

**HAWTHORNE**  
**NATHANIEL**

SKETCHES  
AND STUDIES

Nathaniel Hawthorne  
**Sketches and Studies**

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# Nathaniel Hawthorne

## Sketches and Studies

### LIFE OF FRANKLIN PIERCE

#### PREFACE

The author of this memoir – being so little of a politician that he scarcely feels entitled to call himself a member of any party – would not voluntarily have undertaken the work here offered to the public. Neither can he flatter himself that he has been remarkably successful in the performance of his task, viewing it in the light of a political biography, and as a representation of the principles and acts of a public man, intended to operate upon the minds of multitudes during a presidential canvass. This species of writing is too remote from his customary occupations – and, he may add, from his tastes – to be very satisfactorily done, without more time and practice than he would be willing to expend for such a purpose. If this little biography have any value, it is probably of another kind – as the narrative of one who knew the individual of whom he treats, at a period of life when character could be read with undoubting accuracy, and who, consequently, in judging of the motives of his subsequent conduct, has an advantage over much more competent observers, whose knowledge of the man may have commenced at a later date. Nor can it be considered improper (at least, the author will never feel it so, although some foolish delicacy be sacrificed in the undertaking) that when a friend, dear to him almost from boyish days, stands up before his country, misrepresented by indiscriminate abuse on the one hand, and by aimless praise on the other, he should be sketched by one who has had opportunities of knowing him well, and who is certainly inclined to tell the truth.

It is perhaps right to say, that while this biography is so far sanctioned by General Pierce, as it comprises a generally correct narrative of the principal events of his life, the author does not understand him as thereby necessarily indorsing all the sentiments put forth by himself in the progress of the work. These are the author's own speculations upon the facts before him, and may, or may not, be in accordance with the ideas of the individual whose life he writes. That individual's opinions, however, – so far as it is necessary to know them, – may be read, in his straightforward and consistent deeds, with more certainty than those of almost any other man now before the public.

The author, while collecting his materials, has received liberal aid from all manner of people – Whigs and Democrats, congressmen, astute lawyers, grim old generals of militia, and gallant young officers of the Mexican war – most of whom, however, he must needs say, have rather abounded in eulogy of General Pierce than in such anecdotal matter as is calculated for a biography. Among the gentlemen to whom he is substantially indebted, he would mention Hon. C. G. Atherton, Hon. S. H. Ayer, Hon. Joseph Hall, Chief Justice Gilchrist, Isaac O. Barnes, Esq., Col. T. J. Whipple, and Mr. C. J. Smith. He has likewise derived much assistance from an able and accurate sketch, that originally appeared in the “Boston Post,” and was drawn up, as he believes, by the junior editor of that journal.

CONCORD, MASS., August 27, 1852.

## CHAPTER I

### HIS PARENTAGE AND EARLY LIFE

Franklin Pierce was born at Hillsborough, in the State of New Hampshire, on the 23d of November, 1804. His native county, at the period of his birth, covered a much more extensive territory than at present, and might reckon among its children many memorable men, and some illustrious ones. General Stark, the hero of Bennington, Daniel Webster, Levi Woodbury, Jeremiah Smith, the eminent jurist, and governor of the state, General James Miller, General McNeil, Senator Atherton, were natives of old Hillsborough County.

General Benjamin Pierce, the father of Franklin, was one of the earliest settlers in the town of Hillsborough, and contributed as much as any other man to the growth and prosperity of the county. He was born in 1757, at Chelmsford, now Lowell, in Massachusetts. Losing his parents early, he grew up under the care of an uncle, amid such circumstances of simple fare, hard labor, and scanty education, as usually fell to the lot of a New England yeoman's family some eighty or a hundred years ago. On the 19th of April, 1775, being then less than eighteen years of age, the stripling was at the plough, when tidings reached him of the bloodshed at Lexington and Concord. He immediately loosened the ox chain, left the plough in the furrow, took his uncle's gun and equipments, and set forth towards the scene of action. From that day, for more than seven years, he never saw his native place. He enlisted in the army, was present at the battle of Bunker Hill, and after serving through the whole Revolutionary War, and fighting his way upward from the lowest grade, returned, at last, a thorough soldier, and commander of a company. He was retained in the army as long as that body of veterans had a united existence; and, being finally disbanded, at West Point, in 1784, was left with no other reward, for nine years of toil and danger, than the nominal amount of his pay in the Continental currency – then so depreciated as to be almost worthless.

In 1780, being employed as agent to explore a tract of wild land, he purchased a lot of fifty acres in what is now the town of Hillsborough. In the spring of the succeeding year, he built himself a log hut, and began the clearing and cultivation of his tract. Another year beheld him married to his first wife, Elizabeth Andrews, who died within a twelvemonth after their union, leaving a daughter, the present widow of General John McNeil. In 1789, he married Anna Kendrick, with whom he lived about half a century, and who bore him eight children, of whom Franklin was the sixth.

Although the Revolutionary soldier had thus betaken himself to the wilderness for a subsistence, his professional merits were not forgotten by those who had witnessed his military career. As early as 1786, he was appointed brigade major of the militia of Hillsborough County, then first organized and formed into a brigade. And it was a still stronger testimonial to his character as a soldier, that, nearly fifteen years afterwards, during the presidency of John Adams, he was offered a high command in the northern division of the army which was proposed to be levied in anticipation of a war with the French republic. Inflexibly democratic in his political faith, however, Major Pierce refused to be implicated in a policy which he could not approve. "No, gentlemen," said he to the delegates who urged his acceptance of the commission, "poor as I am, and acceptable as would be the position under other circumstances, I would sooner go to yonder mountains, dig me a cave, and live on roast potatoes, than be instrumental in promoting the objects for which that army is to be raised!" This same fidelity to his principles marked every public, as well as private, action of his life.

In his own neighborhood, among those who knew him best he early gained an influence that was never lost nor diminished, but continued to spread wider during the whole of his long life. In 1789, he was elected to the state legislature and retained that position for thirteen successive years, until chosen a member of the council. During the same period he was active in his military duties,

as a field officer, and finally general, of the militia of the county; and Miller, McNeil, and others learned of him, in this capacity, the soldier-like discipline which was afterwards displayed on the battle-fields of the northern frontier.

The history, character, and circumstances of General Benjamin Pierce, though here but briefly touched upon, are essential parts of the biography of his son, both as indicating some of the native traits which the latter has inherited, and as showing the influences amid which he grew up. At Franklin Pierce's birth, and for many years subsequent, his father was the most active and public-spirited man within his sphere; a most decided Democrat, and supporter of Jefferson and Madison; a practical farmer, moreover, not rich, but independent, exercising a liberal hospitality, and noted for the kindness and generosity of his character; a man of the people, but whose natural qualities inevitably made him a leader among them. From infancy upward, the boy had before his eyes, as the model on which he might instinctively form himself, one of the best specimens of sterling New England character, developed in a life of simple habits, yet of elevated action. Patriotism, such as it had been in Revolutionary days, was taught him by his father, as early as his mother taught him religion. He became early imbued, too, with the military spirit which the old soldier had retained from his long service, and which was kept active by the constant alarms and warlike preparations of the first twelve years of the present century. If any man is bound by birth and youthful training, to show himself a brave, faithful, and able citizen of his native country, it is the son of such a father.

At the commencement of the war of 1812, Franklin Pierce was a few months under eight years of age. The old general, his father, sent two of his sons into the army; and as his eldest daughter was soon afterwards married to Major McNeil, there were few families that had so large a personal stake in the war as that of General Benjamin Pierce. He himself, both in his public capacity as a member of the council, and by his great local influence in his own county, lent a strenuous support to the national administration. It is attributable to his sagacity and energy, that New Hampshire – then under a federal governor – was saved the disgrace of participation in the questionable, if not treasonable, projects of the Hartford Convention. He identified himself with the cause of the country, and was doubtless as thoroughly alive with patriotic zeal, at this eventful period, as in the old days of Bunker Hill, and Saratoga, and Yorktown. The general not only took a prominent part at all public meetings, but was ever ready for the informal discussion of political affairs at all places of casual resort, where – in accordance with the custom of the time and country – the minds of men were made to operate effectually upon each other. Franklin Pierce was a frequent auditor of these controversies. The intentness with which he watched the old general, and listened to his arguments, is still remembered; and, at this day, in his most earnest moods, there are gesticulations and movements that bring up the image of his father to those who recollect the latter on those occasions of the display of homely, native eloquence. No mode of education could be conceived, better adapted to imbue a youth with the principles and sentiment of democratic institutions; it brought him into the most familiar contact with the popular mind, and made his own mind a part of it.

Franklin's father had felt, through life, the disadvantages of a defective education; although, in his peculiar sphere of action, it might be doubted whether he did not gain more than he lost, by being thrown on his own resources, and compelled to study men and their actual affairs, rather than books. But he determined to afford his son all the opportunities of improvement which he himself had lacked. Franklin, accordingly, was early sent to the academy at Hancock, and afterwards to that of Frankestown, where he was received into the family of General Pierce's old and steadfast friend, Peter Woodbury, father of the late eminent judge. It is scarcely more than a year ago, at the semi-centennial celebration of the academy, that Franklin Pierce, the mature and distinguished man, paid a beautiful tribute to the character of Madam Woodbury, in affectionate remembrance of the motherly kindness experienced at her hands by the school-boy.

The old people of his neighborhood give a very delightful picture of Franklin at this early age. They describe him as a beautiful boy, with blue eyes, light curling hair, and a sweet expression of face.

The traits presented of him indicate moral symmetry, kindness, and a delicate texture of sentiment, rather than marked prominences of character. His instructors testify to his propriety of conduct, his fellow-pupils to his sweetness of disposition and cordial sympathy. One of the latter, being older than most of his companions, and less advanced in his studies, found it difficult to keep up with his class; and he remembers how perseveringly, while the other boys were at play, Franklin spent the noon recess, for many weeks together, in aiding him in his lessons. These attributes, proper to a generous and affectionate nature, have remained with him through life. Lending their color to his deportment, and softening his manners, they are, perhaps, even now, the characteristics by which most of those who casually meet him would be inclined to identify the man. But there are other qualities, not then developed, but which have subsequently attained a firm and manly growth, and are recognized as his leading traits among those who really know him. Franklin Pierce's development, indeed, has always been the reverse of premature; the boy did not show the germ of all that was in the man, nor, perhaps, did the young man adequately foreshow the mature one.

