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HISTORY OF THE  
BENCH AND BAR OF NEW YORK









WILLIAM DE WAPLE

# HISTORY OF THE BENCH AND BAR OF NEW YORK

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THE BAR OF NEW YORK, 1792-1892.<sup>1</sup>

E TOCQUEVILLE, in his great work on the United States, comments upon the exceptional position occupied by the Bar in the United States, and concludes that the profession in our country constitutes an aristocracy. In one sense, probably the one in which it was intended, the remark is true. In every free country the Bar constitutes, and necessarily must, an order of unusual importance. Its function in peace is similar to that of the army in war, viz.: to defend society and to guard the general welfare. Whether spécial privileges are, or are not, conceded in terms to such a body of men, enlightened opinion must realize its value and rely upon its service. It is the natural organ by which outraged law protests against tyranny, whether from above or below; the sentinel and advance post which signals danger and warns the community of impending peril. The chosen men who gather around a monarch as the fountain of honor shine with reflected luster because of their proximity to the royal person. So it is with the Bar. Its members and they alone can serve in the Temple of Justice and see that due reverence is paid to the only recognized sovereign, the Law. To be the mouthpiece of that sovereign, to expound his decrees, to stand firmly by his throne, to protect his dignity, this is no mean function. Take away the sanction of the Law and nothing is left in Pandora's box; least of all Freedom, for Freedom without the Law ceases to be anything of value. It changes its name and is not worth preserving. The history of free government shows the truth of this so clearly that illustration drawn from the past records becomes unnecessary. Whether an unwholesome transition has not already begun is another and far different question.

It may be that Plutocracy is gradually displacing the profession of Law. There are signs that point in that direction, but thus far the peril has only been a threat and not a reality. With scarcely an exception every president of the United States has been a lawyer by profession; senators and representatives are almost universally trained and reputable lawyers, and if it be true that a practice has of late years been growing, in remote states, to confer high legislative offices on men of wealth because they are able

<sup>1</sup> Mr. Frederick R. Coudert, having been invited to prepare a paper for this work, sent a copy of this interesting paper, which had previously been published, and to which we are pleased to give a place in our pages. EDITOR.

and willing to pay for the privilege of serving the public, these are but rare exceptions. We may still truly say that the government of the United States for the last one hundred years has been in the hands of the legal profession. As we have prospered and grown on a scale of greatness heretofore unknown, it may not be a reckless instance of deductive reasoning to suggest that government by law, as administered by lawyers, is the best that has thus far been tried. Some persons, in other respects rational, claim that our progress is due to paternal government protection. It may be curious to speculate upon the effect of a possible combination of free trade and lawyers in office as common factors in the future prosperity of our country, but this would be foreign to my purpose.

True, Washington was not a lawyer, at least so far as I am informed. Probably there were many occasions in which this chasm in his early training was to him a source of deep but unavailing regret. But the necessity for a legal training was not as obvious in his day as it has been since his great service to the nation.

The seeds of our Revolution were sown and cultivated by the lawyers, who plainly saw that the struggle must come. The youthful giant was stretching his young and awkward limbs and fretting at the shackles which bound him and checked his growth. He was uneasy, then impatient, and finally angry. He was slow to wrath, but when he was at length moved to righteous indignation the lawyers told him why he was justified in his complaints; they taught him the duty of resistance; they encouraged him in its assertion; they instructed him as to his rights and helped him by voice and pen, and often, too, with musket and sword, to vindicate his dignity by claiming his independence. Years before the war broke out the lawyers of Boston and New York had formed societies to discuss the great questions that agitated the public mind. The Sodality of Boston was one of these, composed not of striplings trying their young voices on their neighbors and practicing their arts on open-mouthed rustics, but men of years and standing, like John Adams and James Otis; earnest, thoughtful, patriotic, and wise men who might well assume to act as self-constituted pedagogues of a young and rising community. The "Moot" was another, which had its headquarters in New York, and consisted of the ablest lawyers of the state. Their debates were of great importance, and their opinions so highly valued that counsel often cited them as bearing upon, illustrating, and establishing the law. In one case it recorded that the chief-justice of the State of New York referred a difficult point of law to the Moot for its opinion.

There were many conspicuous men at the Bar as the last century closed and the present one displaced it—men of unsurpassed ability and independent character. The war that had just ended was a training school that kept its influence for many years, indeed until

the next conflict revived the warlike spirit and made the peaceful disputes of the forum seem tame and unprofitable.

