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## DEAR FATHER — DEAR SON ABOUT SOUTHERN LAW STUDENTS, 1840-1860

*Kate Wallach\* and Elsa B. Meier\*\**

**A**mong the family papers of prominent Louisiana and Mississippi lawyer-planters, preserved in the Department of Archives and Manuscripts, Louisiana State University, a number of letters deal with the legal education of members and friends of the families during the period 1840-1860. The letters reveal the father's desire to provide the best training for his son and the son's appreciation for the educational opportunities offered him by his family; his impressions of the new life in a big city like Boston or New Orleans; occasional longing for the countryside where he grew up; some homesickness and doubts as to whether the chosen course was the right one. A brief summary on legal education in the United States before the Civil War in general and in the South in particular precedes biographical introductions of the correspondents. It is believed that their letters are interesting historical documents and as such, in Justice Cardozo's words "in illuminating the past, illuminate the present, and in illuminating the present, illuminate the future."<sup>1</sup>

### LEGAL EDUCATION

During the period before the Civil War, the members of the legal profession were convinced that the only way to prepare for the practice of law was by apprenticeship in the office of an experienced attorney. The apprentice often had to pay a high price for this "training." He assisted in copying legal documents, before the invention of the typewriter, ran errands, and under direction, read legal textbooks, first English, later American. This practical program reflects the generally prevailing prejudice against formal schooling which the lawyers shared at the time. They were "unconvinced, if not distrustful, of the benefits that might flow to a lawyer through either a university or law school training."<sup>2</sup>

Several attempts at adding law departments in the univer-

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1. CARDOZO, *THE NATURE OF THE JUDICIAL PROCESS* 53 (1921).

2. HARN, *LEGAL EDUCATION IN THE UNITED STATES* 40 (1953).

sities were unsuccessful for quite some time. Thomas Jefferson is credited with establishing the first law professorship at the College of William and Mary in 1779-1780. Ten years later, Judge James Wilson was appointed at the College of Philadelphia, James Kent at Columbia College in 1793, Chief Justice Parker at Harvard in 1815, Judge David Daggett at Yale in 1825.<sup>3</sup>

As early as 1756, William Smith, Jr. of New York had outlined a law curriculum which consisted of the following sciences which he deemed necessary for a lawyer to be familiar with: "1<sup>st</sup> — the English, Latin, and French Tongues. 2<sup>d</sup> — Writing, Arithmetick, Geometry, Surveying Merchants Accounts, or Bookkeeping. 3<sup>d</sup> — Geography, Cronology, History. 4. Logick and Rhetorick. 5. Divinity. 6. Law of Nature and Nations or the civil law. 7. Law of England." Among the suggested texts is Domat's Civil Law.<sup>4</sup>

On February 21, 1821, in his address at the opening of the Law Academy of Philadelphia, DuPonceau expressed the belief that "a national seminary of legal knowledge is absolutely wanted in this country; and cannot be much longer dispensed with." As the subjects to be taught he listed "the common law, the civil law, the law commercial and maritime, the law of nature and nations, the constitutional and federal law of our country, and the jurisprudence of the different States." He advocated a chair for each of these subjects.<sup>5</sup>

Judge Story in his inaugural lecture of August 25, 1829, at Harvard, conceived his duties as Dane Professor of Law as follows: "to deliver lectures upon the Law of Nature, the Law of Nations, Maritime and Commercial Law, Equity Law, and, lastly, the Constitutional Law of the United States."<sup>6</sup>

In 1835, Benjamin F. Butler devised a three-year study plan for the University of the City of New York which presented quite a departure from the way in which courses were taught at other schools at that time. He proposed a Primary Course in Organization and Jurisdiction of Courts, their modes of proceed-

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3. REED, TRAINING FOR THE PUBLIC PROFESSION OF THE LAW 107-59 (1921).

4. HAMLIN, LEGAL EDUCATION IN COLONIAL NEW YORK 62, 197-200 (1939).

5. Du Porceau, *Discourse on Legal Education* in A DISSERTATION ON THE NATURE AND EXTENT OF THE JURISDICTION OF THE COURTS OF THE UNITED STATES 173, 181-82 (1824).

6. JOSEPH STORY: A COLLECTION OF WRITINGS BY AND ABOUT AN EMINENT AMERICAN JURIST 56-67 (Schwartz & Hogan, ed., 1959).

ing in suits at Common Law, and in Equity, Admiralty and Criminal cases; and the System of Pleading generally, and in each of the Superior Courts; a Junior Course in Law of the Domestic Relations, . . . Personal Property, including Commercial and Maritime Law, and a Senior Course in the Law of Real Property, Corporations and Equity. A General or Parallel Course was to be taught *simultaneously* to the whole school over the three years, consisting of first-year courses in the Law of Nature and Nations; History of American Jurisprudence; Constitutional Law; Principles of Legislation; and Interpretation of Statutes; second-year subjects suggested were Criminal Law; and Law of Evidence and for the third-year Selections from the Roman Law; Forensic Duties and Professional Ethics (pp. 16-24). A period of clerkship was to be added to the courses. Butler wanted to combine practice with theory and develop the subjects in law school in the same fashion as they were introduced to them during their apprenticeship training.<sup>7</sup>

During the period 1840-1860, however, none of the more ambitious plans for an expansion of the law school curriculum was realized. Even after the creation of law departments within a number of universities, as distinguished from the creation of single chairs, the program of formal education was limited and consisted of lectures, drafting of legal instruments, arguing of moot cases, and prescribed readings.<sup>8</sup>

Harvard during the 1840's had Story and Greenleaf, who complemented each other. The law students also enjoyed lectures in other departments of the college, *e.g.*, Sparks on Colonial History and Longfellow on Goethe.

In 1837-1838 six Louisiana and two Mississippi law students were enrolled at Harvard in a class of 62 law students from fifteen states; in 1844-1845 there were 156 students from 21 states; in 1859-1869, 166 students.<sup>9</sup>

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7. BUTLER, PLAN FOR THE ORGANIZATION OF A LAW FACULTY IN THE UNIVERSITY OF THE CITY OF NEW YORK (1835, republished 1956).

8. General works which include history of legal education: AUMANN, THE CHANGING AMERICAN SYSTEM 94-119 (1940); HOFFMAN, A COURSE OF LEGAL STUDY (2d ed. 1856); HURST, THE GROWTH OF AMERICAN LAW 256-60 (1950); WARREN, A HISTORY OF THE AMERICAN BAR 164-87, 341-65 (1912). History of individual schools: A HISTORY OF THE SCHOOL OF LAW, COLUMBIA UNIVERSITY (1955); HARVARD CENTENNIAL HISTORY (1918); Brandeis, *The Harvard Law School*, 1 GREEN BAG 10 (1889); Daggett, *The Yale Law School*, 1 GREEN BAG 239 (1889); Dwight, *Columbia College Law School, New York*, 1 GREEN BAG 141 (1889); Patterson, *The Law School of the University of Pennsylvania*, 1 GREEN BAG 99 (1889).

9. 2 WARREN, HISTORY OF THE HARVARD LAW SCHOOL 34, 95, 217 (1908).

In the 1850's Joel Parker, Emory Washburn, and Theophilus Parsons taught law at Harvard. Under Parson's direction the law faculty purchased a hotel, the Brattle House, which was to provide inexpensive room and board for students with more moderate means. Parsons figured that income from rent of 67 bedrooms would bring \$3,320.00 per year and that meals could be provided at 27 cents a day, or \$1.89 per week and that 50 men could obtain food and lodging for \$2.50 a week.<sup>10</sup>

At this time, less than half of the Harvard law students were college graduates. They entered or left at any period of the year, and were granted the LL.B. degree without examination after a residence of eighteen months.<sup>11</sup>

According to Morison "the popular impression was that Harvard was reactionary, pro-slavery, and obstructing the 'Spirit of the Age.'" <sup>12</sup>

Most of the southern students came from leading political families of that region. There was a close affiliation between "the lords of the loom and the lords of the lash." Boston became a pro-slavery community and it remained so, in social and business life, until 1861.<sup>13</sup>

#### SOUTHERN LAW SCHOOLS

In Virginia, as Reed<sup>14</sup> observes, the apprenticeship system was not so firmly established as in the northern states. At William and Mary, Chancellor Wythe headed the School of Law and Politics. His course was based on Blackstone, with lectures on government and moot courts and moot legislatures for training in parliamentary law. International law was taught together with moral philosophy in another department. In 1780, William and Mary had about 40 law students and in 1839 about 30 out of a total student body of 140.<sup>14</sup>

Transylvania University (University of Kentucky) estab-

10. *Id.* at 221.

