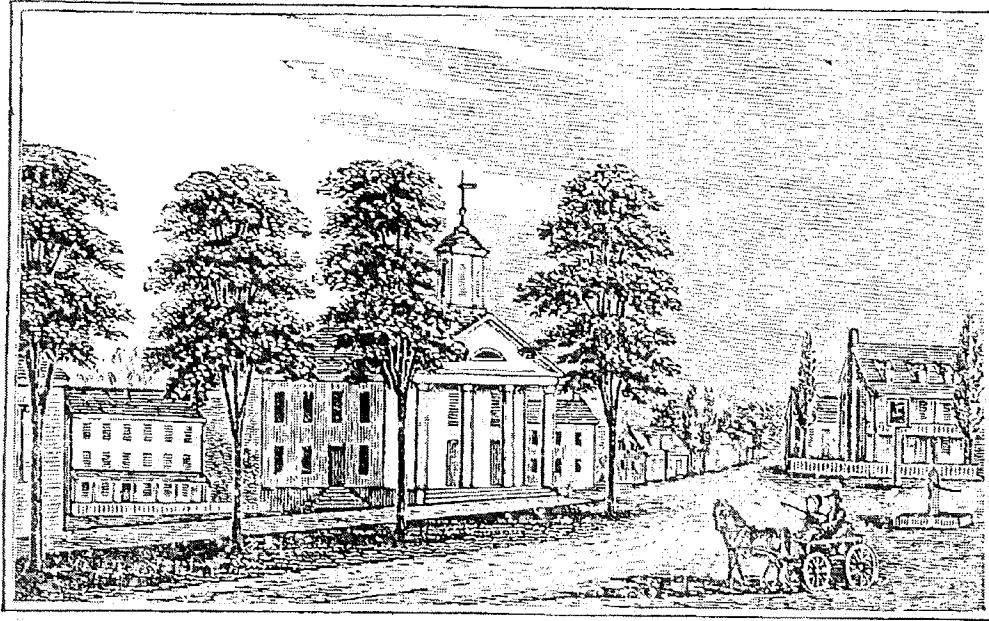


the main road from Winchester to Alexandria. It contains 1 Met., 1 Epis., and 1 Baptist church, and a population of about 500. Paris



Central View in Warrenton.

and Somerville contain each about 40, and New Baltimore 20 dwellings.

The Fauquier White Sulphur Springs are 6 miles sw. of Warrenton. The improvements are very extensive, and the grounds beautifully adorned with shrubbery. These springs are very popular, and of easy access from the eastern cities.

*John Marshall*

JOHN MARSHALL, late Chief Justice of the United States, was born at a locality called Germantown, in this county, 9 miles below Warrenton. The house in

which he was born is not in existence. When he was quite young, the family moved to Goose's Creek, under Manassa's Gap, near the Blue Ridge, and still later to Oak Hill, where the family lived at the commencement of the revolution. His father, Thomas Marshall, was a planter of limited means and education, but of strong natural powers, which, cultivated by observation and reflection, gave him the reputation of extraordinary ability. He served with distinction in the revolution, as a colonel in the continental army. John was the eldest of fifteen children. The narrow fortune of Col. Marshall, and the sparsely inhabited condition of Fauquier, compelled him to be almost exclusively the teacher of his children, and to his instructions the Chief-Justice said, "he owed the solid foundation of all his success in life." He early implanted in his eldest son a taste for English literature, especially for poetry and history. At the age of twelve, John had transcribed the whole of Pope's Essay on Man, and some of his Moral Essays: and had committed to memory many of the most interesting passages of that distinguished poet.

