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*Charles H Hart Esq*  
*with regards of Mrs. P*

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A D D R E S S

DELIVERED BEFORE THE

MAINE HISTORICAL SOCIETY,

AT AUGUSTA,

MARCH 5, 1857;

CONTAINING BIOGRAPHICAL NOTICES OF THE FORMER PRESIDENTS  
OF THE SOCIETY.

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BY WILLIAM WILLIS.

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PORTLAND:

PRINTED BY BROWN THURSTON.

1857.



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## ADDRESS.

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GENTLEMEN OF THE MAINE HISTORICAL SOCIETY :

I take occasion at this first meeting of the Society, since I was informed of my election as its President, to tender to you my thanks for the honor you have conferred upon me, in selecting me to preside over this learned association. To be one in the line of succession of the distinguished men, who have preceded me, in this office, is, of itself a source of gratification and of honor. Of my six predecessors, three have deceased, Chief Justice Mellen, Stephen Longfellow, and Gov. Parris, names only to be mentioned to be honored, while the survivors, President Allen, late of Bowdoin College, Dr. Nichols, and Mr. Gardiner, of Gardiner, are still giving to the Society the mellow light of their mature age and varied experience.

The government of Maine, early after its organization, in June 1820, imitating the noble example of the Commonwealth from which it had amicably separated, after a union of 142 years, took prompt measures to promote the cause of good learning, and good morals in the new Commonwealth, then commencing its hopeful career.

The colonists of Massachusetts, within six years after planting themselves on the virgin soil, and before they had

consolidated their government, with great wisdom and foresight, laid the foundations of Harvard College, and the wise system of common schools. This example and its abundant fruits were not lost upon Maine; at the first session of her legislature, she made provision for the establishment of a medical school at Bowdoin College, and passed an "act to encourage literature, and the useful arts and sciences," by which was granted to Bowdoin College \$21,000, and \$7,000 to the college at Waterville. The next year, the Maine Medical Society was incorporated, which embraced seventy of the principal physicians in the State, among whom were Doctors Ammi R. Mitchell, of North Yarmouth, Rose, Coffin, Benj. Vaughan, Mann, Tappan, Stockbridge, Cony, Emerson, Folsom, Hitchcock, Parker, Prescott, Lincoln, Weed, Snell, Griswold, Burleigh, Chandler—men who would have conferred honor upon any commonwealth, which could have ranked them among its citizens.

The next year, this Historical Society was incorporated, consisting of forty-nine members, including the Gov. of the State, the Pres. of Bowdoin College, the judges of the Supreme Court, and other prominent men of the State, of whom sixteen only are now living. The Society was organized in April, 1822, and Albion K. Parris, then Governor of the State, was elected President. At this time, but little interest was taken in historical studies among us. Our people were so much absorbed in their material occupations, and there were so few, who with surplus capital, possessed any inclination toward literature, in any of its branches, that literary and historical pursuits were quite neglected. I think no historical work, nor any other of literary pretensions, had, previous to this time, been published by any citizen of Maine, excepting some sermons, occasional addresses and Green-



leaf's Ecclesiastical Sketches, a valuable work published in 1821. The same year, Mr. Freeman published, in duodecimo, extracts from the Rev. Mr. Smith's journal, with interesting and useful statistics. Gov. Sullivan, in 1795, had published his history of Maine, but although a native of the State, he had moved to Boston.\* In 1829, Moses Greenleaf issued his laborious work, the statistics of Maine, in connection with his valuable map. This was followed next year, by Mr. Folsom's history of Saco and Biddeford, containing the result of much careful research and preserving many valuable facts, which otherwise would have been lost to history. In 1831, this Society published its first volume of transactions, which embraced the history of several towns, and other exceedingly valuable papers, among which were extracts from Gov. Lincoln's MSS, on the Indian language and Catholic missions; a journal of the expedition across Maine to Quebec in 1775, by Colonel Montrossor, with General Arnold's letters; and original documents relating to the early history of the State — all prefaced by a beautiful introductory chapter from the classical pen of Judge Ware.

The next year appeared Mr. Williamson's history of the State, a work prepared with great labor and unwearied research, and which rescued from destruction most copious materials relating to our early settlements, and to the political and physical condition of our territory.

These efforts contributed to draw attention to historical studies, and resulted in the production of town histories, and an increased interest in similar subjects, until the public mind became fully awakened to the importance of tracing

\* A brief history of Belfast, by Messrs. Abbott & White, had been published, and a short account of York, in the 3d vol, of the Mass. Hist. Col., and the Rev. Mr. Cogswell, of Saco, had furnished a sketch of that place in 1815, for the same collections.

out and bringing to light the incidents, trials, hardships and successes of the early movements of civilization on this continent. And now, the study and development of our history and antiquities have become leading and favorite pursuits among our people.

Our first volume has been followed by three others, containing matter of great interest to the students of our history, and creditable to the Society: the third volume was published in 1853, the fourth in 1855, and the fifth will be published before the expiration of another year, containing the first printed edition of valuable documents relating to the early settlements between the Kennebec and the Penobscot rivers, which have recently been discovered in the State Department of New York. These are drawn from the records of the Duke of York's Province of Cornwall between the years 1664 the year of the Grant, and 1692, when it was incorporated with Massachusetts under its new charter, a period during which our annals of that region had been very defective.

We are still quite deficient in the history of our ancient towns which have materials of the deepest interest to the antiquarian. We have nothing from Kittery and York, our earliest settlements, fields that would well repay a careful gleaning; nothing yet from Brunswick, an old and interesting locality, although we know that our indefatigable friend and member, McKeen, has gathered rich and copious materials for a perfect history of the place; nothing from Castine and that large territory east of the Penobscot river, which for many years was under the rule of the French, and calls loudly for an historical explorer.

Few States, we may venture to assert, have so broad a field for interesting historical inquiry, as Maine. Her early

colonists were far from being homogeneous; no State less so. She acknowledges among her earliest settlers, English, German, Dutch and French, who all contributed to colonize and settle different parts of our coast, and of whom traces still remain. The English took possession of all the western part of the State from Piscataqua river to the Kennebec. Between the Kennebec and Penobscot, the French and English claimed, and ultimately held, jurisdiction, but the occupants were principally a combination of Dutch, German and English. East of the Penobscot, the French held exclusive possession under the Indian name of Norembegua, and afterwards, the French, of Acadie, until its union with Massachusetts in 1692, when Governor Phipps took possession of the country. The different parts have also borne different names; the western, while jointly held by Mason and Gorges, received the name of Laconia; after the division, in which it fell to Gorges, he gave it the name of New Somersetshire, from his own county in England: when he obtained a confirmation of his title from Charles I, in 1639 with powers of government, he gave it the name of Maine, in compliment to the Queen, a daughter of France, who held the Province of Mayne in that country as her dowry. A portion of this territory lying between Cape Porpus and Cape Elizabeth, granted to John Dye and others in 1631, fell into the hands of Alexander Rigby, in 1643, who established a government over it and gave it the name of Lygonia. Between the Kennebec and Penobscot, the country has borne the various names of Pemaquid, County of Cornwall, New Castle, and the Duke of York's Province. After the union, under the charter of 1691, the whole State was embraced in the County of York, and so continued until 1760, when it was divided into the three Counties of York, Cumberland and Lincoln.

Our immigrants did not, like those of the other parts of New England, come here for the enjoyment of religious liberty, but for speculation — to fish and trade, and for a larger verge than they could have at home. The English settlers were generally conformists, their connection with the Church of England was not dissolved, and they continued to preserve that form of worship until they were overwhelmed by the superior power of their Puritan neighbor, Massachusetts. The French were Catholics, and maintained firmly their own peculiar forms, under the guidance and control of the powerful and enduring priests. The Germans were Lutherans, whose object was to occupy the vacant soil and improve their temporal condition; they were accompanied and followed by their faithful pastors, whose sterling principles and rigid doctrines made a durable impression upon the sound and rugged minds of their flocks, which has remained almost untinged by surrounding heresies to the present day. There are diversities and wildly interesting materials, to give a romantic hue to the pages of the philosophic historian, or point the story of the novelist and poet. Some of them, like the Acadian Spoliation, have found an eloquent tongue in the *Evangeline* of our native poet:—

Waste are those pleasant farms, and the farmers forever departed!  
Scattered like dust and leaves, when the blasts of October  
Seize them, and whirl them aloft, and sprinkle them far o'er the ocean.  
Naught but tradition remains of the beautiful village of Grand-Pre.

It seems to me appropriate to this occasion, and I therefore propose to devote the remainder of my address to brief notices of the former Presidents of this Society, all of whom have been connected in a greater or less degree with the conduct and progress of our civil affairs. And first, let me speak of the dead, Chief Justice Mellen, Stephen

Longfellow: and last, of our recently departed member, Albion K. Parris.

Mr. Mellen was the eighth of the nine children of the Rev. John Mellen of Sterling, Massachusetts, and was born in that town, October 11, 1764. His mother was Rebecca Prentiss, daughter of the Rev. John Prentiss of Lancaster, from which family his christian name was derived. His grandfather was Thomas Mellen, a farmer of Hopkinton in Massachusetts. His father graduated at Harvard College, in 1741, and having served long and faithfully in the ministerial office at Sterling and Hanover, in the Old Colony, he died at Reading, Massachusetts, in 1807, aged 85.

