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REV. DR. GILMAN'S

DISCOURSE

ON THE LIFE AND CHARACTER OF

JUDGE LEE.





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Book 17

A
DISCOURSE
ON THE
LIFE AND CHARACTER
OF THE
HONORABLE THOMAS LEE,

LATE JUDGE IN THE DISTRICT COURT OF THE U. STATES.

Pronounced in the

UNITARIAN CHURCH, CHARLESTON, S. C.

ON SUNDAY EVENING, NOV. 3, 1839.

BY SAMUEL GILMAN, D. D.
PASTOR OF THE CHURCH.

Preceded by

A PREAMBLE AND RESOLUTIONS

ADOPTED AT A PREVIOUS MEETING OF THE CORPORATION.

PUBLISHED AT THEIR REQUEST.

CHARLESTON :
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1839.

PREAMBLE AND RESOLUTIONS.

AT a special meeting of the Corporation of the Unitarian Church of Charleston, held at the Church edifice, on Sunday, the 27th of October, immediately after morning service, the following preamble and resolutions were submitted by Dr. WHITRIDGE, and unanimously adopted.

THE mournful occasion upon which we are assembled, is one of deep and abiding interest. It has pleased Almighty God, in the course of his inscrutable Providence, to remove from among us,—from the scene of his earthly labors—and especially from this Church, the Honorable THOMAS LEE.

In the death of Judge LEE, his immediate family and friends have indeed sustained an irreparable loss—this Church a scarcely less afflictive bereavement—and the community in which we live, have been called to mourn the sudden departure of a great and good man—a faithful public servant, and an exemplary Christian. One who, like a shock of corn fully ripe, has been gathered to his fathers, and in peace with all the world, in the enjoyment of a pure and holy hope, has gone to his reward.

Whilst we commingle our tears and our sympathies in condolence with the family of the deceased, it becomes us in paying this tribute of respect to the memory of departed worth, to bow in humble submission to the will of Divine Providence,—and however severe the blow, to acquiesce with Christian grace and fortitude in the mandate of Jehovah! and with becoming resignation, to yield a willing obedience to the irreversible decree of Heaven!

The happy influence exerted by Judge LEE in this society, from its first formation as a Unitarian Church in 1817, to the day of his la-

mented death, will be long remembered—and the loss of it will be deeply felt by a mourning congregation. The benevolence of his character—his mild and pacific disposition—the suavity of his manners—and the charity of his soul, (especially towards those who differed from him in opinion)—genuine fruits of heartfelt piety,—rendered him an ornament to the Church, of which he was ever a conspicuous member.

To these were superadded a quick perception—a persuasive eloquence—and a mind of superior power, which always gave him prodigious influence, whether at the Forum, in the Church, in the Halls of Legislation, or upon the Bench,—and this influence was invariably exerted for good.

In the cause of morals and religion, as well as in jurisprudence, in politics, and in the monetary affairs of a mercantile community, he was ever prominent.

In the temperance reformation, he was the foremost of the most zealous advocates. He eschewed ardent spirits—and was a bold, uncompromising enemy of *intemperance* (the great scourge of our land,) in all its forms. Had his life been spared a little longer, he would have delivered, by appointment, lectures on this now very interesting and important subject, in some of the upper Districts of our State.

The loss of such a man, in the midst of his multifarious labors and duties, one who was so highly endowed, and who was still in the enjoyment of a green old age, is lamentable indeed! Therefore,

Resolved, That we, the members of the Unitarian Church of Charleston, deeply deplore the sudden demise of our late venerable, highly esteemed and excellent friend, Judge LEE, to whom we were attached by the strong ties of affection, and to whom we owe a debt of gratitude.

Resolved, That we duly appreciate his talents and worth—and are duly sensible of his many virtues and genuine piety, of his undeviating attachment and devotion to the principles of Unitarian Christianity, and to the interests of this Church; and whilst we revere

his memory, we shall ever cherish with the liveliest emotions, the recollection of his virtues, and hope to profit by the purity of his character, and by the brightness of his example.

Resolved, That in testimony of our admiration of the public and private character—the inflexible integrity and moral worth of the deceased, and our gratitude for the labors and duties which he so faithfully performed, and the great moral influence which he so happily exerted,—our respected pastor, the Rev. Dr. GILMAN, be requested to deliver an eulogium upon the character of our departed friend, on Sunday Morning next, at the usual hour of worship, and that the pews of this Church be thrown open to the public upon that occasion.