At the age of 14 he was placed with the Rev. Mr. Campbell, in Westmoreland, where, for a year, he was instructed in Latin, and had for a fellow-student James Monroe. The succeeding year was passed at his father's, where he continued the study under the Rev. Mr. Thompson, a Scotch gentleman, which "was the whole of the classical tuition he ever obtained. By the assistance of his father, however, and the persevering efforts of his own mind, he continued to enlarge his knowledge, while he strengthened his body by hardy, athletic exercises in the open air. He engaged in field sports; he indulged his

solitary meditations amidst the wildest scenery of nature; he delighted to brush away the earliest dews of the morning." To these early habits in a mountain region he owed a vigorous constitution. The simple manner of living among the people of those regions of that early day, doubtless contributed its share. He ever recurred with fondness to that primitive mode of life, when he partook with a keen relish balm tea and mush; and when the females used thorns for pins.

In the summer of 1775 he was appointed Lieut. in the "Minute Battalion," and had an honorable share in the battle of Great Bridge. In July, 1776, he was appointed 1st Lieut. in the 11th Virginia regiment, on the continental establishment, which marched to the north in the ensuing winter; and in May, 1777, he was promoted to a captaincy. He was in the skirmish at Iron Hill, and at the battles of Brandywine, Germantown, and Monmouth. He was one of that body of men, never surpassed in the history of the world, who, unpaid, unclothed, unfed, tracked the snows of Valley Forge with the blood of their footsteps in the rigorous winter of 1778, and yet turned not their faces from their country in resentment, or from their enemies in fear.

That part of the Virginia line which was not ordered to Charleston, (S. C.,) being in effect dissolved by the expiration of the term of enlistment of the soldiers, the officers (among whom was Captain Marshall) were, in the winter of 1779-80, directed to return home, in order to take charge of such men as the state legislature should raise for them. It was during this season of inaction that he availed himself of the opportunity of attending a course of law lectures given by Mr. Wythe, afterwards chancellor of the state; and a course of lectures on natural philosophy, given by Mr. Madison, president of William and Mary College in Virginia. He left this college in the summer vacation of 1780, and obtained a license to practise law. In October he returned to the army, and continued in service until the termination of Arnold's invasion. After this period, and before the invasion of Phillips, in February, 1781, there being a redundancy of officers in the Virginia line, he resigned his commission.

During the invasion of Virginia, the courts of law were not reopened until after the capitulation of Lord Cornwallis. Immediately after that event, Mr. Marshall commenced the practice of law, and soon rose into distinction at the bar.

In the spring of 1782, he was elected a member of the state legislature, and in the autumn of the same year, a member of the executive council. In January, 1783, he married Miss Ambler, the daughter of a gentleman who was then treasurer of the state, and to whom he had become attached before he left the army. This lady lived for nearly fifty years after her marriage, to partake and enjoy the distinguished honors of her husband. In 1784, he resigned his seat at the council-board in order to return to the bar; and he was immediately afterwards again elected a member of the legislature for the county of Fauquier, of which he was then only nominally an inhabitant, his actual residence being at Richmond. In 1787 he was elected a member from the county of Henrico; and though at that time earnestly engaged in the duties of his profession, he embarked largely in the political questions which then agitated the state, and indeed the whole confederacy.

Every person at all read in our domestic history must recollect the dangers and difficulties of those days. The termination of the revolutionary war left the country impoverished and exhausted by its expenditures, and the national finances at a low state of depression. The powers of Congress under the confederation, which even during the war were often prostrated by the neglect of a single state to enforce them, became in the ensuing peace utterly relaxed and inefficient.

Credit, private as well as public, was destroyed. Agriculture and commerce were crippled. The delicate relation of debtor and creditor became daily more and more embarrassed and embarrassing; and, as is usual upon such occasions, every sort of expedient was resorted to by popular leaders, as well as by men of desperate fortunes, to inflame the public mind, and to bring into odium those who labored to preserve the public faith, and to establish a more energetic government. The whole country was soon divided into two great parties, the one of which endeavored to put an end to the public evils by the establishment of a government over the Union, which should be adequate to all its exigencies, and act directly on the people; the other was devoted to state authority, jealous of all federal influence, and determined at every hazard to resist its increase.

