonel Murphy, exchanged shots with them in a spirited engagement. Dr. Garland, President of the University, learning of the large force outside the city, ordered the cadets to retreat to the University, and led them himself as far as Marion, where they were dispersed, each one to reach home as best he could. The next morning, Mayor Berry and Father McDonough, the Catholic Pastor of the Church of Saint John Baptist, placed a white flag on the river bank, as a sign that the unprotected city had surrendered. A number of factories in the city and suburbs were burned, thus throwing many persons out of employment. Even the warehouse wherein was stored the corn for the needy families of Confederate soldiers was destroyed. This corn was the "tax in kind" which was contributed by the farmers for the purpose just mentioned. All the University buildings—the Rotunda wherein was the library, Washington College, Jefferson College, Franklin College, and Madison College—all except the Observatory were burned. Doctor Delorf, professor of modern languages, and librarian, entreated the officer in charge, whom he found to be a gentleman of refinement and culture, to spare the library which was one of the finest in the country. The value of the library had been greatly augmented by the special libraries accumulated by the two literary societies of the University. The first of these, the Erosophic, was founded in their college days by A. B. Meek, Burwell Boykin, William R. Smith, G. D. Shortridge, J. D. Bracy and others. The Philomathic was founded a few weeks later, and Judge Smith said of it that it was a good rival of the Erosophic. The officer to whom Professor Delorf appealed sent a carrier to his chief with a petition to spare the library, but the

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answer was that orders were specific and peremptory, and he must obey them. So it happened that the helpless people looked on while this vandalism was being perpetrated, not knowing how unwilling was the hand that lit the torch. The foresight of Judge Maguire and his clerk, Washington Jennings, saved the papers that would otherwise have been burned with the Court House, by removing them when they heard of the approach of the federals. Some were hidden in the garden of Thomas Clinton's home, as he tells us in his interesting article on the coming of the Federals to Tuscaloosa. Some one else saved a few of the documents belonging to the University by hiding them in the basement of the Observatory where they remained until 1838, when they were discovered and removed by Doctor Wynan and Willis G. Clarke, one of the Trustees. These are the only papers belonging to the University that were saved, and are consequently most useful in reconstructing the history of the institution. It was, indeed, to "a ruined and devastated country" that Judge Smith returned in the spring of 1865. His own home had not been touched, although the house of Robert Jemison had been burned. That gentleman himself was sought for diligently, but a faithful slave had driven him fifteen miles south of the city, and so saved him. The President's mansion at the University was set on fire, but the flames were extinguished, and it remains to this day, practically unchanged.

VI

RECONSTRUCTION PERIOD

Let labor hand in hand with genius go;
One chips the diamond for the diamond's glow;
This holds the light, that other clears the way
And gives emittance to the heavenly ray.

The Chief,

W. R. Smith

THE history of Reconstruction after the war between the States is a dark—the very darkest—chapter in our history. It need never have been written. All men know, today, that the ignorant, revengeful, malicious majority in the Congress of 1865 did not represent the sentiment of the whole Northern people.

After a lapse of sixty years, three books, *The Tragic Era*, *The Age of Hate*, and *Johnson, the Man of Courage*,—all well documented—have vindicated Andrew Johnson.

If the humane and enlightened policy of President Johnson had prevailed, the history, not only of individual families, but of the whole South, and of the nation would have been very different from what it actually was. Text books that for a generation were forced upon the children in the American schools, had they been grounded on reports from original sources, instead of on the blind prejudice of individuals, would have produced an enlightened public opinion many years ago.

Time has revealed the character of that famous (or rather infamous) majority which followed with alacrity

the lead of Thaddeus Stephens, and Charles Sumner, the latter of whom contended that the South had then no more rights than territories under the exclusive jurisdiction of the United States Congress, while the former, with the concentrated hatred he always entertained for anything that savored of aristocracy, declared that the Southern leaders should be reduced to the "level of plain Republicans, sent forth to labor, and their children taught to enter the workshops and handle the plow, that thus the proud traitor might be humbled." The Radicals hesitated at no step that would prevent the Southern delegates from having a voice in Congress. The courage, amounting to heroism, of Andrew Johnson, alone, stood in their way.

In an *Extra* of the *Selma Weekly Reporter* for October 19, 1865, may be found the synopsis of a speech made by Judge Smith which proves the truth of what General Grant in his report to President Johnson affirmed with regard to conditions in the South. Many Southern statesmen thought and spoke as did Judge Smith. He was canvassing the State in his race for governorship. After commenting on the magnanimous conduct of President Johnson, he said:

I am perfectly satisfied that it is the intention of the Government to grant amnesty to all who ask it. . . All honor to Andrew Johnson! It seems to me that if any man is still halting in opinion and feeling, as to whether or not he should give his allegiance to the Government of the United States, the contemplation of the magnificent picture of governmental clemency should decide him at once. For my part, I am proud that I live in an age when, after the slaughter of a million of citizens, the conqueror, in the enlightened economy of executive administration, allows Christian moderation so visibly to predominate over the more ferocious instincts of barbarism.

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One cannot help wondering how Sumner, Stevens, and their friends and admirers would have enjoyed reading these lines, and this Quixotic description of what they were not!

The words that follow express the most exalted patriotism, and many southern leaders were animated by the same lofty ideals:

Let us, my friends, in our private associations—in our dealings, man with man, neighbor with neighbor,—so shape our course in imitation of this great example, that History, when afterwards she records the events of this great and momentous war, shall pause with admiration when she contemplates a great people—overpowered by numbers—again springing into existence, and forgetful of past political dissensions, working shoulder to shoulder for the restoration of their liberties and the recuperation of their fortunes. There is no cause for humiliation. As a people we are not disgraced. The valor of our men has been conspicuous. This is no dark age when a tyrant can create an oblivion of great deeds, and rear columns and pillars of renown for his own glory and at the expense of his competitor. The battles of this war are already printed in all the languages of Christendom and the world will give us the full merit of our achievements. It is known that on no battle field where we met with equal numbers have our soldiers ever been defeated. We began the war without arms, with all the world closed against us—and the world has been amazed at our resources. The day is not far distant when, upon the restoration of our full liberties, the historian of this war, instructed by our well kept records, will assign to every Southern hero the just meed of praise—and when all over the land, as it springs out of its present gloom, cenotaphs and monuments for our glorious dead will arise in every village to proclaim to future ages the mute affection of an admiring and overpowered, but not conquered people.

Many will say this was a poet's dream. In a way, no doubt it was, although much of that dream has come true. All honor to the man who could think his countrymen capable of the course he so eloquently out-

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lined! What a pity there are not more poets among us!

In this same speech, is found a most humane and enlightened policy regarding the freedmen. Who can say how different the race question would be today, if such a policy had been allowed to work itself out in reality?

Four millions of human beings have been suddenly liberated. This is an event unheard of in the world's history. The condition of this race demands our practical consideration. What shall we do with them? Where are they to go? What to do? To colonize them in Africa is impracticable. One hundred ships would not be sufficient. . . . We must look at the gloomy side of this picture, if we would be wise. The negro must either remain with us, or find a home in some of our territories in the United States, or in the Southern continent. This western or southern immigration is probably the destiny of the race. But we must look the thing in the face, for during our day, they must remain in large numbers among us; we must shape our economy so as to meet this fact. If they are to remain with us, what is our duty? Of course, to ameliorate their condition as much as possible. You say they will not work; they are idle, lazy and thievish. This is true, but let us reflect that the negro is now in the first ebullience of liberty. He is in a paroxysm; a new joy is infused into his soul; in this state you cannot judge him fairly. Suppose in your own case—you had been a slave yesterday, a freedman today.—Would you not feel like going on a spree? These creatures have human instincts and frailties, and the word LIBERTY has a charm in its sound and in the combination of its letters, even to the most ignorant. I predict that after one winter's sufferings, freezing and starving, which their present idleness is likely to bring on, as the spring opens they will be willing to go to work for wages. There will be laws needed; the common laws of contracts will have to be hedged round with some judicious statutes; the negro will have to learn—be forced perhaps—to carry out his full contract. Such laws a judicious Legislature will enact. And I do believe that with prudent and humane management, the planter who has been heretofore ac-

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customed to work his own slaves at his own expense, will, under the free labor system, make as much money as he ever did with slaves under the old system.

In the gubernatorial race of 1865, Judge Smith's biographers say that he "polled a flattering vote." But he was not elected. In the same year, his cousin, Wade Hampton, was defeated in South Carolina in his campaign for the office of governor. On account of negro suffrage, and the influence the Radicals shamelessly used over them, it was impossible for an office in the gift of the voters to be won by any but a Republican. General Wade Hampton, a few years Judge Smith's Junior, was also an anti-secessionist who remained loyal to the South during the struggle, becoming a prominent military leader. Subsequently, he became governor of South Carolina.

Defeated in the election for governor, Judge Smith ran for United States Representative in his own district, where he was assured of success, but withdrew from the race when he understood that Alabama delegates would not be allowed to take their seats in Washington. He then devoted himself to his practice and to writing, in the endeavor to retrieve his exhausted fortunes and support his growing family. This was a hard struggle. There was little money left in that part of the State. Easby once said, speaking of these days: "Papa always had occupation, for he was considered the foremost lawyer in that part of the State, but it was this way. A client would give him a horse for his fee; another would give him corn; and the horse would eat the corn." Perhaps this facetious remark, rather than any other words, shows the conditions of those days.

All Judge Smith's children were at the home in Tuscaloosa, at this time, except Mamie, who was still at

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the Convent at Georgetown. In every letter she begged to come home, never having become reconciled to the separation. Agnes Easby took upon herself the entire support of the little one. Of this Judge Smith reminded his little daughter in one of his few letters, bidding her be grateful. Mamie's letters, now mostly in French, show her to have been a precocious and affectionate child. Her mother's letters to her reveal the depth of that parent's concern for the character training and development of her "firstborn and dearest child," as she calls her. These letters reveal, unconsciously, the depths of the spiritual nature of Wilhelmine. In one, dated, "Feast of St. Rose of Lima, 1868", is found this passage:

A great number of our congregation were today at the Episcopal Church (by the permission of our pastor). The Episcopal minister, Mr. Miles, preached a farewell sermon both to his congregation and to *Protestantism*. He leaves here for Mobile on Tuesday, where after a retreat at the Jesuits' college, he will be received into the Holy Catholic Roman Apostolic Church. It was almost too much of a triumph personally, to those of us who were converts from *that very congregation*, to hear our faith defended from *that pulpit*. I think that there are perhaps a number of his late parishioners who will follow him.

The next letter reads like a spiritual dissertation, and is surely above the mind of a child of thirteen, but some of the truths it contains doubtless sank in by repeated readings, for all the letters from her parents were treasured to the hour of her death by this favored child. The first part of the following extract shows the hunger of the mother's heart for the confidence of her little girl.

Ever be open with me, my child; let me if possible read your inmost thought—do not be afraid even if I see the disease and apply the knife sometimes; still remember that not in the world

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lives there one who can sympathize with you as I do. . . . The feelings of my childhood are as distinctly and definitely mine now, as though years had not multiplied above my head since I myself was a child. Hence I can sympathize with little distresses at which another might laugh.

Now, my darling child, there is something in your last letter that makes me think you are not serving God in the right positions. Search your heart and see in what spirit you are serving your Creator. How many times do the words, "Thy Will be done" pass your lips like unmeaning sounds? . . . You are not yet called upon to look forward to "know what is to become of you". All you have *now* to do is to pray for grace to enable you to do your duty in the state of life in which God's Providence has placed you, and it would be well for you to begin and pray regularly that you may be enabled *when the time comes* to choose that state of life which God wills you to embrace. God never created a being yet without some special vocation. As you grow old and advance in piety, you will find that happiness is found only in holiness. . . . Again I find in your letter too much of self-trust. For instance, you tell me regarding reading papers, etc., "I could soon tell if there were anything wrong there." My poor baby! It is just in your inability "to tell" that the danger lies! Poison might be contained in a sugar-coated pill, which a child might think absolutely harmless. Just so is the poison of the light literature of the day sugar-coated, and if I can sometimes only judge of the perniciousness of such writings by their effects, how can you, simple child, "tell if there is anything wrong?"

There is another passage in a letter of the same period that illustrates the same trait in the mother, and shows, also something of the unusual mentality of the child to whom such a letter could have been written:

You must remember that to Christians belong crosses. If you renounce crosses, you renounce Christ, your most dear Saviour. My favorite author thinks that a day which brings not a single cross to the Christian, is to be calendered as a most unfortunate day. Our Lord was silent under His cross. Our complaints (O how often do I find it so!) only make our crosses the harder to

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bear. Complaint, and the obtaining of human sympathy, seem to detract from our strength and often is the cause of our falls.

... Do not think I have lectured you too long! And do not be afraid to write fully to me. If I see into your heart, so much the better for you.

Very different were the letters sent by her father to the little absent daughter. Few men of genius have possessed his power to come down to the child mind.

Scattered through several years from 1864 to 1868 are paragraphs of great interest to anyone devoted to children:

You sent me some lines of poetry in your last letter, and I intend to send you something original I have written for you, before long; but I must wait till the spirit moves me. You must know that the poets, to write well, should be inspired.

The verses to which he here refers were four lines the child had put at the end of the letter to her mother when she wrote of her disappointment when the latter did not return on the occasion of the blockade-running. Only the ambitious attempt of a child of nine:

TO PAPA ABOUT MAMA

I love to hear her speak to me
Her words are soft and true
She tells me that she loves me
And my little sister, too.

The father's letter continues:

Speaking of poetry, the Sisters no doubt will teach you that Mythology is all fiction; that it owes its existence to poetry and fancy—its gods and goddesses being the creatures of the imagination—as you might well conclude from the ridiculous idea of Minerva springing full grown and armed from Jupiter's head. But it is still very important to study and understand the subject, as it is a part of polite learning, without a knowledge of

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which you could not enjoy or appreciate the greatest and best poets. This you will find out when you come to read Homer and Virgil. Now, I want you to know that *Diana* is my favorite goddess—so you must study her history and see if you can find out why I like her best, though I confess that it was very naughty of her to have Actæon torn to pieces by the dogs.

You want to know all about everybody. That is not easy to tell. Ethel, who was a baby when you saw her, is now quite a stylish young lady. Easby thinks seriously of going into business, and has a mind to choose horseracing as his occupation. Willie lacks but a few inches of being as tall as his father, and talks as coarse as a *trombone*; Bessie is an inmate of the Ursuline Convent, teaching the Sisters how to hold their tongues—and Paula Louise requires a bath tub, thin but long! What do you think of that? Sidney wears a mustache and Sophie looks as grave as a Mother Superior! So you see they are getting on—swimmingly. You see, I have said something about all the children except my darling Mamie—I can only speak of her through the imagination, which paints her as a very charming and lovely girl—almost a woman not quite able to walk upright under her father's arm.

Now, my dear child, I have some hopes of being with you before a great while—at least as early as next summer, if things go on smoothly. As to whether you are to come home or not, that is entirely with your Mother—and it is not certain but that we may all live together somewhere in the North before many years. This country is not as pleasant as it used to be, and we may find it to our advantage to leave it in search of a better place.

I cannot close my letter without telling you how much real gratification I feel at your improvement in your studies and your writing. If you continue to improve, you will realize our fondest expectations, and come out of school an elegant and accomplished lady—and if you do not, my darling, it will be your own fault, for your opportunities are of the best. And you must not forget that for these opportunities you are indebted greatly to your Grandmother—for whom you should always pray, and to whom, when you read this letter, you must give your father's love.

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The reference, in the foregoing to Bessie, will be better understood, when it is known that she was always deaf, and did not speak until she was about six years old. At the time of this letter, she was just beginning to talk. She is perhaps the most gifted of the family, having great talent as a portrait painter, and excelling in almost every kind of painting. Ethel and Paula whose names appear here for the first time, were born in 1865 and 1867 respectively. In a birthday letter to Mamie her father wrote:

The recollection of your birth brings to mind many delightful reminiscences touching the parental emotions of that occasion, and the new joy that your presence diffused into our hearts. I send you a small present to serve in making cheerful yourself and your little circle of friends who may be with you on your natal day. You seem to rely on me to tell you all about our family—and this renders it my duty to disclose to you a fact which I suppose your Mother has suppressed—that is—the presence in our family of another *little stranger* now about ten days old! This little fellow had the good luck to be sent into the world better prepared to meet and endure the chills and storms of life than most infants—for it had on, at its arrival, a full suit of clothes of the *finest white wool* made to fit close and admirably! at the same time, it appeared well shod! with shoes that fit to a T! It was first seen standing in our yard under a tree—near its Mother "Mary" and made a noise with its little mouth articulating a word which was partly "Ma" and partly "Ba" greatly to the delight of Bessie and Ethel, both of whom were in ecstasies over it. . . . The little rascal is sprouting horns and begins to indicate a bad and unruly disposition by "butting" his Ma furiously.

Your sisters and brothers are quite well. Willie and Easby are going to school, and Sidney is a doctor beginning to practise, Paula walks and makes some interesting efforts to talk. Bessie speaks a new word every day, and will soon talk well, I hope. Sophie's birthday is tomorrow, and we expect to have some pleasure over it.

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My darling child, you express great anxiety to be with us or near us. I think I shall certainly be with you sometime during the summer—and I hope that we will not be separated far apart so very long. Our affairs are beginning to look brighter—and we hope that there is some happiness and pleasure in store for us yet. . . . Give my love to Grandma and tell her that Easby is preparing a tremendous letter for her.

In the December of 1868, he wrote:

Your Mother leaves this morning, and will be with you before long. . . . I feel some consolation in the thought that you will be very happy to see your Mother after so long an absence, and she will be happy in being with you—for she has been pining to see you for a long time.