What young lawyer of to-day has ever heard of Egbert Benson, Brockholst Livingston, John Lansing, Melancthon Smith, or Josiah Ogden Hoffman? And yet they were learned, eloquent, honorable, and patriotic men. They were giants while they lived, and did much to settle important questions for the generations to come. They served the public as well as their clients, faithfully and well; but the lawyer's fame is evanescent as the speech that makes it. His contemporaries bear testimony to his merits, but when he has passed from the scene of his labors, his glory sleeps with his perishable body.

Seeming exceptions there are to this, but exceptions only in appearance. The names of the two greatest, the acknowledged leaders of the bar of one hundred years ago, still live, but only because the men who bore them have entered into history in a public capacity, and because their names are bound together in one bloody tragedy. Alexander Hamilton and Aaron Burr were the leaders in their day. Hamilton especially enjoyed an undisputed title to pre-eminence. Chancellor Kent, in an address delivered in 1836, speaks of him in terms of unstinted admiration. "Among all his brethren," he says, "Colonel Hamilton was undisputably pre-eminent." This was universally conceded. He rose at once to the loftiest heights of "professional eminence by his profound penetration, his power of analysis, the comprehensive grasp and strength of his understanding, and the firmness, frankness, and integrity of his character. We may say of him in reference to his associates, as was said of Papinian, *Omnes longo post se intervallo relinquerit.*"

Such praise as this coming from such a source is sufficient to place Hamilton on the pinnacle of professional fame. It is, however, the gallant soldier, the friend of Washington, the writer of the *Federalist*, the founder of our financial system, and the victim of Burr's pistol, who is really recalled by tradition, and who will be remembered by remote posterity. He might otherwise be discovered only by the patient explorer into those musty records that history half scornfully glances at, to mitigate the dryness of more important themes. Who will care to know, a generation hence, that Hamilton<sup>1</sup> made a great speech in Crosswell's case, or that he argued with success, fifty years before Erskine, that the jury in a libel case were the judges of the law as well as of the facts?

Nor can it be said that Burr's name would arouse an echo of even passing interest but for the part he took in great events, wherein he showed his consummate ability and absolute indifference to principle. As the would-be usurper of the presidency, as Jefferson's vice-president, as the defendant in a great treason trial, and as the slayer of

<sup>1</sup> This, however, was Andrew Hamilton, whose fame was only that of a lawyer, and hence has passed into oblivion.  
Error.

Hamilton, his place is fixed forever beyond the destructive processes of time. Unfortunately for him, if there be such a thing as posthumous misfortune, he will not be forgotten.

These two men, great lawyers as they were, cannot therefore be cited as exceptions to the rule. If they had been engaged in the manufacture of tin plate they would have been equally (if not more) conspicuous, provided other elements of their fame had concurred to make them prominent.

One of the most eminent of the lawyers whom I have named, Brockholst Livingston, narrates an incident in the other Livingston's life which is very characteristic of the times, and for that reason deserves repetition here. It seems that Mr. Livingston was a bit of a wag, and amused himself on a certain occasion in writing an account of a political meeting, which had been attended by some of his political adversaries. These he sought in turn to ridicule. His raillery seems to us at this day quite harmless. He spoke of a Mr. Fish as a stripling about forty-eight years old, and of a Mr. Jones as "Master Jimmy Jones, another stripling about sixty." Why Messrs. Jones and Fish should have resented so mild a form of pleasantry does not appear, but they did feel very deeply whatever sting there may have been in these mysterious imputations. They demanded an explanation of Mr. Livingston while he was walking on the Battery with his wife and children. The explanation does not appear to have suited Mr. Jones, who proceeded to chastise Mr. Livingston with a cane, whereupon Mr. Livingston became wroth in his turn, and gave evidence thereof, by challenging and killing Mr. Jones, after which performance he felt at liberty to resume his promenade, *en famille*, on the Battery, which he did without further molestation. Mr. Jones having been removed in this summary but orthodox fashion, there was nothing to prevent Mr. Livingston from reaching high political preference. He accordingly became shortly after a justice of the Supreme Court of the United States.