His elder brother Henry and himself, were fitted for college by their father, and entered Harvard together in 1780, from which they took their degree in 1784, in the same class with John Abbott, long a professor in Bowdoin College, Silas Lee, a distinguished lawyer in Wiscasset, and others who have taken honorable positions in society. Henry, brilliant, witty, an attribute of the Prentiss stock, somewhat wayward, but beloved by all who knew him, established himself in the profession of law at Dover New Hampshire, where he died in 1809. Prentiss spent a year after his graduation, in Barnstable, as a private tutor in the family of Joseph Otis; he pursued his legal studies in the same place, with the eccentric lawyer, Shearjashub Bourne, and was admitted to the Bar in Taunton in October, 1788. On that occasion, in conformity with an ancient custom, he treated the Court and Bar with half a pail of punch. His own version of this treat was as follows, "according to the fashion of that day, on the great occasion, I treated the judge and all the lawyers with about half a pail of *punch*, which *treating aforesaid* was commonly called "the colt's tail."

Judge Thacher of Maine, Judge Hall of Vermont and Daniel Davis, long settled in Portland, were also students in Mr. Bourne's office. He felt great pride in Solicitor Davis, who was a native of Barnstable, and he used to say, "I took *special pains with Daniel*."

Mr. Mellen commenced practice in his native town, but removed in eight months to Bridgewater, where he continued until November, 1791. Not meeting with the success he desired, he again changed his domicile, and spent the winter and spring with his brother Henry in Dover. From that place, in July, 1792, he removed to Biddeford, in this State; by the advice of his firm and constant friend, the late Judge Thacher, who was then a Representative in Congress from Maine. Here he commenced that sphere of successful and honorable practice, which placed him at the head of the Bar in Maine, and at the head of its highest judicial tribunal.

His beginning in Biddeford was of the most humble kind, and may give an idea of what professional men had to encounter in that day. He thus described it to me: "I opened my office in one of old Squire Hooper's front chambers, in which were then arranged *three beds* and half a table and one chair. My clients had the privilege of sitting on some of the beds. In this room I slept, as did also sundry travelers frequently, the house being a tavern."

What his library was may be inferred from this humble office apparatus. The population of Biddeford did not then exceed eleven hundred, and that of the whole county, which embraced a large part of Oxford, was about twenty-eight thousand; all served by three attorneys, viz: Dudley Hubbard of Berwick and Messrs. Thacher and Mellen at Biddeford. There was then one term of the Common Pleas Court held at Biddeford, and one term of

the Supreme Court at York, for the year, in that county, and one term of the Supreme Court in each of the counties of Cumberland and Lincoln, for jury trials, which was all the favor the highest judicial tribunal was then permitted to extend to this District. The *law* term for Maine was held in Boston, and the records kept there. The whole population of the State was then about one hundred thousand. Gov. Sullivan had formerly lived and practiced in Biddeford but had removed to Boston, and was at the time of which we are speaking, Attorney General of Massachusetts.

From 1804 until his appointment as Chief Justice in 1820, Mr. Mellen practiced in every County in the State, and was engaged in every prominent cause. In 1806, his practice in Cumberland being extensive, he removed to Portland, where his professional engagements had become numerous and where a very large commercial business was transacted. His competitors were men of high legal attainments, of great natural abilities, and able and eloquent as advocates. Daniel Davis had just before removed to Boston; there remained, the accomplished Parker, afterward Chief Justice of Massachusetts, the patient and laborious Chase, the scholarly Symmes, both of whom, by their untimely death, opened a wider field for the new comers; the grave and cautious Whitman, afterwards Chief Justice of Maine; the sensible and acute Longfellow, and the ardent Hopkins; all of them residents of Portland, and ornaments of the Cumberland Bar. He also found able rivals in other parts of the State, in the adroit and eloquent Wilde, late of the Supreme Court of Massachusetts, the sagacious Silas Lee, and Orr, shrewd, skilful and prompt.

To take the lead among such men, in their chosen profession, required and proved Mr. Mellen to have possessed

more than ordinary powers. It was often said previous to the separation of Maine from Massachusetts, that the Bar of Cumberland was the best in the Commonwealth. And certainly that must have been a Bar of extraordinary quality, which could at one time boast of lawyers superior to Parker, Symmes, Mellen, Chase, Whitman, Longfellow, Emery, and the juniors Orr, Fessenden, Greenleaf, Davies, who came in as the others passed to the Bench or to a higher tribunal.

At the Bar, Mr. Mellen's manner was fervid and impassioned; his countenance lighted up with brilliancy and intelligence; his perceptions were rapid and his mind leaped to conclusions to which other minds more slowly travelled, and as a consequence he was sometimes obliged to yield his suddenly formed opinions, to more mature reflection. On one occasion Chief Justice Parsons remarked to him when he was ardently pressing a point, "you are aware Mr. Mellen, that there are authorities on the other side; yes, yes, your honor, but they are all in my favor."

He identified himself with the cause of his client, and never for a moment neglected it, or failed to improve every opportunity in his opponent's weakness or errors, to secure a victory. His voice was musical, his person tall and imposing, and his manner fascinating.

His life was not entirely absorbed by his profession. In 1808 and 1809, and again in 1817, he was chosen a member of the Executive Council in Massachusetts; and in 1816 an elector at large for President. In 1817, while he held the office of Councillor, he was chosen a Senator in Congress from Massachusetts, with Harrison Gray Otis for his colleague. This situation he held until Maine was organized as a separate state, when in July, 1820, he was appointed Chief



Justice of its Supreme Court. The same year, he received the honorary degree of Doctor of Laws from both Harvard and Bowdoin Colleges.

He continued to discharge the laborious duties of Chief Justice with singular fidelity and ability until October, 1834, when having attained the age of seventy, he became constitutionally disqualified for the office. On the bench his thorough knowledge of practice, his familiarity with decided cases, and his quick perception of the points and merits of a case, were peculiarly valuable at a time when the new State was forming its system of jurisprudence, and establishing rules for its future government. The industry and ability with which he discharged his arduous and important duties, while at the head of our highest court, appears forcibly written in the first eleven volumes of the Maine Reports; in the first nine of which he found an able exponent in his friend, the accomplished Greenleaf. Of the sixty-nine cases in the first volume of Greenleaf, in which formal reports are given, the opinions in fifty of them were drawn by the Chief Justice. A larger proportion still, appears in the second volume, where of the eighty-four formal opinions, he drew seventy-four of them. And this industry and application is apparent through the whole series, in the last of which, second of Fairfield, of the one hundred and six opinions, he prepared fifty-five of them. Nor were those decisions of a light or hasty kind; many of them involved points of the highest importance, requiring profound study, nice discrimination, and keen analysis. It may not be improper to say that in these opinions the learned Chief Justice did not fall behind his high reputation as a lawyer nor of the elevated position which he occupied. And it is gratifying to be able to say that our reports were cited at that period, in other States, with great respect.

Never were stricter integrity, nor a more earnest desire to render exact justice in every case, carried to the bench: and no judge ever performed his duties more conscientiously. If any criticism may be permitted on a judicial course so pure and able, it might be said, that there were times when the judge's patience gave way before the tedious prolixity of some advocates, who were unwilling to give the court credit for a knowledge of the elementary principles of law; or where witnesses were pertinaciously bent on telling all their experiences before coming to the point in hand. In such cases he would sometimes be obnoxious to the censure of the worthy Fuller, according to the canon of his "good judge;" of whom he says, he is "patient and attentive in the hearing the pleading on both sides; and hearkens to the witnesses, though tedious. He may give a waking testimony who hath but a dreamy utterance; and many people must be impertinent before they can be pertinent; and cannot give evidence about a hen, but first they must begin with it in the egg. All which our judge is contented to hearken to." But we cannot say this always of our good Chief Justice; he could not sit still till this egg was hatched. In another aspect he however, amply met this worthy's requirement: "he nips those lawyers, who under a pretense of kindness to lend a witness some words, give him *new matter*, yea, clean contrary to what he intended."

On his retirement from the bench, the Cumberland Bar addressed a letter to Judge Mellen, through a committee of its most respected members, expressive of the high sense it entertained of his services and merits, as an upright Judge, and of his qualities as a man, to which tribute of affection and respect, he responded with deep sensibility.

In 1838, Judge Mellen was appointed by the executive of

Maine at the head of a commission to revise and codify the public statutes of the State, which had accumulated to nearly one thousand chapters, of various, and in some instances, of inconsistent provisions. He earnestly engaged in this task with his colleagues, the Hon. Samuel E. Smith and Ebenezer Everett, Esq., and submitted their report on the first of January, 1840, embracing the whole body of the public statute law in one hundred and seventy-eight chapters under twelve titles. This was adopted by the Legislature, and constituted the first volume of the Revised Statutes.

This was the last public service of our estimable citizen who had now passed the seventy fifth year of his age.

But our portrait would not be complete without the lights which come from his private and domestic life. And this was as free from stain, as was the ermine of his judicial office. He married Miss Sally Hudson of Hartford, Conn. in May, 1795, whose acquaintance he made while practicing law in Bridgewater, and whose musical talents first attracted his attention. He described his engagement in the following characteristic language in a letter to me, "I left Bridgewater in 1791, having there first seen and fallen in love with my present wife, *and told her a piece of my mind.*"

She was an amiable and accomplished woman, with whom he lived in domestic happiness over forty-three years. She died in 1838, aged seventy-one years. By her he had six children, all born in Biddeford; of whom three daughters only survive. The oldest son, Grenville, a graduate of Harvard in the class of 1818, is well known as a literary man, flowering out from the legal profession: he died in 1841, at the age of forty-two. His son Frederick was educated at Bowdoin, from which he graduated in 1825; he

prepared himself for the practice of law, but was seduced from it by the soft impeachment of art; he devoted himself to painting, but died in 1834 at the age of thirty, before accomplishing his high aspirations.