At the end of this visit, Mamie returned home with her mother, and continued her studies at the Ursuline Convent in Tuscaloosa.

According to Judge Smith's custom, his leisure hours were spent in reading and writing. He published, in 1869, a metrical translation of the Fifth Book of Iliad. His old professor, Doctor Henry Tutwiler, at that time President of Greene Springs College, wrote a flattering review for the *Mobile Register*. This is an interesting specimen of Mr. Tutwiler's style, and is here given entire, with the quotations from the Iliad which accompanied the article.

Poetical Translation of Homer's Iliad:

It is not often in this country that we find men who have been trained to the bar and have spent much time in the turmoil of political life, devoting themselves to the pursuits of literature, especially that of Greece and Rome. In England, on the contrary, it is different; a devotion of her statesmen to their early college studies is the rule; while here it is the exception. Lord Derby is said to have prided himself more on the success of his translation of Homer's Iliad, than on his overthrow of the Whig ministry and his accession to power, and the present premier,

Gladstone, turns with delight from the cares and anxieties of great national questions to his own essays on the *Homeric question*. To these we might add the names of D'Israeli, Sir Edward Bulwer, Lord Stanley, and many others. In Germany, too, the stern old Bismarck, while making a united Germany, and placing Prussia among the leading powers of Europe, finds time to superintend the publication of his translation of Virgil's *Aeneid*. Even the crowned heads of Europe have come down into the literary arena, and while Louis Napoleon on whose life almost the fate of Europe depends, is laboring at his "Life of Julius Caesar", Queen Victoria is sending forth from the press charming sketches of domestic life.

We are glad to welcome any effort to throw off the reproach under which we of the South especially, have labored, of a neglect of classical literature. The author of this translation is a native of the South, and has long been known for his devotion to the Muses. We well remember how, when a lad at the University of Alabama, nearly forty years ago, he was in the habit of handing in, as exercises, poetical translations of the Latin poets, and we could, even now, lay our hands upon some of these juvenile productions. This work has been with him a labor of love. In a note at the end of the 5th book, he says: "If the reader has enjoyed the reading half as much as the author has the writing of this version of the 5th book of the *Iliad*, then he is still my debtor. I have yet another advantage; his enjoyment has been momentary, mine has been long continued, making many a night glorious." In a private letter he tells us that he has been laboring on it, at times, for twenty years.

He has published only the fifth book, which he has entitled *Diomedes*, because he is the chief hero of that particular book. His object is, no doubt, to feel the public pulse with this book, and if it proves a success, he will publish the whole.

The versification is the same as that of Pope, *Pentameter Iambic*, or *heroic couplet*. The translation is certainly more exact, though perhaps not so much so as that of Derby, who was not hampered by the fetters of rhyme. Pope made no great pretensions to Greek scholarship, and is said to have made his version chiefly from translations. When he pressed the Greek scholar, Dr. Bentley, for his opinion of the work, he replied in his blunt way: "It is a very pretty poem, Mr. Pope, but you

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must not call it Homer." But whatever may be said of it, we feel that it is to his fascinating version we are indebted for our early familiarity with the old Greek bard.

If we were disposed to criticise the work closely, we would probably point out some errors which have escaped the author's notice, but which will no doubt be corrected when the whole is published. He, himself, pleads guilty of an occasional paraphrase, rendered necessary by the restriction of rhyme, but adds, that it "is more in the expansion than in the suppression; and in all cases the elaboration will be found authorized by history or fable."

Our intention now is simply to call the attention of the people of the South to the work, and to express the hope that the author will be encouraged to publish the whole. We think it will do credit to him and to his native state. The book now published is gotten up in the best style of the Appletons, and has the imprint of their house in London as well as of that of New York.

We append a few extracts as specimens:

Now Agamemnon, king of men appears;
His voice inspires as his presence cheers;
"Be steadfast, fellow warriors; know his date
Of life is short who dreads the shafts of Fate;
The dastards who in fear of danger, fly,
Are doubly doomed, for twice they have to die;
By terror once—for fear of death is death—
Then by the sword which cuts the coward's breath.
Fear not to die; fear not a Trojan's face,
But fear the eternal badges of disgrace;
Who dies a coward, forfeits life and fame;
Who dies a soldier, leaves his child a name."

Juno and Minerva descend from Olympus to aid the Greeks.
Their preparations are thus described:

Then Juno dressed in trappings rich and gay,
Her war-steeds panting for the coming fray.
Her own white hands the golden harness spread
Impatiently, and forth the coursers led.

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Hebe adjusts the car with ready zeal
And mates each axle with its fellow wheel.

* * * * *
Meantime, Jove's daughter on the Olympian floor
In haste threw off the ambrosial robe she wore—
Virgin apparel, by her fingers wove
Fit for a princess in the courts of love,
But not for warriors; then the goddess laced
The Thunderer's glittering corslet to her waist,
And armed complete to shake the battle-field,
She seized and shouldered Jove's terrific shield!

Greene Springs, Ala., Nov. 8th, 1869. H. T.

The next year, Judge Smith published "A Key to The Iliad of Homer" for the use of academies, and colleges. In the preface, he explained its nature and design:

This book is called a "Key to the Iliad of Homer" because it professes to teach the pupil the mode by which he can become master of the work. In the twenty-four books of the Iliad there are comparatively few words, which, in some shape or other, cannot be found in any one of them, except in the First, from which are excluded the epithets and phrases peculiar to similes and to the description of battles. The First Book, to a certain extent, is deficient, also in expressions of tenderness—there being in it but few passages referring to Friendship, Hospitality and Love. The Sixth Book, from the variety of its subjects, contains a complete Homeric vocabulary.

"The Key" contains the First and Sixth Books in full; the larger portion of the Fifth, with a few select passages from the Second; and thus all the phraseological deficiencies of the First are supplied. Although this work is arranged for the use of students, and assumes the appearance of a class book, it is not intended for such exclusively. It is, perhaps, the only poetical translation of any material portion of the Iliad ever offered to the public, side by side with the original text. Apart from the novelty of this design, the classical reader is enabled to see at a glance, whether or not the translation corresponds to the

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original—and in what respects, if any, there is a departure. The poetical translation is attached, not to guide the pupil in the grammatical construction, but to disclose the spirit of the poem, which, however vividly it may glow in the original, is utterly smothered in cold, English prose of a mere literal rendering.

One reviewer in *The Huntsville Advocate*, writes:

The author's translation of the Iliad into English heroic verse has been the amusement of his leisure hours for twenty years, and the specimen book which appeared more than a year ago, received the highest commendation from the American press. . . . One very novel and attractive feature of the "Key" is this; Each left-hand page is divided about equally between the Greek hexameters on the upper part and the corresponding English heroics on the lower. The opposite, or right hand page is blank, to be filled in by the student himself with an Homeric lexicon of his own, remarks on construction, etc.

The Typography of the book—both Greek and English, is excellent, and a very copious and satisfactory Mythologico-classical Dictionary is appended. On the whole, it is the most attractive Student's Homer that has ever been issued from the American Press. . . .

It was a source of deep gratification to Judge Smith that Professor Tutwiler approved his work. This was shown twenty years later, when in *Reminiscences*, in the article on Henry Tutwiler, LL.D., he wrote:

I sent Doctor Tutwiler a copy of my translations from Homer, with my *school arrangement* of the Iliad; in answer to which he writes thus: "I am satisfied that the idea of your book is a good one, and that if a boy were to read the parts you have published, and make himself a lexicon of all the words contained in them, he would find no difficulty in reading the whole of Homer. I intend to try it in the next class I have in Homer. I hope to be able to write a notice of it during my vacation."

In the year 1869, Judge Smith began the condensing of the Alabama law reports. This was done under a

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joint resolution of the State Legislature. The volumes came out at intervals, until the work was completed. In the *Independent Monitor* for August 9, 1870, Mr. Ryland Randolph, the editor, speaks thus of the work:

The third volume of this invaluable *Vade Mecum* to the active practitioner has been issued from the press by Munsell, publisher at Albany, N. Y. It retains fully the neatness of execution and typography which characterized the other two volumes. The volume comprises the 3rd., 4th., and 5th. volumes of Stewart and Porter's reports, and the 1st. of Porter's, abridging over 2400 pages and 750 reported cases within a compass of 708 pages inclusive of a copious and well arranged index of 45 pages. The marvellous rapidity with which the law reports have accumulated within twenty years past has been appalling to the profession. The system of condensing has solved the problem of a poor lawyer purchasing a library. This set of six volumes when completed, can be purchased for thirty dollars. The eighteen original reports condensed could not be purchased for less perhaps than one hundred and fifty dollars.

In 1870, William R. Smith was elected by the Board of Regents of the University of Alabama President of the University. Of this Doctor Owen writes in the biography of Judge Smith published in the *Library of Southern Literature*:

The Board of Trustees was composed of Radicals, and it was thought that the election of Judge Smith would win over to the University the support of the people; but their antagonism to them was reflected on him, and seeing that he would be unable under the existing state of affairs to build up the University, he retired.

It had seemed to Judge Smith's friends that as president of the State University of which he was a distinguished alumnus, a scholar in every sense of the word, he was at last in the place most fitted to his talents and which he would adorn by his mere presence.



THE PRESIDENT'S MANSION, UNIVERSITY OF ALABAMA
Tuscaloosa, Ala., 1870

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In the words of one of his admirers, published in "The Tuscaloosa News", this hope was expressed:

Judge Smith is no stranger to the people of Alabama. Indeed he can boast of a well-earned *national* reputation as an eloquent speaker, and a cultivated scholar. He has hosts of true friends and warm admirers in every part of the State of Alabama and no man in the State outranks him as an orator and scholar. Having been educated at the University, at a time when it was in its infancy, he naturally feels an ardent attachment for his Alma Mater and will spare no pains to restore it to its ancient rank.

At this time the number of cadets at the University was reduced to fourteen! The article just quoted goes on to say:

He is today what he has always been — a conservative in the true sense of that much abused term . . . so far as existing political parties are concerned, he is identified with none, and consequently, there need be no apprehension that he will convert the University into a hotbed for the rearing of politicians.

Judge Smith's political enemies, however, made capital of the fact that he had been put into office by the Radicals. They caused it to be believed by many that he had "gone over to the Radicals", and by unrelenting opposition, rendered fruitless his efforts to win the confidence of the people. Du Bose, in his *History of Alabama*, says:

The State Constitution of 1868 gave to the radicals the control of the University. A board of regents composed of radicals elected as president Judge Wm. R. Smith. He was a gentleman of wide reputation, a scholar, and the personal friend of many distinguished men of the State, and of the Union. Being a member of the class of 1831, he had been identified with the University from its first opening. It was thought that he would restore confidence, but as he had joined the radicals, many of the best citizens would not commit their boys to him.

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That Judge Smith "joined the radicals" in any sense except that the other members of the faculty were radicals is absurd to anyone who knew him, and no doubt Mr. Du Bose meant simply that by accepting the election at the hands of the radical faculty, he associated himself in the minds of the people with the party. His words are unwittingly misleading. Last year Mr. Thomas Clinton, wrote from Tuscaloosa:

The impression used to prevail that when Judge Smith was president of the University, in 1870, he was a republican. But a few days ago I was looking over the old files of "The Monitor", a paper that Judge Smith edited during the Forties. But Ryland Randolph was editor of it in 1870. In this old paper of sixty years ago the statement is made that Judge Smith voted the Democratic ticket that year, 1870. And the editor speaks of him in a complimentary way. This Randolph used to print very hard criticisms of every teacher in the University, except Judge Smith.

Doctor Albert B. Moore, in his excellent *History of Alabama and Her People*, thus speaks of the reopening of the University:

When the Radical rule was over, and living conditions improved, the colleges began to prosper. The University tried to resume activities in 1865 with three professors, but only one student, a son of ex-governor Watts, applied for admission. For the next three years, the University's efforts were confined to rebuilding its physical equipment. The Radical Board of Educators, in capacity of regents, attempted to reopen it in 1868. Dr. W. S. Wyman declined the presidency, whereupon the Board imported a Northern faculty and J. DeF. Richards of Vermont became acting president. Some of the men were wholly incompetent. One, W. J. Collins, was elected professor of rhetoric and oratory, and wrote: "I *except the position*." Only a few students entered. In 1870, Wm. R. Smith, a really capable educator, was elected president, but only ten students entered, of whom four were professors' sons, and he resigned.

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After resigning the office of president of the University, William R. Smith, for some years edited "The Spectator". Of this paper, one critic wrote:

Like its namesake of old, the *Spectator* is a star in the literary sky—a star self-luminous and of a steady ray—whose shining kept in view, cannot but guide the storm-tossed statesman to a haven of political repose. So we think here; for the Addison of your *Spectator* is known and quoted in New Orleans.

Like so many things that Judge Smith attempted and carried through with unceasing labor, this paper bore the impress of refinement, culture and elegance, while the news contained in it was reliable and was energetically presented.

The publication of the *Spectator* furnished opportunity for developing the literary talent of Judge Smith's family. Wilhelmine wrote many articles and although unsigned, they are easily recognized by those who know her style. Occasionally, she wrote verse. She thought slightly of her own poems. One hymn written for the *Spectator* was copied in the *New Orleans Morning Star*:

IMPROMPTU

Oh! most sweet Mother of our Lord! our great and powerful Queen!

How wonderful and lovely is thine all majestic mien!

Grace breathes in every feature, and well thy children know,

That 'twas no idle greeting the angel did bestow,

When he hailed thee, "Gratia plena," and bowed before thee then,

The Mother of his God and thine! Queen of angels and of men.

Behold, sublime and glorious Queen, here at thy feet we bow,

In this vale of tears rejoicing, that our Lord has crowned thy brow

With a diadem of stars by His saints and martyrs given,

Fashioned by the angel host, who surround thy throne in Heaven;

And we thank Him that thy glory shall e'er augmented be,

As thy children learn to imitate thy matchless purity.

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On that bright throne where thou art placed, so near the source
of grace,

Thou knowest all our miseries, then turn towards us thy face,
Whose brow is ever lighted with compassion's sweet, soft rays;
And guide us by the same dear hand, that led His infant ways,
Who thou' the King of Heaven and Earth, yet chose to be thy
child—

Thy God and our's—oh! Mary dear! oh! Virgin Mother mild.

And heavenly Queen—our advocate! on this triumphant morn,
When from the tomb, immaculate, by angels upward borne,
While seraph-songs exultant greet thine entrance on thy rest,
Oh! pray thy Son to grant us the richest, rarest, best

Gift of final perseverance, so that when our toils are o'er,

He may crown us at our Mother's feet, our home forevermore.

Assumption Day

Tuskaloosa, Alabama.

Many poems, and other writings she signed *Gulielma Maria*, or *G. M.*

In another, written for the *New Orleans Morning Star*, is a beautiful stanza:

Full well we know, when tempests brew,
And heard are thunders loud,
Our Morning Star, withdrawn from view,
Still silver lines the cloud.
Oh! Morning Star, forever pray
For us while here on earth we stay.

When Pius IX, in the dark hour of the Italian
supremacy, proclaimed Saint Joseph patron of the
Universal Church, she wrote a martial hymn *Ite ad Joseph*. The first, third and sixth stanzas are specially
good:

"Go to Joseph!" Yes, our father,
We to him will ceaseless pray,
When the smiling lips of morning
Kiss night's sullen gloom away;

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Still we to him will have recourse
At the noontide of the day,
And when evening, with her planet
Gilds the twilight's mantle gray.

Lol the bold Sardinian robber,
Vaunting with his hireling bands,
Desecrates the Holy City
With his sacrilegious hands;
Yet still unmoved as Peter's Rock,
Inspired by God's commands,
In his own Rome, unterrified,
Our captive Pontiff stands.

Those holy words inspire our souls:
"My Church shall never fail;
Nor shall the gates of hell itself
Against her e'er prevail."
On this great pledge we rest secure,
With hearts that never quail,
As by the mighty power of prayer
Heaven's portals we assail.

In the office of the *Spectator*, William R. Smith,
Second, while studying Law, cultivated his talent and
developed an attraction for journalism. At the time
of his death in 1898, he was editing *The Carbon Hill
Chronicle* at Carbon Hill, Alabama. Mamie wrote for
the *Spectator* a series of articles, *Sketches of Great
Men*, which show talent. One of them, an article of
Galileo, was reprinted in a New Orleans paper with
flattering comments which no doubt encouraged the
youthful writer to continue her literary work. Her
articles for the *Spectator* were signed A * * *, and
afterwards, for many years she wrote for current maga-
zines, poems, short stories and essays under the nom-
de plume "Agnes Hampton". Easby, too, came in
for his share of literary education. Here he learned to

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write with a concise and lucid style that has been of much service to him in his career, and makes his letters delightful.

In the *Spectator*, under a column bearing the heading *Pigeon Holes*, Judge Smith published many old poems, of a humorous nature, that he had written from time to time, during hours of leisure. One of these, a mock heroic, in five parts, called "The Rape of the Logs", is specially good. It is a parody on the *Siege of Troy*. Grantlydes (General Grant) is represented besieging the rebel town of Ilium. The black, gaping, but silent cannon prove to be logs painted with tar, which hold the army back while the "rebels" escape from the town. No description could do justice to the poem, and when the entire works of William Russell Smith are published, his humorous poems will form no mean part of the collection. There is another, "The Bomb Proof", which is a satire on the "slacker" whom we have always with us.

The opening lines and second stanza give the style of the verses which sustain the interest throughout:

I

George Washington Pomp was a wonderful chap,
The pet of his ma, the delight of his pap;
A beau of extensive pretensions and sway,
A bold Alcibiades—in a small way.

II

When war was declared, he procured a cockade,
And bought a great sword with a circular blade;
Bought spurs, with a saddle, to rig himself out,
And wanted to start before day on a scout;
But the girls got around him, and each with a smile
Persuaded the hero to tarry awhile.