It is almost unnecessary to say, that Mr. Marshall could not remain an idle or indifferent spectator to such scenes. As little doubt could there be of the part he would take in such a contest. He was at once arrayed on the side of Washington and Madison. In Virginia, as everywhere else, the principal topics of the day were paper money, the

collection of taxes, the preservation of public faith, and the administration of civil justice. The parties were nearly equally divided upon all these topics; and the contest concerning them was continually renewed. In such a state of things, every victory was but a temporary and questionable triumph, and every defeat still left enough of hope to excite to new and strenuous exertions. The affairs, too, of the confederacy were then at a crisis. The question of the continuance of the Union, or a separation of the states, was freely discussed; and, what is almost startling now to repeat, either side of it was maintained without reproach. Mr. Madison was at this time, and had been for two or three years, a member of the House of Delegates, and was, in fact, the author of the resolution for the general convention at Philadelphia to revise the confederation. He was at all times the enlightened advocate of union, and of an efficient federal government, and he received on all occasions the steady support of Mr. Marshall. Many have witnessed with no ordinary emotions, the pleasure with which both of these gentlemen looked back upon their co-operation at that period, and the sentiments of profound respect with which they habitually regarded each other.

Both of them were members of the convention subsequently called in Virginia for the ratification of the federal constitution. This instrument having come forth under the auspices of General Washington and other distinguished patriots of the revolution, was at first favorably received in Virginia, but it soon encountered decided hostility. Its defence was uniformly and most powerfully maintained there by Mr. Marshall. He was then not thirty years old. It was in these debates that Mr. Marshall's mind acquired the skill in political discussion which afterwards distinguished him, and which would of itself have made him conspicuous as a parliamentarian, had not that talent been overshadowed by his renown in a more soberly illustrious though less dazzling career. Here, too, it was that he conceived that deep dread of disunion, and that profound conviction of the necessity for closer bonds between the states, which gave the coloring to the whole texture of his opinions upon federal politics in after-life.

The constitution being adopted, Mr. Marshall was prevailed upon to serve in the legislature until 1792. From that time until 1795, he devoted himself exclusively to his profession. In 1795, when Jay's Treaty was "the absorbing theme of bitter controversy," he was elected to the House of Delegates, and his speech in its defence, says Judge Story, "has always been represented as one of the noblest efforts of his genius. His vast powers of reasoning were displayed with the most gratifying success. . . . The fame of this admirable argument spread through the Union. Even with his political enemies it enhanced the estimate of his character; and it brought him at once to the notice of some of the most eminent statesmen who then graced the councils of the nation."

Soon after he, with Messrs. Pinkney and Gerry, were sent by President Adams as envoys extraordinary to France. The Directory refused to negotiate, and though the direct object of the embassy failed, much was effected by the official papers the envoys addressed to Talleyrand, her minister of foreign relations, in showing France to be in the wrong. These papers—models of skilful reasoning, clear illustration, accurate detail, and urbane and dignified moderation—have always been attributed to Marshall, and bear internal marks of it. Such was the impression made by the dispatches, that on the arrival of Mr. Marshall in New York, in June, 1798, his entry had the éclat of a triumph. A public dinner was given to him by both houses of congress, "as an evidence of affection for his person, and of their grateful approbation of the patriotic firmness with which he sustained the dignity of his country during his important mission;" and the country at large responded with one voice to the sentiment pronounced at this celebration: "*Millions for defence, but not a cent for tribute.*"

Mr. Marshall was elected to Congress in 1799. He had been there not three weeks, when it became his lot to announce the death of Washington. Never could such an event have been told in language more impressive or more appropriate. "MR. SPEAKER, —The melancholy event, which was yesterday announced with doubt, has been rendered too certain. Our Washington is no more! The hero, the patriot, and the sage of America; the man on whom in times of danger every eye was turned, and all hopes were placed, lives now only in his own great actions, and in the hearts of an affectionate and afflicted people," &c., &c.