Resolved, That whilst we participate in the general lamentation of the City and State, we sincerely condole with the widow and family of the deceased, in their affliction, and respectfully tender to them our heartfelt sympathy, under this dispensation of Divine Providence.

Resolved, That we, too sensibly, feel the great deprivation which we have individually suffered, and the great loss which this Church has sustained, and that we will wear, *not* the usual *badge* of mourning upon the *arm*—but the *genuine* mourning of the *HEART*, in memory of the deceased.

Resolved, That a copy of this preamble and of these resolutions, be transmitted to the lady and family of the deceased, and that they be entered upon the pages of the Church Minute Book, by the Secretary.

On motion,

Resolved, That the proceedings of this meeting be published in all the Gazettes of the city.

FUNERAL DISCOURSE.

PROVERBS, x—7.

“The memory of the just is blessed.”

REFRESHING indeed is the recollection of departed excellence. Death seems to consecrate and fix an unalterable seal on the virtues which we love and admire. They have now become our inviolable inheritance. We know that nothing henceforward can tarnish or impair them. So long as we beheld these virtues connected with a mortal, fallible man, we might feel a sense of their precariousness and insecurity. We could not predict, with certainty, their continued strength and lustre. But now—they are beyond the reach of accident. Neither time, nor earth, nor change, can affect them. They are as fixed as the stars of heaven. They have taken their place among the imperishable treasures of our souls. *The memory of the just is blessed.*

Penetrated, no doubt, with this profound and affecting sentiment of inspiration, you, my hearers, have requested me to appropriate a portion of the religious services of this evening, to a delineation of the life and character of one, who has long worshipped among you—whom you have

tenderly loved and revered—and whose place in this sanctuary will know him no more.

The true and proper object of eulogy, I conceive, is neither to flatter the dead, nor gratify the living. Why should we lavish praises on the unconscious dead? Far are they now beyond the reach either of our applauses or reproaches. Almost equally futile is it, to trace out their biographies, or to dwell on their extraordinary qualities, for the mere purpose of satisfying a busy curiosity, or to indulge the fond vanity of surviving friends and admirers. No. We must not be led to our interesting subject, this evening, through any such man-worshipping, or man-admiring motives. It is not to exalt, or blazon forth, an *individual*, that I interpret your recent resolutions and request. To us, *the memory of the just is blessed*, not because *we* happened to know him, and to be thrown into the same limited sphere of action with him—but because *he himself* was a noble representative of *what is excellent and enduring in human nature*. The memory of the just is blessed, not because *we* can call him by name, and remember the graces of his person, the energies of his intellect, or the virtues of his mighty heart, but because we see in him a new manifestation, a glorious revelation, of the Deity—an illustration of the power of Christianity—an animating encouragement amidst the trials and toils, the

darkness, embarrassments, and contradictions of life—a type of what we might, and ought, to be—a specimen of what man may yet be—a blazing light, to call forth, sustain, and direct, the pure and undying aspirations of our souls.—Such, as I apprehend, were the legitimate objects which you had in view, in requesting me to present to you, at this time, some fitting memorial of the late Honorable THOMAS LEE.

He was born in this city of Charleston, on the 1st of December, 1769: a year which happened to be prolific of so many distinguished men who adorned the past and present centuries. He was thus near the verge of seventy years, at the time of his decease, on the 23rd of the last month. It may be worthy of remark, that about one year ago, when he appeared to be in possession of perfect health and vigor, he calmly stated to me, in confidential conversation, the very strong presentiment he felt, that he should not live much beyond the limits of three-score years and ten. I state the circumstance as at least an interesting coincidence, and undertake not to decide how far the presentiment might have been casual, or how far it was an instance of his usual practical sagacity.