11. MORISON, *THREE CENTURIES AT HARVARD* 336 (1936).

12. *Id.* at 287.

13. 2 WARREN, *HISTORY OF THE HARVARD LAW SCHOOL* 157 (1908). Warren asked former law students for an account of their experiences at the Harvard Law School. Edward A. Simon of St. Martinville, Louisiana, in his reply, characterized his teachers Greenleaf and Kent. He also mentioned the popularity which Longfellow enjoyed with the law students. Warren notes that much of the portion of Evangeline relating to Louisiana was founded on a description of Simon's own home. *Id.* at 53-54, 107.

14. REED, *TRAINING FOR THE PUBLIC PROFESSION OF THE LAW* 116-17 (1921).

lished a law professorship at Lexington in 1799. Henry Clay was one of its early faculty members. This law school started with about 19 students. In 1821-1822 there were 49 law students when Litchfield had only 26. In 1842-1843, with 75 students, it was second to Harvard.<sup>15</sup>

The University of Virginia was opened in 1825. The chair for law and politics was filled in 1826 with a practicing attorney. In 1851 an additional faculty member who specialized in Constitutional Law was appointed. At Virginia, International Law was offered by the law department. For many years, a law student was encouraged, though not required, to register in more than one school of the university.<sup>16</sup>

At the University of Louisiana in New Orleans (Tulane University) a Law Department was organized in May 1847. Judge Bullard was appointed Dean and Professor of Civil Law. His successors in the deanship before the Civil War were Randell Hunt (1850-1854), Christian Roselius (1854-1856), Theodore Howard McCaleb (1856-1858) and, again, Randell Hunt (1858-1862). During the period of the Civil War the school was closed. The curriculum was taught by four faculty members, including the Dean, and covered Constitutional Law, Commercial Law, and Evidence; Civil Law; Common Law and Equity, Jurisprudence, and Admiralty and International Law.<sup>17</sup> A pamphlet published by the University of Louisiana in 1879 lists the number of graduates in the law department with 16 in 1847-1848; 35 in 1857-1858; and 31 in 1859-1860. The highest number of law students was 44 in 1851-1852.

#### THE CORRESPONDENCE<sup>18</sup>

##### *Henry A. Bullard to James G. Taliaferro*

Bullard's letter of July 22, 1842, to Judge Taliaferro was written before the organization of the Tulane Law Department.

15. *Id.* at 118.

16. *Id.* at 118-19.

17. Harris, *Editorial*, 9 TUL. L. REV. 584 (1935); Brosman, *The First Hundred Years*, 22 TUL. L. REV. 543 (1943); Quintero, *The Law School of the Tulane University of Louisiana*, 2 GREEN BAG 116 (1890); Franklin, *The Introductory Lecture of Christian Roselius on November 13, 1854*, 32 TUL. L. REV. 573 (1958). For a summary of some of the law lectures based on contemporary magazine reports, see Bonquois, *The Career of Henry Adams Bullard*, 23 LA. HIST. Q. 999, 1055-63 (1940).

18. The letters in this section were reproduced through the courtesy of Mr. V. L. Bedsole, Head, Department of Archives and Manuscripts, Louisiana State Uni-

As is well known, both correspondents served as Justices of the Louisiana Supreme Court; both had received their legal education outside of Louisiana.

Henry Adams Bullard was born in Pepperell, Massachusetts, on September 9, 1788. His father was a Congregational clergyman who sent the fourth of his eight children to Harvard College where Bullard graduated in 1807 at the age of nineteen. He then read law in the offices of Luther Lawrence in Groton, Massachusetts, and Peter A. Browne in Philadelphia. He was admitted to the bar about 1812. He possessed a reading and speaking knowledge of French, Spanish, Italian, and German.

Bullard came to Natchitoches, Louisiana, by way of Texas where he had participated in the Texas movement for independence as aide-de-camp and secretary to General Toledo. He began the practice of law in 1813. He married Sarah Maria Kaiser in 1816. The couple had two sons and three daughters. Their properties included a summer home on the Red River and a plantation near Opelousas. From 1819-1821, Bullard served as a district court judge. He was elected to the Louisiana Legislature in 1820. For a while he moved to Alexandria, where he became President of the Board of Trustees (mayor). From 1826-1830 he resumed the district judgeship. From 1830-1834, he represented the National Republican Party in the Congress in Washington and supported Henry Clay. In 1833, he resigned his seat in order to accept appointment as an associate Justice of the Louisiana Supreme Court. Except for the period February 5, 1839, to December 17, 1839, when he was Secretary of State, he remained on the Supreme Court until 1846, when new Justices were elected under the 1845 Constitution. In 1836, Justice Bullard became the first president of the Louisiana Historical Society.

When he left the Court on March 18, 1846, although in ill health, he resumed the practice of law in New Orleans. In 1847, he was appointed Dean and Professor of Civil Law at the University of Louisiana. When he was again elected to Congress in September 1850, he resigned the deanship. He died in New Orleans on April 17, 1851.<sup>19</sup>

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versity: Mrs. Meier searched for and assisted in the selection of the letters and in the preparation of biographical information. No attempt was made to provide complete coverage in this article. The sources consulted were, with one exception, those readily available on the Baton Rouge campus.

19. Bonquois, *The Career of Henry Adams Bullard*, 23 LA. HIST. Q. 999, 1055-

James G. Taliaferro was born in Amherst County, Virginia, in 1798. He was of Italian descent. He received his education at Transylvania University, Kentucky. He moved to Louisiana with his father in 1814 and settled in the Ouachita country. He was a member of the Louisiana Constitutional Conventions of 1852 and 1868 and also of the 1861 Secession Convention.

Quintero reports that he "was devoted to the Constitution and the union of the States, he calmly, steadily and fearlessly opposed secession . . . . And when at last the ordinance of secession was adopted by an almost unanimous vote, he drew up his protest against the act, and asked to have it spread upon the journal of the convention. This was denied him." Quintero quotes Taliaferro on this occasion "My conscience is my guide; my judgment and patriotism approve, and though I am scorned and hissed, I am willing to abide the arbitrament of time and events as to the correctness of my course."<sup>20</sup>

Taliaferro became a parish judge in 1840. He served as a Justice of the Louisiana Supreme Court from July 1, 1866, to November 3, 1876, the date of his death at the age of seventy-eight years.<sup>21</sup>

Quintero describes him as a "first rate scholar in the classics, science, and history." A contemporary "tourist" (J. W. Dorr) acknowledges information received from the judge while visiting Catahoula Parish: "[T]o the courtesy of Judge Taliaferro, a learned gentleman who has the tastes and has pursued the studies of an antiquarian savant, I hold myself much indebted for the privilege of inspecting his collection of curious remains of Indian ingenuity and for varied information as to the geological characteristics of the parish." Dorr also reports that "the only newspaper in the parish is The Independent, a sound and ably conducted journal of large circulation, published at Harrisonbourg, James G. Taliaferro editor and proprietor, and J. Q. A. Taliaferro, publisher."<sup>22</sup>

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63 (1940); White, in 3 *DICTIONARY OF AMERICAN BIOGRAPHY* 254 (1929); *UNITED STATES CONGRESS, BIOGRAPHICAL DIRECTORY* (1961).

20. Quintero, *The Supreme Court of Louisiana*, 3 *GREEN BAG* 113, 120 (1891).

21. Dart, *The Celebration of the Centenary of the Supreme Court of Louisiana*, 133 *LA. xxv, xxxv-vi* (1913), 4 *LA. HIST. Q.* 5, 113-16 (1921).