In 1820, at the age of sixteen, he became a student of Bowdoin College, at Brunswick, Maine. It was in the autumn of the next year that the author of this memoir entered the class below him; but our college reminiscences, however interesting to the parties concerned, are not exactly the material for a biography. He was then a youth, with the boy and man in him, vivacious, mirthful, slender, of a fair complexion, with light hair that had a curl in it: his bright and cheerful aspect made a kind of sunshine, both as regarded its radiance and its warmth; insomuch that no shyness of disposition, in his associates, could well resist its influence. We soon became acquainted, and were more especially drawn together as members of the same college society. There were two of these institutions, dividing the college between them, and typifying, respectively, and with singular accuracy of feature, the respectable conservative, and the progressive or democratic parties. Pierce's native tendencies inevitably drew him to the latter.

His chum was Zenas Caldwell, several years older than himself, a member of the Methodist persuasion, a pure-minded, studious, devoutly religious character; endowed thus early in life with the authority of a grave and sagacious turn of mind. The friendship between Pierce and him appeared to be mutually strong, and was of itself a pledge of correct deportment in the former. His chief friend, I think, was a classmate named Little, a young man of most estimable qualities and high intellectual promise; one of those fortunate characters whom an early death so canonizes in the remembrance of their companions, that the perfect fulfilment of a long life would scarcely give them a higher place. Jonathan Cilley, of my own class, – whose untimely fate is still mournfully remembered, – a person of very marked ability and great social influence, was another of Pierce's friends. All these have long been dead. There are others, still alive, who would meet Franklin Pierce, at this day, with as warm a pressure of the hand, and the same confidence in his kindly feelings as when they parted from him nearly thirty years ago.

Pierce's class was small, but composed of individuals seriously intent on the duties and studies of their college life. They were not boys, but, for the most part, well advanced towards maturity; and, having wrought out their own means of education, were little inclined to neglect the opportunities that had been won at so much cost. They knew the value of time, and had a sense of the responsibilities of their position. Their first scholar – the present Professor Stowe – has long since established his rank among the first scholars of the country. It could have been no easy task to hold successful rivalry with students so much in earnest as these were. During the earlier part of his college course it may be doubted whether Pierce was distinguished for scholarship. But, for the last two years, he appeared to grow more intent on the business in hand, and, without losing any of his vivacious qualities as a companion, was evidently resolved to gain an honorable elevation in his class. His habits of attention and obedience to college discipline were of the strictest character; he rose progressively in scholarship, and took a highly creditable degree. [See note at close of this Life.]

The first civil office, I imagine, which Franklin Pierce ever held was that of chairman of the standing committee of the Athenaeum Society, of which, as above hinted, we were both members; and, having myself held a place on the committee, I can bear testimony to his having discharged not only his own share of the duties, but that of his colleagues. I remember, likewise, that the only military service of my life was as a private soldier in a college company, of which Pierce was one of the officers. He entered into this latter business, or pastime, with an earnestness with which I could not pretend to compete, and at which, perhaps, he would now be inclined to smile. His slender and youthful figure rises before my mind's eye, at this moment, with the air and step of a veteran of the school of Steuben; as well became the son of a revolutionary hero, who had probably drilled under the old baron's orders. Indeed, at this time, and for some years afterwards, Pierce's ambition seemed to be of a military cast. Until reflection had tempered his first predilections, and other varieties of success had rewarded his efforts, he would have preferred, I believe, the honors of the battle-field to any laurels more peacefully won. And it was remarkable how, with all the invariable gentleness of his demeanor, he perfectly gave, nevertheless, the impression of a high and fearless spirit. His friends were as sure of his courage, while yet untried, as now, when it has been displayed so brilliantly in famous battles.

At this early period of his life, he was distinguished by the same fascination of manner that has since proved so magical in winning him an unbounded personal popularity. It is wronging him, however, to call this peculiarity a mere effect of manner; its source lies deep in the kindness of his nature, and in the liberal, generous, catholic sympathy, that embraces all who are worthy of it. Few men possess any thing like it; so irresistible as it is, so sure to draw forth an undoubting confidence, and so true to the promise which it gives. This frankness, this democracy of good feeling, has not been chilled by the society of politicians, nor polished down into mere courtesy by his intercourse with the most refined men of the day. It belongs to him at this moment, and will never leave him. A little while ago, after his return from Mexico, he darted across the street to exchange a hearty gripe of the hand with a rough countryman upon his cart – a man who used to “live with his father,” as the general explained the matter to his companions. Other men assume this manner, more or less skilfully; but with Frank Pierce it is an innate characteristic; nor will it ever lose its charm, unless his heart should grow narrower and colder – a misfortune not to be anticipated, even in the dangerous atmosphere of elevated rank, whither he seems destined to ascend.

There is little else that it is worth while to relate as regards his college course, unless it be that, during one of his winter vacations, Pierce taught a country school. So many of the statesmen of New England have performed their first public service in the character of pedagogue, that it seems almost a necessary step on the ladder of advancement.

## CHAPTER II

### HIS SERVICES IN THE STATE AND NATIONAL LEGISLATURES

After leaving college, in the year 1824, Franklin Pierce returned to Hillsborough. His father, now in a green old age, continued to take a prominent part in the affairs of the day, but likewise made his declining years rich and picturesque with recollections of the heroic times through which he had lived. On the 26th of December, 1825, it being his sixty-seventh birthday, General Benjamin Pierce prepared a festival for his comrades in arms, the survivors of the Revolution, eighteen of whom, all inhabitants of Hillsborough, assembled at his house. The ages of these veterans ranged from fifty-nine up to the patriarchal venerableness of nearly ninety. They spent the day in festivity, in calling up reminiscences of the great men whom they had known and the great deeds which they had helped to do, and in reviving the old sentiments of the era of 'seventy-six. At nightfall, after a manly and pathetic farewell from their host, they separated – "prepared," as the old general expressed it, "at the first tap of the shrouded drum, to move and join their beloved Washington, and the rest of their beloved comrades, who fought and bled at their sides." A scene like this must have been profitable for a young man to witness, as being likely to give him a stronger sense than most of us can attain of the value of that Union which these old heroes had risked so much to consolidate – of that common country which they had sacrificed everything to create; and patriotism must have been communicated from their hearts to his, with somewhat of the warmth and freshness of a new-born sentiment. No youth was ever more fortunate than Franklin Pierce, through the whole of his early life, in this most desirable species of moral education.

Having chosen the law as a profession, Franklin became a student in the office of Judge Woodbury, of Portsmouth. Allusion has already been made to the friendship between General Benjamin Pierce and Peter Woodbury, the father of the judge. The early progress of Levi Woodbury towards eminence had been facilitated by the powerful influence of his father's friend. It was a worthy and honorable kind of patronage, and bestowed only as the great abilities of the recipient vindicated his claim to it. Few young men have met with such early success in life, or have deserved it so eminently, as did Judge Woodbury. At the age of twenty-seven, he was appointed to the bench of the Supreme Court of the state, on the earnest recommendation of old General Pierce. The opponents of the measure ridiculed him as the "baby judge;" but his conduct in that high office showed the prescient judgment of the friend who had known him from a child, and had seen in his young manhood already the wisdom of ripened age. It was some years afterwards when Franklin Pierce entered the office of Judge Woodbury as a student. In the interval, the judge had been elected governor, and, after a term of office that thoroughly tested the integrity of his democratic principles, had lost his second election, and returned to the profession of the law.

The last two years of Pierce's preparatory studies were spent at the law school of Northampton, in Massachusetts, and in the office of Judge Parker at Amherst. In 1827, being admitted to the bar, he began the practice of his profession at Hillsborough. It is an interesting fact, considered in reference to his subsequent splendid career as an advocate, that he did not, at the outset, give promise of distinguished success. His first case was a failure, and perhaps a somewhat marked one. But it is remembered that this defeat, however mortifying at the moment, did but serve to make him aware of the latent resources of his mind, the full command of which he was far from having yet attained. To a friend, an older practitioner, who addressed him with some expression of condolence and encouragement, Pierce replied, – and it was a kind of self-assertion which no triumph would have drawn out, – "I do not need that. I will try nine hundred and ninety-nine cases, if clients will continue to trust me, and, if I fail just as I have today, will try the thousandth. I shall live to argue cases in this

court house in a manner that will mortify neither myself nor my friends.” It is in such moments of defeat that character and ability are not fairly tested; they would irremediably crush a youth devoid of real energy, and, being neither more nor less than his just desert, would be accepted as such. But a failure of this kind serves an opposite purpose to a mind in which the strongest and richest qualities lie deep, and, from their very size and mass, cannot at once be rendered available. It provokes an innate self-confidence, while, at the same time, it sternly indicates the sedulous cultivation, the earnest effort, the toil, the agony, which are the conditions of ultimate success. It is, indeed, one of the best modes of discipline that experience can administer, and may reasonably be counted a fortunate event in the life of a young man vigorous enough to overcome the momentary depression.

Pierce’s distinction at the bar, however, did not immediately follow; nor did he acquire what we may designate as positive eminence until some years after this period. The enticements of political life – so especially fascinating to a young lawyer, but so irregular in its tendencies, and so inimical to steady professional labor – had begun to operate upon him. His father’s prominent position in the politics of the state made it almost impossible that the son should stand aloof. In 1827, the same year when Franklin began the practice of the law, General Benjamin Pierce had been elected governor of New Hampshire. He was defeated in the election of 1828, but was again successful in that of the subsequent year. During these years, the contest for the presidency had been fought with a fervor that drew almost everybody into it, on one side or the other, and had terminated in the triumph of Andrew Jackson. Franklin Pierce, in advance of his father’s decision, though not in opposition to it, had declared himself for the illustrious man whose military renown was destined to be thrown into the shade by a civil administration, the most splendid and powerful that ever adorned the annals of our country, I love to record of the subject of this memoir that his first political faith was pledged to that great leader of the democracy.