Judge Mellen calmly and serenely yielded up his life on the last day of the year 1840, in the midst of his own winter, having passed through seventy-six years of a busy, well spent life; firm in the conviction of an approval by the great Judge of quick and dead.

The Cumberland bar erected a solid and durable marble monument to his memory, with suitable inscriptions, in the cemetery in Portland, over his remains.

I believe that the remark he made in his last sickness, to be perfectly true, "that he had always endeavored to do what he believed to be right." He was a religious man, a devoted attendant upon public worship, conscientious in the performance of duty and faithful in all the relations of life. His natural temperament was cheerful and gay; full of wit and anecdote, fond of society, which he enjoyed to the last, and in which his cheerful and benevolent countenance was always acceptable.

He was a man of warm imagination and fine literary taste. He early inclined to cultivate a familiarity with the muses, and like his cotemporary Judge Story, made poetry the sport of his idle hours from his earliest to his latest age.

The cultivation of poetry is not inconsistent with the severe pursuits of the legal science. Even my Lord Coke, who in the mind of the professional student is the personification of dryness, often quoted from the poets, and observes, "It standeth well with the gravity of our lawyers to cite verses." Every body too, remembers Pope's praise of Mansfield, "How sweet an Ovid was in Murray lost." And

our own days have witnessed in the eminent English lawyer Sir Thomas Noon Talford, the most elaborate and polished of legal poets. The following poetical *jeu d'esprit* on the law of pauper settlement, from an old poet, may be quoted in this connection as a true legal maxim in verse:—

A woman having a settlement  
 Married a man with none :  
 The question was, he being dead,  
 If that *she* had was gone.  
 Quoth Sir John Pratt, "the settlement,  
 Suspended doth remain,  
     Living the husband, but him dead  
     It doth revive again.  
         *Chorus of puisne Judges.*  
 Living the husband, but him dead  
 It doth revive again."

The calmness and patience with which our lamented friend bore his last sickness, gave ample testimony of the sincerity of his faith and the firmness of his religious principles. At this trying period, he frequently uttered expressions of his entire submission to the divine will: impatient to be relieved from the burden of the flesh, yet perfectly resigned to wait. At one time he said, "I seem to be suspended between heaven and earth: the body clings to its native element, while the spirit struggles to be free." At another time he said, "I can't let go, the thread of life is too strong." It broke at length, and the spirit ascended to its congenial home.

And now in the language of Fuller's "Holy State" "we leave our good judge to receive a just reward of his integrity from the Judge of judges, at the great assize of the world."

I now come to speak of our respected friend, Stephen Longfellow, the wise counsellor, the able advocate, the honest man. Born March 23, 1776, in Gorham, to which place his father and grandfather had fled on the destruction o

Falmouth, by the British, in the previous October. His early days were spent in that town, on the farm of his father, and in studies necessary to prepare him for his future occupation. Sometimes in his addresses to the jury, he adroitly drew illustrations from his farmer's apprenticeship, to point his argument or secure their favorable attention. I once had great fear of losing a case by one of these apt allusions, in speaking of his carrying butter to market in Portland.

He was descended in the fourth degree from William Longfellow, the first of the name who came to this country and settled in the Byefield Parish, in the old town of Newbury, and who married there in 1678, Anne Sewall; his father, grandfather and great grandfather were all named Stephen. His grandfather the first immigrant to Maine, graduated at Harvard College, in 1742 and came to Portland, then Falmouth, as the Grammar School Master in 1745. He filled many offices of honor and trust, and exercised an important influence in the affairs of the town and county. He was fifteen years Grammar School Master; twenty-three years Parish Clerk; twenty-two years Town Clerk, and fifteen years Register of Probate and Clerk of the Judicial Courts; several of which offices he held at the same time. His son Stephen held the office of Judge of the Court of Common Pleas from 1797 to 1811, and died much respected in 1824 at the age of seventy-four.

His son, the subject of our notice, entered Harvard College in 1794, at the age of eighteen, and at once took an honorable position with the government and his College companions, by the frankness of his manners, and his uniformly correct deportment. I have the privilege of offering the satisfactory testimony of his associates concerning this period of his life. His classmate, Humphrey Devereux,

now living at Salem, in a letter, says of him, "On entering College, Longfellow was in advance in years of many of us, and his mind and judgment of course more matured. He had a well balanced mind, no part so prominent as to overshadow the rest. It was not rapid in its movements, nor brilliant in its course, but its conclusions were sound and correct. He was inclined to think, compare and weigh closely; he did not soar into the regions of fancy and abstraction, but kept on the *terra firma* of practical common sense. In his habits, he was studious and exemplary, free from every contaminating influence. In a class which had its full share of talent and scholarship, he held a very reputable rank among its high divisions, and shared its honors in the assignment of the College government, and in the estimation of his classmates. In his temperament he was bright and cheerful, and engaged freely in the social pleasures of friendly meetings and literary associations. His manners then, as in later life, were courteous, polished and simple; springing from a native politeness or a generous, manly feeling. He was born a gentleman, and was a general favorite of his class."

The venerable Daniel Appleton White, of Salem, two years his senior in College, and now enjoying a serene and dignified old age, writes, "Mr. Longfellow was a general favorite with his classmates: the Rev. Dr. Channing used to speak in high terms of his excellent classmate: he said to me in one of his eulogiums, that he possessed great energy of character." He again says, "I never knew a man more free from everything offensive to good taste or good feeling; even to his dress and personal appearance, all about him was attractive. In his deportment and manners, he was uniformly courteous and amiable. He was evidently a well-

bred gentleman when he left the paternal mansion for the University. He seemed to breathe an atmosphere of purity, as his natural element, while his bright intelligence, buoyant spirits and social warmth, diffused a sunshine of joy, that made his presence always gladsome."

These high tributes to the youthful character of Mr. Longfellow, were fully sustained in his riper years. He graduated in 1798 in the class with Dr. Channing, Judge Story, Professor Sidney Willard, Dr. Tuckerman, and other distinguished scholars, of whom but seven or eight in a class of forty-eight, now remain.

On leaving College he immediately entered on the study of law with Salmon Chase, of Portland, who was then engaged in the most extensive practice of any lawyer at the Cumberland Bar: and was admitted to practice in 1801. He established himself at Portland, where the field was already occupied by seven lawyers in a population of thirty-eight hundred. These prior occupants of this field, were John Frothingham, who commenced practice there in 1778, and was for a while the only lawyer in the County. Daniel Davis, a polished gentleman and popular advocate, William Symmes, a good scholar and lawyer, but of very formal manners; Isaac Parker, afterwards Chief Justice of Massachusetts; all these were from the old Bay State; Salmon Chase and George E. Vaughan, from New Hampshire, and James D. Hopkins, a native of England, but whose parents immigrated to Portland soon after the peace of 1783. There were but two other members belonging to the Cumberland Bar at that time, who were Ezekiel Whitman, then practicing at New Gloucester, and Peter O. Alden, at Brunswick. Of these not one survives, but the venerable Judge Whitman, who was born in the same month and year with Mr. Long-



fellow, and is now enjoying, in his native town, East Bridgewater, Massachusetts, a serene old age, the ripe fruit of temperance, self-control and a virtuous life. The County then contained a population of about thirty-two thousand.

Notwithstanding this array of able counsellors, Mr. Longfellow, fearless of the competition, earnestly engaged in the struggle which such a rivalry exacted. The forensic efforts and encounters were conducted with more regard to courtesy and the dignity of the Bar at that period than at the present time. The members of the Bar and the Judges on the Bench, carried into their official department the dignified and somewhat formal manners of the old school. Levity or vulgarity could not exist in the presence of that personification of dignity, the learned Chief Justice Dana, nor would rudeness or degrading personalities be tolerated by his more learned, but less polished successor, Chief Justice Parsons, and his associates, the pure-minded Sewall and the stern and reserved Sedgwick.

Parker, Davis, Chase and Whitman, could not do otherwise than welcome to their association, a brother, kindred to them in all elevated qualities. Mr. Longfellow soon secured a successful and profitable practice, and took a commanding position at the Bar, by the urbanity of his conduct, his legal ability, and the integrity of principles. One of his contemporaries at the Bar, recently said to me, "Longfellow had a fine legal mind, he was industrious, attentive, courteous, and got into business at once. His first address to the jury was plausible and ingenious, and almost as good as any one he afterwards made." On the death of Chase and Symmes, and the removal of Judge Parker to Boston, all which occurred in 1806 and early in 1807, he became one of the leaders in the practice, which, as he advanced, continually

increased, until its accumulated weight bore too heavily upon his over-taxed powers; and he was admonished by a fearful attack of epilepsy, to withdraw for a while from the excitements of business and its overwhelming cares. He gradually, although most reluctantly quitted a field, which had been to him a source of happiness and fame, and on which he had conferred dignity and honor.