That House of Representatives abounded in talent of the first order for debate; and none were more conspicuous than John Marshall. Indeed, when the law or constitution were to be discussed, he was, confessedly, the first man in the house. When he discussed them, he exhausted them; nothing more remained to be said; and the impression of his argument effaced that of every one else.

In 1800 he was appointed secretary of state, an office which he held but a few months. He was appointed chief-justice of the Supreme Court of the United States, January 31, 1801; "not only without his own solicitation, (for he had in fact recommended another to the office,) but by the prompt and spontaneous choice of President Adams, upon his own unassisted judgment. The nomination was unanimously confirmed by the Senate. How well he filled that office is known to his countrymen. We shall not attempt to protract our account of the last thirty-five years of Judge Marshall's life. It was spent in the diligent and upright, as well as able discharge of his official duties; sometimes presiding in the Supreme Court at Washington, sometimes assisting to hold the circuit federal courts in Virginia and North Carolina. His residence was in Richmond, whence it was his frequent custom to walk out, a distance of three or four miles, to his farm. He had also a farm in his native county, Fauquier, which he annually visited, and where he always enjoyed a delightful intercourse with numerous relations and friends. Twice in these thirty-five years, he may be said to have mingled in political life; but not in party politics. In 1828 he was a member of a convention, held in Charlottesville, to devise a system of internal improvement for the state, to be commended to the legislature. In 1829 he was a member of the convention to revise and amend the state constitution, where he delivered a speech regarded as an unrivalled specimen of lucid and conclusive reasoning.

"No man more highly relished social, and even convivial enjoyments. He was a member of a club which for forty-eight summers has met once a fortnight near Richmond, to pitch quoits and mingle in relaxing conversation; and there was not one more delightfully punctual in his attendance at these meetings, or who contributed more to their pleasantness; scarcely one who excelled him in the manly game, from which the 'Quoit Club' drew its designation. He would hurl his iron ring of two pounds weight, with rarely erring aim, fifty-five or sixty feet; and at some *chef-d'œuvre* of skill in himself or his partner, would spring up and clap his hands with all the light-hearted enthusiasm of boyhood. Such is the old age which follows a temperate, an innocent, and a useful life."

Chief-Justice Marshall died at Philadelphia, July 6th, 1835, in his 80th year. "The love of simplicity and dislike of ostentation, which had marked his life, displayed itself also in his last days. Apprehensive that his remains might be encumbered with the vain pomp of a costly monument, and a laudatory epitaph, he, only two days before his death, directed the common grave of himself and his consort, to be indicated by a plain stone, with this simple and modest inscription:"

JOHN MARSHALL, SON OF THOMAS AND MARY MARSHALL, WAS BORN ON THE 24th OF SEPTEMBER, 1755; INTERMARRIED WITH MARY WILLIS AMBLER THE 3d OF JANUARY, 1783; DEPARTED THIS LIFE THE — DAY OF —, 18—.

This unostentatious inscription, with the blanks only filled, is carved on the plain white marble monument erected over his remains, in the grave-yard at Shoccoe Hill, Richmond.

The late Francis W. Gilmer, a young man of the finest promise, of whom it is said, "had he not prematurely been cut off by the hand of death, would have ranked with the foremost men of his age and country," thus described the intellectual character of Judge Marshall:—