I remember meeting Pierce about this period, and catching from him some faint reflection of the zeal with which he was now stepping into the political arena. My sympathies and opinions, it is true, – so far as I had any in public affairs, – had, from the first, been enlisted on the same side with his own. But I was now made strongly sensible of an increased development of my friend’s mind, by means of which he possessed a vastly greater power than heretofore over the minds with which he came in contact. This progressive growth has continued to be one of his remarkable characteristics. Of most men you early know the mental gauge and measurement, and do not subsequently have much occasion to change it. Not so with Pierce: his tendency was not merely high, but towards a point which rose higher and higher as the aspirant tended upward. Since we parted, studious days had educated him; life, too, and his own exertions in it, and his native habit of close and accurate observation, had likewise begun to educate him.

The town of Hillsborough, in 1829, gave Franklin Pierce his first public honor, by electing him its representative in the legislature of the state. His whole service in that body comprised four years, in the two latter of which he was elected Speaker by a vote of one hundred and fifty-five against fifty-eight for other candidates. This overpowering majority evinced the confidence which his character inspired, and which, during his whole career, it has invariably commanded, in advance of what might be termed positive proof, although the result has never failed to justify it. I still recollect his description of the feelings with which he entered on his arduous duties – the feverish night that preceded his taking the chair – the doubt, the struggle with himself – all ending in perfect calmness, full self-possession, and free power of action when the crisis actually came.

He had all the natural gifts that adapted him for the post; courtesy, firmness, quickness and accuracy of judgment, and a clearness of mental perception that brought its own regularity into the scene of confused and entangled debate; and to these qualities he added whatever was to be attained by laborious study of parliamentary rules. His merit as a presiding officer was universally acknowledged. It is rare that a man combines so much impulse with so great a power of regulating the impulses of himself and others as Franklin Pierce. The faculty, here exercised and improved, of controlling an

assembly while agitated by tumultuous controversy, was afterwards called into play upon a higher field; for, during his congressional service, Pierce was often summoned to preside in committee of the whole, when a turbulent debate was expected to demand peculiar energy in the chair.

He was elected a member of Congress in 1833, being young for the station, as he has always been for every public station that he has filled. A different kind of man – a man conscious that accident alone had elevated him, and therefore nervously anxious to prove himself equal to his fortunes – would thus have been impelled to spasmodic efforts. He would have thrust himself forward in debate, taking the word out of the mouths of renowned orators, and thereby winning notoriety, as at least the glittering counterfeit of true celebrity. Had Pierce, with his genuine ability, practised this course; had he possessed even an ordinary love of display, and had he acted upon it with his inherent tact and skill, taking advantage of fair occasions to prove the power and substance that were in him, it would greatly have facilitated the task of his biographer.

To aim at personal distinction, however, as an object independent of the public service, would have been contrary to all the foregone and subsequent manifestations of his life. He was never wanting to the occasion; but he waited for the occasion to bring him inevitably forward. When he spoke, it was not only because he was fully master of the subject, but because the exigency demanded him, and because no other and older man could perform the same duty as well as himself. Of the copious eloquence – and some of it, no doubt, of a high order – which Buncombe has called forth, not a paragraph, nor a period, is attributable to Franklin Pierce. He had no need of these devices to fortify his constituents in their high opinion of him; nor did he fail to perceive that such was not the method to acquire real weight in the body of which he was a member. In truth, he has no fluency of words, except when an earnest meaning and purpose supply their own expression. Every one of his speeches in Congress, and, we may say, in every other hall of oratory, or on any stump that he may have mounted, was drawn forth by the perception that it was needed, was directed to a full exposition of the subject, and (rarest of all) was limited by what he really had to say. Even the graces of the orator were never elaborated, never assumed for their own sake, but were legitimately derived from the force of his conceptions, and from the impulsive warmth which accompanies the glow of thought. Owing to these peculiarities, – for such, unfortunately, they may be termed, in reference to what are usually the characteristics of a legislative career, – his position before the country was less conspicuous than that of many men who could claim nothing like Pierce's actual influence in the national councils. His speeches, in their muscular texture and close grasp of their subject, resembled the brief but pregnant arguments and expositions of the sages of the Continental Congress, rather than the immeasurable harangues which are now the order of the day.

His congressional life, though it made comparatively so little show, was full of labor, directed to substantial objects. He was a member of the judiciary and other important committees; and the drudgery of the committee room, where so much of the real public business of the country is transacted, fell in large measure to his lot. Thus, even as a legislator, he may be said to have been a man of deeds, not words; and when he spoke upon any subject with which his duty, as chairman or member of a committee, had brought him in relation, his words had the weight of deeds, from the meaning, the directness, and the truth, that he conveyed into them. His merits made themselves known and felt in the sphere where they were exercised; and he was early appreciated by one who seldom erred in his estimate of men, whether in their moral or intellectual aspect. His intercourse with President Jackson was frequent and free, and marked by friendly regard on the part of the latter. In the stormiest periods of his administration, Pierce came frankly to his aid. The confidence then established was never lost; and when Jackson was on his death-bed, being visited by a gentleman from the North (himself formerly a democratic member of Congress), the old hero spoke with energy of Franklin Pierce's ability and patriotism, and remarked, as with prophetic foresight of his young friend's destiny, that "the interests of the country would be safe in such hands."

One of President Jackson's measures, which had Pierce's approval and support, was his veto of the Maysville Road Bill. This bill was part of a system of vast public works, principally railroads and canals, which it was proposed to undertake at the expense of the national treasury – a policy not then of recent origin, but which had been fostered by John Quincy Adams, and had attained a gigantic growth at the close of his Presidency. The estimate of works undertaken or projected, at the commencement of Jackson's administration, amounted to considerably more than a hundred millions of dollars. The expenditure of this enormous sum, and doubtless other incalculable amounts, in progressive increase, was to be for purposes often of unascertained utility, and was to pass through the agents and officers of the federal government – a means of political corruption not safely to be trusted even in the purest hands. The peril to the individuality of the states, from a system tending so directly to consolidate the powers of government towards a common centre, was obvious. The result might have been, with the lapse of time and the increased activity of the disease, to place the capital of our federative Union in a position resembling that of imperial Rome, where each once independent state was a subject province, and all the highways of the world were said to meet in her forum. It was against this system, so dangerous to liberty and to public and private integrity, that Jackson declared war, by the famous Maysville veto.

It would be an absurd interpretation of Pierce's course, in regard to this and similar measures, to suppose him hostile either to internal or coastwise improvements, so far as they may legitimately be the business of the general government. He was aware of the immense importance of our internal commerce, and was ever ready to vote such appropriations as might be necessary for promoting it, when asked for in an honest spirit, and at points where they were really needed. He doubted, indeed, the constitutional power of Congress to undertake, by building roads through the wilderness, or opening unfrequented rivers, to create commerce where it did not yet exist; but he never denied or questioned the right and duty to remove obstructions in the way of inland trade, and to afford it every facility, when the nature and necessity of things had brought it into genuine existence. And he agreed with the best and wisest statesmen in believing that this distinction involved the true principle on which legislation, for the purpose here discussed, should proceed.

While a member of the House of Representatives, he delivered a forcible speech against the bill authorizing appropriations for the Military Academy at West Point. He was decidedly opposed to that institution as then, and at present organized. We allude to the subject in illustration of the generous frankness with which, years afterwards, when the battle smoke of Mexico had baptized him also a soldier, he acknowledged himself in the wrong, and bore testimony to the brilliant services which the graduates of the Academy, trained to soldiership from boyhood, had rendered to their country. And if he has made no other such acknowledgment of past error, committed in his legislative capacity, it is but fair to believe that it is because his reason and conscience accuse him of no other wrong.

It was while in the lower house of Congress that Franklin Pierce took that stand on the slavery question from which he has never since swerved a hair's breadth. He fully recognized, by his votes and by his voice, the rights pledged to the South by the Constitution. This, at the period when he so declared himself, was comparatively an easy thing to do. But when it became more difficult, when the first imperceptible movement of agitation had grown to be almost a convulsion, his course was still the same. Nor did he ever shun the obloquy that sometimes threatened to pursue the northern man who dared to love that great and sacred reality – his whole, united, native country – better than the mistiness of a philanthropic theory.

He continued in the House of Representatives four years. If, at this period of his life, he rendered unobtrusive, though not unimportant, services to the public, it must also have been a time of vast intellectual advantage to himself. Amidst great national affairs, he was acquiring the best of all educations for future eminence and leadership. In the midst of statesmen, he grew to be a statesman. Studious, as all his speeches prove him to be, of history, he beheld it demonstrating itself before his eyes. As regards this sort of training, much of its good or ill effect depends on the natural force and

depth of the man. Many, no doubt, by early mixture with politics, become the mere politicians of the moment, – a class of men sufficiently abundant among us, – acquiring only a knack and cunning, which guide them tolerably well through immediate difficulties, without instructing them in the great rules of higher policy. But when the actual observation of public measures goes hand in hand with study, when the mind is capable of comparing the present with its analogies in the past, and of grasping the principle that belongs to both, this is to have history for a living tutor. If the student be fit for such instruction, he will be seen to act afterwards with the elevation of a high ideal, and with the expediency, the sagacity, the instinct of what is fit and practicable, which make the advantage of the man of actual affairs over the mere theorist.

And it was another advantage of his being brought early into the sphere of national interests, and continuing there for a series of years, that it enabled him to overcome any narrow and sectional prejudices. Without loving New England less, he loved the broad area of the country more. He thus retained that equal sentiment of patriotism for the whole land with which his father had imbued him, and which is perhaps apt to be impaired in the hearts of those who come late to the national legislature, after long training in the narrower fields of the separate states. His sense of the value of the Union, which had been taught him at the fireside, from earliest infancy, by the stories of patriotic valor that he there heard, was now strengthened by friendly association with its representatives from every quarter. It is this youthful sentiment of Americanism, so happily developed by after circumstances, that we see operating through all his public life, and making him as tender of what he considers due to the South as of the rights of his own land of hills.