No man more surely gained the confidence of all who approached him, or held it firmer; and those who knew him best, loved him most. In the management of his causes, he went with zeal and directness of purpose to every point which could sustain it: there was no travelling out of the record with him, nor a wandering away from the line of his argument after figures of speech or fine rhetoric, but he was plain, straight forward and effective in his appeals to the jury, and by his frank and candid manner won them to his cause. And I may truly offer him as an illustration of Fuller's "good advocate," whom he thus describes, "He makes not a Trojan siege of a suit, but seeks to bring it to a set battle in a speedy trial. In pleading, he shoots fairly at the head of the cause, and having fastened, no frowns nor favors shall make him let go his hold." But with all this, although firm and unyielding when he believed himself to be right, he never forgot the duties of a gentleman and a christian, nor lost his suavity of manners in the ardor and bravery of action. "*Quando ullum invenient parem?*"

A man of such estimable qualities, was not permitted to give his whole time to his profession: the people demanded the exercise of his eminent ability and practical talent for their service; and in 1814, a year of great excitement and danger to the republic from the war with England,—a large fleet hanging upon our coast, and a well disciplined army

menacing our northern frontier, — he was sent to the legislature of Massachusetts, and while there, he was chosen a member of the celebrated Hartford Convention, in company with Judge Wilde, from this State, George Cabot, Harrison Gray Otis and other distinguished Federalists from Massachusetts and the other New England States. In 1816, he was chosen an Elector of President, and with Prentiss Mellen and the other Electors of Massachusetts, threw his vote for the eminent statesman, Rufus King, a native of Maine. Mr. Monroe, the candidate of the Democratic party was elected for this, his first term, by a majority of one hundred and nine votes; for his second term, from 1817 to 1821, he received every electoral vote but one, which was thrown for John Quincy Adams, by Gov. Plumer of New Hampshire.

This was the era of good feeling, or as John Randolph called it, the “era of indifference.” Political harmony prevailed, such as had not existed since the days of Washington: the old Federal party, which had embraced many of the wisest and best men of the country, whose names are now canonized, then ceased to exist; all parties united to render a sincere and hearty support to the federal constitution; opposition to which, in the early days of the government, had created the anti-federal party.

In 1822, Mr. Longfellow was chosen to the eighteenth Congress, the closing two years of Mr. Monroe’s second administration, where he was associated with Lincoln of Maine Webster of Massachusetts, Buchanan of Pennsylvania, Clay of Kentucky, Barbour and Randolph of Virginia, McLane of Delaware, Forsyth of Georgia, Houston of Tennessee, Livingston of Louisiana — Henry Clay being Speaker of the House, John Chandler and John Holmes being Senators

from Maine. Having served out his term faithfully and well, and by his voice and vote, resisting the general and profuse expenditure of public money for indiscriminate internal improvements, he took leave of political life, which had no charm for him. The remainder of his years, so far as his health permitted, he gave to his profession; how well he served it, the first sixteen volumes of the Massachusetts Reports, and the first twelve of the Maine Reports, extending through a period of more than thirty years, bear ample testimony; they exhibit his ability as a learned jurist, and his skill as an ingenious dialectician. In 1828, he received from Bowdoin College the honorable and merited distinction of Doctor of Laws.

In his domestic life, Mr. Longfellow was as exemplary as he was able in public and professional relations. In January, 1804, he married Zilpah, daughter of General Peleg Wadsworth, of Portland, with whom he lived in uninterrupted happiness for more than forty-five years. She was a woman of fine manners, and of great moral worth. By her he had eight children; four sons and four daughters. The sons are destined to transmit the name with new luster to posterity, in lines divergent from the parental profession,—poetry, divinity and science. The elder surviving son, by his sweet and eloquent verse, has not only made his name vocal throughout his own land, but has found genial echoes, on the other shores of the ocean, and his numbers will be repeated in distant lands and times, like the songs of the rapt bards that have floated down to us through the centuries, which have preserved nought else.

In all the relations of private and public life, Mr. Longfellow was a model man; kind and affectionate in his family,

prompt and efficient in business, courteous uniformly, ready with money or service, whenever properly required, and filling large places in benevolent and religious institutions—his death was deeply mourned—and the people grieved most of all that they should see his face no more.

A life so adorned, could not have been withdrawn from its sphere of usefulness, without making a palpable void; and I only express the universal sentiment that was felt at his departure, that an able, upright and Christian gentleman had gone; one to whom may be applied language used in regard to an eminent English lawyer, “that he cast honor upon his honorable profession, and sought dignity, not from the ermine or the mace, but from a straight path and a spotless life.”

The Bar, at a very full meeting, took an honorable and appropriate notice of the death of their deceased brother. Professor Greenleaf, the particular friend and admirer of Mr. Longfellow, and who for many years practised with him at the Cumberland Bar, in reply to a letter from another friend, inviting him to attend the meeting, said, “Dear Brother Davies: Many thanks for your kind letter and kind remembrance. It warms and cheers me. I am strongly tempted to go down to the Supreme Court in November, especially as the meeting you anticipate will draw out the *quæ extant* of the Cumberland Bar, as it was in our youth. We shall see Whitman and Potter, possibly Southgate; but where are Orr, and Mellen and Hopkins, and the rest of that day, and now at last, Longfellow? It will be a scene of lights and shadows.”

I am forcibly reminded of the shadows, by the sudden withdrawal from our daily observation, and from earth, of our first president, Mr. Parris. At the time I drew the

sketch of his life for this occasion, he was in the full enjoyment of all his powers; now they have ceased their exercise forever, and we have just followed his remains to the sepulcher of his fathers. We bow submissively to that decree which acknowledges no distinction upon earth.

Governor Parris, our first President, held the office but one year; he was then Governor of the State, and his official duties demanded his exclusive attention. J

He was born in Hebron, in this State, January 19, 1758. his father, Samuel Parris, of whom he was the only child, was a native of the Old Colony in Massachusetts, and after the war of the Revolution, in which he served as an officer, he established himself at Hebron, which at the time was an unincorporated plantation. He held the office of Judge of the Court of Common Pleas for Oxford County, several years: was repeatedly chosen a representative from Hebron, and in 1812 he was chosen by the Federal party one of the Electors of President, and united with the other Electors of that State in casting the vote of Massachusetts for DeWitt Clinton. He died in Washington at the residence of his son, September 10, 1847, aged ninety-two.\*

\*The family was descended from Thomas Parris, of London, who had four sons living in London in 1660, viz: John, Thomas, Samuel and Martin. John was a minister of the Reformed Church at Ughborough near Plymouth, England. He had one son named Thomas, who came to New England in 1683, having set sail from Topsham, in Devonshire, on the 28th of June. He settled first at Long Island, N. Y., where he married. From there he moved to Boston, where his wife died. He then moved to Pembroke, Mass., where he married a Miss Rogers, and had four sons and three daughters, and died in 1752. His son Thomas was born May 8, 1701, O. S. He married Hannah Gannett, of Scituate, Mass., by whom he had four sons. He died Sept. 7, 1786. His son Benjamin, born August 27, 1731, O. S., married Millicent Keith, of Easton, Mass., July 4, 1753, by whom he had five sons and three daughters. He lived in Pembroke, Mass., and was much employed as an instructor of youth: he died November 18, 1815. Samuel, the eldest son of Benjamin, was born August 31, 1755: he entered the army in 1775, and performed much service both by land and sea. On retiring from the army he married Sarah Pratt, of Middleborough, Mass., by whom he had one child only, viz: Albion Keith Parris.

Governor Parris worked on his father's farm until he was fourteen years old, when he began to prepare for College, and entered in advanced standing at Dartmouth in 1803. He graduated in 1806, in the class with William Barrows and General Fessenden, of our State, Judge Harvey, of N. H., and Judge Fletcher, of Mass. He soon after commenced the study of law with Chief Justice Whitman, who was then in practice at New Gloucester, and who next winter removed to Portland. He pursued his studies with great dilligence and was admitted to the Cumberland Bar in September, 1809. He immediately established himself in the practice at Paris in the County of Oxford; from that period his course was one of uninterrupted success.

In 1811 he was appointed County Attorney for Oxford. In 1813 he was elected to the General Court in Massachusetts from Paris. In 1814 he was chosen a Senator for the Counties of Oxford and Somerset, and in November, 1814, he was elected to the fourteenth Congress of the United States, for the years 1815 and '16, and again to the fifteenth Congress: and while holding this office of Representative to Congress, he was appointed Judge of the District Court of the United States for Maine, in 1818, at the age of thirty, as successor of the venerable Judge Sewall, who had held the office from the organization of the government.

On receiving this appointment he moved to Portland, from which place, the next year, 1819, he was chosen a member of the Convention to form a Constitution for the new State, then seeking admission into the Union. This body was composed of the most able and prominent men in the State, over which William King was called to preside. Judge Parris took an active part in its proceedings and debates, and was a member of the Committee which drafted the Con-

stitution, Mr. Holmes being Chairman. Among the members of this important Committee, were Messrs Dane, of Wells, Whitman, of Portland, Gen. Wingate and Chandler, Judge Bridge and Judge Dana. Mr. Parris was also appointed Treasurer by the Convention.