When Pomp, however, saw the boys coming home wounded and maimed, his ardor cooled, he decided that his old mother needed him, and provided a substitute. When the law abolishing substitutes was passed, he got his "M. C." at Richmond, to provide him (suffering from asthma) a clerical position. Then he was to marry the adorable Kitty, but just too soon, *all men* were ordered to the front. At last, forced to go into battle, he was slightly, but painfully wounded, losing his nose. He ran, at once, to Kitty, who, in the meantime, had fallen in love with a gallant lad who had lost a leg in the war:

Preferring, dear reader, as you may suppose,
A man with one leg to a man with no nose!

About this time, 1875, Judge Smith wrote a sonnet to his wife on her fortieth birthday:

THE MUSICAL HAIR

Time put his lips unto the tiny horn,
A silver trumpet made of one gray hair,
That clomb the forehead, looking quaint and queer,
And wondering how it could have thus been born
Amid the raven locks that clustered there.
Time whispered through that trumpet this mild air
"Forty today! Be not dismayed, sweet dame,
"Nor curious, ask the whence or why I came,
"Nor yet distrust the signal I display,
"Stars do not perish when the sky grows gray,
"But only close the blinds against the night,
"And modestly withdraw from human sight."
"The Sun delighteth most the glaring day,
"But Night's chief glory is the *Milky Way*."

On the original manuscript appeared these four lines and the remark at their closing:

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The spring and summer of thy life are gone
Rejoice and let the Will of God be done!
Perpetual youth pervades, alone, the soul—
Nought else created was created whole.

These two last lines constitute my religion.

During these years, Judge Smith continued to write for many periodicals. Two essays, one on Lord Jeffreys, and another on Sir William Jones are of unusual merit. In 1879, *Polyxena*, a Greek tragedy was published for private circulation. It is little known, even by his closest friends. A note in the beginning informs us that towards the close of the Trojan War, Achilles and Polyxena, the most beautiful of Priam's daughters, were, with his consent, betrothed, and that during the ceremony of their marriage in Apollo's temple, Paris treacherously slew Achilles with an arrow. The drama was built on this story.

Priam understands the greatness of the soul of Achilles, and when his council makes the price for Polyxena, Achilles' betrayal of the Greeks, he says:

This Greek will not his fellow Greeks betray;
His haughty soul, all covetous of glory,
Will shrink back at the slightest touch of baseness;
His restless spirit brooks not long delay;
War shouts will agitate his stolid nerves,
Pride cannot smother true allegiance.
Call back Patrocles—this the golden hour.

My sons fight nobly; one by one they die:
As each one falls, I feel a limb lopped off,
And my cleft body shivers at the stroke;
Not lonelier is the lightning crippled tree,
Rotting amid a group of sepulchres.
Why not avail us now of Beauty's power?



WILHELMINE M. EASBY-SMITH, IN 1875

RECONSTRUCTION PERIOD

A gentle woman with a single hair
Clipt from her temple, may so fasten down
A giant as to make him powerless.
Let the sweet power prevail.

Polyxena has wit as well as beauty, and rebukes Paris
thus:

Disparage not the formidable foe.
It ill befits one hero to defame
Another more illustrious than himself.

* * * * *

Oh, Paris, Paris—

Go, don your war-gear and perform on carpets,
Mimic a real hero, if no more—
Or, if thou canst, go change they craven nature,
Be anything except the thing thou art—
A handsome coward. Seek an occupation
Better befitting one of Priam's sons
Than self-debasing, cankering jealousy.
Envy is still a pauper—though it feed
On sweetest food—it feeds and famishes.

After reading an enigmatic message from Polyxena,
Achilles says aloud:

"Tis certain that she loves me; equally
'Tis certain that her comprehending thoughts,
- Intuitive with woman's accuracy,
Measures the intervening difficulties
That bar the consummation of our loves.

Here is a magnificent passage, Achilles feeling the
nostalgia that comes to all men when they see them-
selves deprived of what seems their right:

Why tarry with these ingrates? Phthia calls me:
"Come home, Achilles." Bounding o'er the meads
My wind-swift steeds lift up their rampant heads
And neigh for me; there, vineyards bleed for me;

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There, ripening gardens toss their golden plumes,
Flinging a fragrance on the enamoured air
Sweeter than Araby's selectest odors;
There, Peleus, whitening on the heights of time,
Sits on his throne, impatiently awaiting
Triumphant, the return of his doomed son.
There, my soul's idol, Neoptolemus,
Wears on his lips, Deidamia's smile,
And on his chin, Deidamia's dimple,
And in his eyes, Deidamia's graces.

There is a splendid description of the destruction of Troy. Neoptolemus had just killed Paris, and then wished that he might "relume" the eyes of the dead man:

That the same eye

Might see the fiery whirlwind that will sweep
All Ilium into one black heap of ruins;
Towers, temples, palaces and battlements,
Massed in one huge, consolidated pile,
With Pergamus disjointed and broadcast
Over the mound in atoms too minute
To be perceptible or designated;
The spot whereon the blasted city stood,
Remaining only as a hideous scar
Upon the face of Nations!

In the spring of 1879, Judge Smith moved to Washington with his family. The last ten years had been eventful in his family. Sidney Binion Smith, his eldest son, after beginning the practice of medicine, married, in 1871, Doctor Beatty's daughter Frances, who was a niece of Colonel Daniel Shipman Troy. Although a native of North Carolina, Colonel Troy spent the greater part of his life in Alabama, and was one of her distinguished sons. Admitted to the bar in his twentieth year, he became eminent in the profession.

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In 1860, having become a widower, he married Florence Lachelles Watts, a daughter of the governor of Alabama. At the outbreak of hostilities, Daniel Troy enlisted as a private in the *True Blues*, and was in the first Alabama regiment sent to Florida. Later, he recruited a company, the *Gilmer Grays*, of which he was captain. He rose to the rank of Colonel, and was in command of the 60th. Alabama Regiment. At Petersburg, in March, 1865, he was severely wounded, being shot through the lung, and left on the battlefield with the slain. Taken prisoner by the Federals, he recovered in a federal hospital. It was at this time that he embraced the Catholic Religion. After the war, Colonel Troy was active in emancipating the State from "Carpet-Bag" rule. He was a member of the State Legislature from 1878 till 1886. He was a charter member of the Alabama Bar Association, of which, at the time of his death at the age of sixty-three, he was president. Two of Colonel Troy's daughters, Mary and Eliza, entered the Society of the Holy Child Jesus, a Catholic sisterhood, founded by Cornelia Connelly for the work of Christian education. A daughter and three granddaughters of Judge Smith are members of this society. One of Colonel Troy's granddaughters, Sarah Hales, is now Sister Louise de Sales at the Visitation Convent in Mobile. The children of Colonel Troy's sister, Mrs. William Beatty, were also very religious. One, Doctor Troy Beatty, was the Episcopalian Bishop of Tennessee, while a daughter, Rachael, joined an Anglican sisterhood in London. Sidney B. Smith settled in Grenada, Mississippi. When he died at Park Lane, Florida, in 1889, followed in a few months by his widow, the maternal relations undertook the guardianship of his four children, three sons and daughter.

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Judge Smith's eldest daughter, Sophie, in 1875, married William Franklin Walker of Fayette, Alabama. Their married life also was a happy one. They brought up a large family, and most of their children are married, and living, some in Alabama, others in Texas, Missouri, or Arkansas. Lucy Walker Jeffries, the wife of J. T. Jeffries of O'Donnell, Texas, among her ten children, counts a William Russell and an Elizabeth Hampton, thus keeping up the family traditions. One of her daughters, Ruth, is a Sister of Mercy in Missouri.

During this decade, also, Judge Smith's family had been increased by the advent of a son, and two daughters, the last of whom was born in 1876. Wilhelmine's mother, Mrs. Easby, came to live in Tuscaloosa, in 1876, and lived there until her death in November, 1878. Judge Smith and his wife accompanied her remains to Washington, where they were laid beside those of her husband in the Congressional Cemetery. She had survived him twenty-four years. It was during this visit to Washington that Judge Smith and his wife decided to bring their family to the federal capital. It was not their intention to leave Alabama definitely, and for many years the family spoke of Tuscaloosa as "home", and had decided notions about returning. For this reason, the property in various parts of Alabama was held for many years, and more than once, efforts were made to return to Tuscaloosa, or to some other part of the State, but circumstances always ruled the contrary. Between the family and their friends in Alabama, an intercourse frequent and cordial was preserved.

Father Crowley, the Pastor of Saint John Baptist Church in Tuscaloosa was especially loath to see the family leave the town. Wilhelmine, ever since entering

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the Church, had been an earnest and active worker in the parish, prominent in all church affairs, ornamenting the Altar in which she was careful to observe all the minutiae of the rubrics so dear to converts to the Church, making the altar breads, playing the organ and leading the choir, even serving tables at picnics. An old parishioner of Tuscaloosa said that his earliest recollection of her was at a picnic in which she noticed that he had nothing to eat and filled his plate to overflowing. He added these words about the Sunday school:

Your saintly mother taught Sunday school for a number of years. On account of her full, clear knowledge of the Faith, she was the best Sunday school teacher I ever had. I learned more of our blessed Religion from her than from all others combined.

A statue of Saint Joseph that she brought from Canada in 1875 is still to be seen in the Church. Her interest in everyone connected with the Church, and her appreciation of the poor and lowly, was a great help to the pastor. In one of her letters to Mamie, there is a long description of Mike Shea, which shows this appreciation:

I have been thinking today of one whose patronal feast it was—poor Mike Shea! His was an humble sphere in life, but a better, purer soul I never knew, and a truer, more warm-hearted friend I never possessed. He was a merchant in a small way, and had accumulated a considerable amount of money. . . . He was at once the admiration and butt of the parish—clubfooted and slight in stature, with one of his limbs slightly shorter than the other, as he walked along, swinging his cane, his head surmounted by the tallest hat he could procure, he was a comical object. For a long time he served the Altar. . . . Upon one occasion, the Bishop was to lecture and give Benediction at night. I was sacristan, and called in Mike Shea to help get the Church in readiness. We had some tin sconces (we now have an elegant

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chandelier)—and I requested him to nail them to the walls and put candles in them. I was on the porch leading from the sacristy, arranging the vases of flowers, some persons, among them our reverend Pastor, were around, when out danced Mike. "And, if ye please, Ma'am, where will I find the tammahack to nail up the sconsciences?" "Tammahack" and "sconsciences" have been by-words with us ever since. At another time, he broke the chain of the censor, and burned the carpet during Benediction. I called him to account, jokingly, for it—"And shure, Ma'am," said he, "I gave the craythure no provocation; I was very ppaceable in handling it." I cannot do justice to this speech, for it was received with roars of laughter by the bystanders. . . . He was always faithful to his visits to the Blessed Sacrament on Feasts of the Sacred Heart, and once a day he was sure to visit the Church in the afternoons. . . . Some years ago, he went to New Orleans on business. He was commissioned to buy a white Benediction veil for the Church. He bought it, and never let it from under his arm—arrived in Mobile, he went aboard the boat for Tuscaloosa—and was never seen afterwards. His body was picked up down the Bay—hands clasped in prayer. It was supposed that he had sought a retired spot to pray and was saying his night prayers, when he fell overboard. The veil was afterwards found farther down the Bay—but ruined of course. Poor old Mike! may he rest in peace! As I wrote above, his was an humble sphere, but he filled it well—would that you and I might fill ours as well!

Even the negroes of Tuscaloosa bewailed the departure of the family. Whenever their babies were ill they always begged "Miss Willie", as they called Wilhelmine, to come to them. Negroes in the old days called the mistress of the house "Miss". They always said in Tuscaloosa, "Miss Willie, she al'ays make de chillun die easy." It was, in fact, her custom, if she knew that a child was dying, to baptize it, and many a little white soul took its flight to heaven from her tender arms, or soon after her sweet voice had coaxed it to sleep. She was wont to remind her own children

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that there were many people with black bodies whose souls were perhaps whiter than theirs!

The older members of the family felt keenly the separation from near and dear friends in the city. For William Easby was this especially true, for he and "beautiful Mary Boyle" had been sweethearts and practically engaged for years. Later, as we shall see, they married, and in 1932 will celebrate the fiftieth anniversary of the happy event. William R., Second, who was at that time editing a paper in Jasper, Alabama, remained in the State. He was a lawyer, and spent the best part of his life as editor and publisher of country newspapers in Jasper, Northport, and Carbon Hill, Alabama, and in Columbus, Mississippi. A friend wrote of him: "He was a Greek scholar, a fluent writer, a poet, and a gentleman." He married, in 1881, Miss Florence Lavinia Smith. After his death, in 1898, his life was summed up in *The Tuscaloosa Times* in the following words:

He resided nearly all his life in Tuscaloosa up to several years after reaching his majority, and was highly esteemed by the companions of his boyhood days. He possessed much of the literary talent of his illustrious father, the late Wm. R. Smith, who was a prominent figure at the bar, on the hustings, and the bench for many years. With the family we mourn for our friend, our associate at the bar, and the press, in paying to his memory the highest tribute possible in these words; of all the virtues, he in a remarkable degree possessed the greatest—charity.

He was a true friend, candid almost to a fault. He loved his friends, and nothing was too difficult for him to do for them. When we knew him well, he was a strong supporter of the Catholic Church, and we presume he died in the comfort of that Christian Faith.

Of the six children of William R. Smith, Second, three are still living, William Russell, Richard Eugene

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and Lucy. The eldest, Wm. R. Smith, Third, is president of the Alabama Associated Newspapers. Today, 1931, he has a son and a daughter in the Sophomore class at the Alabama University, two sons in high school and grammar school respectively, while William R. Smith, Fourth, with his wife and their young son, Wm. R. Smith, Fifth, resides in a suburb of Washington. He is connected with the Washington Press Bureau.

A description of Tuscaloosa which appeared in the *New Orleans Morning Star*, in 1875, will not be without interest:

After a short and pleasant trip from Meridian, I find myself in one of the most beautiful and healthy cities in the South. With its wide and well-shaded streets and elegant, though now pretentious residences, Tuscaloosa presents a picture of peace and refinement that speaks well for the taste of its 4000 inhabitants. The shade trees are all water oaks, which fact has earned for the city the name of "Oak City". Owing probably to its healthful location, Tuscaloosa has been made the site of several state institutions and many educational establishments. Of state institutions, the University of Alabama and the Lunatic Asylum are there. Of the schools, the finest is the Academy of St. John the Baptist, conducted by the Ursuline Nuns. These nuns were a portion of the colony stationed at Columbia, South Carolina, when the convent was burned by the Federals and upon the earnest solicitations of Bishop Quinlan, came to his diocese, after that terrible catastrophe. The Academy is a large and comfortable building with beautiful, well-shaded grounds, at least ten acres in extent and, with such an excellent corps of teachers in charge, is just such a place as a truly Christian parent would choose for the education of his daughter.

VII

TIRELESS AUTHOR

"Twas labor quarried that primeval rock
Out of which Milton carved his gorgeous throne
With restless chisel, as with frenzied eye
He saw the towering structure reach the sky.

The Chief,

W. R. Smith

SOME events stand out with vividness after the lapse of years, like the peak of a snow-capped mountain in a scene having for its foreground an exquisite mass of smiling verdure. Thus in the memory of the youngest member of the party lies that spring morning when they left the Druid City for their new home in the Federal Capitol. Father Crowley, Pastor of the Church of Saint John the Baptist where most of them had been baptized, dined with the family the evening before, and wished them godspeed, and friends were at the station to say goodbye. "We are coming back, some day!", was heard more than once, but it was a false prophecy, for the family never returned to Tuscaloosa.

After what seemed a long journey, Washington was at last reached. How strange it all was!—the big station, the long, well-lighted streets, and after a short ride, home! For Mother and Father had gone ahead to prepare the house for the family, and it was home wherever they were. This house, or rather, two houses had belonged to Captain Easby. The house at the back, an old building, faced the Capitol, and was at

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right-angles to the street. The one facing the street was of later construction. Both were of brick, three stories high. A veranda ran between the buildings, and a huge grape vine covered it, the leaves of which in summer made a delightful shade. This vine, it was said, was grown from a cutting brought from Hampton Court. In front of the house was a wide lawn having a terrace about six feet above the street. Maple trees, higher than the house, formed a border all along the block. The garden around the house was not spacious, but comfortably large, and the difference between our home in Tuscaloosa and this city home was not so great as might have been expected. Here, at 122 East Capitol Street, the family lived until after Judge Smith's death in 1896. The house, with the whole block, has recently been torn down to make room for the new Supreme Court of the United States, thus destroying many old homes where generations of the same families have lived. The first days in Washington were spent by the children in *discovering* the premises. There were cubby holes in the attic, and other novelties. The jingling of the bells on the horses that drew the little green cars brought them running to front windows. There were the Capitol grounds, quite near, to be investigated. There was the broad portico on the east side of the great building, around the huge columns of which they played hide and seek, while the wonderful bronze doors on the same portico, whose storied face they never tired of studying when an obliging "grown-up" would interpret, were never failing in their charm. Above all, there was the Rotunda with its large paintings. The first lessons in the history of their country were learned from these pictures, and needless to say, were never forgotten. Happy is the

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childhood spent amid such surroundings! Many have said that those who have lived for years in Washington are seldom content to live elsewhere. This seems true, for those who love the city for the charm of its varied beauties, and for the wealth of intellectual enjoyment found in acquaintance with its many institutions.