22. *A Tourist's Description of Louisiana in 1860*, 21 *LA. HIST. Q.* 1110, 1204, 1207 (Prichard, ed., 1938). Dorr was a reporter for the *Crescent*, whose factual data collected during visits to a number of parishes were published under the title "Louisiana in Slices" from April 30-September 10, 1860, in the *Crescent*, New Orleans.



The Judge's son, Henry Bullard Taliaferro, graduated from the Law Department of the University of Louisiana in 1866-1867. His daughter's son, Taliaferro Alexander, was born in 1846 and practiced law in Shreveport until his death in 1924. The judge's great grandson, Albert L. Alexander, graduated from the Law Department of the University of Virginia in 1907 and, like his father, assumed the practice of law in Shreveport.

Extract of a letter from

H. A. BULLARD TO JUDGE JAMES G. TALIAFERRO  
[address: Harrisonburg, Catahoula, La.]

N. Orleans, July 22, 1842

My dear Judge,

. . . I have thought upon the subject of your Son and of the best course for him to pursue. I would not think it advisable for him to come to the city in the first instance. He would do well to read a pretty extensive course first, beginning with the law of nations or perhaps Kent's commentaries which gives the best outline of a system of studies. I would recommend Mr. Stacey of Concordia if he would take him into his office. After your son is pretty well read in the first elements of the profession, he would do well to pass two or three months every season in N. Orleans, where the Courts are always in blast and where he would see the application of principles — Thus you see I would combine the theory with the practice — But it would be still better if you could send him for a term or two to the Law School at Cambridge at the head of which is Judge Story — We have now several of the alumni of that School who are gaining rapidly in their profession — Such as Judge Campbell, my nephew at Clinton, young Dalton and many in the City — . . . .

*Thomas Benjamin Gaillard to Mrs. S. A. C. Foster*

Isaac Gaillard, the father of Thomas Benjamin Gaillard and Mrs. S. A. C. Foster, was an early settler of Adams County, Mississippi. His name appears in Andrew Ellicott's *Journal* on several occasions among the leading citizens of the community.<sup>23</sup>

His son's letter from Cambridge, Massachusetts, was found in the Foster papers.<sup>24</sup> Thomas Benjamin Gaillard graduated from Oakland College, Mississippi, in April 1843. He attended Harvard Law School in 1843 and 1844 and considered himself entitled to his diploma in 1845 although he did not receive it until 1846. At the time when he furnished this information to his alma mater, March 20, 1889, he was living in Cedar Bayou,

23. Ellicott was United States Commissioner for determining the boundary between the United States and Spain. His *Journal* was first published in Philadelphia in 1803, and republished by Quadrangle Books. See ELLICOTT, *JOURNAL* 117, 158, 162-63 (repub. ed. 1962).

24. Mrs. Foster's husband was a physician. The Foster House in Natchez is described as having been built in the Spanish era (1779-1798) in FEDERAL WRITERS' PROJECT, MISSISSIPPI 335 (1938).

Harris County, Texas. It is presumed that he died in New Orleans in 1889.<sup>25</sup>

Extract of a letter from  
T. B. GAILLARD TO MRS. S. A. C. FOSTER

Cambridge, Sept. 26th 1843

My dear Sister

. . . Sister — when I first arrived at this place the Blues almost distracted me — but if you could see my rooms — my boarding-house, the professors and all that concerns me in this place you could not blame me for not only being contented but desirous of remaining here the two years you spoke of. A word in private though I will come home in eighteen months with a diploma from that excellent old man Judge Story if nothing to cool me happens. The manner in which Judge Story treats a stranger is becoming to him and would do honor to anyone possessing the heart of a noble being. My landlady in the first place put me in a room which at that time looked preferable to this but with with [*sic*] the assistance of forty dollars cashed up in advance she has made this superior to the other. Imagine a room about as large as your bed-room — ceiling lower for comfort in winter — a carpet made since I paid the forty dollars — though equal to any parlor-carpet in the South — a dresser exactly like mine at home except that the mirror has a gilt frame — a secretary something favoring mine at Etania — with more knobs & drawers, extras etc. — a center table covered with damask — flowers blue with yellow filling — a sofa span new — about six feet long mahogany covered with hair-cloth in the seat and back — a large rocking chair span new — an armchair stuffed and covered with hair-cloth — a small mahogany side table for hats etc. and six chairs like your parlor-chairs — an astral lamp — two extra Britannia side lamps — a mahogany book frame span new fire apparatus too tedious to mention — damask window curtains — and you will have my *parlor* in your mind's eye. My bed-room adjoins the parlor, good bed — good washstand etc. My boarding is the best in Cambridge — and eight fine-hearted Yankee fellow students make the meal hours more agreeable. . . .

The Law students are respected as much as the professors of College — in fact they meet with more attention from the citizens. Undergraduates are not admitted into their society generally — but *we* generous Southerners consider Southern undergraduates of Junior & Senior classes not beneath us You would be amused to hear *my* old negro talk He says — “Well Massa you dont get up before six o'clock Law students don't, sir and they are the most *prosperest* gentlemen here in this place” It surprised me I assure you to have a merchant ask me if I belonged to the law school and hearing that I did — consent to credit me which of course I refused — preferring to pay cash always. . . .

I have seen two funerals since I arrived at Cambridge, one of them was the funeral of one of the old Professors — The Unitarian service for the dead is singular enough — It was performed by the Faculty in general each one taking a particular part The organist of the College chapel made music very appropriate to the occasion — the service seemed to impress all. . . .

*Joseph Bardwell Lyman and George Daniel Farrar  
to Alexander K. Farrar*

Fifteen years later, in 1858, another son of a Natchez area resident reported to his family from Cambridge, George D. Farrar. His father, Alexander K. Farrar, was an influential

25. Photostatic copies of letters and clippings supplied by Mr. George A. Strait, Assistant Librarian, Harvard Law School Library.

lawyer-planter in Kingston, Adams County, near Natchez, Mississippi. Alexander K. Farrar served as a state senator from 1852-1858. He is more frequently referred to in the group of the "great cotton planters of the state" than among the great lawyers of the period.<sup>26</sup>

His nephew, Daniel S. Farrar, in an article describing his uncle's deed of land to the Kingston Church, executed in 1874, gives some family background information.<sup>27</sup> Alexander's parents were Daniel Farrar and Eliza King Farrar. His mother was the daughter of Caleb King who laid out the town of Kingston. Caleb King was married to Mary Swayze, daughter of Richard Swayze. Thus the Farrars are descendants of the earliest settlers of the Natchez region who obtained a grant from King George III of England in 1768.<sup>28</sup>

Alexander Farrar lost most of his fortune in the Civil War. He was such a heavy man weighing more than three hundred pounds, that he had a special pew constructed for his own use in the church in Kingston.

The son, George Daniel, was a student at Yale in 1855, at the University of Virginia from 1855-1858. He attended the Harvard Law School in 1858-1859. He is listed in Booth as a confederate officer who served in the Louisiana Heavy Artillery.<sup>29</sup>

It is believed that he married in Cambridge and divorced his wife after the Civil War when he returned South and she remained in Cambridge. From a note written by him to his father from Commencement Plantation it can be assumed that he returned to Mississippi.

The Farrar Papers contain reports on absences from the University of Virginia on Mr. George D. Farrar. The first report as of November 1, 1856, is a perfect attendance record. March 2, 1857, is different. The son explained in one of his letters to his father that he did not like Virginia, but he ex-

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26. RAINWATER, MISSISSIPPI STORM CENTER OF SECESSION 208 (1938); Woods, *Mississippi Secession Convention*, 6 MISS. HIST. SOC. PUB. 95 (c. 1902); Wooster, *The Membership of the Mississippi Convention of 1861*, 16 J. MISS. HIST. 242 (1954).