On the adoption of the Constitution, and the admission of the State into the Union, of which it became the twenty-second member, Mr. Parris, then holding the office of District Judge, was appointed Judge of Probate of Cumberland County, under the new dynasty, succeeding the venerable Samuel Freeman, who had held the office sixteen years as successor of Judge Gorham. While in the enjoyment of these honorable and responsible trusts, public opinion designated him for the highest office in the State as successor to Governor King, who having been appointed one of the Commissioners on Spanish Claims, resigned the office. This nomination was not unanimously accepted by the Democratic party, some of whom preferred Gen. Joshua Wingate, and a triangular contest resulted of considerable harshness and asperity. Governor Parris was elected, and entered upon the discharge of the duties, before he had quite attained the age of thirty-three years, and was continued in the office by successive elections, five years. In his annual message in 1826, he peremptorily declined another nomination. Governor Parris administered the government with ability and faithfulness: it was a period of repose; there were no exciting questions to irritate the public mind. The most important subjects calling for attention, were those relating to the common property owned with Massachusetts, and the disputed northeastern boundary. The latter subject, was, toward the close of his administration, becoming of serious import, and had begun to create alarm as to the final result.



The interests of education, religious culture and temperance, were often and earnestly urged by him upon the attention of the Legislature, and received respectful consideration. In 1825 Lafayette visited the State, where his reception was most cordial, and where he found some of his old companions in arms to welcome their illustrious ally and friend. He was warmly greeted and entertained by the Governor.

But Governor Parris was not permitted to enjoy repose from official life. The last year of his administration had not expired when he was elected to the United States Senate in place of John Holmes, whose term of service ended on the 3d of March, 1827.

But he had scarcely become familiar with his new position, when in June 1828, he was appointed Associate Justice of the Supreme Court of our State, in the room of Judge Preble, who resigned the office on his appointment as minister to the Hague. Judge Parris having been for several years withdrawn from practice, and never having had much experience in the routine of the profession, on account of his early and steady employment in the public service, found himself somewhat rusty in regard to the decided cases and the progress of legal science. But with his accustomed industry and facility, he applied himself to the study of the reports and the learned elementary treatises, until he thoroughly qualified himself for the arduous and important duties of the Bench; and it is but justice to say, that he received unqualified testimony from the Bar and the community, of the ability, promptness and impartiality which graced his judicial life.

He was not however destined to grow old upon the Bench, for he had hardly ripened his judicial powers and opened the way to judicial fame, before he was transferred,

I cannot say to a higher sphere — but to one of more emolument and ease. In 1836, by the favor of Mr. Van Buren, he found an honorable position and a salary of three thousand dollars a year, as Second Comptroller of the Treasury of the United States. This office he held thirteen years until 1849. He soon after returned to Portland, of which city he was chosen Mayor in 1852, declining a second nomination. This is the last public office he held, and for the remainder of his life he reposed quietly upon his many and well won laurels.

This career of public duty continued through a period of thirty-six years, never for an hour interrupted, is extraordinary, not to say unparalleled in recent times—offices too of the highest importance and responsibility. A member of Congress at the age of twenty-eight, Judge of the United States Court at thirty, Governor at thirty-three, prove him to have early acquired an unusual popularity. Without brilliant talents, or a large accumulation of knowledge, he proved himself equal to every office he was called to fill, and to every emergency which required his action. The secret of his success lay in his industry and close application to the duties of every office confided to him, his promptness and fidelity, his sagacity, his general suavity of manners and an easy adaptation of himself to every situation; in short, it may with truth be said of him, that he faithfully and acceptably filled all the offices, however varied their duties, to which he was successively called.

For several years previous to his death, he had been troubled with difficulty of breathing and sharp pains in the region of his heart, when making any considerable exertion; this increased the last year and terminated in his sudden death on the morning of February 11th last. The City

Council of Portland and the Bar of Cumberland, promptly expressed their sense of their own and the public loss, and their sympathy on the occasion, and a general and honorable sentiment went up from the press of Maine, and from our citizens throughout the State in honor of this faithful public man.

In 1810, Gov. Parris married Sarah, eldest daughter of the Rev. Levi Whitman, of Wellfleet, Massachusetts, who with three daughters and <sup>two</sup> ~~one~~ sons survive him.

In speaking of our three departed Presidents, I am not unmindful of the classical injunction "*nihil mortuis nisi bonum;*" but in describing the distinguished men, upon whom perhaps, I have dwelt longer than may have been agreeable to you, I could not, if I had a desire, be disobedient to it.

I cannot better take leave of this part of my subject, than by applying the language of Chief Justice Crewe, in the De Vere case, in the time of Charles I, of England : "Time has his revolutions; there must be a period and an end to all temporal things — *finis rerum* — an end of names and dignities, and whatsoever is *terrene*; and why not of De Vere? For where is Bohun? where is Mowbray? where is Mortimer? Nay, which is more and most of all — where is Plantaganet? They are entombed in the urns and sepulchres of mortality. And yet, let the name and dignity of De Vere stand, so long as it pleaseth God."

Having thus paid a melancholy visit to the tombs of my honored predecessors, I must now turn to the revered and honored living, and offer to them the tribute due to their services and virtues.

Our second President, the successor of Gov. Parris was the Rev. William Allen; he held the office from 1823 to 1827 inclusive.

President Allen was the son of the Rev. Thomas Allen, the first minister of Pittsfield in Massachusetts; his mother was Elizabeth, daughter of the Rev. Jonathan Lee, first minister of Salisbury, Connecticut, and was a descendant of Governor Bradford in the fifth degree. His father graduated at Harvard College in 1762, was ordained in 1764, and died at the age of 67 in 1810. The subject of our notice was born in Pittsfield, January 2, 1784 and graduated at Harvard College in the celebrated class of 1802, which was larger and more distinguished than any which had previously issued from that venerable University.

On leaving College Mr. Allen commenced the study of theology with Dr. Pierce of Brookline, and at the same time taught school in that town. He finished his preparatory studies with his father and was licensed to preach by the Berkshire Association of 1804.

Soon after obtaining his license he made a journey to Niagara, preaching at various places, and among others at Buffalo. The whole of that country, now filled with cities and a cultivated population, was a wilderness; and Buffalo now numbering over sixty thousand inhabitants, had then but nineteen rude houses.

In December, 1804, Mr. Allen was appointed and entered on the office of Regent in Harvard College, as successor to Dr. Channing, and continued to occupy the situation until August, 1810. This office was not connected with the instruction of the College and was given to young men of good standing, to assist them to funds, and to furnish them with a residence in the College buildings, and opportunities for study; its duties being inconsiderable, merely to preserve order and watch over the department of students. He diligently improved the advantages which this situation

afforded, occasionally preaching in neighboring towns. It was during this propitious period that he prepared his first edition of the "American Biographical and Historical Dictionary," which was published in 1809. By this very useful work he gave important aid to students of American history, and quickened public feeling upon topics then much neglected, but in which now the people take a most lively interest. It was the first and largest work of the kind which had been published in the country: Belknap and Eliot only preceded it. A second edition was published in 1832, enlarged and much improved, containing more than eighteen hundred Biographical articles, exceeding by eleven hundred those contained in the first edition. I am happy to be able to say that the third edition of this valuable work is now in the press, containing more than seven thousand biographical notices.\*

He closed his connection with the University by fulfilling the honorable appointment as orator to the *Phi Beta Kappa* Society, which occasion was doubly graced by a poem from Washington Alston. On the 10th of October, the same year, 1810, he was ordained pastor of the church in Pittsfield, as his father's successor, having previously declined an invitation to settle in Braintree.

In 1812, he married Maria Malleville Wheelock, daughter of John Wheelock, President of Dartmouth College, with whom he lived on most affectionate terms, until her death in 1828. To this amiable and accomplished lady, he devoted the opening and closing stanzas of his poem "Hoosattunuk," commenced in 1826, but not published until 1856. The following stanza at the close of the poem, refers to his

\* This edition is now issued from the press in two large octavo volumes.

wife, and will afford a specimen of the style of the work and of his affectionate regard for her.

“ How lovely was thy face when in the bloom  
 Of youth it beamed upon my rapturous eye ?  
 How lovely when o'er past the mother's doom,  
 It gazed upon thy babes so tenderly ?  
 No face — I've thought in many a blessed hour —  
 Was framed like thine for sweetness and for power.

In 1816 the Legislature of New Hampshire, influenced as was supposed, by political considerations, passed an “Act to amend the Charter of Dartmouth College,” by which its name was changed to Dartmouth University, and its powers materially altered. Under this act the old government of the institution was subverted and a new one appointed, at the head of which, Mr. Allen was placed as President of the University in 1817. The Trustees of the old College, established by charter in 1769, steadily resisted this proceeding, and commenced an action to test the constitutionality of the act of the Legislature. The case was carried by writ of error to the Supreme Court in Washington, and was there most ably and elaborately argued by Daniel Webster and Hopkinson for the plaintiffs, and John Holmes, and Mr. Wirt, the Attorney General, for the defendants, in 1819; and it was decided that the “Acts of the Legislature altering the Charter of Dartmouth College, were repugnant to the Constitution of the United States,” all the Justices but Duval concurred, and Marshall, Chief Justice, Washington and Story, delivered long and learned opinions. This became a leading and very important case on the subject of corporate rights.

By this judgment the new University, and consequently the office of President Allen, ceased to exist. Francis Brown, a former minister of North Yarmouth, who had been

elected President of the College in 1815, as successor of the second President Wheelock, was reinstated in office.

At this juncture, the office of President of Bowdoin College became vacant by the lamented death of the admirable President Appleton, in 1819; Mr. Allen was in 1820, chosen his successor. This was coincident with the establishment of our State government.