Judge Smith's life in the midst of his family brought into play many traits of his character the existence of which outsiders did not suspect. He left the entire management of the house to Mother, not through indifference, but because of his absolute confidence in her methods, and his knowledge of her paramount influence. Their ideas of training were practically identical. The keynote was *Noblesse oblige*. There was no disgrace so dreadful as to be even suspected of insincerity. Theirs was the gentlest of fathers, and no children ever had more tender care lavished on them by a devoted mother. She understood child psychology, and believed in cultivating the "whole man", every sense and faculty. Music, literature, art, letter-writing—everything must be done as perfectly as possible—"worthy of your father's child." She made her children love their Faith, and inspired them with healthy curiosity regarding all knowledge. They were supposed to ask questions about things they failed to understand. The Sunday Gospels and Epistles read in the Church, were not to be ignored, but attended to in an intelligent manner. She believed in outdoor sports, and was not uneasy about her children unless they were quiet. On such occasions she would arrive in time, perhaps, to prevent the investigation of the interior workings of a clock or of the mysteries of the sewing machine. Once, however, three of her children succeeded in dramatizing a Sunday Epistle by letting

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one of their number down from the veranda in a basket. As far as they knew, she never learned of this hazardous performance.

Judge Smith could lay aside his innate dignity for the amusement of his children with the same ease that he could turn from the study of a deep case in law to write mock-heroic couplets. He had a rare talent for mimicry, and many a time, when we saw him unengaged in the evening after dinner, we would ask him to "make our dolls talk." This was a performance that amused the whole house. The younger children would be convulsed with laughter at the high key in which his usually well modulated voice would be pitched, and at the rapidity of the dialogue, as he worked the puppets, one in each hand, while the older folk would be equally entertained as they would recognize foibles of acquaintances being playfully exposed or perhaps a sly hint given themselves of his knowledge of happenings which they thought had escaped his notice. Those who knew Judge Smith only formally, or through his deeper writings, would have been amazed to know that he could thus come down to the level of the child's intelligence. Once he wrote quite a lengthy rhyme for us to sing on his birthday. These are some of the stanzas:

Tomorrow morning we must rise
Before the sun goes up the skies
And be up early in the morn
Because that day our Pop was born!

Our Pop was once a little boy,
And then he was his mother's joy.
She rocked his cradle with her feet
And thought that he was *just too sweet!*

* * * * *

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He went to school awhile, and when
They showed him how to hold his pen
He made the *awfullest* pot hooks,
And blotched a dozen spelling books.

* * *

In running, he beat all the rest;
In wrestling, he could throw the best;
In fighting, he was quick at blows
And gave Bill Brown a broken nose!

But as he grew up by degrees,
He quit such little tricks as these;
Learned much of Latin, more of Greek,
And how, like Cicero, to speak.

The people thought, O charming Fate!
They'd send him off to legislate!

* * * * *

The reader may imagine with how much delight and forcefulness these verses were sung. The Judge had a few comic songs he would sometimes sing for our entertainment. Nothing delighted him more than the laughter of his children.

He never failed to take a daily walk, which accounts, in part, for his magnificent health. Often he would take the younger children with him, especially in summer. The grotto in the Capitol grounds was delightfully cool, and he would sit there, allowing them to romp and race to their hearts' content. One day, after a long walk, they came to a statue of Lincoln. As the children were gazing at the form of Lincoln and at the negro boy at his feet, the Judge said: "This is Abraham Lincoln."

They looked surprised for a moment, and then one ventured, dubiously: "Not Isaac's father?"

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This amused him immensely. He made use of the incident in one of his articles. Anecdotes of this nature might be multiplied indefinitely, but these suffice to show how intimately he entered into the lives of his children, although he was habitually a busy man, and the course of his thoughts was usually on a very different level from theirs.

He was passionately fond of music, and would sit for hours listening to Mother singing. The older members of the family, with friends who dropped in constantly, spent the best part of almost every evening in singing. Mother accompanying them on the piano or harp. Everyone in the family sang, and the little ones who were supposed to have retired, listened from above stairs, and enjoyed the home concerts as much as those who took part in them.

In the same year that Judge Smith moved to Washington, two other southern families, both from Tennessee, came to the city, and became our intimate friends. Colonel Stone with his wife and children, refugees from yellow fever, moved into a house in the same block a few doors above us. Many of the Stones were the same age as the members of our family, and Mame, who was about Paula's age, was like one of the family, and few days passed in which she was not at the house. She is now Sister Mary de Chantal in the Visitation Convent in Wilmington. The family of Doctor James W. Rogers was even closer to us than that of Colonel Stone. The Doctor had been a brilliant and zealous Minister in the Episcopal Church before he became a Catholic. His entire family followed him into the Church. In 1884, he moved from Washington to a beautiful estate in Bladensburg, which he called "Parthenon"—he was a poet—and here the

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Rogers lived until they moved to "Firwood", in Hyattsville, where Miss Mae Rogers still lives. She was gifted with a glorious voice, which made many a night beautiful, while her gay and happy disposition won friends wherever she went. Cora, who is now Mrs. Philip Clarke, was also dear to us. Joe Rogers' premature death left an empty place in many hearts. Doctor J. Harris Rogers, the "wireless wizard," was the eldest son of the house, and was internationally known at the inventor of many scientific instruments. He was the first to bury antennae, having discovered that sound waves could be transmitted through the ground and water as well as through the air. He placed his discovery at the disposal of the government during the late war, and it was of incalculable advantage to the military service. The Maryland Academy of Science presented him with a silver medal, and Georgetown University honored him with a degree of Doctor of Sciences. His gentle and attractive personality drew to him innumerable friends and admirers whose friendship was lifelong.

During the first years of his residence in Washington, Judge Smith practised Law, but later he gave up his office and devoted himself entirely to writing. In the early eighties, he edited *The Central Law Journal*, and contributed to it some of his best work. The following index to one of the issues gives an idea of the scope of this magazine:

Assassination and Insanity; Guiteau's Case Examined.
Oxford's Case Considered.

The Trial of Richard Lawrence for Attempt to Assassinate
General Jackson, 1836.

Editor's Note on that Trial.
Interstate Extradition in re Perry.

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Judge Wylie's Opinion.
Editor's Note on This Case.
The Case of the Penitentiary Convicts, Alabama.
Editor's Note on the Same.
The Records of Contempt of Court.
A Neglected District.
The Qualities of a Judge.

In 1881, William R. Smith published, anonymously, *The Chief, A Poem in Ten Epistles Containing Some Political Hints*. Its appearance coincided with the inauguration of Garfield. This poem illustrates many of the writer's strong points and it is enriched by his own political experiences. Altogether it is pleasant reading. The pages vary in form and style. Some are humorous; others, stately; while a few, are really exquisite. The Inaugural Sonnet which is placed on the first page is in his best style. It begins:

He comes to power with a fair renown
For virtue, genius, labor and the might
That beats the wrong down, and uplifts the right.

The Introduction has these lines:

Who rashly gives the King advice
His luckless head shall pay the price;
That's cheap; I'll take the risk; here goes
To show the King his friends and foes;

Here is good advice to one who must choose officers for different posts:

Thou art the model; to thyself be true;
Each measure by thyself of all that sue
Pick out as many selves as thou may'st find;—
Pick out the labor-cultivated mind;
Pick out the men that plod;—for statesmen still
Must plod if they would reach the topmost hill.

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This may be done, nor genius laid aside,
For genius ever yet was labor's pride.
Let labor's hand in hand with genius go;
One chips the diamond for the diamond's glow;
This holds the light, that other clears the way
And gives emittance to the heavenly ray.

We find, too, the inevitable allusion to the classics:

'Twas labor quarried that primeval rock
Out of which Milton carved his gorgeous throne
With restless chisel, as with frenzied eye
He saw the towering structure reach the sky.
Ho! Genius, wilt thou still disdain to plod?
See, Phidias' chisel makes a rock, a god!
While gods for men employ their arts divine
-And Vulcan fires his forge to make Achilles shine.

The warning against the common fault of judging by appearances, brings out some interesting peculiarities about historical characters:

By outward show be not the eye controlled:
The long, the short, the backward and the bold
Alike deceive; Saul towered above his race;
But gentler David filled a smaller space;
-Xerxes was handsomest of all his host,—
Sad consolation for his millions lost.
What is there in the grandeur of the gait?
The crook'd may be as valiant as the straight;
Agamemnon halted in his hip;
Achilles self had but a single lip;
Pyrrhus, terrific, Roman hosts dismayed—
One undivided tooth his upper jaw displayed!
And Tamerlane, beneath a glove concealed
A withered hand, as through the fight he reeled.
The fiercest by the mildest may be slain;
-Soft Paris brought Pelides to the plain;
So Jesse's son, unknown in war's renown,
Raised his frail arm and brought the giant down.

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In President Garfield's struggle with Conkling and the "Stalwarts", these lines had a deep meaning:

Still be thine eye on virtuous merit bent;
Let no mean foe a true heart circumvent;
This one great truth be present in thy mind
(Distinctive feature of the lofty kind)
*The friend that did the most will ask the least
And be the latest at th' appointed feast.*

The description of the duties of the judge is characteristic:

'Tis the first duty of the judge—to hear;
His last to speak, and speak oracular.
High above all alarms his soul must rise;
Must nothing fear—not ev'n the tumbling skies.

Can one not see in the following lines a life-long regret for his affiliation with the Know Nothing Party?

As thou wouldst have thy great soul safe from scars,
So keep thy court free from religious jars;
The Constitution frowns down bigotries—
Whet thy sword sharp for other wars than these.
Be free the immortal mind, the soul's best part,
Impetuous through the realms of thought to dart;
Exploring high, to soar, with unclipt wing,
Into the regions where the seraphs sing,
Or plunge the lower deeps where devils dwell,
To mediate the properties of hell;
Test whether it be made of fire or ice!
What boots it which is the reward of vice,
Unmelting glaciers or eternal fires?

There is a touch of philosophy as well as poetry in these lines:

Some beauteous truths are hidden deep and lie
Unseen as centuries go sweeping by;

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The flint oblivious will conceal its spark
And quiet lie, eternal, in the dark,
Tho' fire divine be slumbering in its frame,
Unless th' invading steel provoke its flame.

In the Library of Congress, among the rare books, is a copy of *The Chief*. This book is kept in a fire-proof alcove. In the fly-leaf is pasted the original letter of the author to President Garfield. The envelope, together with William R. Smith's visiting-card, and a sketch from Ben. Perley Poore's *Life of William R. Smith* are also pasted on the fly-leaf. The letter is as follows:

To the President of the United States.

Outside the apparent presumption of giving advice, I am sure that the President will find nothing offensive in this Poem. If, in this, I have violated the literary proprieties, I crave a generous indulgence, having been actuated by the sincerest motive to gratify.

Desiring to keep my literary secret from the public, nevertheless I feel in duty bound to disclose it here—and the President (if he thinks fit to open it) will find, in the accompanying envelope, the name and history of the writer.

Reiterating here the exalted estimation of the individual which is expressed in the opening sonnet—

I am, though a Southern man, an earnest friend of the Administration,

The Author.

March 10th 1831.

It would appear that this copy of *The Chief* was found among President Garfield's effects. It was seen in the Library of Congress, on the twenty-sixth of February, 1931, the thirty-fifth anniversary of Judge Smith's death.

Judge Smith's family group in Washington varied in number from year to year. Easby lived at Cape

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May for some time, and one or more of the members of the family often visited him, especially after his marriage in 1882. Two or more of the girls were at different times boarding with the Visitandines in Abingdon, Virginia. Sister Augustine, a favorite teacher of their mother had opened this academy and she preferred to intrust her children to this guide of her own youth. Even after Sister Augustine died, Wilhelmine's daughters continued their education in Abingdon. The climate was delightful and healthful, and it was a second home to them. There was no Catholic church in Abingdon, and General Joseph E. Johnston who lived near, usually attended Mass on Sundays with his sisters in the convent chapel. Sidney was for a time in General Johnston's army and his sisters were interested in the elderly soldier. In 1886, Mother was visiting in Alabama, and on her return was accompanied by "Sister Florence", for so the wife of William R., Second, was called. She brought with her William R., Third, about three years old, and Paul, aged a few months. She had determined to embrace the Catholic Religion, and wished Mother to instruct her. "How can I keep my promise to bring up my children Catholics?", she asked, "if I am not one myself?" She became a devout Catholic, and faithfully instructed her daughter Lucy and her five sons in their Faith. It was through her care that her husband when at the point of death, received the last Sacraments. Judge Smith's children were very fond of her. She was tall and graceful, had dark brown eyes and hair, and a beautiful complexion.

At other times, one or other of Sophie's children, John, or Thad, or Mary, were in Washington for months at a time. Mary Walker also went to school at Abing-

don. Often Easby's children, especially Minnie and Agnes, spent months with their grandparents. Sidney's oldest boys, Wm. Pearson and Sidney, Junior, came to Washington on visits, before their father's death. Thus even when their own children were grown up, or at boarding school, the hearts of the old people were gladdened by the music of the young voices in the home. Another frequent guest, most welcome and beloved, was Mother's favorite cousin, Jenny Easby, the daughter of William Easby of Media. Her vivacity and keen sense of humor made her company always charming. She was the only one of our Philadelphia cousins with whom the family was familiar and the renewal of her acquaintance, later, in the Quaker City was delightful. Cousin Jenny's grandfather was John Ward Easby, and many of his descendants live in Philadelphia and the vicinity, for he and James Easby remained in that city when their brother, William Easby, went to Washington. Her father had been at Georgetown College with Horatio, Wilhelmine's brother.

In 1887, Mary Agnes, the eldest daughter of Judge Smith and Wilhelmine was married to Milton Emmanuel Smith, a convert, the editor of *The Church News*, a Catholic weekly published in Washington. He was her senior by many years, but they had literary tastes in common, and some of her best writing was done for this publication. She died at Miami, in 1929.

Ethel was the next daughter to leave home. She married Jack R. Hawkins of Cowan, Tennessee, and they lived in that city for some years. Later they moved to Washington, where their four children were educated. All four are now married. Lewis, the eldest, was at the front during the late war. Ethel died in November, 1930, after a brief illness.

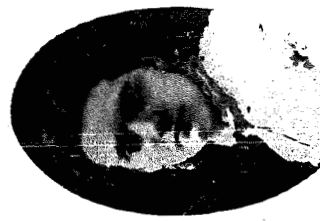
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As time went on, Bessie developed remarkable talent in Art, which became a source of very real pleasure to herself and all her family. She had a studio on the third floor of the front house adjoining her bedroom which was a sunny room, facing south. The studio had just the light she liked. Her versatility was unusual. The studies in oil which soon covered the walls, were of a variety of subjects—flowers, birds and other animals, woodland scenes, water scenes, studies in still life—and on many materials—canvas, silk, shells, stones, china and paper. There were charcoal drawings, copies which she had made of busts, and of full length statues in the Corcoran Art Gallery. Two large paintings were of special excellence—"The Helping Hand", and "The Harbor of New York." She excelled in all, but her portraits ranked first, for she possessed the secret of catching a true likeness and a familiar expression, which seem to be what make a portrait lifelike. In a letter from her father which she still preserves with loving care, is found a reference to her talent as a portrait painter. She was at the Convent in Abingdon, and had sent home a picture she had painted of Bishop Quinlan, a dear friend of the family.

Your copy of the Bishop's picture is the delight and pride of all of us. Remembering him so well, I see in your picture a perfect likeness—it is so life-like—and fresh. The coloring is very fine. With proper instructors, you will make a great painter; for you certainly have the ambition and plenty of habitual industry to succeed in this art. I wish I were young enough to carry you to Rome—so you would have the benefit of lessons from some renowned artist, and where you could copy the best specimens.

Two pictures of heroic size, one of Saint Peter, the other of Saint Paul, are now in Saint Paul's Church in

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SOPHIE ANN



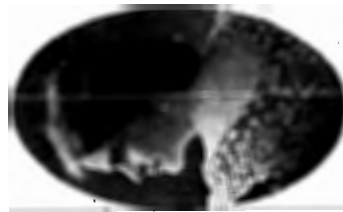
MARY AGNES



ELIZABETH HAMPTON



ETHEL QUINLAN



PAULA LOUISE



ANNE AGATHA



ROSE MARY

THE DAUGHTERS OF WILLIAM RUSSELL SMITH

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Washington. They are original, and are considered very good. Her portrait of Cardinal Gibbons, in the rectory of the same parish, is much admired. While Bessie was engaged on this work, Monsignor O'Connell, Rector of the American College, a friend of the family, happened to be in Washington, and when he visited the house, Bessie showed him the unfinished portrait. She always said that his friendly criticism helped her to produce a much finer likeness than she could otherwise have done. She had the best of masters. M. Guillaume taught her portrait painting, and for many years she worked regularly three days a week in the Corcoran Art Gallery, where Mr. McLeod and Mr. Andrews considered her work superior to that of most pupils. Often she would take Rose or me with her. We never went in pairs, for strict silence was the rule on the days set apart for students. Tablet and pencil were at our command, but I preferred to watch the artists at work. I never developed any great talent, but Rose, had she wished, might have rivaled Bessie. She, however, preferred the more attractive occupation of bringing up a family, and has succeeded admirably. Bessie never married, unless, indeed, she may be said to have been wedded to her art. She continues to paint, though not so continuously as of old.

It was through Bessie that Father Conrardy, the heroic missionary who went to Father Damien when the latter was unable to continue his work at Molokai, came to the house. Bessie was copying a picture of the Sacred Heart in Saint Anne's Infant Asylum, when the sisters introduced Father Conrardy to her. Our house was always open to priests, especially if they were strangers in the city, and during his stay in Washington Father Conrardy often visited us. Business for his

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"dear Indians" had brought him to the city. To the children he was especially delightful. He told tales of the Red Men, and wrote in their autograph albums Indian sentences, teaching them how to pronounce the words in true Indian fashion. Of this they were inordinately proud. Bessie still has her album in which are these words:

Nermitz Akamkénekee Émana Watashkast
May God Bless You!