His mind is not very richly stored with knowledge; but it is so creative, so well organized by nature, or disciplined by early education, and constant habits of systematic thinking, that he embraces every subject with the clearness and facility of one prepared by previous study to comprehend and explain it. So perfect is his analysis, that he extracts the whole matter, the kernel of inquiry, unbroken, clean, and entire. In this process, such are the instinctive neatness and precision of his mind, that no superfluous thought, or even word, ever presents itself, and still he says every thing that seems appropriate to the subject. This perfect exemption from needless incumbrance of matter or ornament, is in some degree the effect of an aversion to the labor of thinking. So great a mind, perhaps, like large bodies in the physical world, is with difficulty set in motion. That this is the case with Mr. Marshall's, is manifest from his mode of entering on an argument, both in conversation and in public debate. It is difficult to rouse his faculties; he begins with reluctance, hesitation, and vacancy of eye; presently, his articulation becomes less broken, his eye more fixed, until, finally, his voice is full, clear, and rapid; his manner bold, and his whole face lighted up, with the mingled fires of genius and passion; and he pours forth the unbroken stream of eloquence, in a current deep, majestic, smooth, and strong. He reminds one of some great bird, which flounders and flounces on the earth for a while, before it acquires *impetus* to sustain its soaring flight.

The foregoing memoir of Marshall is abridged from an exceedingly interesting one in the Southern Literary Messenger for February, 1836, which is partly original and partly compiled from the eulogies on his life and character, by Horace Binney, Judge Story, and Edgar Snowden. We have, in addition, collected a few reminiscences and anecdotes from different gentlemen, of high respectability, which we presume to be authentic:

Marshall was noted for extreme plainness of person and address, and a child-like sim-

plcity of character. His carelessness of his personal attire, in early life particularly, is well known, and on one occasion, (as stated in the Literary Messenger,) while travelling, occasioned his being refused admittance into a public house. On the occasion which we are now to relate, it caused him the loss of a generous fee. Marshall, when just rising on the professional ladder, was one morning strolling through the streets of Richmond, attired in a plain linen roundabout and shorts, with his hat under his arm, from which he was eating cherries, when he stopped in the porch of the Eagle hotel, indulged in some little pleasantry with the landlord, and then passed on. Mr. P., an elderly gentleman from the country, then present, who had a case coming on before the court of appeals, was referred by the landlord to Marshall, as the best advocate for him to employ; but the careless, languid air of the young lawyer, had so prejudiced Mr. P. that he refused to engage him. On entering court, Mr. P. was a second time referred by the clerk of the court, and a second time he declined. At this moment entered Mr. V., a venerable-looking legal gentleman, in a powdered wig and black coat, whose dignified appearance produced such an impression on Mr. P. that he at once engaged him. In the first case which came on, Marshall and Mr. V. each addressed the court. The vast inferiority of his advocate was so apparent, that at the close of the case, Mr. P. introduced himself to young Marshall, frankly stated the prejudice which had caused him, in opposition to advice, to employ Mr. V.; that he extremely regretted his error, but knew not how to remedy it. He had come into the city with one hundred dollars, as his lawyer's fee, which he had paid, and had but five left, which, if Marshall chose, he would cheerfully give him, for assisting in the case. Marshall, pleased with the incident, accepted the offer, not, however, without passing a sly joke at the *omnipotence* of a powdered wig and black coat.

Marshall was accustomed to go to market, and frequently unattended. "Nothing was more usual than to see him returning at sunrise, with poultry in one hand and vegetables in the other." On one of these occasions, a would-be fashionable young man from the North, who had recently removed to Richmond, was swearing violently because he could hire no one to take home his turkey. Marshall stepped up, and ascertaining of him where he lived, replied, "That is my way, and I will take it for you." When arrived at his dwelling, the young man inquired, "What shall I pay you?" "Oh, nothing," was the rejoinder, "you are welcome; it was on my way, and no trouble." "Who is that polite old gentleman who brought home my turkey for me?" inquired the other of a by-stander, as Marshall stepped away. "That," replied he, "is John Marshall, Chief-Justice of the United States." The young man, astounded, exclaimed, "Why did he bring home my turkey?" "To give you a severe reprimand, and learn you to attend to your own business," was the answer.