President Allen continued assiduously to discharge the duties of this responsible station for nineteen years, until his resignation in 1839. In the early portion of the time, before the appointment of Prof. Newman to the chair of Rhetoric, he gave instructions in that department.

While so engaged, and ever since, he has made it a point to note every *new word*, which occurred in his reading of authors of deserved reputation. In this manner he made a collection of over ten thousand new words, that is, of words not before embraced in standard dictionaries. He furnished Dr. Worcester for his large Dictionary published in 1846, nearly fifteen hundred of such words, and for Dr. Webster's Dictionary, published in 1854, over four thousand, and has recently placed in the hands of the publishers of Webster's Dictionary for the next edition, a catalogue of over six thousand new words. This is a striking fact, and while it entitles President Allen to great credit for this large contribution to useful knowledge, shows an astonishing change in the language. It may be accounted for in part by the rapid progress of science and the arts, during the last fifty years; which has introduced a multitudinous array of new terms; partly by the increased study of German and other foreign languages, which has fastened upon the Saxon a strange and uncouth vocabulary. A similar change is noticed by Selden, in his "Table Talk." He says, "If

you look upon the language spoken in the Saxon time, and the language spoken now, you will find the difference to be just as if a man had a cloak that he wore plain in Queen Elizabeth's days, and since, here has put in a piece of red, and there a piece of blue, and here a piece of green, and there a piece of orange-tawny. We borrow words from the *French, Italian and Latin*, as every pedantic man pleases." Again he quaintly says, "Words must be fitted to a man's mouth. 'T was well said of the fellow that was to make a speech for my Lord Mayor, he desired to take the measure of the Mayor's mouth."

President Allen during his term of office, occupied himself with various literary and professional labors. He published numerous sermons delivered on special occasions, for which his services were sought, also the Dudleian lecture at Cambridge, and a discourse on the value of the Bible. He also published his addresses delivered to the Senior Classes of Bowdoin College from 1823 to 1829, also a work entitled "Junius Unmasked," to prove that Lord Sackville was this "*nominis umbra*," an account of shipwrecks, a duodecimo of three hundred and thirty-five pages, which was a collection of most interesting narratives of perils by sea, also a new edition of Psalms and Hymns, a memoir of Dr. Eleazer Wheelock, and the second edition of his biographical dictionary, containing eight hundred and eight closely printed pages.

On his retirement from the Presidency of the College, he established himself at North Hampton, where he continues, at the ripe age of seventy-three, to pursue with his accustomed ardor and industry, studies and labors which have filled and adorned a long and varied life.

His latter publications have been a report on popery to



the General Association of Massachusetts, a historical discourse on the fortieth anniversary of the second church in Dorchester, 1848, a memoir of the Rev. John Codman, who was his classmate, in 1853; a discourse at the close of the Second Century of the Settlement of North Hampton, October, 1854; "Wunnissoo," or the "Vale of Hoosatunnuk," 1856, with valuable and learned notes, and a portrait of the author, and lastly the preparation of the third edition of his Biographical and Historical Dictionary, a task, which, from its large additions, must have required great research and labor.

The bare recital of his numerous publications, must impress every one with a deep sense of his industry, the versatility of his genius and his scholarly attainments.

Our third President was the Rev. Dr. Nichols, of Portland, who filled the office six years, from 1827 to 1833. Dr. Nichols was the son of Captain Ichabod Nichols, and was born in Portsmouth, N. H., July 5, 1784. Eight years after his birth, his father moved to Salem, Mass., and continued to reside there until his death. He entered Harvard College in 1798, and graduated with the first honors of his class in 1802, at the age of eighteen years. This high honor will be better appreciated, when it is considered that his class, consisting of sixty members, was one of the most distinguished that ever left the halls of that venerable University. Among them were the Rev. William Allen, late President of Bowdoin College, James T. Austin, of Boston, Dr. Codman of Dorchester, Dr. James Flint, of Salem, Professor Frisbie, of Harvard College, Samuel Hoar, of Concord, Governor Levi Lincoln, of Mass., Andrew Ritchie, who was his rival for the highest honors, and Leverett Saltonstall; all of whom have occupied high positions in society.

Mr. Nichols, notwithstanding his youth, applied himself with marked assiduity, to the study of the exact sciences, to which his mind naturally inclined; his great proficiency in them commended him, in 1805, to the Faculty of the College, for the office of tutor in Mathematics. On leaving College he had commenced the study of Theology with his beloved pastor, Dr. Barnard, of Salem, and he continued ther during the four years he filled the place of tutor.

On the 27th of February, 1809, having preached four Sundays as a candidate for settlement in the First Parish in Portland, he was unanimously invited to become a colleague with the venerable Dr. Deane, then past seventy-five years of age. The Parish then contained among its members, Prentiss Mellen, Stephen Longfellow, Ezekiel Whitman, Woodbury Storer, Dr. Coffin, Matthew Cobb, Robert Boyd, George Bradbury, William Wigery, &c., the descendants of whom still occupy the pews.

Mr. Nichols was ordained June 7, 1809, the Council being composed of the Cumberland Association of ministers, to which were added some of the most distinguished clergymen of Massachusetts, such as the venerable Dr. Lathrop, Dr. Kirkland, and Mr. Buckminster, of Boston, Dr. Barnard, of Salem, and Dr. Abbott, of Beverly. It was on this occasion, that the first open manifestation was made of the division, which afterwards became so wide and inseparable, in the Congregational denomination of New England. Mr. Payson, who had been recently settled over the only other Congregational church in Portland, and was a member of the Council, declined giving "the right hand of fellowship" to Mr. Nichols, to which he was invited, and withheld his approbation of him as a candidate, on the ground that his theological opinions were not satisfactory nor sound. Mr.

Nichols and the persons who took part in the services, with one or two exceptions, were seceders from the old profession of faith, and having passed through liberal Calvinism and Arminianism, they took the name of liberal christians, now called Unitarians, with a separate and distinct formula of faith, denying the received doctrines of the trinity, and the construction given by Calvinists to several other prominent articles of the prevailing creed.

From that time, Mr. Payson declined exchanging with Mr. Nichols, and an entire separation took place in the religious courtesies of the two societies, which has ever since continued.

At that period there was no other acknowledged Unitarian Society in Maine, although there were several that were liberally inclined, and sympathized with it in sentiment. The elder ministers of the two societies continued their friendship, and Mr. Kellogg preached the funeral discourse at the First Parish Church in 1814, on the interment of its aged pastor, Dr. Deane.

After the death of Dr. Deane, Mr. Nichols continued sole pastor, diligently and faithfully discharging all the duties of the pastorate, until the settlement of the Rev. Horatio Stebbins as his colleague in February, 1855.

Toward the close of that year, finding it necessary for his health to withdraw wholly from the cares of the ministry, he sent to the Parish a resignation of his pastoral office. The Parish were unwilling to dissolve the interesting and affectionate relation which had existed between them for forty-six years, and expressed a desire that while he should be relieved from all the duties of the office, the official character which he had so long sustained might not be sundered.

This was acceded to, and he still continues in form the senior pastor, although freed from all the responsibilities of the office. The principal members of the parish, to express their interest and affection for their beloved pastor, subscribed to a fund sufficient to purchase an annuity of five hundred and fifty dollars during his life. But Dr. Nichols, with a characteristic disinterestedness and delicacy, declined accepting this voluntary tribute to his worth, from an apprehension, by no means well founded, that it would place him under obligations to render future services; and because he thought the gift greater than he ought to accept.

We may be permitted in this connection, to allude to the singular history of this ancient society, established in 1718, but not organized as a church until 1727. Thomas Smith, of Boston, was in March of that year, ordained its first pastor. This was the sixth Church established in Maine, and the *first* east of Wells. Those which were prior to it, were the first church in York, over which the Rev. Samuel Moody was ordained in 1700, who died in the ministry in 1747—the second was Berwick, where was settled in 1707, Jeremiah Wise, a sound divine and able scholar, who continued in the ministry there forty-eight years—the church in Kittery, over which John Newmarch was pastor from 1714 to 1750; the church in Eliot, over which John Rogers was ordained in 1721, and continued his ministrations fifty-two years; Samuel Jefferds was settled in the church at Wells in 1725 and died there in 1752. Next came the church in Falmouth over which Thomas Smith was ordained March, 1727, and continued in the ministry until his death in May, 1795, at the age of ninety-five, and of a pastorate of sixty-eight years,

two months and one half, which has few parallels in this or any other country.\*

The Rev. Dr. Deane was associated with Mr. Smith as colleague, in October, 1764, and continued uninterruptedly in the ministry until his death in November, 1814, a period of fifty years and twenty-five days. Dr. Nichols the pastor *emeritus*, still continues, and thus this ancient Parish for a period of one hundred and thirty years has had an uninterrupted ministry, and never witnessed an hour when she had not a pastor, the third now being in full and active life.

In 1792 there were but fifty-five settled ministers in Maine, of whom forty-one were Congregationalists, and fourteen Baptists; not one of them survives. In 1856 there were in the State three hundred and eighty-four settled ministers, divided into thirteen denominations; the Methodists having the largest number, the Calvinistic Baptists the second and the Congregationalists the third. There is but one minister living in the State, who was settled prior to Dr. Nichols, and that is Rev. David Thurston of Searsport.