His infancy and youth were exposed to the well known vicissitudes which marked the progress of the revolutionary war, and the early struggles

of our republic. He may be said to have been born along with his country, and felt his way together with her, up to fame and fortune, through various developments of intellectual and moral character. Thus he was an American in grain; and the lover of our institutions might fairly and proudly point to him, as an indigenous specimen of what they were intended to produce. His father, who pursued the industrious and skilful occupation of watch-maker in Charleston, entered among the foremost into the conflicts, exposures and sacrifices, encountered by the inhabitants of the colonies. This gentleman must have been distinguished for considerable energy of mind and character, since he was for some time a Commissioner in the American Army, and was afterwards appointed Colonel of one of the Regiments of South-Carolina. We also find his name in the list of that honorable band, who, for purposes of intimidation, were exiled to St. Augustine by the enemy when in possession of Charleston. The subject of our memoir was at this period about eleven years of age. His father had transported his whole rising family, for safety, to Philadelphia. To what influences the youthful Lee was exposed at that very observing and impressible age,—whether he saw anything of the excellent society which then abounded in Philadelphia, or was engaged in pursu-

ing such an elementary education as the times would permit, or felt the pinching grasp of privation and poverty, I have no materials whatever to determine.

The next incident which I have been able to trace in his juvenile biography, is his attendance at the respectable classical school of Messrs. Thompson & Baldwin, in this city. This must have occurred not long before and after the peace of 1783, when he was about thirteen years old. Here it is certain, that he made sufficient proficiency at least in the Latin language, to serve as an auspicious foundation to his attainments in legal science, for which it appears he had an early instinctive propensity: for we find him only two or three years after, at the age of fifteen or sixteen, already a student in the office of an eminent lawyer, who still survives at a very advanced and most honored decline, and who well remembers his youthful pupil, as one of the most promising and interesting of his time. He belonged about this period to a Moot, or Debating Society, which numbered among its members the flower of the city, many of whom subsequently obtained high distinction in the race of honorable renown. It was in this society, no doubt, that Judge Lee first developed and cultivated the elements of that fluent, persuasive, and commanding eloquence, which afterwards so frequently enlist-

ed all hearts in its favour, prompted as it ever was, by a conscientious love of right, and clothed in the most captivating gifts of voice, language, and manner. Even in his early life, an opportunity was not wanting for its public exercise and display. The French Revolution, in its preliminary stages, had commanded the best sympathies of the whole world; and when intelligence in the year 1789 arrived, at Charleston, of the destruction of that strong-hold of oppression and tyranny, the Bastile, a meeting of the citizens was summoned to express their congratulations on the event. Although but in his twentieth year, young Lee appeared with characteristic ardour, on this congenial occasion, before his fellow-citizens, and won the first leaf of that public chaplet, which continued to increase and strengthen for fifty years, and which was even on the point of acquiring new and verdant honours, when the venerable wearer was summoned, we trust, to receive an infinitely more precious crown, that fadeth not away.

The six or seven years which he devoted to the study of the law, at a period of comparative boyhood, sufficiently evince the original decision of his character, together with a deep-seated consciousness of his appropriate destination in life. Among his other accomplishments, he acquired so perfect a knowledge of the French language,

that he could, at any time afterwards, address with his accustomed ease and happy effect, a body of his French fellow-citizens, or examine a French witness at the bar, without an interpreter.

In 1790, as soon as he arrived at age, he commenced the practice of his profession under the most favorable auspices. The general difficulties and embarrassments of the country had been now surmounted; the new government had acquired a stability which secured universal confidence; commercial activity and prosperity every where revived: and Charleston partook largely of the happy renovation. Mr. Lee continued several years in very successful practice, at the same time riding an extensive circuit, in company with a few ardently attached friends, some of whom yet survive to bear witness to the delights of a connexion, which grew stronger and dearer through every subsequent and strange vicissitude, preserving even its genial fires amidst the storms of party abroad, and beneath the whitening hair at home, until the hand of death brought about the irrevocable parting, and the warm tears of long tried friendship were poured into his closing grave.

In the mean time, his imposing talents and fine qualities attracted the attention of his fellow-citizens, who, shortly after he commenced the practice of the law, elected him a member of the

State Legislature. In this capacity he served for several years, advocating, with especial enthusiasm and effect, every measure which leaned to what is called the popular side. Yet I am assured by those, whose opportunities and penetration well qualify them to decide, that even in times of the greatest political agitation, he never was properly a party-man; he never surrendered himself as the slave of any faction—but always preserved his independence untrammelled, and refrained from pushing his favorite principles to a reckless extreme.* He was married in the year 1792, and afterwards passed a few years in the country, but has generally resided in Charleston with his large and interesting family, on whom he conferred the most enlightened education that his opportunities allowed.