Father L. L. Conrardy,
Umatilla Reservation,
Ogn.

P. O. Pendleton.

We had never seen a priest with a beard, and Mother explained that the Indians respected more the men who wore beards. They called him "Himtuken", the "Bearded." After Father Conrardy had returned to Oregon, we still thought that one day we would see him again. Judge, then, our dismay to hear a few months later that he had gone to the Leper Island. "We will never, never see him again", we wailed. That day opened up a new epoch in our lives. Mother's words of eulogy, her eyes glowing with enthusiasm as they always did when the thought of a noble deed fired her imagination, gave us a glimpse into a new world, and kindled in our souls something that never died. We felt that we knew a "real saint". Judge Smith was always the soul of courtesy to all guests, and when I saw Father Conrardy many years later he told me that he was not surprised that he had died in the Church. It was Father Conrardy that closed the eyes of the saintly apostle of the lepers, and continued his work of heroic labor for the poor outcasts until Father Pamphile De Veuster, a brother of Father Damien's came

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to Molokai. Then Father Conrardy went through Europe and the United States, raising money for a leper colony which he wished to found in China. Under almost insurmountable difficulties, he succeeded in founding Saint Joseph's Leper Island, Kwangtung, and when he died of pneumonia in 1915, it was firmly established, with resident priests, doctors and sisters. Some of the family had the unhopd-for privilege of seeing him when he was in Philadelphia about 1906 begging for his Chinese lazaretto. The ascetic vision, treasured from childhood, was yet recognizable in the sturdy figure, with whitening beard and hair; the eyes were the same, and the brow, noble, lofty and serene. His visit was like that of a messenger from heaven, and left in its wake a peace not of earth.

In 1885, the Pastor of Saint Peter's Church in Washington was chosen by the Holy Father to be Bishop of Mobile. Our old friend, Bishop Quinlan, had died, and it seemed strange that one who had been our pastor for six years should go to take his place. This saintly priest, Father Jeremiah O'Sullivan, was an Irishman. There were numerous stories about him of which the following is typical. Father O'Sullivan was thought by many to have a kind of second sight. He seemed to be able to read one's thoughts. There was a young man, Aloysius Foy, by name, who for some unknown reason, perhaps a secret belief in the occult powers of the priest, had a fear of encountering him. One evening, Al, as we called him, was in our parlor with a crowd of young people, when suddenly, Father O'Sullivan's voice was heard outside. Quick as a flash, Al rolled under a sofa in the corner, completely hidden from view. This was done so unexpectedly, that no one could speak for a minute, but the usual welcome

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was given our reverend caller who seemed utterly unconscious of the effect his coming had produced. Mother came down at once, and everything seemed going well, when Father O'Sullivan said, in the quiet voice habitual to him: "I think Mr. Foy would be much more comfortable on the sofa than under it!" Mother was horrified, and Al came out, but no one thought he looked comfortable! Let us hope the lesson cured him of youthful bashfulness. Bishop O'Sullivan's work in the Mobile Diocese was extraordinary. He died in the odor of sanctity ten years later.

Father James Curley, S.J., who was one of the long friends of Wilhelmine, died in 1889. He was chaplain of the Convent at Georgetown when she was a pupil there, and also when her little daughter was a boarder at the same school. He was, in fact, chaplain at the Convent for fifty years. This noted Jesuit founded the Observatory at Georgetown University, and was its first director. One of his accomplishments was to compute the longitude of Washington. His findings did not tally with those of the Naval Observatory, but when the first Atlantic cable was laid in 1858, Father Curley's computation was found to be nearly correct, although the methods then used were not so perfect as those now employed. Father Curley attained the advanced age of ninety-three, with unimpaired intellect and undiminished interest in the affairs of his many devoted friends.

On May 13, 1889, Judge Smith's eldest son, the gallant and beloved Sidney Binion Smith, died at Park Lane, Florida, leaving behind him many grieving hearts, none more sad than his devoted father and step-mother. A few words about his career after the

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war, written by his younger brother, William Easy-Smith in a recent letter will not prove uninteresting:

Returning to Tuscaloosa after the close of the war, Sidney took up the study of pharmacy and medicine with Doctor William Beaty at his drug store, later entering the Mobile Medical College where he received the degree of Doctor of Medicine. He began his practice in the country, at Moores Bridge, Tuscaloosa County, where he spent several years of arduous horseback practice. Frequently this kept him in the saddle for 36 or 48 hours without rest, and gave him ample practice but little reward except the devoted love of the whole county.

About 1870, he entered the service of the Chatanooga and Meridian R. R. (now the A.G.S. and part of the southern system) as assistant hospital surgeon. Here he was in constant attendance, and amputations for frost bite and other injuries were daily occurrences. I have seen him, alone, amputate as many as four arms or feet in one day. I helped him with the anesthetic. I thought, then, of being a doctor myself.

He remained with the company until the driving of the "Silver Spike" on the completion of the road. I was with Sidney at the spike-driving, somewhere in the neighborhood of Stewart, several miles west of Tuscaloosa. A large number of our townspeople were there. I was very proud to be with the officials.

About this time, 1872, Birmingham, Alabama, was visited by an epidemic of cholera. Hither Sidney hastened and devoted all his skill and energy in helping to stamp out the dread scourge. Sidney remained in Birmingham until 1878 when the epidemic of yellow fever spread over the South. He at once responded to the call of the Howard Association and hastened to Grenada, Mississippi,—a veritable hot bed of the plague. Here he found one physician and a Catholic priest holding the fort. All other doctors and ministers had fled, and this heroic trio labored side by side administering to and nursing the sick, and burying the dead until the last patient had recovered or died. Doctor Smith had so endeared himself to the people of the town that he was induced to make it his permanent residence and in co-partnership with Doctor Trimble, he continued the practice of his profession until he was forced by ill health to retire to Florida,

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where in 1889, after a few months, his brave spirit passed away. The exposures and wounds of the war and the strenuous exertions during the two epidemics had proved too much for his frail body.

The June of 1889 witnessed one of Judge Smith's singular triumphs which, by its very unexpectedness, was all the more gratifying. It had been his custom almost yearly to attend the annual commencement of the University. The ~~ties~~ that bound him to his *Alma Mater* were strong and tender. He was usually called upon to make a short speech to which all looked forward with anticipation of pleasure. The daily press recorded these little talks, giving summaries with appreciative comments, for he was a man of whom they became more proud as the years passed. Doctor William S. Wyman, who was to give the annual address that year, was ill, and Judge Smith, the oldest living member of the Alumni, was asked to take his place. The time was short, but he was equal to the occasion. When his well-known figure arose, he was loudly applauded, and although at first, no doubt, the subject he had chosen did not appeal to the younger members present, he had not proceeded far, when the attention of all was evident. One critic said afterwards, "Although now in the sunset of life, he did not disappoint those who had heard him when his sun was in its meridian." Robert Ingersoll, the free-thinker, was then at the height of his fame, and Judge Smith made his false teachings the subject of his address.

Even today this speech is interesting. Like most of his work, it has the quality that makes literature—the literature that is of no age or time, but eternal. At the very beginning he struck the true note:

I am not here to vindicate creeds or to expound theologies, but simply as a friend to Christian civilization.

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I propose to deal with Ingersoll's printed speeches, treating them as the utterances of one who challenges criticism. In conceding to him all the higher qualities of a man, I would warn you that the brighter his intelligence, the more potent he is for mischief—that mighty mischief which involves the soul of his neighbor and the peace and prosperity of his country;—for although a man may not have the strength to pull down a great temple, nevertheless, with the aid of a torch, he may sweep temples and cities from the face of the earth.

For eighteen hundred years, the law-makers, aided by the intrepid Christian fathers, have given their most earnest labors to shaping the constitutions of Christendom to fit, as nearly as possible, the sublime system of morals as drawn from the divine precepts of Christianity; so that these precepts have become the vitality of our civilization. * * *

Ingersoll denies a God and scoffs at all religions. Yet he offers no substitute for either. He destroys, but he builds not, nor even offers a plan for a new edifice. He makes everything dark before him, but rashly plunges into the unknown realm and shouts to his neighbors to follow him.

He then traced the history of civilization from Egypt to Rome. He claimed that the chief ingredient of the old Roman civilization and culture was "that instinctive, soul-impelling inclination and aspiration of its leading citizens towards *individual deification*, and its most important element, *physical fortitude*. Ingersoll, he claimed, was leading men back to this old paganism. On one occasion, for instance, Ingersoll had said, speaking of a friend who had just died:

Humanity was his god; the human race is the supreme being, and in that being he rested.

Is not this the Roman idea of self-deification? Further quotations showed that the free-thinker took sides with the serpent in the Garden of Eden. In his lecture on "The Gods", Ingersoll had said:

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If the account given in Genesis is really true, ought we not, after all, thank this serpent? He was the first school-master, the first advocate of learning, the first enemy of ignorance, the first to whisper in human ears the sacred word liberty, the creator of ambition, the author of inquiry, of doubt, of investigation, of progress and of civilization.

Quoting these lines, the orator made this comment:

Thus, Ingersoll has selected his master; under the banner of the Serpent, he boldly enlists, and haughtily treads the rostrum as the *disciple of the Devil*. * * * To say that he treads the rostrum as the disciple of the Devil sounds like common abuse; therefore, as I am not here for the purpose of disparaging this eminent lecturer as a man, I would offer some exculpatory explanations—Ingersoll gives us his own opinion of devils generally; and inasmuch as he regards those infernal deities as uncommonly clever fellows, and seems to deal with them as chums, he should not consider himself out of place in the position I assign to him. * * * Thus in the same lecture on the "Gods" he said: "These devils generally sympathized with men. There is in regard to them a most wonderful fact: In nearly all theologies, mythologies, and religions, the devils have been much more humane and merciful than the gods." Thus it appears, that in the diviner elements of sovereignty—"humanity" and "mercy"—Ingersoll has placed the devils above the gods!

By apt quotations from Ingersoll's writings and speeches, Judge Smith showed that his doctrines would teach the child to be untruthful, and the young man to gamble, and would cause a general loss of noble ideals. Many of the man's quibbles were exposed to ridicule, especially his assumption that the Theory of Evolution was a proven fact. The most amusing part of the address, however, and the one that gave its name to the printed pamphlet, was the answer to Ingersoll's declaration, "We have better brains than our ancestors." The vanity of man, Judge Smith said, had doubtless made this claim from time immemorial, but

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that he thought that as God made the first man "to His own image and likeness," He made him perfect, "with a body superb and a brain compact." Then he gave a summary:

Where is your chancellor of a later day wiser than Solomon? Where is your prince statesman of greater forecast than Joseph of Egypt? Where your epic poet superior to Homer? your lyric singer equal to David or the peer of Pindar? Where is your tragic writer equal to Job or Aeschylus? If Shakespeare be permitted to stand on the same pedestal, it is all the honor that even he would claim. If he is better than any one of these it is only in the variety of his phases. Where is your philosopher that surpasses Socrates, Plato and Aristotle? Where your orator superior to Demosthenes, or your advocate equal to Cicero? These were our fathers.

Then follows a comparison of Ingersoll himself with the great men of the past. Cicero's oration against Verres, spoken two thousand years ago, lives today and is familiar to all students. Burke and Sheridan at the Trial of Warren Hastings a century ago; Wirt at the Trial of Aaron Burr—these names, he insisted, are imperishable, although they do not perhaps stand on a level with Cicero. With these trials Judge Smith compared that of the Star-rovers, a group including an ex-senator and an ex-postmaster general, who were being tried for "high crimes and misdemeanors", in the Federal Capital. Ingersoll was there and had spoken well:

Demosthenes, Cicero, Sheridan and Wirt had no greater occasion. Ingersoll was *there*, and made speeches. Let us admit that he made a great speech. But did he come up to Demosthenes, or Cicero, or Sheridan or Wirt? According to his boast of "better brains," he should have *surpassed them*, . . . Will the school boy of two thousand years hence lovingly con the lugu-

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brious pages and declaim selected passages for the admiration of the inspired audience?

The next passage is unsurpassed for irony and ridicule:

Behold this citizen of "better brains," with months of trial and time specifically set apart for accommodation—for the better achievement of an oratorical triumph—with types and presses at hand, with electricity at his fingers' ends, with all the improvements of this better age, and "better brains" to aid him, and with a genius cultivated by labor and propelled by energy;—yet, at his mighty effort, this world refused to be surprised! the age declined to be startled; Festus forgot "to tremble," courts displayed no symptoms of paralysis, and the public complacency remained without a ripple of enthusiasm to disturb the placidity of its surface or to agitate the lucid and profound depths of its wonted tranquillity.

Ingersoll was next compared to Voltaire—"a father of a later age, not only a father but a master"—

He, too, entered the gloomy realms of doubtful inquiry through the creaking portals of reformatory philosophy; uncovered his head and bared his arms in front of the temples of Almighty God and levelled his thunder bolt at the citadel of Christian civilization. This great genius in his elaborate and prolific writings, dropped from his work bench on the wayside enough slime to mire down forty Ingersolls! Now, behold this imitator, plodding in the filthy track of his mighty predecessor, contented to pluck the wilted and wilting laurels of his recognized master, glibly reciting the *old-time* blasphemies, while flaunting the cast-off feathers of the dead eagle!

Judge Smith insisted that the intellectual status of man has always been the same. While he admitted degeneracies, he noted the inevitable recuperation. If this be not true:

How comes it that Shakespeare, after thousands of years

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asserts equality with Aeschylus? Why is Virgil preferred by many scholars to Homer? and why is Milton reckoned as equal to both? Why dare Wellington, Marlborough, Napoleon, Lee and Grant challenge equal military excellence with Alexander, Hannibal, Scipio and Caesar? Why do Burke, Clay, Webster and Calhoun tower up in the temple of fame by the sides of Demosthenes and Cicero? Why after thousands of years do Phidias, Praxiteles and Apelles reappear in Canova, Angelo and Raphael?

He then explained that he spoke of the structure of the brain, not of its cultivation; which, of course, depends upon a thousand circumstances:

The history of the dark ages shows that there was *no century* without its *man* of the highest type of intellectuality. Many a head equal to Adam's, through those gloomy periods, was borne on the brawny shoulders of toiling and devoted monks; and no cell was without the shining lights of Homer, Aristotle, Plato, Demosthenes, Virgil and Cicero . . . they have been handed down to us as fresh, as potent and as melodious as they were thousands of years ago. The stalwart successors of Saint Peter stolidly and steadily planted their tireless footsteps along those darker pathways, pushing themselves upward to the grander heights of a brighter civilization.

His audience was not accustomed to hear the monks and popes of those ages spoken of with praise, and more than one of the press reports pointed out a marvelous knowledge of history evidenced in the address. The ending was as strong as any other part, for Judge Smith said that many speak vauntingly of the great discoveries and inventions of the present age as proving Ingersoll's contention of "better brains," but that although he would never disparage the present age, nor refuse to believe that we have luminous intellects among us today, still he would not admit that the inventive intellect is superior. "If this were so, then

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Edison might be rated the brainiest man in the world!" How do we know, for certain, he asked, that modern discoveries are not really *lost arts*? What do we know, for instance, of the early history of the Chinese Empire? We know that about three hundred years before the Christian Era an emperor commanded the destruction of all monuments and writings showing the greatness of the past, and this command was carried out to the letter and remained in force for a century. What do we know of the history of the world before the Flood? A last reference is made to ancient Egypt:

The age that built the pyramids was as great as the age that laid the ocean cable; the age that responded to the commands of Cheops was as enlightened as the age that listens to the charming voice of Ingersoll. The difference is this; that age listened to the voice of the *builder*, and this age listens to the voice of the *despoiler*.

Judge Smith called this address *Ingersollism and Better Brains*, and so happy was the impression made by it that in August he received a request from a committee of the Alumni Association of the Alabama University for a copy:

The language of the address was so elegant, the rhetoric so finished, the illustrations so apt, and the thought and matter of it so logical, sound and good, that the Alumni were of the opinion that the address ought to be put in a form that others might have an opportunity to be benefited by its perusal.

Expressions of appreciation cordial and sincere, reached him from all sides. He received many letters of congratulation. One was from a man of high position in the State who had previously thought Judge Smith to have been himself an unbeliever. This letter was an apology for having so maligned him even in

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thought. A note from Mr. M. F. Morris of the Sun Building in Washington contained these lines:

I have never seen or read a more fitting answer to the flippant diabolism of that enemy of the human race—for enemy of the human race is he who would pull down the social structure and destroy the holiest hopes of humanity without giving anything to put in their place. I know the man . . . with just the kind of brains to make him reckless, and sufficient facility of eloquence to make him dangerous. Such a man is best encountered with the weapons of sarcasm; and you have wielded these weapons with consummate success, with keener logic and charm of language than the so-called "eloquent pagan" himself.

Paula at this time, was accustomed to copy her father's writings for publication. She often tells a story in connection with the speech on Ingersoll:

His writing was very difficult to read, but I knew his style so well, that I could usually make out a word by the context. This day, however, I was struggling with an illegible word, and exclaimed: "I wish Papa would worry about his own soul, and let old Ingersoll alone!" I looked up to find him standing beside me, looking down benignantly, with that spontaneous smile we all knew so well!