27. Farrar, *Alexander K. Farrar's Deed to Kingston Church, 1874*, 17 J. MISS. HIST. 135 (1955).

28. Drake, *A Note on the Jersey Settlers of Adams County*, 15 J. MISS. HIST. 274 (1953).

29. 2 BOOTH, RECORDS OF LOUISIANA CONFEDERATE SOLDIERS 812 (1920).

pressed his appreciation for the education afforded him by his family. In January 1858, he showed no improvement in modern languages, omitted the exercises, and was absent seven times; however, he did not miss History or Literature.

That the father worried about his son at Virginia can be assumed from letters written to the father by Joseph Bardwell Lyman in 1856-1858 from New Orleans. Joseph Lyman was born on October 6, 1829 in Chester, Massachusetts. His English ancestors emigrated to New England in 1631. He graduated from Yale in 1850, then taught school in Connecticut and in Mississippi. In June 1853, he went to Nashville, Tennessee where, until he moved to New Orleans early in 1855, he studied law and again taught school. In 1856, he graduated from the Law Department of the University of Louisiana and for the next five years practiced law in New Orleans. At the outbreak of the Civil War he enlisted as a private in the first Louisiana Cavalry. He was taken prisoner. After his release he gave up the practice of law, moved North and became an accomplished agricultural editor in New York, where he died of smallpox on January 28, 1872.<sup>30</sup>

Extracts of letters from  
JOSEPH B. LYMAN TO ALEXANDER K. FARRAR

L. C. & G. B. DUNCAN'S OFFICE

North West Corner of Exchange Place and Custom House Street, Up Stairs  
Lucius Campbell Duncan. Greer Brown Duncan.

New Orleans, January 21st, 1856

Hon. A. K. Farrar  
Jackson, Miss.

My Dear Friend:

I cannot be mistaken in supposing that You will feel Some interest in reading a few lines from me, . . . I am quite satisfied of the wisdom of my course in coming to New Orleans this winter. I do not read as many hours as I would have done at Vidalia and my Expenses are larger but *here* I am in the fullest sense *in medias res*. *Commerce* with all its roar and bustle, with its complications and incidents, with its thousand drays and thousand Wheels, its thousand storehouses and its ten thousand buisy [sic] devotees is all around me and constantly before me. Then I am constantly thrown in contact and hold intercourse with able and accomplished men and your own experience [sic] will suggest to you how important and invaluable a source of mental growth and Strength is thus afforded to an observing and thoughtful spirit.

In the Law School itself I am not disappointed. The lectures read to us — the questions put to us — the cases argued by us in the Moot Court have as immediate and direct a tendency to make good lawyers of those of us who will improve them as any course to training that could be invented.

*Roselius* is by some odds our best lecturer. He is undoubtedly the most learned and able man at this Bar. Soule and Hunt are better Speakers

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30. Gabriel, in 11 *DICTIONARY OF AMERICAN BIOGRAPHY* 516 (1933).

and Benjamin is a more wary and dextrous pleader — perhaps his superior in Commercial Law — but for general Solid legal judgement [*sic*] & Erudition Roselius stands 1st. Randal Hunt is very much of a man tho'. No member of this Bar has more Elegant learning and none a more forcible and captivating delivery. But Mr. Hunt dresses very well. His pocket handkerchief is always spotless and the bows of his silk necktie are of uniform length and symmetry. He talks well and Swears a pretty oath. The ladies like him, and it suits him to sit long at dinner and sip fine liquors & say good things. But when fairly harnessed into a big case Hunt pulls Strong like a Wheel horse 18 hands high.

In the Law School we have a lecture every evening at 5 o.c.l. and during the day we read on the subject of the lecture at evening. For Example, today I am reading Commercial Law for Hunts Lecture this Evening is on Affreightment & the liabilities of Common Carriers. Tomorrow I read Constitutional Law for M'Caleb in the evening.

I am in the office of Mr. Duncan. . . . He is a first rate lawyer and has the finest office and the best Selected library in New Orleans except Alfred Hennen's. Weld gave me a note of Introduction to Mr. D. and it has proved of great service to me, for without it Mr. Duncan would have been perhaps one of the last men whose favor I could have won. But like some men in Adams County his acquaintance is valuable in proportion to the difficulty a stranger would find in making it. . . .

I still continue at late hours of the night to cultivate that classic literature which I have always loved so well, and Whose influence is so marked in keeping the mind clear and high by communion with the — models of character & of Eloquence. . . .

It will please me very much, Mr. Farrar, if your leisure will allow you to write me once in a while. For may I not believe the friendship between us, cemented on my part by acts of kindness & hospitality from you, is more than an Empty protestation — a sincere and hearty reality.

Very truly yours,  
Jos. B. Lyman

New Orleans Aug. 30, 56

My Dear Farrar:

I wrote you about a week ago about the Jennings case. Matters have taken a somewhat different turn since then & that taken in connexion [*sic*] with a conversation I had with George when I was at your house have induced me to address you again on the subject.

Mr. N. R. Jennings of New Orleans also an heir of the Early Virginia Colonists and a gentleman of property and the first social position has proposed that if S. S. Jennings will raise money for me to defray my expenses he will bear his own and we will go together to England & investigate the business "to the mudsills" as Uncle Lewis says — I suppose \$1000 — will cover my Expenses. . . . Now about George. I had a long talk with him when I was at your house and I can see that he is not pleased at the University of Va. He says and justly that they are not strict enough with his studies. That it is optional with him whether he studies or not that he is not getting a thorough Education. He would like very much to go to some College in Europe and the idea is not a bad one. He seems inclined to learn the modern languages [*sic*] and Especially the languages of France & Spain. They can be acquire [*sic*] far better in Europe than they can in this country and the Latin is better taught there than it is in any of our Colleges. And then George wants to travel & see those Countries anyhow and he might just as well be progressing with his Studies while he is enjoying the benefit of foreign travel. If I make out to go to England on this Jennings business I would very willingly take George along and use the best of my information & judgment in Selecting a good place for him either in England or on the Continent. His Expenses will not be much greater there than they would be at the University of Va.

I simply state the case to you you can draw inferences as well as I can. However you may entertain the proposition please communicate with me on the subject. . . .

New Orleans, La.  
26th June 1858

. . . I shall be obliged to borrow some money in order to properly consummate that little domestic arrangement to which I am so much devoted.

My matters in Texas are slow like all old land matters—I shall make something fair out of them after awhile either in money or lands—probably in Land.

. . . I have pursued a different course from most young lawyers in commencing here—They mostly commence with small cases that bring a little fee in ready cash but it takes a great may [sic] of cases like that to pay even current expenses.

I have from the first been interested in land & plantation cases Where the fee is distant & sometimes uncertain but amounts to something when it comes. And the count will show I think that my policy is a good one.

It may seem unwise in a man to borrow money to put himself in a condition where his Expenses will be increased. I dont like the look of it myself. . . .

What are your plans for George? I wrote him a full letter Sometime since telling him what could be learned & done in New Orleans. I shall be happy to hear from him and to aid him in any way I can. . . .

I am satisfied that this girl of mine that you help me to will make me a very superior wife—that she will do all any woman could do to assist a young man while he remains poor and yet adorn & be fully equal to any degree of success that may lie in the future. We shall both feel under obligations and gratitude to you for your kindness in this matter.

Burnside who bought the Houma place (500 hands 12000 acres gave \$750,000)—has taken hold of that Jennings case—Says he will put \$20000 into it. The prize is a very flattering one certainly but there are serious difficulties in the way—very serious. . . .

With Great Esteem

Yours

Jos. B. Lyman

### Extracts of letters from

GEORGE DAVID FARRAR TO ALEXANDER K. FARRAR

Dec. 4th 1858

My dear Father:

Without any misfortune I arrived safely here in Cambridge, and without difficulty entered the Law department.

I have a very good room in the attic of the Brattle house, kept especially for law students. I have just returned from the law library: where after answering sundry questions and settling all preliminaries "Chitty's Blackstone" and "Greenleaf on Evidence" where [sic] handed me. I have had a conversation with President Walker and Proff. Washburn and they advised me to pursue the course I have adopted, viz. to enter the law school and attend literary geological anatomical and whatever other lectures I may prefer. The members of the Faculty with whom I have conversed think I will be pleased with this arrangement. I will speak more confidently in the future, at present the odds seem against me.