In the year 1794, he was appointed, at the age of twenty-five, Solicitor-general of the State, an office which he discharged to universal satisfaction for about ten years, when he was appointed one of the Judges of the Court of General Ses-

* During the highest excitement of the recent conflict between South-Carolina and the General Government, when many even of the most honorable members of both the opposing parties contributed to separate funds, for the purpose of purchasing votes, Judge Lee, although surpassed by none for a deep interest in the great questions at issue, nor for a readiness to incur pecuniary sacrifices in the promotion of what he deemed the righteous cause, resolutely refused to encourage a proceeding which he considered so unjustifiable.

sions and Common Pleas. This office he held but a very short time, being induced to resign it by some constitutional maladies, incompatible with the sedentary duties which it required. He was soon after appointed Comptroller-general of the State, and continued to discharge that office for twelve or fourteen years. Respecting his services in this department of public duty, perhaps no authority more satisfactory could be adduced than the late Dr. Ramsay, who rendered him, while living, the following testimony in his excellent History of South-Carolina—a testimony, the full truth of which I am not aware was ever in the slightest degree questioned. When speaking of the recovery of the State from her financial embarrassments and difficulties at the commencement of the present century, Dr. Ramsay remarks: “After five years faithful service, in which Paul Hamilton introduced the same order into the finances of the State which had been done by his illustrious namesake for the United States, he was honoured by his grateful country with the highest State office in his gift. THOMAS LEE was appointed his successor, who with *equal firmness and ability*, prosecutes the same good work. From *their exertions*,” he continues, thus evidently including Judge Lee in the same eulogium with his meritorious predecessor, “from their exertions, a chaos of public account has been reduced to or-

der ; energy and decision infused into every department of finance ; and the fiscal concerns of the State, recovered from disorder, are now in a flourishing and healthy condition.” Dr. Ramsay also remarks afterwards, that the very delicate and difficult measure of adjusting the legislative representation of the people to their property and numbers, was effected by the preliminary exertions of Comptroller Lee, who reduced to one view the whole property of the State from numerous and complicated returns. The legislature then adopted a new principle of distributing the representation, introduced and ably supported by Abraham Blanding. Thus, he concludes, “a real difficulty, which threatened the peace of the State, was compromised to general satisfaction, and the reform of the fiscal department essentially contributed to a reform of the constitution, and the stability of the government.”

In 1817, Judge Lee was elected President of the State Bank in this city, an office which he faithfully and satisfactorily filled for the last twenty-two years of his life. A sense of his services to that institution has been publicly expressed by the Directors, precluding any farther reference to the subject here.

In 1823, he was commissioned by President Munroe, as Judge of the District Court of the United States for South-Carolina District. His

connexion with this office also ceased only with his death, after a punctual and assiduous performance of its duties for almost seventeen years. Those who were best acquainted with his merits in this department, and best qualified to judge of them, have in a public manner already conferred on him the beautiful and comprehensive eulogy, that his "decisions were characterized by a love of truth, and his judgments were given in mercy; that he administered justice without respect to persons, and did equal right to the poor and the rich."—In addition to this high testimonial, it has been privately remarked by a competent observer, that Judge Lee exhibited a striking flexibility of talent in adapting himself immediately to the forms and phraseology and spirit of his juridical function, after the long disuse of legal habits to which his other duties had previously subjected him. Another, eminently qualified, assures me, that no Judge ever sat on the bench, who was more patient in listening to counsel, or more candid and open to every just impression, or who made up his judgments with more calm deliberation, or who would more gracefully surrender his deeply fixed opinions and prepossessions, before the light of reason and argument. And if I might venture, myself, another train of remark on a subject so alien from my sphere, I would diffidently observe, without presuming to pro-

nounce on his legal merits either one way or another, that the published decisions of Judge Lee exhibited a most commendable perspicuity of style; that he did something to free the profession from the usual charge of being technical and pedantic; that there was a happy neatness and point about his explanations and reasonings, avoiding both the extremes of saying too much and too little; and that in one respect at least, he followed at no large distance the steps of the great legal luminary of our country and day, himself so lately extinct, by popularizing and rendering intelligible to ordinary capacities the science and mysteries of the law.