The same year saw the publication of one of Judge Smith's most popular and valuable books, *Reminiscences of a Long Life, Historical, Political, Personal and Literary*. It is a book of three hundred and seventy-five pages, written in the author's most engaging style, and enriched by liberal quotations from some of Tuscaloosa's gifted sons. It is invaluable to one studying the early history of the northern part of the State, for it is a veritable mine of historical wealth. In it are the stories of the first white inhabitants of Tuscaloosa, the first counterfeiter and their punishment, the first newspapers, and of the beginnings of

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"New Town". Then follow many biographies of eminent citizens, and of others not eminent, but interesting. All have the personal touch, so delightful to readers, and are enlivened by anecdotes, mostly, of an amusing nature. There are twelve sketches of lawyers, twelve of merchants, ten of doctors, twelve of members of the faculty of the University, and seven of politicians like Robert Jemison, intimately connected with the political history of Tuscaloosa County. There are eighteen poems, some very fine, by Tuscaloosa bards, and a few of his own. Professor F. A. P. Barnard, afterwards so well known as President of Columbia University, wrote, while teaching at the Alabama University, some good sonnets and other lyrics which are published in *Reminiscences*. Judge Smith considered the poems of Judge A. B. Meek the best, and published a great number. It was Judge Meek who wrote *The Red Eagle*, a narrative poem, to which Judge Smith referred in the toast to "Tuscaloosa" given in a previous chapter. In the biographical sketch of Judge Meek, the author criticises his poetry, and incidentally gives his own conception of idealism in poetry. He compares Meek's *Red Eagle* with the opening lines in Byron's *The Curse of Minerva*. He illustrates the qualities of poetry with lines from Poe, Byron, Halleck, Milton and Shakespeare. There are found, also, in this volume, many accounts of amusing incidents that came under the writer's own observation.

If one were to ask why Judge Smith's friends were so many and so constant, the answer would be found in the pages of these biographies. His was the magic power to find the jewel of great price that every good man carries in the depths of his soul, and his responsiveness to high appeal enabled him to, "grapple

these friends to his soul" with imperishable bonds. Judge Smith did not publish the second volume of *Reminiscences*, although he had prepared the material for it. Perhaps in the future these pages may be given to the public, and the descendants of many citizens of Tuscaloosa will then read with pride the story of their fathers penned with care and devotion forty years ago.

One of Judge Smith's biographers wrote of him that his friends were among the most literary and learned. It ought not be forgotten, however, that between him and many of the men who lived in the rural parts of his district, existed a true personal affection. He was their chosen representative in the State and Federal Legislatures, their delegate to the Convention that severed the State from the Union against his wish and theirs, and he was sent by them to the Confederate Congress during the whole course of its existence. They wished to send him to Washington, again, in 1865, but, as we know, Alabama had no representative there for several years after the War. They never found him wanting, and with men of the South, confidence begets affection. "Little Billy" riding to them on "Black Bess" was always a pleasant and welcome sight to the men of his district. He, on his side, had respect and esteem for his constituents. A quotation from *Reminiscences* gives a glimpse of the devotion of the hill people to Judge Smith:

Both men jumped up and came in a fair run to the gate, with faces beaming exuberantly, one on either side of me, striving which should lift me from my pony.

"You're all right, here," exclaimed Picher, before I had dismounted. "Not a man in the beat will vote against you—is there, Jack?"

"Nary a one as I knows on," replied Jack, "There's one or

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two that would like to, but they *daresn't*, they're *afear'd* of a *massacree!*"

In 1890, a small book called *Was It A Pistol? A Nut for Lawyers to Crack*, was published in Washington and caused a great deal of amusement. It is the story of the trial of a boy who had been seen by a maiden lady in possession of a toy pistol, and was accused by her of breaking the law by concealing weapons. It was published anonymously, but the name of the author soon leaked out. *The Whig and Observer* wrote:

That a scholar of Judge Smith's grave dignity should play with the Muse in this jolly fashion but adds to its interest.

Many amusing couplets, easily memorized, are found in the little book. Take these for instance:

A gun, no matter what 'tis made of
Is still a thing to be afraid of.

or these:

When a sin's less like the devil
The less you guard against the evil.

Current politics were alluded to in such lines as these:

What makes a congress? Tell me that!
One filibustering Democrat?
Or one colossal man from Maine?
What makes a cabinet? Jim Blaine?

Is the writer not recognized as one who had attended many a convention?

Let us solidify as one—
Like caucuses that nominate,
(Their business is to save the State)
They fight and cuss and caterwaul

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Till one side, driven to the wall,
Cries quarter—then they all combine,
And fall into the loyal line;
For still the more they disagree
The closer friends they come to be;
And tho' they grow most clamorous,
And come to blows as they discuss;
They swear they are unanimous,
And come out shouting cheek by jowl;
To support the ticket heart and soul;
ALL holding up ONE simmon pole!

The poor culprit found himself in the hands of a pitiless judge, according to the following dialogue:

"Suppose this pistol doesn't shoot
And makes no noise above a toot?"

"No matter," said the Judge, "my son,
Our Court of Error holds it 'gun.'"

"Suppose it is a wooden gun
And only carried just for fun?"

"No matter," said the Judge, "my son,
Our Court of Error holds it 'gun.'"

"Without a pan or frizzer in't
And narry a cock to hold a flint?"

"No matter," said the Judge, "my son,
Our Court of Error holds it 'gun.'"

"And s'posing there's no trigger here,
And that she only goes by air?"

"No matter," said the Judge, "my son,
Our Court of Error holds it 'gun.'"

"Supposin' that it aint no pistol,
And nothing but a hickory whistle?"

"No matter," said the Judge, "my son,
Our Court of Error holds it 'gun.'"

From this time on Judge Smith spent a great part of his time writing a novel. This was in large part the story of his own life and personal experiences some of which were stranger than fiction, but he did not live to publish it. He read, also, many religious books. *The Catechism of the Council of Trent* was often seen in his hands. Few Catholics among the laity know as much about the truths of their religion as did Judge Smith even before he himself received the gift of Faith. Gradually the feeling of bitterness was abating, but even before that time, he was most anxious, since his wife and children were Catholics, that they should be the *right kind*. He warned Mother if he thought that any companionship, or reading might be hurtful to the faith of any of their children. For some years the family spent a good part of the summer at "Easby", a farm in Ann Arundel County, Maryland. It served as a place for family reunions. The nearest church was the Jesuit one at White Marsh, about seven miles' ride through the pine woods. Mother obtained permission from Cardinal Gibbons to have Mass at the farm whenever she could get a priest to offer the Holy Sacrifice. She gathered the Catholics of the neighborhood, and in time, succeeded in having a mission church built at Millersville, about three miles away. The Jesuits from Georgetown often came to "Easby" for the purpose of saying Mass for the little congregation. It was in this way that Father George A. Fargis became an intimate friend of the family. This gifted Jesuit was a native of New York City, where he had been graduated at Saint Francis Xavier's College at nineteen. He made his novitiate in Canada, and was sent to complete his studies at Rochampton, England, and at the University of Louvain. While at the great Belgian University his

research work in geology was so splendid that his professor, the famous Father Renaud, wished him to continue his studies there, but he was recalled to the States where a long life of activity awaited him. At the time we met Father Fargis, he was assistant to Father Hagen at the Observatory, at Georgetown, perfecting an ingenious instrument he had just invented. He called it the Photo-chronograph, and it made quite a stir in the astronomical circles. By means of the photo-chronograph the transit of a star can be measured to the one-thousandth part of a second. It is a small instrument, made to fit on the end of a telescope; a film, moved by machinery is placed over the lens, and by studying the negative thus produced, the personal equation is eliminated and results obtained that are practically perfect. We often saw Father Fargis explaining this little instrument. He wrote a very learned pamphlet explaining the whole mechanism. A work that Father Fargis wrote on fossils was published by the Smithsonian Institution. This gifted Jesuit was a man of varied talents; a linguist, a musician with a fine tenor voice, and an excellent teacher of chemistry. Leading scientists of America highly esteemed him. He was also a pulpit orator, much followed in Boston, where converts from among the Unitarians came into the Church in numbers. It was to be expected that he and Judge Smith, despite the difference in their ages—thirty-seven, and seventy-six—would feel a mutual attraction. To hear them conversing was to think "Diamond cuts diamond", and for the first time Father looked forward with pleasure to the visits of a "parson", as he would jokingly call the young Jesuit. There was a mutual exchange of books and pamphlets, and Judge Smith's serious consideration of the claims of Catholic-

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ism seem to have begun in the hours he spent with Father Fargis. Until his death in 1916, Father Fargis was a close friend of the family, although he left Georgetown in 1894 for work in Boston, Philadelphia and New York. Under a gay and humorous exterior, he carried a deep and sincere piety, reminding many of Blessed Thomas More. His spiritual influence was felt by thousands of souls, with whom he came into contact on missions and in parish work, and also in retreats to religious and priests. Many were encouraged in the paths of higher perfection, as much by his example as by his words of exhortation. He left behind a large number of devoted friends to whom his memory is a benediction and inspiration.

Paula was the last of his daughters whom Judge Smith lived to see married. She and Lieutenant Lewis Clarke Lucas were married in our parlor on March thirty-first, 1892, by Reverend Father Nevins, a Paulist, and Superior of the Paulist House at the Catholic University. It was a quiet wedding, being in Lent, and only relatives and a few friends of the family were present. It was a scene to be long remembered by the young people who witnessed it. Brides are, of course, always beautiful, and Father who gave the bride away was a striking figure; his hair and beard were like fine-spun silver, his eyes brilliantly dark, his bearing, princely. Mother at fifty-seven, was still wondrously beautiful, while Lewis and his six classmates in full dress lent added charm to the scene, and to the girls, a glamour that only uniforms and flags can give. Lewis was a great favorite with all of us, but it was a sad day when we had to say goodbye to Paula. For years she had been the light of our home, and we knew we should miss her cruelly. Time, however, proved kinder than

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our expectations, for there was scarcely a year in which we did not have a visit from her, and her letters were frequent and delightful. Father wrote for Paula's wedding day, the sonnet:

CONNUBIAL OBEDIENCE

A Sonnet from a loving Father to his daughter on her

BRIDAL DAY

This is the day of days for thee, fond bride!
Whether it dawn from clouds of stormy frown,
Or golden beams from bright Apollo's crown
As comes the day-god in his bannered pride.
This groom elected is thy chosen guide;
With him life's journey must be side by side;
Through weal or woe thou must adhere to him;
Thy *Fate* is settled *there* to sink or swim.

On just such terms as these did Adam lead
Our very great-grandmother to the shrine
Where Love and Duty mate with vows divine
And Faith that consecrates the matron's creed.
Stronger than Eve, avoid thou her offence!
Love is not Love—wanting Obedience.

March 31, 1892.

Lieutenant Lucas was ordered to Philadelphia, and for some time they lived there, not in the barracks, but in the city. On one occasion, they moved to Pine Street, and Paula received a post card having on it these lines:

Dear Paul, I'm very glad to hear
You're well—good health is nice and fine;
But, is it not a little queer?
You say "You're going off to *Pine*
To pine is not a healthy thing;—
Far better 'tis to laugh and sing."

W. R. S.

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It was Judge Smith's habit to write a sonnet or verse to celebrate occasions of special interest, and often wrote a few lines like the following:

MOTTO FOR THE HORSE SHOE

There's much in courage, more in chance,
For valor sometimes breaks its lance.
When fields are fought and pluck meets pluck
The god that wins the fight is Luck.
Superior strength bears valor down
But Fortune, Fortune wins the crown!

In June, 1894, Judge Smith's youngest son, James Stanislaus married Miss Lillian Louise Strong, a daughter of Major Strong of Washington. He is an alumnus of Georgetown University, having received the Bachelor's and Master's degrees in the School of Arts and Sciences, and in that of Law. He is well known in Washington as an author and a lawyer. During the late war, he served as Colonel in the U. S. Army, being on duty in the Provost Marshall General's office. He was awarded the Distinguished Service Medal. Both Georgetown University and Gonzaga College gave him the honorary degree of Doctor of Laws.

In the same year that Stannie was married, Judge Smith's sixth daughter, Anne obtained her parents' permission to enter the Society of the Holy Child Jesus. When she told him of her desire, his answer astonished her. "A few years ago," he said, "I would have been strongly opposed to such a step on your part. Experience, however, has changed my opinion, and I feel proud that a daughter of mine should feel herself called to so noble a life, and have courage to follow the call." Overcome with emotion, she asked his blessing. This he gave with that simple majesty that sat so well upon him. Looking back to that day, one would wish that

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he might have been allowed to see into the future. He would have seen three of his children giving up sons or daughters who felt that call to devote themselves to God's special service. He would have seen Marie Easby-Smith, Easby's daughter, renouncing a brilliant career—she had been president of the Women's Bar of the District of Columbia—to put on the habit of the Sisters of Mercy. He would have seen Helen Lucas, Paula's eldest daughter, in the garb of a Sister of Charity laboring in the dangerous Kiangsi Mission for the conversion of the heathen. He would have seen three of Rose's daughters, Dorothy, Winifred and Margaret, Sisters of the Holy Child Jesus, and her youngest son, who was his youngest grandson and namesake, William Russell Wilson, in the Jesuit Novitiate at Los Gatos, California. Besides, he would have seen one of Sophia's granddaughters, the child of Lucy Walker Jeffries, a Sister of Mercy. He would have seen children and grandchildren in—the late war, flocking to the colors or working for the Red Cross, devoting time and energy to the service of their country. And who can tell what other blessings he might have seen? Did not Almighty God promise to reward the children of those who fear Him to the thousandth generation? It was often remarked that whether in public or private, whenever he mentioned the Name of God it was with the greatest reverence, and always with the adjective *Almighty*. Profanity was something he could not tolerate. As the "fear of the Lord is the beginning of wisdom", we shall see in the sequel of this memoir that he ended his days in that "peace which surpasseth all understanding", which is found in true wisdom.

During the years Judge Smith spent in Washington, he kept in close touch with his beloved State of Ala-

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bama. None of the prominent men from that state ever visited Washington without calling on him. Those who resided in the city were in constant communication with him. One by one his contemporaries were snatched away by the hand of death, and he felt each loss keenly, his power for friendship being so great. In the end he was left the only one of the class that entered the University with him. Senator Morgan, however, and younger men, like Captain J. M. Martin of the House of Representatives, and Doctor Owen, were frequent visitors. When Doctor Owen was preparing material for his *History of Alabama*, he often found in Judge Smith one who encouraged him, and whose advice he treasured. Doctor Owen's article in the *Library of Southern Literature*, is without doubt, the most appreciative biography and criticism of Judge Smith's literary work that has appeared. The Alabama State Department of Archives and History, situated in Montgomery, was founded by Doctor Owen, who was also the first director of this institution, which is a lasting memorial to his name. Both he and his sweet wife, Marie Bankhead Owen, were in the nineties constant visitors at our house. After the death of Doctor Owen, his widow was appointed director of the Department of Archives and History, an office she fills admirably. To Mr. John M. Bankhead, her brother, belongs the honor of having been recently elected to the United States Senate, in a campaign which attracted the attention of the whole country, and his success was heralded as the triumph of unbiased public opinion.



WILLIAM RUSSELL SMITH
At the age of eighty

VIII

LAST DAYS

'Tis Discipline that gives the towering mind
 The graceful attributes that God Himself
 Intended should inhabit the fair form
 - Of man, His chosen image—man who wears
 Commanding attitudes, and moves, inspired
 In the rapt circle of intelligence,
 With longings that uplift him to the skies.

The Uses of Solitude,

W. R. Smith

IN the January of 1896, Judge Smith wrote several lyrics. Among these was a "Brace of Sonnets", written to Mrs. John M. Martin on her fiftieth birthday. The Martins had been intimate friends of our family for many years.

TIME'S METHODS

I

Time wants no stick on which to notch his dates;
 He hath a better method at command
 To teach mankind to know and understand
 Th' unerring intimations of the Fates;—
 He needs no pens, nor pencils, books, nor slates;—
 But plants a wrinkle in the fairest face
 And bids it propagate its envious race,
 To feed on Beauty and despoil its grace.
 So that the dame at fifty feels the grief
 Of passing to the "sear and yellow leaf;"
 For there the gabby tell-tale sits to sing
 That anniversaries new wrinkles bring,
 Each to be baptized in a plaintive tear
 That scalds and scars the cheek from year to year.

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II

I pray thee, lady, shed no tear like this!
For tears that scald are Beauty's enemies:
They come th' incipient lines of grief to trace
To blear and blotch—to darken and deface.
Thy Beauty foiled th' exacting tests of Time
Thy fifty years but brought thee to thy prime.

O best of all are these mid-century charms
Free from frivolity and wild alarms;
A soft sobriety subdues their tone
And mild desires serenely transports own.

Happy the man who claimed thee as a bride,
And still sits lingering fondly at thy side,
Feeling his pulses bounding to behold
That silver bride transmuted to this bride of gold!

Jan. 1, 1896

To Mrs. John M. Martin,
Birmingham, Alabama.

About the same time, Judge Smith wrote the comic verse "Longevity", remarkable as showing that the sense of humor never deserted him even though the thought of death must have often been in his mind:

LONGEVITY

Old Zoroaster lived on cheese
Nor knew decay, nor felt disease;
He thought to eke out life forever
And managed things exceeding clever.
Rejected capons, turkeys, frogs,
And threw all oysters to the dogs.

Of all things high—cheese was the upper—
"Twas cheese for breakfast, dinner, supper.
And thus unwittingly he reared
His own pall-bearers—so it fared!
For when he reached his dying day,
He literally crawled away!

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The Last Sonnet written on New Year's Day, 1896, was so-called by the author; less, perhaps, because he thought it would be his last than as a fitting name for the sonnet itself:

THE LAST SONNET

Time, in his annual rounds, dropped in today:—
How good of him to keep these visits up!
Whether he comes to breakfast, dine or sup,—
I pluck my spirits to seem bland and gay,
To give him cheer and welcome on his way:
Still looking keenly in his wizard eye
To pick him of his present homily:—
'Tis this, 'tis this, "Are you prepared to die?"

Your forescore years and one are almost over
And still you frolic like a pig in clover."
"I'm not exactly ready yet to go.
To die's the very last thing I would do:
I would not insolently cling—but life,
God's first, best gift, is charged with battle-strife."