Franklin Pierce had scarcely reached the legal age for such elevation, when, in 1837, he was elected to the Senate of the United States. He took his seat at the commencement of the presidency of Mr. Van Buren. Never before nor since has the Senate been more venerable for the array of veteran and celebrated statesmen than at that time. Calhoun, Webster, and Clay had lost nothing of their intellectual might. Benton, Silas Wright, Woodbury, Buchanan, and Walker were members; and many even of the less eminent names were such as have gained historic place – men of powerful eloquence, and worthy to be leaders of the respective parties which they espoused. To this dignified body (composed of individuals some of whom were older in political experience than he in his mortal life) Pierce came as the youngest member of the Senate. With his usual tact and exquisite sense of propriety, he saw that it was not the time for him to step forward prominently on this highest theatre in the land. He beheld these great combatants doing battle before the eyes of the nation, and engrossing its whole regards. There was hardly an avenue to reputation save what was occupied by one or another of those gigantic figures.

Modes of public service remained, however, requiring high ability, but with which few men of competent endowments would have been content to occupy themselves. Pierce had already demonstrated the possibility of obtaining an enviable position among his associates, without the windy notoriety which a member of Congress may readily manufacture for himself by the lavish expenditure of breath that had been better spared. In the more elevated field of the Senate, he pursued the same course as while a representative, and with more than equal results.

Among other committees, he was a member of that upon revolutionary pensions. Of this subject he made himself thoroughly master, and was recognized by the Senate as an unquestionable authority. In 1840, in reference to several bills for the relief of claimants under the pension law, he delivered a speech which finely illustrates as well the sympathies as the justice of the man, showing how vividly he could feel, and, at the same time, how powerless were his feelings to turn him aside from the strict line of public integrity. The merits and sacrifices of the people of the Revolution have never been stated with more earnest gratitude than in the following passage: —

“I am not insensible, Mr. President, of the advantages with which claims of this character always come before Congress. They are supposed to be based on services for which no man entertains a higher estimate than myself – services beyond all praise, and above all price. But, while warm and

glowing with the glorious recollections which a recurrence to that period of our history can never fail to awaken; while we cherish with emotions of pride, reverence, and affection the memory of those brave men who are no longer with us; while we provide, with a liberal hand, for such as survive, and for the widows of the deceased; while we would accord to the heirs, whether in the second or third generation, every dollar to which they can establish a just claim, – I trust we shall not, in the strong current of our sympathies, forget what becomes us as the descendants of such men. They would teach us to legislate upon our judgment, upon our sober sense of right, and not upon our impulses or our sympathies. No, sir; we may act in this way, if we choose, when dispensing our own means, but we are not at liberty to do it when dispensing the means of our constituents.

“If we were to legislate upon our sympathies – yet more I will admit – if we were to yield to that sense of just and grateful remuneration which presses itself upon every man’s heart, there would be scarcely a limit for our bounty. The whole exchequer could not answer the demand. To the patriotism, the courage, and the sacrifices of the people of that day, we owe, under Providence, all that we now most highly prize, and what we shall transmit to our children as the richest legacy they can inherit. The War of the Revolution, it has been justly remarked, was not a war of armies merely – it was the war of nearly a whole people, and such a people as the world had never before seen, in a death struggle for liberty.

“The losses, sacrifices, and sufferings of that period were common to all classes and conditions of life. Those who remained at home suffered hardly less than those who entered upon the active strife. The aged father and another underwent not less than the son, who would have been the comfort and stay of their declining years, now called to perform a yet higher duty – to follow the standard of his bleeding country. The young mother, with her helpless children, excites not less deeply our sympathies, contending with want, and dragging out years of weary and toilsome days and anxious nights, than the husband in the field, following the fortunes of our arms without the proper habiliments to protect his person, or the requisite sustenance to support his strength. Sir, I never think of that patient, enduring, self-sacrificing army, which crossed the Delaware in December, 1777, marching barefooted upon frozen ground to encounter the foe, and leaving bloody footprints for miles behind then – I never think of their sufferings during that terrible winter without involuntarily inquiring, Where then were their families? Who lit up the cheerful fire upon their hearths at home? Who spoke the word of comfort and encouragement? Nay, sir, who furnished protection from the rigors of winter, and brought them the necessary means of subsistence?”

“The true and simple answer to these questions would disclose an amount of suffering and anguish, mental and physical, such as might not have been found in the ranks of the armies – not even in the severest trial of that fortitude which never faltered, and that power of endurance which seemed to know no limit. All this no man feels more deeply than I do. But they were common sacrifices in a common cause, ultimately crowned with the reward of liberty. They have an everlasting claim upon our gratitude, and are destined, as I trust, by their heroic example, to exert an abiding influence upon our latest posterity.”

With this heartfelt recognition of the debt of gratitude due to those excellent men, the senator enters into an analysis of the claims presented, and proves them to be void of justice. The whole speech is a good exponent of his character; full of the truest sympathy, but, above all things, just, and not to be misled, on the public behalf, by those impulses that would be most apt to sway the private man. The mere pecuniary amount saved to the nation by his scrutiny into affairs of this kind, though great, was, after all, but a minor consideration. The danger lay in establishing a corrupt system, and placing a wrong precedent upon the statute book. Instances might be adduced, on the other hand, which show him not less scrupulous of the just rights of the claimants than careful of the public interests.

Another subject upon which he came forward was the military establishment and the natural defences of the country. In looking through the columns of the “Congressional Globe,” we find

abundant evidences of Senator Pierce's laborious and unostentatious discharge of his duties – reports of committees, brief remarks, and, here and there, a longer speech, always full of matter, and evincing a thoroughly-digested knowledge of the subject. Not having been written out by himself, however, these speeches are no fair specimens of his oratory, except as regards the train of argument and substantial thought; and adhering very closely to the business in hand, they seldom present passages that could be quoted, without tearing them forcibly, as it were, out of the context, and thus mangling the fragments which we might offer to the reader. As we have already remarked, he seems, as a debater, to revive the old type of the Revolutionary Congress, or to bring back the noble days of the Long Parliament of England, before eloquence had become what it is now, a knack, and a thing valued for itself. Like those strenuous orators, he speaks with the earnestness of honest conviction, and out of the fervor of his heart, and because the occasion and his deep sense of it constrain him.

By the defeat of Mr. Van Buren, in the presidential election of 1840, the administration of government was transferred, for the first time in twelve years, to the Whigs. An extra session of Congress was summoned to assemble in June, 1841, by President Harrison, who, however, died before it came together. At this extra session, it was the purpose of the whig party, under the leadership of Henry Clay, to overthrow all the great measures which the successive democratic administrations had established. The sub-treasury was to be demolished; a national bank was to be incorporated; a high tariff of duties was to be imposed, for purposes of protection and abundant revenue. The whig administration possessed a majority, both in the Senate and the House. It was a dark period for the Democracy, so long unaccustomed to defeat, and now beholding all that they had won for the cause of national progress, after the arduous struggle of so many years, apparently about to be swept away.

The sterling influence which Franklin Pierce now exercised is well described in the following remarks of the Hon. A. O. P. Nicholson: —

“The power of an organized minority was never more clearly exhibited than in this contest. The democratic senators acted in strict concert, meeting night after night for consultation, arranging their plan of battle, selecting their champions for the coming day, assigning to each man his proper duty, and looking carefully to the popular judgment for a final victory. In these consultations, no man's voice was heard with more profound respect than that of Franklin Pierce. His counsels were characterized by so thorough a knowledge of human nature, by so much solid common sense, by such devotion to democratic principles, that, although among the youngest of the senators, it was deemed important that all their conclusions should be submitted to his sanction.

“Although known to be ardent in his temperament, he was also known to act with prudence and caution. His impetuosity in debate was only the result of the deep convictions which controlled his mind. He enjoyed the unbounded confidence of Calhoun, Buchanan, Wright, Woodbury, Walker, King, Benton, and indeed of the entire democratic portion of the Senate. When he rose in the Senate or in the committee room, he was heard with the profoundest attention; and again and again was he greeted by these veteran Democrats as one of our ablest champions. His speeches, during this session, will compare with those of any other senator. If it be asked why he did not receive higher distinction, I answer, that such men as Calhoun, Wright, Buchanan, and Woodbury were the acknowledged leaders of the Democracy. The eyes of the nation were on them. The hopes of their party were reposed in them. The brightness of these luminaries was too great to allow the brilliancy of so young a man to attract especial attention. But ask any one of these veterans how Franklin Pierce ranked in the Senate, and he will tell you, that, to stand in the front rank for talents, eloquence, and statesmanship, he only lacked a few more years.”

In the course of this session he made a very powerful speech in favor of Mr. Buchanan's resolution, calling on the President to furnish the names of persons removed from office since the 4th of March, 1841. The Whigs, in 1840, as in the subsequent canvass of 1848, had professed a purpose to abolish the system of official removals on account of political opinion, but, immediately on coming into power, had commenced a proscription infinitely beyond the example of the democratic party.

This course, with an army of office-seekers besieging the departments, was unquestionably difficult to avoid, and perhaps, on the whole, not desirable to be avoided. But it was rendered astounding by the sturdy effrontery with which the gentlemen in power denied that their present practice had falsified any of their past professions. A few of the closing paragraphs of Senator Pierce's highly effective speech, being more easily separable than the rest, may here be cited.