While enumerating the public services of Judge Lee, it will by no means be out of place to allude to his exertions in the cause of the Temperance Reform. The time will come, when South-Carolina, and his whole country, will more vividly remember and recognise his merits in this department of action, than even his fiscal and juridical services. In fact, the Temperance Association may now be regarded as one of the settled institutions of our country, although no legislature has sanctioned it, and no political convention has enforced its paramount authority. And he, who takes a leading part in it, as did our deceased friend, without the least tincture of fanatical ultraism on the one hand, or of shrinking timidity and

indecision on the other, may be as emphatically pronounced a *public man*, as if he acted by the unanimous vote of a legislature, or could show on his warrant, the Great Seal of the United States. For he has God for his authority—his conscience for his charter,—and the advancement, good order, and happiness, both spiritual and temporal, of the community, as much his object and guide, as if he were the author of a whole code of engrossed laws. It was therefore, I conceive, with peculiar propriety, that in your resolutions of the last Sabbath, you gave this feature of his public history a prominent place. Truly, also, might the Managers of the Young Men's Temperance Society, while recently bewailing his decease, observe, that if his departure is a source of affliction to other associations, it is profoundly and emphatically so to them, Judge Lee having been identified with the rise and progress of the Temperance movement in South-Carolina. Yes, to his lasting honour be it said, that with that far-reaching instinct of benevolence and usefulness, which was one of the constituent elements of his character, he perceived from the very beginning, the vital importance of this cause to families and to states,—to fathers, mothers, children, neighbours, communities and nations. It was about ten years ago that he stepped forth with a little band—long before the cause began to be in any way popu-

lar,—nay, when it was decidedly unpopular,—when it was thought the most legitimate object of wit, sarcasm, and reproach. All this he cheerfully and calmly bore, both from high quarters and low, moving steadfastly onward to the end with an unshaken and devoted faith.

The next circumstance in his history, to which I shall advert, although still less of a public nature, can yet scarcely be classed among the transactions of his private life. I mean his connection with this Church. In the resolutions at your late meeting, it was declared, with equal truth and simplicity, that to Judge Lee we “owe a debt of gratitude.” Perhaps few among us are aware of the full extent and bearing of that remark. It may be known to many, that in the year 1817, this Church had been long united with another in the city, so as to form with it one legal corporation and one ecclesiastical body, even to the regular interchange of pulpits every Sabbath by the two acting Pastors. Few persons acquainted with religious history, would antecedently predict that a connection like this could be indefinitely permanent. It must have been foreseen, that in the lapse of time, the harmony of the association, however complete at first, would at length be disturbed by personal partialities and prepossessions in favour of different Pastors, or by differences in theological opinions. Accord-

ingly, with the year just mentioned, the period had arrived for both these causes of disturbance to operate with uncontrollable power. The two Churches were rent into an irreconcilable division, one party embracing the ancient Calvinistic creed of the Corporation, and the other adopting those principles of Scriptural interpretation denominated Unitarian. The breach was still further widened by the fact, that one of the officiating ministers for the time being, Mr. Forster, was an earnest advocate of the last mentioned system, and had in a short time acquired a large number of adherents, being otherwise particularly acceptable as a preacher and a man. It thus became a desirable object of the Calvinistic party, to exchange him for a clergyman of a different description, and secure, if possible, the continued adherence of both the Churches to their ancient creed. At this crisis, Judge Lee was found among the friends and followers of Mr. Forster, who proposed to the other party the terms of an amicable separation, and the future appropriation of each Church edifice, to the use of the denominations respectively. The proposition was for some time strenuously resisted. Various discussions and meetings took place, at which Judge Lee was almost the only prominent advocate of the side which he had espoused. Single-handed, he encountered four or five very able and active oppo-

nents, until at length both parties became convinced that there was no hope of future harmony and reconciliation, except by a voluntary and absolute separation. Our departed friend was Chairman of the Joint Committee of Ten, who drew up and reported the articles of separation. "Impressed," say the Committee in their Report, "with the solemnity and importance of the subject confided to them, and anxiously solicitous to meet the wishes of their constituents, they frequently and freely interchanged their sentiments, and now recommend the above measures as the most likely to tranquilize the Church, and unite in brotherly love and affection, all its worshippers." Upon this recommendation the whole body acted, and the result may be perceived in the following extract from their minutes: "Charleston, 24th June, 1817. At a Church meeting held this afternoon in the Circular Church, present one hundred members and supporters, on the above Report from the Joint-committee being read, it was *unanimously agreed* to adopt the same without any alteration whatever." Thus terminated this severe struggle, and they who have since enjoyed the advantage of an edifice here, where they could celebrate the worship of Jehovah, and observe the ordinances and institutions of Christianity, according to the principles then contended for, and which they have been led conscien-

tiously to adopt, may estimate the truth and force of the declaration, that we *owe a debt of gratitude* to Judge Lee.