It is well to have enough self confidence or we would often despair. . . . The expenses of my trip were \$79.00 \$56.00 for my through ticket and \$13.00 on the route. It would not have been so much, had I not arrived at Cairo Saturday night and could not leave until Monday. I have left \$477.24 after depositing with the steward according to the regulations of the school \$150.00.

I will have \$327.26 to pay for board, room rent washing etc. As for furniture I intend to get only a lamp and a book case both together will cost about \$30.00 not exceeding that. Goodby, write to me soon, and direct to Harvard University, Cambridge Massachusetts.

G. D. F.

Harvard University  
December 24, 1858

My dear Father:

I have written to you since I arrived here and have been waiting for a reply. My first letter was short, and merely stated that I was a member of the law school. If you do not like the course I have adopted please say so, I only wish to please you, and am willing to obey your slightest suggestion.

I cannot well give you a description or even an accurate idea of Boston, for I have been busy with old friend Sir William Blackstone, Mr. Bouvier, the Honorable Joseph Story and Simon Greenleaf, and could not part with their dry, but interesting and useful company, to look at anything else.

I have been in Boston only once since I became a student, and what I then saw of the city I will now tell you. But this has been the subject of so many of my letters home, that perhaps it will be all a repetition with me, and rather stale with you. For I have written many letters home, which you doubtless know and perhaps have read some of them. Strange that I have not received a single letter from home. Yours from Jackson is the only one I have received excepting some from my old Virginia schoolmates, —

Boston is about two miles from Cambridge. Buildings, consisting mostly of dwelling houses, a few stores, and stables are all along the streets that connect the two towns, and they merge into each other like a shadow into the light, so that a stranger unacquainted with the corporation line, cannot tell where one stops or the other commences. The Charles river I believe is the boundary. This little stream in which the hill rises has a draw bridge over it, so that small vessels may pass, up and down. How far up it is navigable I do not know, it must be a very inconsiderable stream.

Everybody in Boston go half-bent. The streets are always crowded. they are either very industrious people or good counterfeits. they wear the outward appearance of industry at least. The Boston common is the favorite promenade ground, . . . .

In this common are fine elms and a beautiful fountain which being frozen over presents quite a novel scene, at an hour by sunset, to the Southerner. . . .

Now I will speak of Cambridge. Caesar commences his commentarii "Omnia Gallia divisa est in tres partes"; and the same may be said of Cambridge. Old Cambridge seems to be the centre and contains the Colleges, or in other words the Harvard University. The poet Longfellow resides in this part of the town. His residence is very tasty, a large yellow painted mansion with a nice front yard, an orchard on one side, a garden in the rear, and some nicely constructed out houses such as a stable, carriage house etc., which lawyers [*sic*] would technically call appurtenances. So much for Hiawatha. I am not acquainted with North Avenue, or East Cambridge, and I am not certain but what there may be such divisions as South Avenue and West Cambridge. However if there are such places, it is all Cambridge after all. Just as Natchez on the hill, Natchez under the hill, the punch bowls, Brown's saw mill, Old Garvers, and the Marine Hospital, all go to compose Natchez. But don't think there is such a place here as the Fork of the road! and don't let Forks suggest anything else. The college buildings in which the boys room are built of brick, three to five stories high. The rooms are large and comfortable. They are arranged so as to enclose a square. The lecture rooms, public halls, library and chemical hall fall within the square. All these buildings are of granite, and present bold fronts and side views. The, public or college library, (thus named to distinguish from the law library), is the largest and most splendid of all the buildings.

The Observatory, a large building of brick, is about a mile from the

colleges. I think on North Avenue, I can see it from my window, but am not well enough acquainted with the town, to tell exactly in what portion it is situated.

Mt. Auburn cemetery is about a mile and half, from the colleges. Of this however I will speak some other time: that is when I know more of it. I do not room in the college buildings, but in a house called the "Brattle House," which is kept expressly for the law students. I wrote you in one of my letters that my board costs me four dollars per week and my room rent is one dollar and forty cents. This I am told is cheap, but it is too dear for me. I think next term my board will be less, my rooms are as cheap as I can get. I use coal. I have bought a half ton, since I came here, which cost me with some kindling wood three dollars and fifty five cents, I have had to spend a little for conveniences and have bought three books, "Bouvier's law Dictionary" "Walkers pronouncing dictionary" and "Claytons diary." Bouvier cost \$7.50 this work I could not well do without, Walker cost \$1.25, this is an excellent work to facilitate the orthography and for accurate work in the English language. Claytons diary cost \$1.25. . . . This makes 10 dollars for books. My petty cash book tells me that I have \$458.40 which is right to a fraction minus seven dollars that I loaned to Lane Brandon. I am going to be careful how I lend my money, in fact I have it arranged so now that I happen never to have any about me to lend. Of course I would be very happy to lend, if I had the money. This is rather ungenerous plan. Some may think that it is the only possible way to keep one's money. If I had not been so generous as to loan Gilbert \$60.00. Simms \$65.00. John Davis \$65.00. Wm. Martin \$65.00, and Baldwin \$50.00, it is very probable I would have been spared the disgrace of being reprimanded. Trusting to the honor of these boys, I thought, I would be able to refund the money, but it has happened otherwise. Only two have paid me a cent. Simms sent me \$50.00 which I gave you and Davis paid me all that he owed me. You saw the note when I gave it to Dryden Stockman.

I have no doubt that Gilbert will pay me, indeed he has written to me lately about it. It would puzzle him to do so now, but he is an honest boy, if one lives. . . .

Accept the love of your absent boy and believe that I am trying to do my duty.

Yours truly,  
George David Farrar

Post scriptum

. . .  
I will have vacation (six weeks) commencing on the twentieth of next month. What shall I do? Unless you propose something, I will stay here and read until the next term. . . .

G. D. F.

Harvard University  
January 24th 1859

My dear father:

. . . You ask me to tell you all about Cambridge. I leave my room so seldom that I am yet too great a stranger to venture to assert anything. I intended to write you a long letter, but must wait until I get to a more quiet place. See the mistakes in this already. These rooms I intend to leave Monday. They would have pleased me for they are cheap, only \$1.40 cents per week. They are attic rooms and I must say not convenient, or are they kept clean. If it was not for the eternal racket of raking coals, rattling windows, and musical students and chamber maids, humming, and growling I would keep them, for I like the price. My board has been \$4.00 dollars per week which I think too much although it is called cheap. You will see in the catalogue I sent you the expenses of one term made out, but recollect [*sic*] that one term is only twenty weeks, and that most of the Students leave in vacation. Therefor as I think of remaining untill I quit for good, my calculations must be made for the year and not term. With the kind assistance of Mr. Wyeth and his much esteemed lady, I have succeeded in engaging me



a nice pair of rooms [with] Miss Bowmans a very respectable miliner [*sic*] My rooms will cost \$2.50 per week, which is much less than some ladies would give for them. But as Miss B. lives alone she would rather have one gentleman in the house. Mr. Wyeth and Mrs. Wyeth, I think have given me a good reputation, as she wishes me to move into my rooms so soon. My board will be less \$3.00 which will almost make the change the same as regards prices. I know that you are in debt and wish to use all the economy I can. It is my only wish now to see you happy and to see our family sustain themselves becomingly in that position of society, which by your labors and troubles, and a kind Providence, we have been enabled to reach. If you think my expenses extravagant, do not let your generous heart conceal your thoughts. Speak out plainly and candidly with me, and you will always find your returned prodigal, willing to obey your slightest wish. My heart, with all its faults cannot bear to have you think that I would deceive you in anything. This is enough for the present. Old thoughts blind me with tears.

Your Son  
George David

Cambridge, Mass.  
July 9th 1865

My dear father :

. . . I cannot rest at ease in Massachusetts. It is true the family are all as kind & attentive as they possibly can be but I cannot stand the general pressure.