"One word more, and I leave this subject, – a painful one to me, from the beginning to the end. The senator from North Carolina, in the course of his remarks the other day, asked, 'Do gentlemen expect that their friends are to be retained in office against the will of the nation? Are they so unreasonable as to expect what the circumstances and the necessity of the case forbid?' What our expectations were is not the question now; but what were your pledges and promises before the people. On a previous occasion, the distinguished senator from Kentucky made a similar remark: 'An ungracious task, but the nation demands it!' Sir, this demand of the nation, – this plea of STATE NECESSITY, – let me tell you, gentlemen, is as old as the history of wrong and oppression. It has been the standing plea, the never-failing resort of despotism.

"The great Julius found it a convenient plea when he restored the dignity of the Roman Senate, but destroyed its independence. It gave countenance to and justified all the atrocities of the Inquisition in Spain. It forced out the stifled groans that issued from the Black Hole of Calcutta. It was written in tears upon the Bridge of Sighs in Venice, and pointed to those dark recesses upon whose gloomy thresholds there was never seen a returning footprint.

"It was the plea of the austere and ambitious Strafford, in the days of Charles I. It filled the Bastille of France, and lent its sanction to the terrible atrocities perpetrated there. It was this plea that snatched the mild, eloquent, and patriotic Camillo Desmoulins from his young and beautiful wife, and hurried him to the guillotine with thousands of others equally unoffending and innocent. It was upon this plea that the greatest of generals, if not men, – you cannot mistake me, – I mean him, the presence of whose very ashes within the last few months sufficed to stir the hearts of a continent, – it was upon this plea that he abjured the noble wife who had thrown light and gladness around his humbler days, and, by her own lofty energies and high intellect, had encouraged his aspirations. It was upon this plea that he committed that worst and most fatal acts of his eventful life. Upon this, too, he drew around his person the imperial purple. It has in all times, and in every age, been the foe of liberty and the indispensable stay of usurpation.

"Where were the chains of despotism ever thrown around the freedom of speech and of the press but on this plea of STATE NECESSITY? Let the spirit of Charles X. and of his ministers answer.

"It is cold, selfish, heartless, and has always been regardless of age, sex, condition, services, or any of the incidents of life that appeal to patriotism or humanity. Wherever its authority has been acknowledged, it has assailed men who stood by their country when she needed strong arms and bold hearts, and has assailed them when, maimed and disabled in her service, they could no longer brandish a weapon in her defence. It has afflicted the feeble and dependent wife for the imaginary faults of the husband. It has stricken down Innocence in its beauty, Youth in its freshness, Manhood in its vigor, and Age in its feebleness and decrepitude. Whatever other plea or apology may be set up for the sweeping, ruthless exercise of this civil guillotine at the present day, in the name of LIBERTY let us be spared this fearful one of STATE NECESSITY, in this early age of the Republic, upon the floor of the American Senate, in the face of a people yet free!"

In June, 1842, he signified his purpose of retiring from the Senate.

It was now more than sixteen years since the author of this sketch had been accustomed to meet Frank Pierce (that familiar name, which the nation is adopting as one of its household words) in habits of daily intercourse. Our modes of life had since been as different as could well be imagined; our culture and labor were entirely unlike; there was hardly a single object or aspiration in common between us. Still we had occasionally met, and always on the old ground of friendly confidence. There

were sympathies that had not been suffered to die out. Had we lived more constantly together, it is not impossible that the relation might have been changed by the various accidents and attritions of life; but having no mutual events, and few mutual interests, the tie of early friendship remained the same as when we parted. The modifications which I saw in his character were those of growth and development; new qualities came out, or displayed themselves more prominently, but always in harmony with those heretofore known. Always I was sensible of progress in him; a characteristic – as, I believe, has been said in the foregoing pages – more perceptible in Franklin Pierce than in any other person with whom I have been acquainted. He widened, deepened, rose to a higher point, and thus ever made himself equal to the ever-heightening occasion. This peculiarity of intellectual growth, continued beyond the ordinary period, has its analogy in his physical constitution – it being a fact that he continued to grow in stature between his twenty-first and twenty-fifth years.

He had not met with that misfortune, which, it is to be feared, befalls many men who throw their ardor into politics. The pursuit had taken nothing from the frankness of his nature; now, as ever, he used direct means to gain honorable ends; and his subtlety – for, after all, his heart and purpose were not such as he that runs may read – had the depth of wisdom, and never any quality of cunning. In great part, this undeteriorated manhood was due to his original nobility of nature. Yet it may not be unjust to attribute it, in some degree, to the singular good fortune of his life. He had never, in all his career, found it necessary to stoop. Office had sought him; he had not begged it, nor manoeuvred for it, nor crept towards it – arts which too frequently bring a man, morally bowed and degraded, to a position which should be one of dignity, but in which he will vainly essay to stand upright.

In our earlier meetings, after Pierce had begun to come forward in public life, I could discern that his ambition was aroused. He felt a young man's enjoyment of success, so early and so distinguished. But as years went on, such motives seemed to be less influential with him. He was cured of ambition, as, one after another, its objects came to him unsought. His domestic position, likewise, had contributed to direct his tastes and wishes towards the pursuits of private life. In 1834 he had married Jane Means, a daughter of the Rev. Dr. Appleton, a former president of Bowdoin College. Three sons, the first of whom died in early infancy, were born to him; and, having hitherto been kept poor by his public service, he no doubt became sensible of the expediency of making some provision for the future. Such, it may be presumed, were the considerations that induced his resignation of the senatorship, greatly to the regret of all parties. The senators gathered around him as he was about to quit the chamber; political opponents took leave of him as of a personal friend; and no departing member has ever retired from that dignified body amid warmer wishes for his happiness than those that attended Franklin Pierce.

His father had died three years before, in 1839, at the mansion which he built, after the original log-cabin grew too narrow for his rising family and fortunes. The mansion was spacious, as the liberal hospitality of the occupant required, and stood on a little eminence, surrounded by verdure and abundance, and a happy population, where, half a century before, the revolutionary soldier had come alone into the wilderness, and levelled the primeval forest trees. After being spared to behold the distinction of his son, he departed this life at the age of eighty-one years, in perfect peace, and, until within a few hours of his death, in the full possession of his intellectual powers. His last act was one of charity to a poor neighbor – a fitting close to a life that had abounded in such deeds. Governor Pierce was a man of admirable qualities – brave, active, public-spirited, endowed with natural authority, courteous yet simple in his manners; and in his son we may perceive these same attributes, modified and softened by a finer texture of character, illuminated by higher intellectual culture, and polished by a larger intercourse with the world, but as substantial and sterling as in the good old patriot.

Franklin Pierce had removed from Hillsborough in 1838, and taken up his residence at Concord, the capital of New Hampshire. On this occasion, the citizens of his native town invited him to a public dinner, in token of their affection and respect. In accordance with his usual taste, he gratefully accepted the kindly sentiment, but declined the public demonstration of it.

## CHAPTER III

### HIS SUCCESS AT THE BAR

Franklin Pierce's earliest effort at the bar, as we have already observed, was an unsuccessful one; but instead of discouraging him, the failure had only served to awaken the consciousness of latent power, and the resolution to bring it out. Since those days, he had indeed gained reputation as a lawyer. So much, however, was the tenor of his legal life broken up by the months of public service subtracted from each year, and such was the inevitable tendency of his thoughts towards political subjects, that he could but very partially avail himself of the opportunities of professional advancement. But on retiring from the Senate he appears to have started immediately into full practice. Though the people of New Hampshire already knew him well, yet his brilliant achievements as an advocate brought him more into their view, and into closer relations with them, than he had ever before been. He now met his countrymen, as represented in the jury box, face to face, and made them feel what manner of man he was. Their sentiment towards him soon grew to be nothing short of enthusiasm; love, pride, the sense of brotherhood, affectionate sympathy, and perfect trust, all mingled in it. It was the influence of a great heart pervading the general heart, and throbbing with it in the same pulsation.

It has never been the writer's good fortune to listen to one of Franklin Pierce's public speeches, whether at the bar or elsewhere; nor, by diligent inquiry, has he been able to gain a very definite idea of the mode in which he produces his effects. To me, therefore, his forensic displays are in the same category with those of Patrick Henry, or any other orator whose tongue, beyond the memory of man, has moulded into dust. His power results, no doubt, in great measure, from the earnestness with which he imbues himself with the conception of his client's cause; insomuch that he makes it entirely his own, and, never undertaking a case which he believes to be unjust, contends with his whole heart and conscience, as well as intellectual force, for victory. His labor in the preparation of his cases is said to be unremitting; and he throws himself with such energy into a trial of importance as wholly to exhaust his strength.

Few lawyers, probably, have been interested in a wider variety of business than he; its scope comprehends the great causes where immense pecuniary interests are concerned – from which, however, he is always ready to turn aside, to defend the humble rights of the poor man, or give his protection to one unjustly accused. As one of my correspondents observes, “When an applicant has interested him by a recital of fraud or wrong, General Pierce never investigates the man's estate before engaging in his business; neither does he calculate whose path he may cross. I have been privy to several instances of the noblest independence on his part, in pursuing, to the disrepute of those who stood well in the community, the weal of an obscure client with a good cause.”

In the practice of the law, as Pierce pursued it, in one or another of the court houses of New Hampshire, the rumor of each successive struggle and success resounded over the rugged hills, and perished without a record. Those mighty efforts, into which he put all his strength, before a county court, and addressing a jury of yeomen, have necessarily been, as regards the evanescent memory of any particular trial, like the eloquence that is sometimes poured out in a dream. In other spheres of action, with no greater expenditure of mental energy, words have been spoken that endure from age to age – deeds done that harden into history. But this, perhaps the most earnest portion of Franklin Pierce's life, has left few materials from which it can be written. There is before me only one report of a case in which he was engaged – the defence of the Wentworths, at a preliminary examination, on a charge of murder. His speech occupied four hours in the delivery, and handles a confused medley of facts with masterly skill, bringing them to bear one upon another, and making the entire mass, as

it were, transparent, so that the truth may be seen through it. The whole hangs together too closely to permit the quotation of passages.