The venerable Capt. Philip Slaughter, now (May, 1844) living in Culpeper, was a messmate of Marshall's in the revolution. He says Marshall was the best tempered man he ever knew. During their sufferings at Valley Forge, nothing discouraged, nothing disturbed him; if he had only bread to eat it was just as well; if only meat it made no difference. If any of the officers murmured at their deprivations, he would shame them by good-natured raillery, or encourage them by his own exuberance of spirits. He was an excellent companion, and idolized by the soldiers and his brother officers, whose gloomy hours were enlivened by his inexhaustible fund of anecdote.

For sterling honesty no man ever exceeded Marshall. He never would, knowingly, argue in defence of injustice, or take a legal advantage at the expense of moral honesty. A case of the latter is in point. He became an endorser on a bond amounting to several thousand dollars. The drawer failed, and Marshall paid it, although he knew it could be avoided, inasmuch as the holder had advanced the amount at more than legal interest.

He possessed a noble generosity. In passing through Culpeper, on his way to Fauquier, he fell in company with Mr. S., an old fellow-officer in the army of the revolution. In the course of conversation, Marshall learned that there was a lien upon the estate of his friend to the amount of \$3000, about due, and he was greatly distressed at the prospect of impending ruin. On bidding farewell, Marshall privately left a check for the amount, which being presented to Mr. S. after his departure, he, impelled by a chivalrous independence, mounted, and spurred on his horse until he overtook his friend. He thanked him for his generosity, but refused to accept it. Marshall strenuously persisted in its acceptance, and the other as strongly persisted in not accepting. Finally it resulted in a compromise, by which Marshall took security on the lien, but never called for pay.

make the necessary iron-work for the fort. The very spot is pointed out where Washington's own residence was situated. It is stated that his chamber was above the gateway of the fort, in a situation commanding a view of the principal street of the town. This fort covered an area of half an acre, and there is still much of its embankments and mounds remaining. There is also a well, from which water now rises to the surface, sunk through the solid rock 103 feet. The labor of throwing up this fort, and sinking this well, was said to have been performed by Washington's regiment. The fort contained a strong garrison; and it is stated, by one of the oldest inhabitants of Winchester, to have mounted six 18 pounders, six 12 pounders, six 6 pounders, 4 swivels, and 2 howitzers; and to this day grape-shot and cannon-balls are found there. These cannon were removed from Winchester early in the war of the revolution. This fort was said to have been once reconnoitred by a French officer, but never was attacked by the enemy.

There were a large number of Hessian and German prisoners confined at Winchester in the war of the revolution. In 1780, barracks were erected for them 4 miles west of the town. In 1781, their numbers had increased to 1600.

MAJOR PETER HELMSTINE, of Winchester, was a native of Germany, and a patriot of the American revolution. He was a major in the 8th Virginia regiment, commanded by Col. Muhlenberg. This corps was composed of young men of German extraction, and frequently called the German regiment. In a campaign at the south, he contracted a disease from exposure, returned, and died in Winchester, and now lies buried in the Lutheran grave-yard.

GEN. DANIEL ROBERDEAU, an officer of the revolution, also lies buried in one of the grave-yards in Winchester. His monument states his death as having taken place Jan. 5, 1795, at the age of 68 years. He was from the Isle of France, and a Huguenot. His descendants are scattered over Virginia. He first settled in Pennsylvania, where he built a fort at Wyoming, at his own expense, which was destroyed by the Indians. He was a follower of Whitefield, and a modest and estimable man.

LORD FAIRFAX was buried under the old Episcopal church, which was on the public square. The land on which it stood was given by him to the society, for the construction of the church. This structure, which was of stone, was taken down about 12 or 14 years since. The bones of Fairfax were removed, and placed under the new Episcopal church. In this house there is a monumental slab to his memory. At the time of his disinterment, a large mass of silver was found, which was the mounting to his coffin. There is now in Winchester an old building used as a stable, which was once a tavern, in which it is said Fairfax occasionally held levees. His permanent residence was at Greenway Court, 13 miles se. of Winchester. (See p. 235.)