. . . If I have the money when I start I want to go by way of Havana, that is if the fever or cholera is not an epidemic there. I believe it always prevails there to some extent. Probably I may light upon some kind of employment in Cuba or may be find inducements to lead me to Brazil. I'll assume that the prospects for a fortune in that direction is not to me at present very flattering. But if Lizzie prefers remaining here I cannot see why I had not better try and find something somewhere to do. It makes very little difference to me or others I presume where I go so that I behave myself and am a burden to no one.

### THE ELLIS FAMILY

John and Sarah Ellis came to Louisiana from Georgia and settled near Franklinton. Their youngest child, Ezekiel Parke Ellis, moved with his wife, Tabitha Emily Warner, the youngest daughter of Probate Judge Thomas Cargill Warner, to Covington. While Ezekiel held the offices of Recorder of Deeds and Clerk of the Probate and District Courts, he studied law in his spare time. After his admission to the Louisiana Bar in 1837, he began the practice of law in Covington. In 1841, he was a representative in the state legislature. The family moved to Clinton in 1845 where Mr. Ellis bought a small farm in the country which his wife helped him to manage during his absences. E. P. Ellis was elected judge of the Sixth Judicial District, St. Tammany Parish, in April 1865. He died on August 12, 1884. He had three sons, Thomas C. W., E. John, and Stephen D., and two daughters.

Thomas Cargill Warner Ellis (Tom) was born on November

26, 1836. After graduation with honors from Centenary College in Jackson, Louisiana, in 1855, and reading law under his father's direction, he attended the Law Lectures at the University of Louisiana in New Orleans during the 1856-1857 term. In 1857, he married Martena Virginia Hamilton from Alabama. He was admitted to the bar in February 1858. From 1859-1862 he was district attorney. He had his home in Amite. For four years he fought in the Confederate Army (1862-1865). He was a state senator from 1866 to April 1867. During the following years he practiced law, part of the time with his younger brother John. In 1870, he was appointed to the Democratic State Central Committee. From 1888 on he served for almost thirty years as a judge of the Civil District Court in New Orleans. In 1898 he became a member of the faculty of the Law Department of Tulane University, teaching Admiralty and International Law. He died in Amite on August 2, 1918. He had three sons, John Hamilton, Robert Stephen, and Thomas Cargill Warner, and three daughters.

His younger brother, Ezekiel John Ellis (John), attended, but did not graduate, from Centenary College which he left in his junior year to hear the Law Lectures at the University of Louisiana, together with his friend, Bolivar Edwards, during 1860-1861. Immediately upon his graduation, he entered the Confederate Army. He was captured and held a prisoner on Johnson Island in Lake Erie. He returned home on July 4, 1865, was admitted to the bar in 1867 and married, in Adams County, Mississippi, on January 29, 1867, Josephine Chamberlain, a great granddaughter of Thomas McKean of Delaware, one of the signers of the Declaration of Independence. In 1869, the couple moved to New Orleans, where John opened a law office. He served in the Louisiana Senate from 1866-1870 and from March 4, 1875, to March 3, 1885, in the Congress in Washington, D. C. He declined to be a candidate for re-nomination in 1884. He practiced law in Washington until his death on April 25, 1889. His two sons, Thomas Stephen, and Harvey Eugene, became members of the bar.<sup>31</sup>

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31. Tucker, *The Life and Public Service of E. John Ellis*, 29 LA. HIST. Q. 679 (1946); WHO'S WHO IN AMERICA (1908-09); UNITED STATES CONGRESS, BIOGRAPHICAL DIRECTORY (1961); *Memorial*, 20 LA. B. A. REP. 159 (1919).

Extract of a letter from  
WILLIAM D. WALL TO TOM ELLIS

Lexington, Miss., Feb. 13th 1856

Thos. C. W. Ellis Esq.

Dear friend —

. . . As to my liking law I am getting to have quite a fancy for it though still wading deep in Blackstone. I haven't yet emerged from the "darkness sensible" of the feudal system. My preceptor set me to work first on Rutherford's Institutes — a Work on the laws of Nature and the general principles deduced from them & applied. Though it was at the time a dry work to me, yet I feel already that studying it has rendered easier the succeeding steps. After that I took up old Vattel (a familiar book — reminding me of College times) and gave him a tolerably thorough perusal. And now I am in the "Rights of Things" as treated of by the great Common law expositor. I haven't yet reached the interesting portion of the law, I know. . . You have not yet determined, I suppose, where you will hang out your shingle. Neither have I. It will be time enough for that two years and a half from now when I am preparing to go down to New Orleans to get my license. By that time you will have commenced to reap that plentiful and productive harvest of litigation of which we dream so often both in our waking and sleeping hours. Stick your Sickle in deep and make long and broad sweeps. You can succeed, if you will only labor and I am confident you will do that. You have one faculty that will help you along a great deal, and for which I would give any amount — the faculty of being popular. It is a gift of nature and almost impossible to be acquired in any great degree. It is founded in a good-humored way of looking at things that few possess. Unless I am mistaken it will aid you much in your forensic career.

. . . With many ardent wishes for your Success pecuniarily, legally, politically and matrimonially, I am

Your True friend,  
William W. Wall

E. K. ELLIS TO RANDALL HUNT

Clinton, La. November 4th 1856

Honble Randall Hunt  
New Orleans

Dear Sir

Permit me to introduce to your acquaintance my son Thomas, who visits your City with the intention of attending the law College during the Winter. My son has been reading law under my direction and control for the last twelve or fourteen months and is pretty conversant with the authors read, but he has paid but little attention to our local laws the Codes & Statutes of the State these he will study this winter with such other works as your faculty may direct

Your kind attention to this young man is respectfully solicited and will be received with gratitude by him and at the same time confer a favor upon

Your friend obt Sev  
E. K. Ellis

Extracts of family letters from and to  
TOM ELLIS

New Orleans, La. Nov. 10th 56

Dear Father & Mother

Amid the bustle & confusion of the Crescent City, I write you a few

lines — for amid its confusion, rattling of drays & cabs etc. this morning, almost the first soothing sound that fell upon our ears were the plaintive notes of the old folks at Home, waked from a Melodeon by the light fingers of a Creole beauty, and depend, you may, upon it. They fell with a power *upon me*, which *you* may imagine, but which I cannot describe — one thing is certain my thoughts were at Home, and upon the strength thereof I send this epistle there too.

9-1/2 o'clock Saturday found us still at the Clinton Depot waiting for the departure of the Iron Jack (for I wont call him a Horse), so that there was no necessity for our great haste in leaving home that morning — however when He did start, we had a pleasant trip to P[ort] H[udson] — After shedding \$1.00 & waiting an hour, we went aboard the Steamer Capitol — a very fine one too — and now engaged in the P. H. & V[icksburg] trade — We went up the river, nearly to the mouth of Red River, and then came down the heaving bosom of the Great Father of Waters —

We had several acquaintances aboard, Henry Marston, jr., Mr. Johnson — Mr. Lane & son (of whom the latter is going to attend the Lectures) — we formed several others, and these Combined with the fact that the *fare* was splendid — & the officers obliging — the crew polite & sociable — & *Gov. Wickliffe*, and *ex-Governor Hebert* aboard — made our trip to the City a pleasant one — We left P. H. Saturday about 2 o'clock PM & left the boat this (Monday) morning — Well this City is a Magnificent affair and is alive with Fillmore men, and this child is *tolerably* verdant — We have been all over the city today . . . from the mouth of the Mississippi to the Arkansas line — We are for the present at the Franklin House No 93 Canal St — but have made no permanent arrangement. . . .

The lectures opened today & *we attended* — & heard Prof. Rosellius deliver a magnificent one — We have formed his & Judge McCaleb's acquaintance, both of whom, seemed glad to hear from you, inquired of your health etc etc Vaughan went with us & introduced us into the mysteries of the Law College — he has been very kind. With all his Locofoism [*sic*] I like Bill Vaughan & he is a clever fellow. . . . We haven't got in the Calaboose yet, nor any other kind of a *boose*. . . .

I intend to have LLB stuck to my name next April, or make the biggest kind of a failure . . . .