But this was but the beginning of our debt of gratitude to him. For twenty-two years he has continued one of the firmest and most efficient supporters that ever blessed and upheld a Church. Truly may we say, that a fair pillar has been removed from our temple. Unstintedly and unshrinkingly did he throw his reputation, his influence, his exertions, his time, his voice, his good wishes and his prayers into the ark where he believed the truth was enshrined, and the best interests of himself and mankind enclosed. Never doubting, never desponding, always conciliatory, always forbearing, he entered with zeal into every project which the exigencies of the Church, or the defence and maintenance of its principles required. A prominent and beautiful feature of his character was, to surrender peacefully and gracefully to the will of the majority, in matters where his conscience was not absolutely concerned. For instance, when it was proposed several years ago to procure an organ for the improvement and assistance of the choir, his private taste preferred the ancient practice of vocal music; but as soon as he learned that an organ was desired by the congregation at large, his generous subscription was immediately ready for the pur-

pose. Nor did his interest in the Church rest simply in externals. He was as far as any man living from employing religion as an instrument of policy, or for the promotion of good order in society. He would have scorned so low a motive for its support. His religion too was infinitely removed from the mere negation, of which his views are sometimes thought to consist. His zeal was never inspired by the fact that he had made a party-matter of the cause, and that he must now support it at all hazards. He had repeatedly and seriously examined his religious tenets. They had entered into his heart and soul. They had become a part of the very man, moulding him to the will of an all-present God, and assimilating him to his meek and spotless Redeemer. Their influence seemed almost to overcome in him the few infirmities inherited from our common imperfect nature, causing him to forget, like a child, the quick resentments of the moment, to forgive the injuries which he may have incurred, to bear with peculiar and unexpected patience the attacks of the last oppressive disease, and to encounter the approaches of death with a firm, unwavering, and even triumphant faith. In some published remarks which he delivered a few years ago at a public meeting of the Tract Society in this Church, he expressed himself in the following words :—“The creed of my fathers,

Mr. Chairman, was Trinitarian ; and I had every motive to attach myself to and love that religion which they professed. I was brought up in that faith, and worshipped in it long after the period of manhood. I then found its mysteries perplexing and incomprehensible. The demands which it made upon my mind to yield implicitly and blindly to doctrines, as fundamental, which I could not understand, led me to calm and deliberate investigation, which resulted in their rejection as not warranted by Scripture. I considered myself, Sir, as an accountable being ; and believing that it was my sacred duty to use the reasoning faculties with which God has endowed me for the discovery of truth, and in a more especial manner of religious truth, I rejected the authority of men and councils, and sought for light and direction where alone it could be found, in the records of Revelation. My mind, Sir, is completely satisfied ; and I thank God I have no longer any doubts or misgivings."

Such was the state of his mind and belief, yet combined with the most tender regard and the most entire respect for the conscientious views of all other denominations, when he became in the year 1824, almost sixteen years ago, a regular attendant on the administration of the Lord's Supper in this Church. His interest in religion

has seemed to increase with every succeeding year. Not long after the event just mentioned, his eldest son, a most pious and worthy member of this Church, died and was buried in the family cemetery in the country. One of his surviving sons informed me, that on the return of the family from the interment to the mansion, his father addressed them all in an impressive and instructive strain of remark, which he trusted they never could forget. During the absence of the pastor of this Church a few summers ago, our friend took the lead in conducting the usual services of the congregation, and his impressive manner in devotion and reading, heightened as it was by his exemplary character, will long be remembered. About a year since, when it was announced that our Sunday School required a few more teachers, he was, in his sixty-ninth year, among the first to offer his services; and when a sufficient supply prevented them from being accepted, it still seemed to be his pleasure to enter his pew every Sabbath morning at an early hour, and listen to the lessons and hymns of the children. When, a few months since, a vacancy occurred in the Deaconship of the Church, he cheerfully accepted the office, notwithstanding his advancing age, and probable infirmities. To his Pastor he was ever an invaluable friend, soothing his mind and sus-

taining his labours by frequent notes and letters of sympathy and kindly counsel, or by visits snatched from the hours of business.