The following incident, in the life of Chief-Justice Marshall, is stated to have taken place at McGuire's hotel in Winchester, which stood on the site of the one shown on the right of the foregoing view in Loudon-street. It was a plain, unpainted building, and was destroyed many years since. The account given below was originally published in the Winchester Republican:

It is not long since a gentleman was travelling in one of the counties of Virginia, and about the close of the day stopped at a public house to obtain refreshment, and spend the night. He had been there but a short time, before an old man alighted from his gig, with the apparent intention of becoming his fellow-guest at the same house. As the old man drove up, he observed that both the shafts of his gig were broken, and that they were held together by withes formed from the bark of a hickory sapling. Our traveller observed further, that he was plainly clad, that his knee-buckles were loose, and that something like negligence pervaded his dress. Conceiving him to be one of the honest yeomanry of our land, the courtesies of strangers passed between them, and they entered the tavern. It was about the same time that an addition of three or four young gentlemen was made to their number—most, if not all of them, of the legal profession. As soon as they became conveniently accommodated, the conversation was turned by the latter upon an eloquent harangue which had that day been displayed at the bar. It was replied by the other, that he had witnessed, the same day, a degree of eloquence no doubt equal, but that it was from the pulpit. Something like a sarcastic rejoinder was made to the eloquence of the pulpit; and a warm and able altercation ensued, in which the merits of the Christian religion became the subject of discussion. From six o'clock until

eleven, the young champions wielded the sword of argument, adducing with ingenuity and ability, every thing that could be said pro and con. During this protracted period, the old gentleman listened with all the meekness and modesty of a child; as if he was adding new information to the stores of his own mind; or perhaps he was observing, with philosophic eye, the faculties of the youthful mind, and how new energies are evolved by repeated action; or, perhaps, with patriotic emotion, he was reflecting upon the future destinies of his country, and on the rising generation upon whom these future destinies must devolve; or, most probably, with a sentiment of moral and religious feeling, he was collecting an argument which—characteristic of himself—no art would be “able to elude, and no force resist.” Our traveller remained a spectator, and took no part in what was said.

At last one of the young men, remarking that it was impossible to combat with long and established prejudices, wheeled around, and with some familiarity exclaimed, “Well, my old gentleman, what think you of these things?” If, said the traveller, a streak of vivid lightning had at that moment crossed the room, their amazement could not have been greater than it was with what followed. The most eloquent and unanswerable appeal was made for nearly an hour, by the old gentleman, that he ever heard or read. So perfect was his recollection, that every argument urged against the Christian religion was met in the order in which it was advanced. Hume’s sophistry on the subject of miracles was, if possible, more perfectly answered than it had already been done by Campbell. And in the whole lecture there was so much simplicity and energy, pathos and sublimity, that not another word was uttered. An attempt to describe it, said the traveller, would be an attempt to paint the sunbeams. It was now a matter of curiosity and inquiry who the old gentleman was. The traveller concluded it was the preacher from whom the pulpit eloquence was heard—but no—it was the CHIEF JUSTICE OF THE UNITED STATES.

In the Presbyterian grave-yard, at Winchester, is the grave of Gen. Daniel Morgan. His monument is a horizontal slab, raised a few feet above the ground. It bears the following inscription:

Major-General DANIEL MORGAN  
 departed this life  
 On July the 6th, 1802,  
 In the 67th year of his Age  
 Patriotism and valor were the  
 prominent Features of his character,  
 And  
 the honorable services he rendered  
 to his country  
 during the Revolutionary war,  
 crowned him with Glory, and will  
 remain in the Hearts of his  
 Countrymen  
 a Perpetual Monument  
 to his  
 Memory.

The military history of the brave commander of the celebrated rifle corps of the revolution,—whom to confront was almost instant death—is generally well known. At the end of the war, Gen. Morgan retired to his estate, named Saratoga, a few miles from Winchester.