The writer has been favored with communications from two individuals, who have enjoyed the best of opportunities to become acquainted with General Pierce's character as a lawyer. The following is the graceful and generous tribute of a gentleman, who, of late, more frequently than any other, has been opposed to him at the bar: —

“General Pierce cannot be said to have commenced his career at the bar in earnest until after his resignation of the office of senator, in 1842. And it is a convincing proof of his eminent powers that he at once placed himself in the very first rank at a bar so distinguished for ability as that of New Hampshire. It is confessed by all who have the means of knowledge and judgment on this subject, that in no state of the Union are causes tried with more industry of preparation, skill, perseverance, energy, or vehement effort to succeed.

“During much of this time, my practice in our courts was suspended; and it is only within three or four years that I have had opportunities of intimately knowing his powers as an advocate, by being associated with him at the bar; and, most of all, of appreciating and feeling that power, by being opposed to him in the trial of causes before juries. Far more than any other man, whom it has been my fortune to meet, he makes himself felt by one who tries a case against him. From the first, he impresses on his opponent a consciousness of the necessity of a deadly struggle, not only in order to win the victory, but to avoid defeat.

“His vigilance and perseverance, omitting nothing in the preparation and introduction of testimony, even to the minutest details, which can be useful to his clients; his watchful attention, seizing on every weak point in the opposite case; his quickness and readiness; his sound and excellent judgment; his keen insight into character and motives, his almost intuitive knowledge of men; his ingenious and powerful cross-examinations; his adroitness in turning aside troublesome testimony, and availing himself of every favorable point; his quick sense of the ridiculous; his pathetic appeals to the feelings; his sustained eloquence, and remarkably energetic declamation, — all mark him for a ‘leader.’

“From the beginning to the end of the trial of a case, nothing with him is neglected which can by possibility honorably conduce to success. His manner is always respectful and deferential to the court, captivating to the jury, and calculated to conciliate the good will even of those who would be otherwise indifferent spectators. In short, he plays the part of a successful actor; successful, because he always identifies himself with his part, and in him it is not acting.

“Perhaps, as would be expected by those who know his generosity of heart, and his scorn of everything like oppression or extortion, he is most powerful in his indignant denunciations of fraud or injustice, and his addresses to the feelings in behalf of the poor and lowly, and the sufferers under wrong. I remember to have heard of his extraordinary power on one occasion, when a person who had offered to procure arrears of a pension for revolutionary services had appropriated to himself a most unreasonable share of the money. General Pierce spoke of the frequency of these instances, and, before the numerous audience, offered his aid, freely and gratuitously, to redress the wrongs of any widow or representative of a revolutionary officer or soldier who had been made the subject of such extortion.

“The reply of the poor man, in the anecdote related by Lord Campbell of Harry Erskine, would be applicable, as exhibiting a feeling kindred to that with which General Pierce is regarded: ‘There's no a puir man in a' Scotland need to want a friend or fear an enemy, sae lang as Harry Erskine lives!’”

We next give his aspect as seen from the bench, in the following carefully prepared and discriminating article, from the chief justice of New Hampshire: —

“In attempting to estimate the character and qualifications of Mr. Pierce as a lawyer and an advocate, we undertake a delicate, but, at the same time, an agreeable task. The profession of the law, practised by men of liberal and enlightened minds, and unstained by the sordidness which more

or less affects all human pursuits, invariably confers honor upon and is honored by its followers. An integrity above suspicion, an eloquence alike vigorous and persuasive, and an intuitive sagacity have earned for Mr. Pierce the reputation that always follows them.

“The last case of paramount importance in which he was engaged as counsel was that of *Morrison v. Philbrick*, tried in the month of February, 1852, at the Court of Common Pleas for the county of Belknap. There was on both sides an array of eminent professional talent, Messrs. Pierce, Bell, and Bellows appearing for the defendant, and Messrs. Atherton and Whipple for the plaintiff. The case was one of almost unequalled interest to the public generally, and to the inhabitants of the country lying around the lower part of Lake Winnepiscogee. A company, commonly called the Lake Company, had become the owners of many of the outlets of the streams supplying the lake, and by means of their works at such places, and at Union Bridge, a few miles below, were enabled to keep back the waters of the lake, and to use them as occasion should require to supply the mills at Lowell. The plaintiff alleged that the dam at Union Bridge had caused the water to rise higher than was done by the dam that existed in the year 1828, and that he was essentially injured thereby. The case had been on trial nearly seven weeks. Evidence equivalent to the testimony of one hundred and eighty witnesses had been laid before the jury. Upon this immense mass of facts, involving a great number of issues, Mr. Pierce was to meet his most formidable opponent in the state, Mr. Atherton. In that gentleman are united many of the rarest qualifications of an advocate. Of inimitable self-possession; with a coolness and clearness of intellect which no sudden emergencies can disturb; with that confidence in his resources which nothing but native strength, aided by the most thorough training, can bestow; with a felicity and fertility of illustration, the result alike of an exquisite natural taste and a cultivation of those studies which refine while they strengthen the mind for forensic contests, – Mr. Atherton’s argument was listened to with an earnestness and interest which showed the conviction of his audience that no ordinary man was addressing them.

“No one who witnessed that memorable trial will soon forget the argument of Mr. Pierce on that occasion. He was the counsel for the defendant, and was therefore to precede Mr. Atherton. He was to analyze and unfold to the jury this vast body of evidence under the watchful eyes of an opponent at once enterprising and cautious, and before whom it was necessary to be both bold and skilful. He was to place himself in the position of the jury, to see the evidence as they would be likely to regard it, to understand the character of their minds and what views would be the most likely to impress them. He was not only to be familiar with his own case, but to anticipate that of his opponent, and answer as he best might the argument of the counsel. And most admirably did he discharge the duties he had assumed on behalf of his client. Eminently graceful and attractive in his manner at all times, his demeanor was then precisely what it should have been, showing a manly confidence in himself and his case, and a courteous deference to the tribunal he was addressing. His erect and manly figure, his easy and unembarrassed air, bespoke the favorable attention of his audience. His earnest devotion to his cause, his deep emotion, evidently suppressed, but for that very reason all the more interesting, diffused themselves like electricity through his hearers. And when, as often happened, in the course of his argument, his clear and musical accents fell upon the ear in eloquent and pointed sentences, gratifying the taste while they satisfied the reason, no man could avoid turning to his neighbor, and expressing by his looks that pleasure which the very depth of his interest forbade him to express in words. And when the long trial was over, every one remembered with satisfaction that these two distinguished gentlemen had met each other during a most exciting and exhausting trial of seven weeks, and that no unkind words, or captious passages, had occurred between them to diminish their mutual respect, or that in which they were held by their fellow-citizens.

“In the above remarks, we have indicated a few of Mr. Pierce’s characteristics as an advocate; but he possesses other endowments, to which we have not alluded. In the first place, as he is a perfectly fearless man, so he is a perfectly fearless advocate; and true courage is as necessary to the civilian as to the soldier, and smiles and frowns Mr. Pierce disregards alike in the undaunted discharge of

his duty. He never fears to uphold his client, however unpopular his cause may seem to be for the moment. It is this courage which kindles his eloquence, inspires his conduct, and gives direction and firmness to his skill. This it is which impels him onward, at all risks, to lay bare every 'mystery of iniquity' which he believes is threatening his case. He does not ask himself whether his opponent be not a man of wealth and influence, of whom it might be for his interest to speak with care and circumspection; but he devotes himself with a ready zeal to his cause, careless of aught but how he may best discharge his duty. His argumentative powers are of the highest order. He never takes before the court a position which he believes untenable. He has a quick and sure perception of his points, and the power of enforcing them by apt and pertinent illustrations. He sees the relative importance and weight of different views, and can assign to each its proper place, and brings forward the main body of his reasoning in prominent relief, without distracting the attention by unimportant particulars. And above all, he has the good sense, so rarely shown by many, to stop when he has said all that is necessary for the elucidation of his subject. With a proper confidence in his own perceptions, he states his views so pertinently and in such precise and logical terms, that they cannot but be felt and appreciated. He never mystifies; he never attempts to pervert words from their proper and legitimate meaning to answer a temporary purpose.

"His demeanor at the bar may be pronounced faultless. His courtesy in the court house, like his courtesy elsewhere, is that which springs from self-respect and from a kindly heart, disposing its owner to say and do kindly things. But he would be a courageous man who, presuming upon the affability of Mr. Pierce's manner, would venture a second time to attack him; for he would long remember the rebuke that followed his first attack. There is a ready repartee and a quick and cutting sarcasm in his manner when he chooses to display it, which it requires a man of considerable nerve to withstand. He is peculiarly happy in the examination of witnesses – that art in which so few excel. He never browbeats, he never attempts to terrify. He is never rude or discourteous. But the equivocating witness soon discovers that his falsehood is hunted out of its recesses with an unsparing determination. If he is dogged and surly, he is met by a spirit as resolute as his own. If he is smooth and plausible, the veil is lifted from him by a firm but graceful hand. If he is pompous and vain, no ridicule was ever more perfect than that to which he listens with astonished and mortified ears.

"The eloquence of Mr. Pierce is of a character not to be easily forgotten. He understands men, their passions and their feelings. He knows the way to their hearts, and can make them vibrate to his touch. His language always attracts the hearer. A graceful and manly carriage, bespeaking him at once the gentleman and the true man; a manner warmed by the ardent glow of an earnest belief; an enunciation ringing, distinct, and impressive beyond that of most men; a command of brilliant and expressive language; and an accurate taste, together with a sagacious and instinctive insight into the points of his case, are the secrets of his success. It is thus that audiences are moved and truth ascertained; and he will ever be the most successful advocate who can approach the nearest to this lofty and difficult position.