Shortly before his death, as if in near anticipation of the event, while standing with a dearly beloved relative in the cemetery of our Church, he pointed to a spot which he had recently purchased, and said, "when I die, let me be laid in the centre of that square. It is the next square to my friend —'s," whom he at the same time named. "We have never quarreled in life," said he, "and we shall slumber peaceably by each other's side in death."

Does not this Church owe him a "debt of gratitude?" Shall not the memory of the just be cherished as peculiarly blessed and precious, by every heart of sensibility among us?

I had intended to close this discourse with a general summary or estimate of Judge Lee's intellectual and moral qualities; but the materials of his biography have so swollen under my hands, that I shall leave this unvarnished statement of his personal history, to make its own impressions; to enforce its own conclusions, on your minds. There were one or two points, however, about his character, so very prominent, yet so very in-

trinsic, that I may be permitted to dwell on my subject for a few moments more.

The first was his intense and deep *conscientiousness*. He had as strong a love of right and abhorrence of wrong as any man who ever lived. One of his most frequent inquiries was, *Is* such a policy or course of conduct right? He would meet you in the streets with this question. He would discuss it with you at home. It haunted him like a messenger from Heaven. It was indeed the voice of God. Would that individual and social man might more and more earnestly listen to it, like our departed friend!

The second of his characteristics which I cannot help noticing, was his open-handed and overflowing *benevolence*. His life was a series of benefactions. He seemed to know no value in money, but the good it might do to others. It was this quality that led him many years since to adopt the orphan child of a perfect stranger who died by the fever of our climate, and that at a time when his own numerous and increasing family made no slight demand upon his means. It was the same quality which prompted him to place considerable sums of money on the severely cold days of every winter in the hands of his pastor, with a request that it might immediately be distributed to the suffering poor. At other times,

he would deposit amounts of money in the same hands, for any general purposes of charity whatever that might occur. And again, he would appropriate sums in the same manner, under a feigned hand, but which was detected to be his, by inadvertent resemblances of manuscript, paper, and other circumstances. Doubtless, many are equally acquainted with other instances of a benevolence, which appeared thus habitual and spontaneous.

It has been said of him, that he was of an indolent, or more properly speaking, an inactive temperament, unless roused to exertion by a strong sense of moral obligation. Much of this infirmity is unquestionably to be ascribed to the long periods of suffering and disease which he endured in middle life. But if he *were* constitutionally inactive, it only heightens his merit, that he so often and so effectually overcame the propensity, and was ready to act at every call, even of hopeless duty. Heaven bestow on society as many indolent members as it may please, like Judge Lee!

But at last the period drew near when he was to be called to a more solemn, yet at the same time a more merciful tribunal than the admiring or cavilling judgments of his fellow-mortals here. On the Sabbath before the last, he sent from his sick chamber to ask for the prayers of his Church

in his behalf. On the following morning, he desired to see his Pastor, who immediately repaired to his abode, and visited him every day till his decease. He found him calm, collected, firm as ever in all his religious views, though not disposed to dwell on speculative points of doctrine. Repeatedly did he express his confidence in God as his merciful Friend and Father. He professed to receive infinite comfort from the language of sympathy and prayer. When informed that his numerous friends were anxious for his safety, "Tell them," said he, "that I am patient; and be assured, that if ever man felt *humble*, such is my feeling now."

Judge Lee may be said to have died an *enviable* death. The very *time* that has taken him away was almost as felicitous as the many happy points about his own character. He has died in the fulness of a ripe and good reputation. He has not outlived his friends and admirers. He was almost borne away like Elijah in a chariot of glory,—for surely the affectionate admiration of a whole community may be compared to the Tishbite's ascending car. He died before the infirmities of age had dimmed his faculties, or rendered it a matter of question with the succeeding generation whether his fame were so well founded as his contemporaries represent. The young have known and heard him, and learned

from him. The middle-aged have been stirred by the tones of his manly and melodious voice, and have been prompted to high and virtuous action by his persuasion and example. The aged have witnessed his long, consistent, and honorable career. Could happier circumstances and coincidences have attended his death? Yes, *one thing* is happier than even these. He died the death of a righteous man. "Let me die *the death of the righteous*, and let my last end be like his."

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