No doubt those who are not Catholics fail to understand why members of the Church are so anxious that their dear ones should share the Faith with them. One consideration will make the reason clear. Catholics, unlike the members of other religious bodies, hold that the Church is the one true church of Christ, to which He promised perpetuity, and to which He calls all men. Naturally, then, they wish all to join the Church, especially their own dear ones, that they may enjoy the wonderful grace of the Sacraments, and the Holy Sacrifice of the Mass, and so more easily and certainly "work out their salvation", which as Saint Paul says, must be done in "fear and trembling". Many of Judge Smith's children can truthfully say that the one great desire and prayer of life was that he might receive the gift

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of Faith and accept it. Consequently, it was a never-to-be-forgotten day when he became a Catholic. Religious discussions had never been allowed in the home. Every room, however, had religious paintings, some of them the work of the children of the house. The summer before Judge Smith's death, Bessie had made a beautiful oil painting of the Sacred Heart and hung it over the mantel in his room. He, from the distance, took it to be a picture of the Blessed Virgin, and often looked at it with affection and reverence. For some months his health had been failing, and in February, he had an attack of bronchitis, not serious, except for his age and the danger of complications. Father Gillespie, the Rector of Gonzaga College, had often called and, when Judge Smith felt able, they had conversed, but no one seemed to interest him as Father Fargis had done. An old friend, Father Mickle, afterwards Vicar General of the Wilmington Diocese, came from Cape Charles to see him about this time. They had two talks, in the first of which no mention was made of religion, and in the second, which lasted only ten or twenty minutes, Father Mickle told Judge Smith that he thought he might be nearing his end, and asked him to promise to say a prayer, at least daily, to the Blessed Virgin. After a few days, he grew weaker and the doctor was a little more concerned, and Mother, to whom it seemed the worst kind of treachery to let a person die and not know what was happening to him, told him exactly his condition, that he might get well, and they might have another happy summer at the farm, but that, on the other hand, he might not get over this attack. He knew, without her saying it, what was the wish of her heart, and he said: "I will wait till Father Mickle comes back!" She told him that Father

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Mickle could not leave his parish again for some time. Without any answer, he went to his bed and lay down, as if tired, and as she covered him with a light quilt, she heard him say, "O, Lord, give mercy to my poor body—and soul." With ready intuition, she knew that this meant a great humility on his part, and that it was the beginning of his surrender to grace, a surrender hard to his pride, and coming as the answer to many prayers which his own were the crown. She left him, and in the adjoining room betook herself to prayer—the rosary. She said she could never remember how many decades she had said when he called her. "My dear", he said, "if you send for Father Gillespie, I will be baptized!" Ethel came to the foot of the bed at that moment, and he said to her, "I can't stay out from my wife and children any longer!" It seemed that God, in His Wisdom had used his life-long and intense love for his family to draw him at last into the true fold. So Mother thought, at any rate.

He had not forgotten his strong speech in the U. S. House of Representatives against the Church and the Jesuits, nor the animosity he had entertained in his younger days for the Pope of Rome, even though for many years he had realized the injustice of the attack, and the untruthfulness of the sources of history on which he had relied for his data against the Catholic Religion. As Father Gillespie, responding to the call, entered his room, Judge Smith said to him, "Father, I wish to retract every word I have ever spoken or written against the Catholic Church." He sent word later to Dr. Thomas Owen, that he would like to see him, but some untoward circumstances prevented his reaching him before the end. Perhaps he wished to ask this trusted friend to make a public statement of

this retraction. As Father had been baptized in his youth, Father Gillespie baptized him conditionally and heard his confession and then went back to the church for the Most Holy Sacrament and the oils—but this part must be told in Mother's words in a letter to an absent child:

I gave him the best instruction I could on Holy Communion. He knew so much already. I *happened* to have all the altar linens in, just washed, and some of them were used. Rose put on her First Communion veil, and met Our Lord at the door with a candle—and the family assembled to adore Him who came so wonderfully to our darling. Then came the Sacrament of Extreme Unction. He was tired—very tired—but his mind was as bright, and all his senses as keen as at any time in his life.

When Father Gillespie was going, he said something about how thankful all ought to be, and Mother said, "After thirty-four years of prayer, it seems wonderful". Then, for the first time Father Gillespie, although an old friend, knew that she, herself, had not been brought up in the Faith. Judge Smith asked her afterwards what she meant by "thirty-four years", and when she told him, he said, "And you have been praying for me all these years!" and then he added, "~~If~~ I should get up from this, we will begin a new honeymoon". And again, "I must begin to learn my devotions, musn't I? . . . It will be an amusement to me." Then she taught him how to make the Sign of the Cross. Later, he said, "Annie will be so glad! . . .

. . . . Will you write to John Martin?" She told him that she had already written to all, and he said, "I thought so." "Why?" "Because I know your way of doing things! . . . Did you tell them I was anointed?" This with a smile, realizing the meanings of the word. Except for its great length the letter from which these

excerpts have been made would be quoted. It was written in the April of that year, when his widow felt able to perform the hard task of writing for the only one who was absent, a full account of his last days. The following words reveal the greatness of these two hearts who through many years of light and shade had walked side by side, mutually honoring and trusting each other. They are from the same letter:

I asked him for his blessing, and he put his hand on my head and gave me one so sweet that it must always be my own—and then he added; "Perhaps, my beloved wife, I may yet be a greater blessing to you than you have ever thought."—I asked him for his blessing for you and the others who were absent. That night I was saying how thankful I was—and he said, "And I am so thankful, too. I have been so stubborn, stubborn, stubborn!" All that week until the next Tuesday, the doctor was hopeful; I was not. On Friday night Easy came. Saturday and Sunday, I was ill in bed. Easy was obliged to leave on Sunday night. I got a beautiful crucifix for him; it seemed so strange to see him lift it to his lips and kiss it as if he had always been a Catholic. . . . Then Father O'Connell came (Father Gillespie was taken sick on Ash Wednesday and was ill for several weeks), and brought Our Lord again, so that he received Him only ten hours before he saw His Face. "His Face!" O gracious Lord! It seemed too glorious to be true! Then he sank, retaining his sight, hearing, and speech, and mind to the very end. He became very restless about an hour before midnight—and I pinned a badge and my promoter's cross on his gown, and he became quiet—only asking to be raised occasionally when he would slip down. I held his baptismal candle in one hand—his crucifix was in the other—and it is there yet. Mamie said the prayers—the family and servants responded, until the last prayers, which I read myself. I have seen many deaths, but none so sweet and quiet and peaceful as his. From the moment he asked for Father Gillespie, he seemed "even as a little child". . . . Father Gillespie thinks his conversion a "wonderful miracle." If I allowed myself to think how happy I might have been if he had only long ago, found his way home,

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my eyes would never cease weeping—as it is I do so long to follow him!

This was on February 26. Doctor Rogers had died on January 2, and Colonel Stone, on January 6, three friends who had come from the South to Washington in the same year. A few months before, Mr. Emerson Etheridge who had been in Congress with Judge Smith, wrote to him: "All our children are in the Catholic Church. It is time for us to be there also."

On the afternoon of the twenty-eighth a simple ceremony was held in the parlor. The Rector of Georgetown University, Reverend Father J. Havens Richards, S.J., read the prayers and said a few eloquent and touching words to the family and friends assembled. Countless friends sent tokens of condolence. The honorary pall-bearers were Jesse Francis Stallings, George Paul Harrison, Gaston A. Robbins, James E. Cobb, John H. Bankhead, Joseph E. Wheeler, and O. W. Underwood, of the U. S. Congress, and ex-congressman C. M. Shelley of Alabama. Among those present were many members either of the Senate and House of Representatives, also Hon. H. A. Herbert, Secretary of the Navy, Ex-Senator Morrill who served with Judge Smith in Congress, Col. Micou, Major Strong of the Department of Justice, Hon. T. M. Owen, Mrs. Owen, Dr. J. B. Read, Rev. J. M. O'Brien, pastor of St. Peter's Church, and Rev. P. J. O'Connell, S.J. That evening Judge Smith's remains were taken to Tuscaloosa by his widow, and their youngest son, accompanied by Senator Bankhead. The funeral arrangements were directed by the faculty of the University of Alabama. It seemed as if everything had been prepared by a benevolent Providence, to bring consolation to the bereaved hearts of the little party. At Birmingham

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ham, the train was waiting for them, and Sophie with her eldest son, John, and his wife met them.—William R., Second, had gone ahead with Captain John Martin. At Tuscaloosa, a delegation met and escorted them to Mrs. Brady's home. This old and well-loved friend had thrown open her heart and home, and to her parlor hundreds of Judge Smith's friends came to take a last look at one they held in reverence and esteem. They remarked the peace and majesty that sat upon the cold brow and the still lips, which even in death seemed to smile welcome to them. The room was full of flowers. "Not made-up bought pieces", Mother wrote, "but lilies, hyacinths, sweet violet and olive and camelias in clusters, gathered by those who held him in their hearts." The little Church of St. John Baptist had never seen before, and probably has not seen since, such a concourse as that which gathered to do honor to Judge Smith. According to an eye-witness:

The church and church-yard and streets were packed. The corps of Cadets from the University in full-uniform was out; the pall-bearers and honorary pall-bearers from the Bar, the City, and the University. Father McCaffrey said the Mass, and Bishop O'Sullivan who had come from Mobile, preached the sermon. He touched lightly on the individual—alluded to the magnificent intellect, at the bar, on the bench, in Congress, and in the study hall, and how he had retained its perceptions undimmed to the end—how it had been his duty to *judge* weighty causes, and now was come himself to judgment—spoke many words of comfort and consolation.

There were, indeed many consolations, natural, and supernatural, but nevertheless, the weight of sorrow was felt. Especially the widow, surrounded though she was by children and friends, was physically exhausted. She had lost her voice for some days, and Mrs. Brady

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insisted on her remaining with her to recuperate. Few women would have succeeded in bearing the pressure of the arduous weeks as she did, and she found time and strength to write every day to the dear ones at home. Thus was William Russell Smith laid to rest in the same cemetery as his gifted mother, and beside two of his children, Lucy and Wilhelmine, but only for a while. When his widow was at the point of death twenty-two years later, she realized that the family would never return to the South, and arranged that the remains of her beloved husband should be brought to Washington and laid beside her own in the lot in the Catholic Cemetery of Mount Olivet.

Before the June of 1896, Bessie had painted a portrait of her Father, copied from one taken when he was in the prime of life in a group of the "Committee on Election U. S. H. R. 1854." This was sent to the University of Alabama, and may be seen today over the Librarian's desk in the reading room of the Library. The following joint letter was received in June:

Tuskaloosa, Ala., June 23, 1896.

Mrs. W. M. Easby-Smith;
Miss B. H. Easby-Smith;
122 East Capitol St.,
Washington, D. C.

Dear Mrs. and Miss Smith,

The Board of Trustees of the University of Alabama have directed me to acknowledge the reception of the portrait of the late Hon. William Russell Smith, and to return the sincere thanks of the Board for this handsome donation.

The fact that the portrait was painted by an "artist-daughter", one of the donors, lends an additional charm to the presentation, for the accuracy of the likeness to her distinguished father is a high testimonial to his talented daughter.

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The portrait has been placed in the Library of the University, and will for many years, be looked at with pleasure, by thousands who have derived and will derive both pleasure and profit from his labors in Law and Literature.

With sentiments of regard, I am
Very respectfully,

J. H. FITTS,
Sec'y Board of Trustees of the
University of Alabama.

Numerous quotations from articles relating to Judge Smith, published after his death in the Washington and Alabama papers, and also in the Catholic weeklies throughout the country, might be given here. Nothing, however, that has not already been told in these pages would be learned from their perusal.

No biography of William Russell Smith, however, would be complete without an account of the later years of her who had been so closely associated with him during the forty-two years of their married life. She outlived him twenty-two years. For a few years she lived with Bessie and Rose in the old home; then for a time, at Millersville, where she continued to work for the founding of the mission church there. The Re-demptorists had taken up the work. Father Bader, C.S.S.R., who often attended the mission, once told one of her daughters that she was the soul of the movement, and that but for her the church would never have been built. She saw to everything, providing altar, linens, and all things necessary for the service of the chapel; she entertained the priest, collected the congregation, and even answered Mass herself. On one occasion, at Benediction, she was sacristan, server, organist and choir! And this when she was in her later sixties. After the Millersville Church had been sup-

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plied with all necessities, and she heard of the needs of the little congregation at Elizabeth City, North Carolina, she sent all her altar furnishings there. Easy's eldest daughter, Mary Wilhelmina or "Minnie", lived there with her little family. When she and Edgar Chadwick had married in 1904, they lived first at Virginia Beach. Minnie showed great interest in the few Catholics living there, and taught Sunday school in her own home, while plans for a church were in progress. When Mr. Chadwick was appointed District Superintendent of the Coast Guards, and moved to Elizabeth City where they lived until his death, she evinced the same interest and so earnest and effectual were her labors for the incipient congregation that Monsignor Mickle said her grandmother's mantle had fallen on her shoulders. The history of the little mission makes an interesting chapter in North Carolina Church history. From February 5, Saint Agatha's feast, when the first Mass was said in a small public auditorium, until the Feast of Saint Patrick in the same year, everything necessary for services, even an organ, had been acquired. The brick church came in a marvellously short time. And thus it happened that the vestments and linens, used in the first mission at Millersville, Maryland, were worn out in the first mission in Elizabeth City, North Carolina. How many chapters of the history of the Church read like this one, so divine is her universality!

In 1899, Rose was married to Leonard Wilson, a native of Chelsea, England, and at one time, a student at Oxford. This marriage was most pleasing to Mother who although she was thoroughly American never lost her love for her father's native land. For some years Mother and her youngest daughter were separated,

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although they often visited one another, and Rosemary Wilson, Rose's eldest daughter, was born at "Easy", as Helen Lucas and Rozina Hawkins had been before her. When the Wilson family made their home in Hyattsville, about 1915, Mother practically lived with them. Leonard was like a son to her, and they had many tastes in common. During all the years of her widowhood, one or other of her children or grandchildren was always with Mother. Whenever Lieutenant Lucas was on sea duty in a place like Alaska or Honolulu where he was not allowed to take his family, Paula and her children were with Mother. The same was true when he was actually engaged in the Spanish-American War in Cuba, where he was breveted Captain for conspicuous bravery in the face of the enemy. At this time, one Alabama paper boasted that, "Although Lieutenant Lewis Clarke Lucas, the hero of Guatanamo, is an Ohian, he is Alabama's son-in-law, being the husband of a daughter of the late William R. Smith."

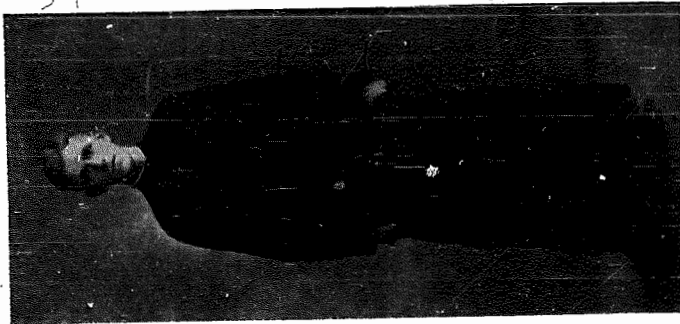
The loneliness of widowhood, accentuated by a keen desire for the eternal reunion, did not result in Wilhelmine's case in idle mourning. Her life had always been one of active interest in local and church affairs. As in Tuscaloosa, she had been the Pastor's right hand, as it were, so, now, her activity took many directions, such as visiting the asylums in the interests of the Saint Vincent de Paul Society, and instructing the Italians in Saint Aloysius' Church. Her knowledge of their language gave her a ready entrance into the hearts of these children of the Faith. It was her peculiar delight to prepare children for the reception of the Holy Eucharist, especially in the case of her own children or grandchildren. Whenever any of these had reached the required age, and were within her reach, she spared

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no pains in their instruction, and they bear witness to the thoroughness and fruitfulness of her work. Helen Lucas and Rozina Hawkins were of the same age, and after having been prepared by her, made their First Communion together. Years after, Helen, now Sister Helen of the Sisters of Charity of Emmittsburg, wrote from her Kiangsi Mission, of "Mine-Mine", as she called her grandmother:

She had a remarkable way of explaining religious truths to the child mind. I remember, one day my mother sent me to visit the Crib in the parish church. On the way, some of Mine-Mine's recent talks furnished the subject for my little meditations, with the result that I took the practical resolution to visit the Blessed Sacrament instead of the mere play infant, which I accordingly did. On my return, I told quite honestly what I had done, and was surprised and hurt that Mother took the view that disobedience was never a good thing. I turned for sympathy and support to Mine-Mine, but the only result was a lengthy (at least it seemed so to me) lecture with the refrain "Obedience is better than sacrifice". The only thing that sunk in—and that cut me to the heart—was that even though Our Lord was in the Tabernacle and not in the Crib, He did not want me to visit Him, if I came contrary to obedience. She, however, knew how to deal with children. When I went with her for a visit to the church, she always stopped on the way home for a soda. Besides the Real Presence, her talks (and to a seven-year-old at that) turned on the infinite value of the Sacrifice of the Mass, and devotion to the Sacred Heart, especially reparation. She urged frequent spiritual Communion, and, as you know, was later an apostle of frequent Communion, also. Her work as promoter of the League of the Sacred Heart, was not slight, and she once told me that all her Communions were Communions of Reparation. Russell's entering the Jesuit Novitiate would be just to her liking if she were living now. When he was quite small, she picked him out as the "flower of the flock".