"Mr. Pierce's views as a constitutional lawyer are such as have been advocated by the ablest minds of America. They are those which, taking their rise in the heroic age of the country, were transmitted to him by a noble father, worthy of the times in which he lived, worthy of that Revolution which he assisted in bringing about. He believes that the Constitution was made, not to be subverted, but to be sacredly preserved; that a republic is perfectly consistent with the conservation of law, of rational submission to right authority, and of true self-government. Equally removed from that malignant hostility to order which characterizes the demagogues who are eager to rise upon the ruins even of freedom, and from that barren and bigoted narrowness which would oppose all rational freedom of opinion, he is, in its loftiest and most ennobling sense, a friend of that Union, without which the honored name of American citizen would become a by-word among the nations. And if, as we fervently pray and confidently expect he will, Mr. Pierce shall display before the great tribunals of the nation the courage, the consistency, the sagacity, and the sense of honor, which have already

secured for him so many thousands of devoted friends, and which have signalized both his private and professional life, his administration will long be held in grateful remembrance as one of which the sense of right and the sagacity to perceive it, a clear insight into the true destinies of the country and a determination to uphold them at whatever sacrifice, were the predominant characteristics.”

It may appear singular that Franklin Pierce has not taken up his residence in some metropolis, where his great forensic abilities would so readily find a more conspicuous theatre, and a far richer remuneration than heretofore. He himself, it is understood, has sometimes contemplated a removal, and, two or three years since, had almost determined on settling in Baltimore. But his native state, where he is known so well, and regarded with so much familiar affection, which he has served so faithfully, and which rewards him so generously with its confidence, New Hampshire, with its granite hills, must always be his home. He will dwell there, except when public duty for a season shall summon him away; he will die there, and give his dust to its soil.

It was at his option, in 1846, to accept the highest legal position in the country, setting aside the bench, and the one which undoubtedly would most have gratified his professional aspirations. President Polk, with whom he had been associated on the most friendly terms in Congress, now offered him the post of attorney general of the United States. “In tendering to you this position in my cabinet,” writes the President, “I have been governed by the high estimate which I place upon your character and eminent qualifications to fill it.” The letter, in which this proposal is declined, shows so much of the writer’s real self that we quote a portion of it.

“Although the early years of my manhood were devoted to public life, it was never really suited to my taste. I longed, as I am sure you must often have done, for the quiet and independence that belong only to the private citizen; and now, at forty, I feel that desire stronger than ever.

“Coming so unexpectedly as this offer does, it would be difficult, if not impossible, to arrange the business of an extensive practice, between this and the first of November, in a manner at all satisfactory to myself, or to those who have committed their interests to my care, and who rely on my services. Besides, you know that Mrs. Pierce’s health, while at Washington, was very delicate. It is, I fear, even more so now; and the responsibilities which the proposed change would necessarily impose upon her ought, probably, in themselves, to constitute an insurmountable objection to leaving our quiet home for a public station at Washington.

“When I resigned my seat in the Senate in 1842, I did it with the fixed purpose never again to be voluntarily separated from my family for any considerable length of time, except at the call of my country in time of war; and yet this consequence, for the reason before stated, and on account of climate, would be very likely to result from my acceptance.

“These are some of the considerations which have influenced my decision. You will, I am sure, appreciate my motives. You will not believe that I have weighed my personal convenience and case against the public interest, especially as the office is one which, if not sought, would be readily accepted by gentlemen who could bring to your aid attainments and qualifications vastly superior to mine.”

Previous to the offer of the attorney-generalship, the appointment of United States Senator had been tendered to Pierce by Governor Steele, and declined. It is unquestionable that, at this period, he hoped and expected to spend a life of professional toil in a private station, undistinguished except by the exercise of his great talents in peaceful pursuits. But such was not his destiny. The contingency to which he referred in the above letter, as the sole exception to his purpose of never being separated from his family, was now about to occur. Nor did he fail to comport himself as not only that intimation, but the whole tenor of his character, gave reason to anticipate.

During the years embraced in this chapter, – between 1842 and 1847, – he had constantly taken an efficient interest in the politics of the state, but had uniformly declined the honors which New Hampshire was at all times ready to confer upon him. A democratic convention nominated him for governor, but could not obtain his acquiescence. One of the occasions on which he most strenuously

exerted himself was in holding the democratic party loyal to its principles, in opposition to the course of John P. Hale. This gentleman, then a representative in Congress, had broken with his party on no less important a point than the annexation of Texas. He has never since acted with the Democracy, and has long been a leader of the free soil party.

In 1844 died Frank Robert, son of Franklin Pierce, aged four years, a little boy of rare beauty and promise, and whose death was the greatest affliction that his father has experienced. His only surviving child is a son, now eleven years old.

## CHAPTER IV

### THE MEXICAN WAR

When Franklin Pierce declined the honorable offer of the attorney-generalship of the United States, he intimated that there might be one contingency in which he would feel it his duty to give up the cherished purpose of spending the remainder of his life in a private station. That exceptional case was brought about, in 1847, by the Mexican War. He showed his readiness to redeem the pledge by enrolling himself as the earliest volunteer of a company raised in Concord, and went through the regular drill, with his fellow-soldiers, as a private in the ranks. On the passage of the bill for the increase of the army, he received the appointment of colonel of the Ninth Regiment, which was the quota of New England towards the ten that were to be raised. And shortly afterwards, – in March, 1847, – he was commissioned as brigadier-general in the army; his brigade consisting of regiments from the extreme north, the extreme west, and the extreme south of the Union.

There is nothing in any other country similar to what we see in our own, when the blast of the trumpet at once converts men of peaceful pursuits into warriors. Every war in which America has been engaged has done this; the valor that wins our battles is not the trained hardihood of veterans, but a native and spontaneous fire; and there is surely a chivalrous beauty in the devotion of the citizen soldier to his country's cause, which the man who makes arms his profession, and is but doing his regular business on the field of battle, cannot pretend to rival. Taking the Mexican War as a specimen, this peculiar composition of an American army, as well in respect to its officers as its private soldiers, seems to create a spirit of romantic adventure which more than supplies the place of disciplined courage.

The author saw General Pierce in Boston, on the eve of his departure for Vera Cruz. He had been intensely occupied, since his appointment, in effecting the arrangements necessary on leaving his affairs, as well as by the preparations, military and personal, demanded by the expedition. The transports were waiting at Newport to receive the troops. He was now in the midst of bustle, with some of the officers of his command about him, mingled with the friends whom he was to leave behind. The severest point of the crisis was over, for he had already bidden his family farewell. His spirits appeared to have risen with the occasion. He was evidently in his element; nor, to say the truth, dangerous as was the path before him, could it be regretted that his life was now to have the opportunity of that species of success which – in his youth, at least – he had considered the best worth struggling for. He looked so fit to be a soldier, that it was impossible to doubt – not merely his good conduct, which was as certain before the event as afterwards, but – his good fortune in the field, and his fortunate return.

He sailed from Newport on the 27th of May, in the bark Kepler, having on board three companies of the Ninth Regiment of Infantry, together with Colonel Ransom, its commander, and the officers belonging to the detachment. The passage was long and tedious, with protracted calms, and so smooth a sea that a sail-boat might have performed the voyage in safety. The Kepler arrived at Vera Cruz in precisely a month after her departure from the United States, without speaking a single vessel from the south during her passage, and, of course, receiving no intelligence as to the position and state of the army which these reenforcements were to join.

From a journal kept by General Pierce, and intended only for the perusal of his family and friends, we present some extracts. They are mere hasty jottings-down in camp, and at the intervals of weary marches, but will doubtless bring the reader closer to the man than any narrative which we could substitute. [In this reprint it has been thought expedient to omit the passages from General Pierce's journal.]

\* \* \* \* \*

General Pierce's journal here terminates. In its clear and simple narrative the reader cannot fail to see – although it was written with no purpose of displaying them – the native qualities of a born soldier, together with the sagacity of an experienced one. He had proved himself, moreover, physically apt for war, by his easy endurance of the fatigues of the march; every step of which (as was the case with few other officers) was performed either on horseback or on foot. Nature, indeed, has endowed him with a rare elasticity both of mind and body; he springs up from pressure like a well-tempered sword. After the severest toil, a single night's rest does as much for him, in the way of refreshment, as a week could do for most other men.

His conduct on this adventurous march received the high encomiums of military men, and was honored with the commendation of the great soldier who is now his rival in the presidential contest. He reached the main army at Puebla on the 7th of August, with twenty-four hundred men, in fine order, and without the loss of a single wagon.

## CHAPTER V

### HIS SERVICES IN THE VALLEY OF MEXICO

General Scott, who was at Puebla with the main army awaiting this reenforcement, began his march towards the city of Mexico on the day after General Pierce's arrival. The battle of Contreras was fought on the 19th of August.

The enemy's force consisted of about seven thousand men, posted in a strongly-intrenched camp, under General Valencia, one of the bravest and ablest of the Mexican commanders. The object of the commanding general appears to have been to cut off the communications of these detached troops with Santa Anna's main army, and thus to have them entirely at his mercy. For this purpose a portion of the American forces were ordered to move against Valencia's left flank, and, by occupying strong positions in the villages and on the roads towards the city, to prevent reenforcements from reaching him. In the mean time, to draw the enemy's attention from this movement, a vigorous onset was made upon his front; and as the operations upon his flank were not immediately and fully carried out according to the plan, this front demonstration assumed the character of a fierce and desperate attack, upon which the fortunes of the day much depended. General Pierce's brigade formed a part of the force engaged in this latter movement, in which four thousand newly-recruited men, unable to bring their artillery to bear, contended against seven thousand disciplined soldiers, protected by intrenchments, and showering round shot and shells against the assailing troops.

The ground in front was of the rudest and roughest character. The troops made their way with difficulty over a broken tract called the Pedregal, bristling with sharp points of rocks, and which is represented as having been the crater of a now exhausted and extinct volcano. The enemy had thrown out skirmishers, who were posted in great force among the crevices and inequalities of this broken ground, and vigorously resisted the American advance; while the artillery of the intrenched camp played upon our troops, and shattered the very rocks over which they were to pass.

General Pierce's immediate command had never before been under such a fire of artillery. The enemy's range was a little too high, or the havoc in our ranks must have been dreadful. In the midst of this fire, General Pierce, being the only officer mounted in the brigade, leaped his horse upon an abrupt eminence, and addressed the colonels and captains of the regiments, as they passed, in a few stirring words, – reminding them of the honor of their country, of the victory their steady valor would contribute to achieve. Pressing forward to the head of the column, he had nearly reached the practicable ground that lay beyond, when his horse slipped among the rocks, thrust his foot into a crevice, and fell, breaking his own leg, and crushing his rider heavily beneath him.