. . . We will, one of us, write home every week after this — Goodbye

Yours affectionately

Thomas C. W. Ellis

Clinton, La. Novr 24th 1856

My dear Boy,

Your welcome and kind favour of 19th Instant has just reached me, was received with pleasure and perused with Interest, for though we heard from you by Pet's letter to his Ma dated 16th Instant, yet we were all anxious to hear from you again, I am glad to hear that you are in good health, have comfortable quarters, pleasant room mates and that you are pleased with your professors etc. I trust that thus it will continue through the season, yea through the journey of life.

I did not deem it absolutely necessary in my last letter to advise or admonish you, but paternal anxiety prompted the few words of advice therein contained I have confidence in you, believe that you will discharge your duty to yourself and others and that you will deport yourself as a gentleman, but you are surrounded now by innumerable temptations to which your former position and location did not subject you, and thousands of young men under those circumstances have made shipwrecks of their good intentions and have been unexpectedly drawn into the Malestrom of destruction before they are even aware of the dreadful whirlpool which lies just before them, and the poor fellows with all their good resolutions though blunted and very much weakened can never return. Your moral courage and your firm resolves will no doubt be put to the test before you get through the season. Permit yourself to be

led by no one it makes no difference how intimate you may be and how much confidence you may have in him but be master of your own acts with reason upon this throne and principles of rectitude deeply implanted within and you are safe, be careful in regard to strangers there are many base Villians [*sic*] in New Orleans, with all the appearance necessary to constitute gentlemen and they are generally speaking very artful very complasant [*sic*] and exceedingly assiduous, of strangers of the cast be on your guard and never yield to their importunities or permit anything like familiarity.

. . . I am glad that my old friend C Roselius has invited you to read in his office I think it will be a good place for you. . . .

Your affectionate Pa

E. P. Ellis

Clinton La Decr 5th 1856

Dear Son:

. . . We received your kind letter . . . in which you informed me that you desired some Books. . . . The 1st volume of Blackstone was not in the office, but the volume sent contains the 3 & 4 Books which I presume is all you will have any use for. If you should need any more and can see Judge Jones and renew your acquaintance with him I am sure he would loan you any that you might want, he has a good library and is a kind old gentlemen.

. . . I discover from the tenor of your letters and those of Pettis that you are if not homesick at least country sick or tired of the city, it is nothing more than I anticipated, for I have some experience on the subject, but I trust that with your Books & lectures, combined with other duties & amusements that you will be able to get along with tolerable comfort at least until you can get through, endeavor to appreciate the lectures, for though you may be somewhat disappointed in them, yet the Lecturers are all men of education and profound Lawyers, and emanating from such a source, their lectures must contain a good deal of Wheat with the Chaff, endeavor to sift it out, treasure up the good and let the worthless go, be careful to try to appreciate them, for we often lose by not placing a proper estimate upon things within our grasp, and if the lectures should sink low in your estimation depend upon it, you will not receive much benefit from them. I am glad to hear you say that you have extensive lessons to get and that you are rigidly examining Were it not so your advancement would be less rapid, you would have more time, to think about and do other things which would be less advantageous, and there would be no discriminating, the sober & industrious from the dissipated and idle.

We want you to come home Christmas if you can, . . .

Your affectionate Pa

E. K. Ellis

New Orleans, La Dec. 15th 1856

Dear Pa

. . . I wrote to you a few days ago about coming home, . . . Our Reasons for coming by the R. R. are these. It is cheaper and we can get home in one day If we were to go by the river, we could not get a boat untill Monday or Tuesday, and as the Clinton & P. H. R. R. does not make daily trips it is doubtful about meeting it — We cannot leave the City untill Sunday Morning & by the Jackson Rail Road we can leave that morning at 6 o'clock and get to Amite City by 9 o'clock - . . . and will expect conveyance [at Amite City] We can get home from Amite City that day easily- . . .

New Orleans, La Jan. 24th 1857

Dear Pa and Ma

. . . We are doing finely studying I believe — Our lectures grow more interesting and instructive every day, so that my opinion in regard to the Law University of Louisiana has undergone a considerable change- . . .

Jan 27th 1857

. . . We have moot Courts now and great times in them — I and *Charlie Carter* have a *great case to try Friday evening* in the *U. S. Circuit Court before his honor Judge Theodore H. McCaleb* . . .

New Orleans La Feb 10th 1857

Dear Pa —

. . . I tried a case this evening in the Moot Court, or rather an exception, which ruled out the case —

This was the Case — A of New Orleans made signed & executed a prom. note in favor of B of New Orleans, or bearer for \$2200.00 — B transferred it to C of New York — and C brought suit against A in the *U. S. Circuit Court*. — The exception, I put in, was to the jurisdiction of the Court. We have not yet had a decision but I think I have it, by the 11th section of the Judiciary Act of 1789 — and several decisions of the Supreme Court of the United States.

Here is our Case for Saturday next before Prof Roselius — A grants to B a mortgage on a store in Magazine Street, to insure the payment of \$20,000., which it is stated in the act of Mortgage A owes B — C. an ordinary Judgment Creditor of A. brings a suit against A and B to have the Mortgage annulled & for the property mortgaged by A, as subject to his Judgment on the ground that at the date of the mortgage no debt was dueing A to B — These are the facts. At the date of the mortgage A did not owe B the \$20,000, but three months afterwards B did advance to A \$20,000, which are still due.

The question to be decided is, whether the mortgage is valid to secure the payment of \$20,000, in which A, has become indebted to B since its date —

Attys for Plaintiff Messrs Leveque, Slocum & Spencer

“ “ Defendant Messrs. Conrad, Ellis & Hunt —

You can get an idea of our Moot Courts from these statements — We have two a week, one before Prof McCaleb & one before Prof. Roselius — . . .

New Orleans La Feb. 24th 1857

Dear Mother —

. . . Pa is here with us, . . . We are boarding with a colored woman on Gravier Street, and Pa is staying with us. The house and arrangements do not exactly suit the sugar plum of his taste, and he says we must leave at the end of the month — It is all right with me, for I have only five or six weeks more to stay in the city, and one place will suit me as well as another —

Saturday morning New Orleans Febr'y 28th 1857

My Very Dear Emily

. . . Thomas, Pettis & John are all well and I trust doing well. I have staid with them ever since I came to town, but do not like their house and intend to move them before I go home, have already procured them another room and they will move next Monday I will go with them when they go.

. . . The boys I think will pass without doubt I have seen all their professors except Judge McCaleb they speak very highly of them & Randall Hunt said to me your son is one of the very best young men in the Class, & others speak highly of him as being attentive & talented

God bless you & all the Dear children. . . for yourself the very best affections of your affectionate husband till Death

E. K. Ellis

New Orleans La March 18th 1857

Dear Pa —

. . . Our time here is growing smaller & beautifully less — and what is more disagreeable to me to write, and which will be more unwelcome to you — is that my purse is growing exactly in the same manner "*beautifully less*," so that I am obliged to ask for some more money — I have been foolish & extrav-

agant, but not so much so as the most of those with whom I associate here — *A Young Man in New Orleans* is my only excuse — When I left home in Nov I had \$175.00 — You sent me before Christmas \$58.90. — When I left home in Jan you gave me \$20, and afterwards sent me \$70.00, & when you left N. O. you gave me \$20.00 more — amounting in toto to nearly \$350.00 — It will take \$25.00 more to carry me through — If I get through — viz \$8. board — 15. diploma & contingent fee — 6. to go home by the River & R Road — I am sorry to ask this but cant get out of it, and leave N. O. clear unless I repudiate and take french leave — . . .

Clinton La March 24th 1857

My Dear boy

. . . Enclosed please find the sum of money which you say will be sufficient to get you through. I note what you say in reference to young men & money in the City. I know it all and am thankful that I have been able to keep you in funds. . . .

Two weeks from today your Commencement day will come off we are all so glad that the time is getting so short. I hope it will end well and that you will all be good young Lawyers when it is over. . . .