\*The following table will show the longest pastorates on record:

Mr. Adams of Newington, N. H. 1715 to 1783, 68 years,  
 Dr. Gay Hingham, Mass., 1718 to 1787, 69 years,  
 Nathan Buckman, Medway, 1724 to 1795, 70 years,  
 Thomas Smith, Portland, Me., 1727 to 1795, 68 years,  
 Mr. Whitney, Brookline, Con., 1756 to 1824, 68 years,  
 Nathan Williams, Tolland, Conn., 1760 to 1829, 69 years,  
 Samuel Nott, Franklin, Conn., — 1852, 70 years, died May 1852, aged 98,  
 Samuel Deane, Portland, 1764 to 1814, 50 years,

Rev. Nehemiah Porter of Ashfield, died in 1820 aged 99 years, 11 months, but had left the pastorate many years before.

Rev. Nathm Birdseye of Strafford, died in 1818, in the 104th year of his age, and is the only Congregational minister on record, who has attained 100 years, except the Rev. John Sawyer now living in this State, who was 100 years old Oct. 9, 1855, and who delivered an extemporaneous discourse on the occasion of celebrating his centennial anniversary.

In 1856 was living Rev. Laban Ainsworth, senior pastor of the church in Jeffrey, N. H., in his 103 year; born in 1754, the oldest graduate of Dartmouth College, and probably the oldest clergyman in the country.

In 1817 Dr. Nichols was chosen one of the Fellows of Bowdoin College. In 1821 he received from that institution the degree of Doctor in Divinity, and in 1831 the same degree from Harvard College. He was also many years since elected a member of the American Academy of Arts and Sciences, a distinction conferred upon quite a limited number of the citizens of Maine.

In the autumn of 1855, being engaged in the preparation of an important work on the coincidences in the New Testament, and the evidences of revealed religion, he moved to Cambridge for the purpose of consulting learned works, not within his reach in our State, and to superintend its publication. He has also in preparation for the press a volume of sermons. These favorite occupations of his leisure hours, when given to the public, will no doubt add to a reputation, deservedly high, for learning, piety and scholarship.

Dr. Nichols has well sustained the position he acquired at College; his life has been devoted to study and the acquisition of knowledge; and his mind was receptive of all the stores which he greedily sought from the circle of English and German literature, theology and science. No branches of knowledge were beyond his pursuit or grasp, for while theology has been the staple of his acquisition, he has never forgotten, or ceased to cherish those sciences which were the objects of his earliest attachment; nor did he fail to court the lighter and more graceful pursuits of literature and the arts. We cannot hesitate to pronounce him one of the best cultivated and universal scholars that Maine has cherished in her bosom. Nor is he like many scholars, reserved in the communication of his knowledge; he is ever ready in conversation to impart copiously from the

full stores of his mind, on any subject opened to him. No one ever listened to his conversation without being deeply impressed with a sense of his profound learning, and the large range of his thought, or being largely instructed from the rich stores of his mind. He is an admirable talker, as well as thinker.

The style of his pulpit discourses was always elevated; he seized the salient points of his subjects, clearly presented and illustrated them, without descending to common places. From excess of thought and the fulness of his mind, they often rose above the level of the common apprehension, and often required close attention to follow the course of his reasoning and argument. But they were able expositions and exhaustive of the subjects discussed. His extemporaneous discourses were also clear, animated and effective.

Dr. Nichols was twice married, first to a daughter of Governor Gilman, of New Hampshire, to whom he was united May 15, 1810. This admirable and beloved woman died in 1831, leaving two sons, one a physician, the other a clergyman, honorably fulfilling the duties of those professions. His second and present wife, is a daughter of the late Stephen Higginson, long a distinguished merchant and philanthropist in Boston.

I come now to speak of my immediate predecessor, whose long, active and useful life, has advanced the interests of his adopted State, as did that of his distinguished maternal ancestors, prior to the Revolution, in religion, education, the arts and manufactures.

Mr. Gardiner was born in England, to which his parents and grandparents had retired, on the breaking out of hostilities in the colonies with the mother country. His father, un-

ele and grandfather, had held responsible offices under the Crown; his father and uncle having successively occupied the embarrassing positions of Comptroller and Collector of Customs during the exciting period just preceding the Revolution; they were also connected by family alliances with officers in the British service, which, with the sense of their allegiance to Government, seemed to leave them no alternative but to adhere to the royal authority. There were other causes impelling them to sacrifice their large properties in the province to their allegiance to the King. As officers appointed by the home government, they were regarded with great jealousy, and were treated with the utmost contumely. The house of the uncle, Benjamin Hallowell, Jr., had been mobbed and sacked at the time Gov. Hutchinson's was destroyed, and had at other times been assaulted and injured; and his father, Robert Hallowell, as Collector of the port, was harrassed and insulted on many occasions.

It would be interesting, had we time to pursue the subject, to examine and weigh the various influences, which induced many of the most prominent men in Massachusetts, to abandon their native land, their friends and property, in maintenance of their allegiance to the mother country. It cannot be denied that they were men of the highest character for virtue, intelligence and social position; they embraced the whole body of Episcopalians, with slight exceptions, and included men of every profession. They doubted the necessity and the expediency of separation; they doubted more the ability of the colonies to resist the power of England, and dreaded the result of a protracted and bloody contest. We can now afford to give to that large and respectable class of persons, who in that crisis abandoned their estates, their connections and country, and went into voluntary exile, the



benefit of a liberal construction of their motives, and of a candid judgment of their characters. The Saltonstalls, Winslows, Sewalls, Ruggles, Tyngs, Pepperells, Royalls, Chandlers, Coffins, native born and honorable all, must have acted conscientiously, in the conclusion they unfortunately adopted.

In this class of loyalists was Dr. Sylvester Gardiner, of Boston. He was son of William Gardiner, grandson of Benoni, and great-grandson of Joseph Gardiner, the first immigrant of the name to the Narraganset country in Rhode Island, and one of the first settlers of that country. Dr. Gardiner was born at South Kingston, in R. I., in 1717, was educated for the medical profession, and having spent eight years in England and France for the purpose of completing his education, he returned to his native land and established himself in Boston, where he soon took rank in the first class of physicians and surgeons in New England. I may be permitted to dwell the longer upon this maternal grandfather of our late President, as he was, before the Revolution, one of the largest and most substantial benefactors toward our State.

Previous to 1753, the year in which the Plymouth Company was incorporated, under the name of the Proprietors of the Kennebec Purchase, Dr. Gardiner became one of the Proprietors. The territory of this company, after its boundaries were established by various litigation and compromises, embraced the large tract extending from Merry-meeting bay to Norridgewock, fifteen miles in width on each side of the Kennebec river, and including the towns of Bath and Phippsburg.

The meetings of this company were regularly held from 1749 to 1816, of which Dr. Gardiner was perpetual modera-

tor prior to the revolution, and the most active of its members. He devised their plans, directed their measures, and expended large sums of money from his private fortune to promote settlements on the Kennebee. For these objects, £5000 were assessed on the company in eleven years after Dr. Gardiner took control of its affairs. It was owing to the earnest efforts and liberal contributions of this company, that forts Halifax, at Ticonic falls, and Western, at Augusta were erected by government for the protection of the country from Indian depredations. In 1751, a party of German emigrants was induced by the offers of the company to settle at Dresden, many of whose descendants still remain. In 1754, Dr. Gardiner cleared up a farm of four hundred acres on Eastern river in Dresden, — built houses and mills there, which became of great benefit to the settlers. The house is now standing, and is occupied by a great-grand-son of the original proprietor. The next year, he built houses, stores, wharves and mills at Gardiner, and cleared up a large farm there, and sent his son William to manage his concerns at that place.

In 1761, the year after the county of Lincoln was established, the Plymouth company erected at their own expense the public buildings for the county. The court house, three stories high, and then used for the accommodation of the judges and parties attending court, as well as for the court room and offices, is now standing on the bank of the river at Dresden, then called Pownalboro', a conspicuous object and a monument of the liberality and enterprise of the Plymouth Company.

Dr. Gardiner was a liberal patron and a very active member of the Episcopal church; he took especial pains to plant it on the soil of the Plymouth Company. A church aided

by his exertions and means was established at Dresden, in which the zealous and learned frontier missionary, Bailey, long and ably officiated; another was planted further down the river, and a third, liberally endowed by Dr. Gardiner, at Gardiner. He gave to it ten acres of land for a glebe, and bequeathed to it twenty-eight pounds sterling a year forever, for the minister. The missions of the Church of England furnished the first religious instruction in this part of Maine.

These are some of the claims which Dr. Gardiner presents to the people of this generation and of our community, for their consideration and praise. Similar enlightened efforts, longer continued and of larger extent, entitle the successor, and the present occupant of the estates, to the like praise and admiration.

Dr. Gardiner returned from England in 1784, and established himself in the practice of his profession, at Newport, R. I., where he died in 1786 in the eightieth year of his age. The Newport Mercury of that day, in a notice of his character, justly describes him as a "man of uncommon vigor and activity of mind, and of unremitting diligence," and adds, "his christian piety and fortitude were exemplary, his honesty inflexible, his friendship sincere."

Hannah, the fourth child of Dr. Gardiner by his first wife Anne, daughter of Dr. Gibbons of Boston, married Robert Hallowell, son of Benjamin Hallowell of Boston, of which marriage Robert Hallowell Gardiner, the subject of this notice, was the only son. He was born at Bristol, England, then a favorite place of residence of the American loyalists.