This reference to "Russell" was made because Sister Helen had just heard of the intention of Judge Smith's



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The Fifth, 1931

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youngest grandson, William Russell Wilson, to enter the Society of Jesus. He is, at the present moment, in the Sacred Heart Novitiate at Los Gatos, California. Judge Smith, for some years before his death, had learned to value the training given by the Jesuits, and to regret his early antipathy for them. He had intrusted to them the education of his youngest son, and he would probably have been proud to see a grandson of his wear the habit of the Society which has done so much for God and for education. A picture of the young novice is included in this volume, through the courtesy of the Reverend Provincial of the California Province, although it is not customary for novices of the Society to have their pictures in print.

When Helen was learning to talk, she called her grandmother Mine-Mine, and all the younger set knew her by that name. The Wilson children affectionately changed it to *Miney*. The three youngest Wilsons were small children when she died. Dorothy, in 1929 wrote of her:

All my remembrances of Mine-Mine are of little things, but full of happiness. It is always a joy to think of her. My first recollections of her are at our house in Hyattsville. She spent hours in her little "den" at the back of the house. I think most of her work was done for Father — genealogical records, etc. Almost every day she went to the Library of Congress. This meant about three quarters of an hour in the street car. The conductor got to know and watch for her, and if she were anywhere in sight, the car was sure to wait for her. She often sent me ahead if she did not feel able to hurry. At the library everyone was most courteous, and "stepped around" to help her. Her permit gave her access to the stacks, and while she looked up references, one of the men took me up and down in the elevator. After several hours spent in the library, we had lunch at some place near by. This was always a joy to me, for a *pie à la mode*

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was almost an inevitable consequence. Sometimes we would go to a movie. . . . Dear Miney! how good she was to us! We never tired of her stories, especially about the Civil War. She started Leonard off on piano lessons. She gave several to me. She also gave me lessons in division and decimals which I did not appreciate. I was always proud to go out with her, and prouder to come back, for we often visited the other folk, but our house was her home. . . . She has always been to me a striking example of the tremendous amount of good that may come of one person's correspondence to Grace . . . I always cherish my one-time title, "Miney's girl", and hope that her influence may even yet make something of me.

Most of the grandchildren hold the same high opinion of her, and speak in the same manner of her influence and of their gratitude to her. These extracts, however, are sufficient to illustrate her home life during the last years.

The Centennial celebration of Georgetown Convent, held in 1899, was attended by alumnae from all over the country. Mrs. Easby-Smith was one of the older members, and was called upon by the toast mistress to answer the toast, "A Convent Girl." In introducing her, Mrs. Moran said:

"There is one among us today—a convent girl—the mother of convent girls, whose intimate knowledge of these young ladies prepares her to show us the real convent girl. It gives me great pleasure to introduce Mrs. Easby-Smith."

Her answer to this toast was received with enthusiasm, and appeared in all the Washington papers the next day. It was in her best style and contained many beautiful and true sayings. Only a few lines will be quoted:

The Convent Girl! How shall I speak of her? Though nearly half a century with its many changes has passed since I

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first knew her type, still her gentle graciousness is observable now as then, a peculiar subtle charm of manner which, meet her any where one may, marks her unmistakably as the Convent-bred girl. . . . Outside the precincts of the Catholic school the tendency in our day is to consider secular learning the summum bonum of existence, and in the pursuit of science, to forget the God of science. It is not, then, surprising that pride of intellect with paucity of learning should be the acquirements of our godless schools, the product of which is too often the *fin de siècle* woman of whom I shall say only that she is the very antithesis of the Convent Girl. . . . It is the woman who elevates or lowers the tone of society. It is the influence of woman in moulding the minds and hearts of the young that forms the character of the next generation. Convent training, by example and suggestion, leads the maiden, though it may be fully developed only in after life, to a realization of personal responsibility. . . .

At a later meeting, the Alumnae elected Mrs. Easby-Smith honorary President, and in her acceptance speech, she said that this honor accorded her was a tribute to Father Time which she was happy to accept from the hands of her Alma Mater.

An incident which happened in the early days of McKinley's administration is an illustration of the way in which people of all classes solicited her services. A young negro of eighteen when fleeing from a policeman who was pursuing him for some slight infringement of the law, in a moment of terror, threw a brick at his pursuer. Unfortunately, it struck the patrolman in a vulnerable place and killed him. The boy was condemned to death, although it was a clear case of manslaughter. Friends of the boy appealed to Mrs. Easby-Smith to help them in obtaining a pardon from the President. She asked General Wheeler, who was then in the United States House of Representatives, to accompany her, and solicited an interview with the President. He received her courteously, but refused to

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interfere. Finding all pleading useless, she said, in that imperious way that all who knew her will remember—an imperious manner which her rare charm softened infinitely and usually rendered irresistible:

Mr. President, I am the widow of a man who belonged to the political party which is always accused of wronging the negro—a man who sat in the Confederate Congress during the whole term of its existence, and I am asking, not mercy, but justice for a negro boy. I am asking this of one who represents a party that boasts of its generosity towards his race. My request is seconded by a representative from the State of Alabama, a Democrat, a man who fought for four years against the Federal Government, in a war that is often called, although falsely, a war for slavery. Is it right that you should refuse?

She obtained the boy's pardon, and it brought a singular joy to her own heart.

In 1913, at the request of the "Association of the Oldest Inhabitants of the District of Columbia", Mrs. Easby-Smith prepared and read before a meeting of the association a paper called *Personal Recollections of Early Washington and a Sketch of the Life of Captain William Easby*. At the end of the reading she was elected honorary member of the association, and her manuscript was published by that body. It runs through thirty-one pages, is graphic and vivacious and well repays reading. In her seventy-eighth year she looks sixty, and many who listened to her found it hard to realize that she had indeed lived through the times about which she was speaking. Her memory was always remarkable, and the studious habits of a lifetime had made intellectual work that is hard to others, easy to her. Until the very day of her death it was the custom of her children to apply to her for any information they found it difficult to obtain, with abso-

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lute confidence in her willingness to comply with the request and in the accuracy of any data she would furnish.

To an acute and solid intellect she added great energy and an ardent faith. The outstanding trait in her character, was a steadfast confidence in the care of a watchful Providence, joined with an unflinching energy in doing her part to fulfill God's Will as she understood it. No one would pretend that she was a saint. Her faults, which were the faults of a straightforward, enthusiastic, strong-willed character, were on the surface, and plain to all. Her virtues, on the contrary, were fundamental, and for that reason were best known by those who came closest to her. To her husband's mind, she was above all praise. Her children knew the response their actions were sure to receive, for she was without the slightest fickleness, and there was no double-dealing in her whole makeup. They knew, also, that there was no limit to her love for them and no sacrifice she would refuse to make for any one of them.

In her last illness and death, Wilhelmine Easby-Smith showed the fruition of her long life's endeavor. It was my rare privilege to receive many letters from her during the five months in which she was confined to her bed, preparing for the supreme act of dying. She was in her eighty-third year and she had enjoyed a life singularly free from illness. Early in January, 1918, I received a letter from Mamie telling me that Mother was quite ill, and that they had taken her from Hyattsville to Providence Hospital in Washington for observation. She remained there for a few weeks and then was moved to a house on New York Avenue which the Wilsons had rented to bring her nearer to the doctor.

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In this she saw the fulfilment of a life-long desire—to live in a Jesuit parish. She was destined to die in Saint Aloysius Parish and be buried from that church where during many years she had spent hours of prayer.

The interest she had in all things human accounts in some measure for her alertness of intellect. During the five months of her last illness, in spite of the pain and fatigue of long nights and days, she was usually bright and always interested in news of the World War and all other happenings. One who knew nothing more of Mother's character than what her letters at this time revealed, would be able to form a true estimate of it. I have them before me now. The first are written in the fine and beautiful penmanship that all her children admired and, perhaps, envied, for none of them succeeded in imitating it. The last are in lead pencil, showing weakness of body, but expressing sentiments of courage, and evidencing the marvellous quality of her natural strength of will, and even more, of the vivid and unflinching faith which was part of her very soul.

Those who care to read the extracts here given from these letters will perhaps be amazed at the heights of spiritual detachment they reveal, unless they stop to consider that they are from one who, quite early in her married life in obedience to a call that she was convinced came from God risked the loss of all that was dear to her, even the husband of her choice, to embrace the Catholic Faith—a Faith detested by all her relatives and most of her friends. Not only that, but her whole life afterwards, was an effort to lead the life of a perfect Catholic. The reticence natural to her in things regarding her interior life, was put aside by her during these last days when she opened her heart to her absent daughter in a way that revealed much of her character

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never before fathomed. What has induced her to share these sacred pages with others is the conviction she has that many souls will be helped in the spiritual life by their perusal.

On the day of Allenby's success in Palestine, she wrote the following:

Providence Hospital,
Feast of St. Agnes, 1918.

My dear Child,

Your letter this morning gave me great pleasure. But I have been almost wild over an item in this morning's paper—only conceive it—after 900 years—I can't send you the clipping because I keep the paper for Bessie. I think it is enough to raise the dead. "The Catholic Rector of Oxford, an army chaplain, in an address (yesterday) at the Academy of Notre Dame said: "England will declare Pope Benedict protector of the holy shrines in Palestine. The British government has selected the men of the Irish Catholic Regiment as guards outside the places sanctified by the life and death of Christ, and every sacred place is in the hands of the Franciscans." I do not know if it is the tonic of the news, but I feel much stronger today. I am in the third story—Seton Hall—I have not been strong enough to go down—but very seldom. I got to Mass and Holy Communion yesterday, and Benediction in the evening. Today I hope to go down for confession—and Mass in the morning.

The excerpt you sent from Father Fargis' letter sounded just like him, and is the true Jesuit teaching, but almost unintelligible to such poor dumb worldings as we outside of an uninterrupted spiritual life. . . . Rose just came in with Father Shandelle, and I had such a delightful visit that I forget what I was going to add. . . . They all imagine, I think, that I will never be strong again—if I get around, I will have to go slowly"—"Go slowly!" what a novelty for me!

In a letter from the New York Avenue house, dated March 2, Mother wrote:

Perhaps I am a little stronger today. Paula came back with Lewis.

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Just now is the darkest hour of the war, and we know not what to expect. Pray God to come to the assistance of justice and humanity.

It is very pleasant here—I am sitting up in Rose's room adjoining mine, with a bright lookout.

A Father from Saint Aloysius brought me Holy Communion on the 26th! He is to come once a month! Father Mulligan—there are none left who know me now—and only Father Shandelle at G. T. C.—who is an old friend. That is the worst part of age—the outliving friends.

I pray for you all the time.

God bless you,
MOTHER.

Every letter had this ending, familiar to her children from their boarding-school days. The "26th" was Father's anniversary, a day of special prayer for her. Always a frequent communicant, the deprivation of Communion for a great part of her illness was a real suffering to her, but she was resigned and looked upon all that was done for her as something better than she deserved.

In another letter written a week after the last one, she wrote:

I really think I am better, but after 13 weeks, it will take me a long time to recuperate, if I ever do. . . . I am *always fasting* when a priest is to give me Holy Communion. A month seems long to wait! About Stannie, he has been a long time in uniform. Lieut. Colonel, now. He will soon be a full colonel and be next to the Provost Marshall—he is very frequently in charge of a full bureau. He hopes to go to France—when they can spare him here—and will be a staff officer on some division. . . .

The letter written on Good Friday was heart-breaking. The writing had lost the firm touch, but was in ink:

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Good Friday,
1918. —

My dear Child,

I fully intended to write to you a few days ago, but it is rather inconvenient. I am not sitting up at all, now. The getting up and down exhausts me so, I thought it best to rest all the time. I had a bad turn last Monday, but am better now. The Sisters came again. I hope they wrote you. I have a good deal to say but I must wait, if I am to add this. Nobody can tell apparently anything about my prospects—maybe I'll hold out till summer, and see you—but if not, never mind—I *meet you really oftener than I do the others*. . . . If I go soon, don't grieve, only pray—and pray hard, now, I go the right way. I am so *apathetic*—I have no more feeling than a stone—but they teach us that there is nothing in *feeling*. And, now, God bless you abundantly—with all Easter joys. Love to Sisters Julianna, Lewis, and the others.

Your devoted Mother.

Any one reading this letter could see that the end was approaching, and it cannot be re-read without tears. The valiant heart, so thoughtful for others, so confident in God, so fearful of its own unworthiness! Easter Monday she wrote a brief note, saying she was better and had written a number of notes. Calmly and peacefully she prepared for the last journey. In a way that seemed like a special providence, all her children came back to Washington. Even Sophie, quite an old lady herself, was there during these months. From one letter, May 2, in a firmer hand than the preceding, among other things she wrote:

You ought to see my pretty shrine in a corner of the mantel with my old statue—and lilies of the valley and a taper.

Today is one of my "good days". Yesterday for want of sleep I was very miserable.

No so long ago you suggested that if possible Papa tired of waiting for me. So often when we moved—he went before to

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get the house ready for us--and so it always seemed to me he was gone now, to welcome me. The rest, many of them (the children) will not be far behind. Wonderful they are all alive, is it not?

"First Friday"! I wonder if I shall be alive to finish the mine? I am perfectly indifferent, except I would like to be alive until after the summer comes.

Do you think the words of Saint Augustine would be nice to put on your father's and my monument? His remains are to be brought to Mount Olivet, here.

I can't understand why God has been so good to me--to bring all my children together when they were scattered to every part of the country--to give me such a *rest*, and so much happiness. It makes me *afraid*. Do you know that I never before, in all my long life, knew what *rest* was? It is true.

She was *afraid* that she was too comfortable to be like her Divine Master! In her next letter, this is plain.

Don't worry about me--I am comfortable and happy. You are very near me, for my soul is beside you in the chapel where you are now. Don't worry about the heat--it is not the hard bed of the Cross, or the Roman Arena--and my discomforts are so few that I am ashamed, all the time, and afraid.

Cardinal Gibbons, remembering all that Mother had done for the church at Millersville, gave permission for her to have the Holy Sacrifice offered in her room, on her birthday, July fourteenth. Father Shandelle was to say the Mass. She looked forward with happy expectations to having all her children present for the event. Then she remembered that when she had given her consent for her daughter to enter the Holy Child Society, they had both agreed that their mutual sacrifice should be lifelong, and that this child would never again visit home. She wrote the following letter which reveals a spiritual detachment beyond that of most women:

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One thing in which you are in error is that you set me up as a "model" mother, as it were--many mothers are far better than I was--in various ways. You see how much stronger I am by the writing. Perhaps I shall be around again, and we may have our talk after all! Just as God wills! . . . Not for worlds would I have your affection for me cause you even in the least to depart from the slightest rule of our religious life. As for your going back on your plighted word,--why, the old Viking heathen of the North would hold up their hands in horror that their blood had fallen so low! You see, there is nothing on earth but *grace* that is stronger than heredity,--and your ancestors of a thousand years ago, what glorious Christians they were, when converted! They were in the forefront of the Crusades; they built churches, founded Convents.--Of course you don't know them--but there is where you get your courage and stubbornness, doubled by Divine Grace. Well, that is enough for one day! God bless you!

MOTHER.

That is the way she accepted a great disappointment. Her reward was given her even in this world. Soon after this she began to fail, and when no longer able to write, she sent frequent messages through Mamie or Paula who were good about writing.

"Tell Annie it is all right. I shall see her all the time--every day at the Altar--more than I do any of you," or something equivalent. Rose was able to get away for Rosemary's graduation at Sharon Hill early in June. Soon after that, Mother began to fail rapidly. She was anointed on June the seventh, and they decided that the long-promised Mass should be said in her room on Monday, the seventeenth, instead of waiting till her birthday in July. They arranged an altar near the bed, where the little shrine of Our Lady had been. How they must have recalled the thousand times her own hands had prepared the altar for holy Mass! Now, she was lying their unconscious. Nothing could

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rouse her from the deep torpor. Father Shandelle said the Mass. One of her sons served and all the rest of her children, except one, were kneeling around. At the Elevation, she opened her eyes, looked at the Sacred Host and said, very gently, but with the strong faith and love of her great heart, "My Lord, and my God!" She was able to receive Holy Communion, and to make her thanksgiving, and then was unconscious until her death a little over twenty-four hours later.

No one of course, can ever explain the graces and blessings our good God lavishes on His children. Father Shandelle thought that He wished to give this faithful daughter of His, a return, even in this life, for the many times she had put her best at His disposal for the Holy Sacrifice. To others it seemed a mark of His acceptance of her last sacrifice. Christ our Lord said, "He that hath left father or mother, or wife or *children* for My sake shall receive a hundredfold in this life and eternal life in the next." She had given up a child to the closer following of the Master, and she had just renewed the sacrifice in accepting without a murmur, the absence of that child from her side in this last reunion of the family.

Father Shandelle had promised if possible to be with Mother at the end, and told the family to send for him at any hour. Once she had expressed to him regret that dying souls seldom have the blessing of the priest at the very last. This had led him to make the promise. Accordingly, about midnight on the eighteenth, one of her sons brought Father from the College in Georgetown to Rose's house where Mother was dying. Very peacefully she passed away, with the blessing of God's priest on her departing soul, early in the morning of the feast of Saint Juliana, the saint of the Blessed Sacra-

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ment. They laid her to rest in Mount Olivet Cemetery where, later, they brought Father's remains. There in consecrated ground they await the Resurrection, and final reunion with all whom they loved in this world.

TO MY FATHER AND MOTHER

WHO ARE WITH GOD

*You said you would wait
At the Sunset's Gate
Till I should come.*

*Lo! the shadows grow
In length, and I know
Each day devoureth somewhat
Of the path-way HOME*

*God hath given rest
Well-earned, and joys unguessed
By dwellers in the Valley, to you.
And as I climb to the Sunset's Gate
I know that you still wait
To help me through.*