Clinton La March 27th 1857

Dear Tom

. . . I note your remarks in reference to your approaching exhibition and feel confident that the fears entertained towards Mr. Hennen are all unfounded. He is one of the most affable old men in the land and I think in our examination he is as little to be dreaded as either of the professors, meet them all with a heart of nerve and without quailing and you have nothing to fear, but be careful at the same time to be as well posted as possible and do not let your courage inspire a confidence predicated upon nothing but courage. You will I trust all get safely through the much dreaded fiery ordeal unhurt and be prepared as Lawyers to enter upon the great arena of life and Contend for that great boon fortune fame and honor which lie within the grasp of every American youth who will use the means placed within his reach, but which are denied to all who neglect the proper use of those means in the spring time of life. I am glad to hear you express so much confidence in your own ability to pass the examination and trust as well as believe that you will succeed.

. . . I wrote you a few days since and enclosed to you \$25 . . . Should you need more let me know and never be ashamed or embarrassed to call upon me for what you may want as it is for you and the balance of my Children I work and have no disposition to withhold from them now such things as are necessary for their comfort and the cultivation of their minds, and as long as I am Treasurer for you all and the Treasury is not exhausted your wants shall be supplied. . . . and for yourself accept all the affection of an affectionate parent

Amite June 4th 1858

Mrs. T. E. Ellis

My dear Mother — . . . We are getting on slowly with our farming operations — I suppose will make bread for next year . . .

I leave tomorrow or the next day for Covington — and I suppose will be gone two weeks — Immediately upon its heels follows the Franklinton Court, which thank fortune will last only a day or two —

I shall be glad when they are all over with — for I must confess I have no great liking for them — In fact, I feel sometimes like I have made a blunder, which *thousands* have before me made, in the selection of a profession — still it is foolish to think of this at the present late hour — I am in for it, as John's song goes, it is "Root hog or die" with me — No time to look back now —

I'll try — Perhaps I may rise above mediocrity — If I have to stay on a level with the pettifoggers of this District may the Lord taking a liking to me, for then I am ready to be offered up — . . . .

Your affectionate Son

Thos. C. W. Ellis

Covington La June 8th 1858

Mrs. M. V. Ellis (Tom's wife)

My dear Mart—I write to you according to my promise, and as you may have been somewhat uneasy about me, on account of the belligerent state of affairs in New Orleans—. . . I tried one of my cases and obtained a Judgment—The other Cases I am interested in viz the Bennett vs. Hincomb Cases, will hardly be reached this term—. . . .

Amite City Sept. 17, 1858

Dear Pa.—. . . I am knocking away at the stuff you call *law*. Playing thunder in Justice of the Peace Courts. It is dirty work—these little six bit Justice Cases—still @ \$10, per Case, it pays better than no pay at all—I sued Dr. Frierson last week for \$86, an a/c of Mrs. M. W. Stewart—obtained judgment, and he has appealed—if not to Caesar—at least to Julius—and unto Julius we “must go”—Tomorrow I *appear* before Blocker, J. P. as Counsel, for sundry Delinquents, who have willfully & feloniously refused to work the Road—If Tammany wants to make them pay \$6. per head for neglecting to work—They give me \$10 *per head*, for getting them out of it, and I think I can—I expect a rich time of it—One thing certain It is a speculation for them—Ask Steve if I don't make \$4. off of the Parish every clip. . . .

### Extracts of letters from E. JOHN ELLIS to his family

New Orleans-La-Nov 12th 60

Dear Ma—

. . . Bolivar & I reached this place about 7-1/2 on Sunday morning got a cab, put our baggage & ourselves into it & were soon at Evans. . . . After resting yesterday we went down this morning to Mr. Hunts office to matriculate & enter upon our duties—We waited some time & finally learned that He was unwell—We loafed until evening when we went down to the lecture room & heard Roselius deliver his introductory lecture—He spun it out to two whole hours and judging by my own feelings, He must have been less tired than any of his auditors—His lecture was very tedious & at the same time instructive—Tomorrow McCaleb, next Hunt (if well enough) & then Mr. Hennen—There are about 40 young men in the class—I found among them two old acquaintances viz; Alfred Land & Lewis Pipkin. The rest of them are entire strangers to me & as we board rather far off we will stand but little chance to form their acquaintance

. . . I have not felt any symptoms of homesickness yet though I doubt not that they will come—Cramped up in the hot smoky atmosphere of this place with rattling drays & reeling omnibuses I can appreciate the pure air & calm quiet of the pine woods—. . . .

New Orleans La Nov 16th 60

Dear Mother—. . . I have heard all the professors lecture now & was more pleased with Judge McCaleb than any of the others—I was a good deal disappointed in Randell Hunt—He talks through his nose & it appears to cost him an effort to talk—He is a very fine looking man—I want you to send me by express some books which Pa & Tom have in the office & which they do not particularly need, viz—“Abbott on Shipping,” “Smith's Mercantile law” & my Constitutional Text-book which you will find at home—. . . Send them immediately as I am needing them & there is none to be had in the city.

. . . We have found a very nice & comfortable house with Mr. Evans family, indeed. I might almost say “*home*”—I am very much pleased & I think B. E. is also—We spend our mornings in our room, reading—Breakfast at 8-1/2—dine at 3-1/2—Go to lecture at 4-1/2, get back about 7, eat at 9 & to bed about 11—Adolphus & I practice together He on the piano & I with the violin—I find it pretty easy to keep up with the lectures—We have not presented our letters of introduction but intend to do so in a day or two—Altogether I am better pleased & satisfied than I expected to be when I first came—



New Orleans La Nov. 31st 1860

My Dearest Mother —

. . . I am getting along pretty well with my lectures Have not missed any — They are all instructive & highly interesting except perhaps old Hennens — His are amusing to say the least of them

There are 6 boys in the class, from Centenary College & about 30 from there studying medicine —

There are 4 boys in the law school from St. Helena viz Perrin, W L Thompson, O P Amacker (one of Nats Sons) & myself — They are all pretty clever fellows & indeed I believe they all are that belong to the class though I am not acquainted with all of them yet . . . .

I tell you Ma it is really discouraging to a student to listen to the programme which these professors of the law School lay down as the road which every student ought to go over in order to get "up stairs" as Webster called it — I wish to be a good lawyer, but the road to such a distinction is a thorny one & I sometimes feel like quitting & going into some business which will pay sooner — But then I think *others* have succeeded & why not I? . . .

Dec. 4th 1860

Dear Ma

. . . [I] am getting somewhat used to the City, though I must say that I infinitely prefer the pine woods — . . . The lectures are going ahead and I am put to my trump to keep up with them — I have a note book & pencil & take down all the principal points of the lecture —

After coming home we write them down in a large blank book procured for the purpose — This, besides reading, keeps us pretty busy —

I went to church twice on yesterday . . . .

Dec. 15th 1860

Dear Brother:

. . . I must take this occasion to thank you for your kind & well considered Counsel & I will endeavor to profit by it — I have not missed a lecture as yet and dont intend to if "Providence faileth not," — I was told by some persons down here & before I came here that these lectures were unprofitable & this law school a mere humbug — that is untrue! Any body that can sit — & hear Roselius & McCaleb & not be benefitted [*sic*] ought to go home & die — Hunt (thus far) has got his lectures from Smith's Mercantile law, almost "verbatim et literatim" — Old Hennen dont do anything but ask questions and you might as well read Peter Pindars Tales for Children as Blackstone or Story on the Constitution for He is as apt to ask one question as another — . . . .

New Orleans — Feby 16th 1861

Dear Pa — I am getting along pretty well with my duties, but am a great deal lazier than I ought to be — that you know is constitutional with me. But I do read up with the lectures & never miss any of them . . .

March 6th 1861

Dear Ma

Our lectures are rapidly drawing to a close & four weeks from next Monday the same will be over and I will be with you all again . . .

## POSTSCRIPT

"Melancholy and untrue is the picture which they draw of the legal study, who represent its prominent features to be those of subtlety and impudence, and of a labour dry and barren. Rather would I compare it to a mountain, steep and toilsome indeed in its first approaches, but easy and delightful in its superior ascent, and whose top is crowned with a rich and lasting verdure."<sup>22</sup>