Dr. Gardiner, by his will, bequeathed the property at Gardiner, which embraced a much larger tract than is now in-

cluded in its corporate limits, and lying on both sides of the river, to his son William, who was residing on the tract; and in case of his death, without issue, to Robert, the only son of Robert Hallowell and his daughter Hannah, on condition that the son should take the name of Gardiner, and with certain entailments.

William died the year after his father, and the estate descended to the present Mr. Gardiner, he having complied with the conditions of the gift. It must be a perpetual gratification to him that he has been able and disposed so faithfully and successfully to execute the enlarged and noble views — views beyond the age in which he lived — of his honored grandfather.

Mr. Gardiner, at the time he succeeded to the inheritance, was but five years old: his father as executor of the will, came over to administer the estate, but did not bring his family until 1792, when his son was ten years old. He was placed in the best schools the country afforded, in Boston, Andover and Hingham, and finally entered Harvard College from which he graduated in 1801, having for classmates, Timothy Fuller, the father of Margaret Ossoli, Dr. Gorham of Boston, Archdeacon Stuart of Canada, and William and George Sullivan.

Not being of age at the time of his graduation, and his health being feeble, he spent sixteen months in foreign travel; he also became a member of the Anthology Society, a brotherhood of choice spirits, who, composed of Buckminster, Shaw, Quincy, Willard, Savage, and other young *savans*, laid the foundation of the Boston Athenæum, and contributed to give to that city the literary *soubriquet* of the Athens of America.

Soon after his return from Europe, he entered with ardor

upon the unaccustomed and severe duty of giving civilization and value to the rude region, over whose wide domain he was to assume the management. How great the sacrifice this kind of life demanded, to a young man educated in all the refinements of the age, and of the best society, may easily be conceived. But he disregarded them all. When he first came to the territory in 1803, the estate had been neglected by its proprietors for thirty years, and had fallen into a ruinous condition. A few families had drifted in from the west, and finding no persons who could give a title to land, they quietly seated themselves upon chosen lots, without formality, and proceeded to clear up farms. Of such persons there were already eighty-six families upon his township, who, in the language of the day, were called squatters. Their number had become so great upon the unoccupied land in Lincoln and Kennebec Counties, that they constituted a formidable power—a squatter sovereignty—and seriously undertook to resist the lawful proprietors by force. Conflicts of the most alarming nature occurred, in the violent opposition they made to the running out and taking possession of their land by the owners of the soil. In one of these conflicts in 1810, Chadwick, an assistant surveyor, was killed by a disguised party, and on various occasions buildings were burnt and persons were robbed.

They proceeded to even greater outrages, for after the persons engaged in the murder of Chadwick were committed to the jail in Augusta, a large party of squatters disguised as Indians, attacked it for the purpose of rescuing the prisoners, and it became necessary to call out the militia, not only to guard the prison, but to protect the court while engaged in the trials. This catastrophe, which ral-

lied the friends of good order to sustain the law, and the passage of the betterment act, as it was called, in 1811, which gave to the squatters the right to purchase their lots or receive pay for their improvements, restored peace and secured to landed proprietors the enjoyment of their titles.

Mr. Gardiner, by pursuing a wise and conciliatory course, did not encounter many of the trials and difficulties to which other large proprietors were subjected. Perceiving the true state of the case, that there were really some equities in favor of the trespassers, and that they were determined not to abandon their improvements without a severe struggle or an equivalent, he determined at once to invite the settlers to an amicable adjustment. For this purpose he issued a circular, calling a meeting of the settlers in Gardiner to come to some arrangement respecting the occupation of their lots. This movement was looked upon with jealousy by squatters in adjoining towns, as calculated to disturb their organization. The settlers in Litchfield, therefore, came down in considerable number to disturb the meeting. Mr. Gardiner, finding that he could accomplish nothing while these intruders were present, and they refusing to leave the room at his request, promptly went to the leader, a stout man, and led him out of the room; conscious of his wrongful conduct, no resistance was made; the others quietly followed, and the door was locked to prevent further interruption.

At this single meeting, a contract in writing was mutually signed by Mr. Gardiner and every one of his trespassers, by which all their quarrels were amicably settled, and peace restored to his community, while a savage war was raging in the neighboring towns. The substance of the agreement was, that the squatters should have the priv-

ilege of purchasing the lots which they occupied, at a reasonable price on long credit; or if they chose to abandon them, they should be paid for their improvements a price to be determined by referees mutually chosen. The settlers were allowed the privilege of remaining upon their possessions twenty months after the appraisement, if they elected to relinquish them. This is the very spirit of the Betterment act and could not fail, from its equitable terms, to accomplish the most favorable results. About one half of the settlers purchased their lots and became useful and industrious citizens; the others received payment for their improvements and left town. For these improvements, Mr. Gardiner paid five thousand dollars, a sum far exceeding their actual value, as in many cases little more had been done, than cutting down the trees and erecting log hovels.

The wisdom of this proceeding was manifest in the confidence which immediately took place between the proprietor and the inhabitants, and their harmonious efforts to promote the happiness and prosperity of the place. The inhabitants doubled between 1800 and 1810, while in the adjoining country, the angry contest continued to the injury of all parties engaged in it.

Mr. Gardiner was now free to exercise his energy and good judgment in improving the large resources of his inheritance. Expensive and permanent dams, mills and manufacturing establishments were erected, skillful mechanics and enterprising tradesmen were invited by the advantages of the location to employ their skill and invest their capital in that flourishing town. His own funds were liberally used to promote the prosperity of the place.

On his first visit to the town in 1803, his journey was made by water, which, in consequence of the wretched con-

dition of the roads, was the only comfortable mode of accomplishing it. There was no carriage road to the place, or in that part of the country; all communication was by the river or on horseback. Social visits were made by water. The mail was carried from Portland to Gardiner on horseback, twice a week, and the postman was a day and a half in performing the journey. Mr. Gardiner applied himself diligently, to remove these embarrassments and to open the country to a more easy inter-communication. The transition which fifty years have produced from the rude beginnings of that period to the present facilities of communication and business, cannot fail to make a deep impression upon one who has passed with almost the rapidity of a vision from one scene to the other. Maine in 1803 and 1856 are like two different creations, whether regarded from a material or intellectual stand-point. Those who have experienced both alone can fully appreciate the contrast.

Nor were Mr. Gardiner's energies limited to improving the physical condition of the territory over which he became the trustee and guardian. He took a broader and more comprehensive view of his duties and privileges, and early commenced a series of measures to advance the intellectual and moral condition of the people. Inheriting the ideas of his father and grandfather on the subject of religion, and being an Episcopalian from sincere conviction, he has given to that form of worship his ardent and effectual support. In this and all his benevolent plans through its various instrumentalities, he has had the hearty co-operation of his wife, a daughter of Col. Tudor, of Boston, and of his interesting family.

In 1819, he contributed mainly to the erection of the beautiful stone church in Gardiner, then one of the finest



structures in the State, and has ever since been its steady patron, aiding in all its efforts to promote religious instruction in the Parish.

Nor were his labors in the cause of general education less earnest or less efficient. The Gardiner Lyceum, incorporated 1822, was a favorite project of his. It was intended to be what its name purports, an institution in which all branches of knowledge should be taught, from the simple principles which would enable the farmer to grow larger crops, and the mechanic and manufacturer to produce with more skill and less labor the objects of their industry, to the sciences which give scope to the highest exercise of our mental faculties. A fine stone building was erected for the accommodation of the pupils, a valuable philosophical apparatus, and a well selected library were furnished, to enlarge the sphere of instruction. Mr. Gardiner was so far the largest subscriber to the enterprise as almost to be called its founder. The school was the best of its kind in the State at the time, and flourished for several years. But its support required more means than private funds could well spare for it, and the great improvement in free schools diminishing the number of its attendants, its friends were obliged to discontinue it, notwithstanding the great advantage it had proved to that community and the cause of education generally.

The town will long have occasion to remember Mr. Gardiner for his eminent services and his numerous benefactions, among which was a large lot presented to it for a common; this fine ornament of the place will be a perpetual source of gratification. No public improvement there has failed to receive his support.

Above all these, however, have been the genial influences

of the christian example—the best part of a good man's life—which he and his family, for half a century, have gracefully shed over that community.

I have thus sketched portraits of the eminent men who have presided over our Society since its origin, and have introduced upon the canvass interesting portions of our history with which for a period of sixty years some of them have been intimately connected. Their lives have been so interwoven in the annals of our State, that if they were left out, it would be like the performance of Hamlet with the character of Hamlet omitted. They have left their foot-prints as they have passed on. But we and society are ever moving onward—"The children of Time like their sire, cannot stand still." New candidates for fame and new laborers in the broad field of human effort, are pressing ardently forward, and crowd the avenues which their predecessors have opened and cultivated and adorned. We wish them God speed, and will leave for their encouragement and strength a cheering passage from the "Psalm of Life:"

"Lives of great men all remind us,  
We can make our lives sublime,  
And departing leave behind us  
Foot prints on the sands of time ;

Foot prints that perhaps another,  
Sailing o'er life's solemn main,  
A forlorn and shipwrecked brother,  
Seeing, shall take heart again.

Let us then be up and doing,  
With a heart for any fate,  
Still achieving, still pursuing,  
Learn to labor and to wait."



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