Pierce's mounted orderly soon came to his assistance. The general was stunned, and almost insensible. When partially recovered, he found himself suffering from severe bruises, and especially from a sprain of the left knee, which was undermost when the horse came down. The orderly assisted him to reach the shelter of a projecting rock; and as they made their way thither, a shell fell close beside them and exploded, covering them with earth. "That was a lucky miss," said Pierce calmly. Leaving him in such shelter as the rock afforded, the orderly went in search of aid, and was fortunate to meet with Dr. Ritchie, of Virginia, who was attached to Pierce's brigade, and was following in close proximity to the advancing column. The doctor administered to him as well as the circumstances would admit. Immediately on recovering his full consciousness, General Pierce had become anxious to rejoin his troops; and now, in opposition to Dr. Ritchie's advice and remonstrances, he determined to proceed to the front.

With pain and difficulty, and leaning on his orderly's arm, he reached the battery commanded by Captain McGruder, where he found the horse of Lieutenant Johnson, who had just before received

a mortal wound. In compliance with his wishes, he was assisted into the saddle; and, in answer to a remark that he would be unable to keep his seat, "Then," said the general, "you must tie me on." Whether his precaution was actually taken is a point upon which authorities differ; but at all events, with injuries so severe as would have sent almost any other man to the hospital, he rode forward into the battle.

The contest was kept up until nightfall, without forcing Valencia's intrenchment. General Pierce remained in the saddle until eleven o'clock at night. Finding himself, at nine o'clock, the senior officer in the field, he, in that capacity, withdrew the troops from their advanced position, and concentrated them at the point where they were to pass the night. At eleven, beneath a torrent of rain, destitute of a tent or other protection, and without food or refreshment, he lay down on an ammunition wagon, but was prevented by the pain of his injuries, especially that of his wounded knee, from finding any repose. At one o'clock came orders from General Scott to put the brigade into a new position, in front of the enemy's works, preparatory to taking part in the contemplated operations of the next morning. During the night, the troops appointed for that service, under Riley, Shields, Smith, and Cadwallader, had occupied the villages and roads between Valencia's position and the city; so that, with daylight, the commanding general's scheme of the battle was ready to be carried out, as it had originally existed in his mind.

At daylight, accordingly, Valencia's intrenched camp was assaulted. General Pierce was soon in the saddle at the head of his brigade, which retained its position in front, thus serving to attract the enemy's attention, and divert him from the true point of attack. The camp was stormed in the rear by the American troops, led on by Riley, Cadwallader, and Dimmick; and in the short space of seventeen minutes it had fallen into the hands of the assailants, together with a multitude of prisoners. The remnant of the routed enemy fled towards Churubusco. As Pierce led his brigade in pursuit, crossing the battle-field, and passing through the works that had just been stormed, he found the road and adjacent fields everywhere strewn with the dead and dying. The pursuit was continued until one o'clock, when the foremost of the Americans arrived in front of the strong Mexican positions at Churubusco and San Antonio, where Santa Alma's army had been compelled to make a stand, and where the great conflict of the day commenced.

General Santa Anna entertained the design of withdrawing his forces towards the city. In order to intercept this movement, Pierce's brigade, with other troops, was ordered to pursue a route by which the enemy could be attacked in the rear. Colonel Noah E. Smith (a patriotic American, long resident in Mexico, whose local and topographical knowledge proved eminently serviceable) had offered to point out the road, and was sent to summon General Pierce to the presence of the commander-in-chief. When he met Pierce, near Coyacan, at the head of his brigade, the heavy fire of the batteries had commenced. "He was exceedingly thin," writes Colonel Smith, "worn down by the fatigue and pain of the day and night before, and then evidently suffering severely. Still there was a glow in his eye, as the cannon boomed, that showed within him a spirit ready for the conflict." He rode up to General Scott, who was at this time sitting on horseback beneath a tree, near the church of Coyacan, issuing orders to different individuals of his staff. Our account of this interview is chiefly taken from the narrative of Colonel Smith, corroborated by other testimony.

The commander-in-chief had already heard of the accident that befell Pierce the day before; and as the latter approached, General Scott could not but notice the marks of pain and physical exhaustion against which only the sturdiest constancy of will could have enabled him to bear up. "Pierce, my dear fellow," said he, – and that epithet of familiar kindness and friendship, upon the battle-field, was the highest of military commendation from such a man, – "you are badly injured; you are not fit to be in your saddle." "Yes, general, I am," replied Pierce, "in a case like this." "You cannot touch your foot to the stirrup," said Scott. "One of them I can," answered Pierce. The general looked again at Pierce's almost disabled figure, and seemed on the point of taking his irrevocable resolution. "You are rash, General Pierce," said he; "we shall lose you, and we cannot spare you. It

is my duty to order you back to St. Augustine.” “For God’s sake, general,” exclaimed Pierce, “don’t say that! This is the last great battle, and I must lead my brigade!” The commander-in-chief made no further remonstrance, but gave the order for Pierce to advance with his brigade.

The way lay through thick standing corn, and over marshy ground intersected with ditches, which were filled, or partially so, with water. Over some of the narrower of these Pierce leaped his horse. When the brigade had advanced about a mile, however, it found itself impeded by a ditch ten or twelve feet wide, and six or eight feet deep. It being impossible to leap it, General Pierce was lifted from his saddle, and in some incomprehensible way, hurt as he was, contrived to wade or scramble across this obstacle, leaving his horse on the hither side. The troops were now under fire. In the excitement of the battle he forgot his injury, and hurried forward, leading the brigade, a distance of two or three hundred yards. But the exhaustion of his frame, and particularly the anguish of his knee, – made more intolerable by such free use of it, – was greater than any strength of nerve, or any degree of mental energy, could struggle against. He fell, faint and almost insensible, within full range of the enemy’s fire. It was proposed to bear him off the field; but, as some of his soldiers approached to lift him, he became aware of their purpose, and was partially revived by his determination to resist it. “No,” said he, with all the strength he had left, “don’t carry me off! Let me lie here!” And there he lay, under the tremendous fire of Churubusco, until the enemy, in total rout, was driven from the field.

Immediately after the victory, when the city of Mexico lay at the mercy of the American commander, and might have been entered that very night, Santa Anna sent a flag of truce, proposing an armistice, with a view to negotiation for peace. It cannot be considered in any other light than as a very high and signal compliment to his gallantry in the field that General Pierce was appointed, by the commander-in-chief, one of the commissioners on our part, together with General Quitman and General Persifer F. Smith, to arrange the terms of this armistice. Pierce was unable to walk, or to mount his horse without assistance, when intelligence of his appointment reached him. He had not taken off his spurs nor slept an hour, for two nights; but he immediately obeyed the summons, was assisted into the saddle, and rode to Tacubaya, where, at the house of the British consul-general, the American and Mexican commissioners were assembled. The conference began late in the afternoon, and continued till four o’clock the next morning, when the articles were signed. Pierce then proceeded to the quarters of General Worth, in the village of Tacubaya, where he obtained an hour or two of repose.

The expectation of General Scott, that further bloodshed might be avoided by means of the armistice, proved deceptive. Military operations, after a temporary interruption, were actively renewed; and on the 8th of September was fought the bloody battle of Molino del Rey, one of the fiercest and most destructive of the war.

In this conflict General Worth, with three thousand troops, attacked and routed fourteen thousand Mexicans, driving them under the protection of the Castle of Chapultepec. Perceiving the obstinacy with which the field was contested, the commander-in-chief dispatched an order to General Pierce to advance to the support of General Worth’s division. He moved forward with rapidity; and although the battle was won just as he reached the field, he interposed his brigade between Worth and the retreating enemy, and thus drew upon himself the fire of Chapultepec. A shell came streaming from the castle, and, bursting within a few feet of him, startled his horse, which was near plunging over an adjacent precipice. Continuing a long time under fire, Pierce’s brigade was engaged in removing the wounded and the captured ammunition. While thus occupied, he led a portion of his command to repel the attacks of the enemy’s skirmishers.

There remained but one other battle, – that of Chapultepec, – which was fought on the 13th of September. On the preceding day (although the injuries and the over-exertion resulting from previous marches and battles had greatly enfeebled him), General Pierce had acted with his brigade. In obedience to orders, it had occupied the field of Molino del Rey. Contrary to expectation, it was found that the enemy’s force had been withdrawn from this position. Pierce remained in the field until

noon, when, it being certain that the anticipated attack would not take place before the following day, he returned to the quarters of General Worth, which were near at hand. There he became extremely ill, and was unable to leave his bed for the thirty-six hours next ensuing. In the mean time, the Castle of Chapultepec was stormed by the troops under Generals Pillow and Quitman. Pierce's brigade behaved itself gallantly, and suffered severely; and that accomplished officer, Colonel Ransom, leading the Ninth Regiment to the attack, was shot through the head, and fell, with many other brave men, in that last battle of the war.

The American troops, under Quitman and Worth, had established themselves within the limits of the city, having possession of the gates of Belen and of San Cosma, but, up till nightfall, had met with a vigorous resistance from the Mexicans, led on by Santa Anna in person. They had still, apparently, a desperate task before them. It was anticipated that, with the next morning's light, our troops would be ordered to storm the citadel, and the city of Mexico itself. When this was told to Pierce, upon his sick-bed, he rose, and attempted to dress himself; but Captain Hardcastle, who had brought the intelligence from Worth, prevailed upon him to remain in bed, and not to exhaust his scanty strength until the imminence of the occasion should require his presence. Pierce acquiesced for the time, but again arose, in the course of the night, and made his way to the trenches, where he reported himself to General Quitman, with whose division was a part of his brigade. Quitman's share in the anticipated assault, it was supposed, owing to the position which his troops occupied, would be more perilous than that of Worth.

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