This gentle toleration of a duelist who had killed an adversary is in striking contrast with the treatment of Burr after he had killed Hamilton. Certainly the provocation in the latter case was real, the fashion of dueling was still recognized as a legitimate mode of settling differences between gentlemen, both men were tried and brave soldiers, accustomed to face death without flinching, and the fight was a fair one, in which the regular forms were minutely observed. And yet Burr became practically an outcast, and spent the balance of his life in friendless solitude. He was punished for his other offenses; not for the venial sin of dueling. The man whom he happened to kill was an eminent citizen, honorable and respected. If Hamilton had slain Burr his own social and professional standing would probably have remained unimpaired; possibly it might have received something of increased dignity. But Hamilton enjoyed a good character



and Burr did not. The moral of this seems to be that before a man determines to commit an offense against the law he should be sure that his character is good. If his character is bad, the risk is greatly enhanced. The jury or the public, as the case may be, will convict him of something. Sir Jonas Barrington assures his readers that a man was once convicted at the Irish Assizes of murder, although the victim came into court apparently alive and ready to swear that he had not been killed. They were then about retiring, and in spite of the judge, did so. They explained their verdict of guilty by saying that while they knew that he had not killed that particular man, they also knew that he had stolen a cow that belonged to one of the jurors, and they might not find another and so good a chance to hang him.

It is, of course, the fashion to decry the Bar of to-day and to cite illustrious examples in the past to shame the advocates and practitioners of our own time. But this is natural enough; at least it has been universal. Those who look back upon the men and things of a past generation, to which their own life was linked, the memory of which comes back with the joyousness of departed youth, will always find a fitting theme for mournful retrospection in the degeneracy of the times. Imagination, uncontrolled, joins hands with vain regret; the harsh contours of unpleasant fact are smoothed into beauty by the softening process of uncounted years, and grow beautiful in proportion as our vision grows dim. Chancellor Kent himself indulged in this pessimistic fashion of reviewing the past. In the lecture above cited he mournfully discants upon the "tendency of things at present to disenchant the profession of much of its attraction. The spirit of the age," he says, "is restless and presumptuous and revolutionary! The rapidly increasing appetite for wealth, the inordinate taste for luxury which it engenders, the vehement spirit of speculation, are so many bad symptoms of a diseased state of mind." Who would have believed that our professional forerunners were afflicted with such fearful propensities? Good, great, venerable gentlemen we supposed them to be, eminently respectable from the top of their bald heads to the soles of their gaitered feet, moving with decorous deliberation from their shabby office to their uptown residence in Prince or Houston street for dinner, returning to work until supper time, unmolested by telephones, undisturbed by telegraphs, ignorant of messenger boys, living in happy though unconscious immunity from stenographers, interviewers, law reporters, daily law journals, and other sources of unhappiness: to think that the virus of avarice, gambling, selfishness, and the like had polluted their simple and virtuous natures! Perhaps, after all, we may be better than they, for we have to contend against all these insidious foes, and yet we still exist as a body, and upon the whole may claim, in comparison with the rest of the community, to constitute a very respectable class of citizens.

Whatever may have been the merits or shortcomings of the Bar

when Chancellor Kent spoke thus mournfully, there was a class of young men coming to the front than which the history of our bar offers nothing more admirable. From 1835 to 1870 our roll was bright with splendid names and our courts filled with life and learning. Charles O'Conor was then at his best, the *facile princeps* of the profession in his mastery of the principles that underlie the law, and in his incisive ability to communicate to others what he had first made clear to himself; Cutting, with his splendid presence and perfect mastery of the commercial law; Brady, the orator, lawyer, poet, wit; George Wood, the massive expounder of all the learning that related to trusts and real property; Evarts, polished, self-possessed, keen-witted, the hero of the three great cases of our generation—the Johnson impeachment, the Tilden election case of 1876, the Geneva arbitration case; Fullerton, the peerless examiner and cross-examiner—both of these last still ready with memory intact to tell of the great battles which they fought and the giants that they met; David Dudley Field, aggressive, earnest, impressive, relentless, and like Achilles that Horace describes:

*Impiger iracundus inexorabilis acer.*

He, too, is still among us<sup>1</sup> in the radiance of an undimmed intellect, to show of what material were made the men whom Chancellor Kent looked upon with such mournful suspicion. "Prince" John Van Buren, too, who covered up his real genius with a cold affectation of cynical indifference, and lived to be the putative father of numberless sayings from Aristophanes to date; William Curtis Noyes, ever courteous and ever ready, diligent and indefatigable, until the overstrained cords suddenly snapped while he was still in his prime. And James W. Gerard—"Jimmie" to his friends,—with the polish and wit of his French ancestry, his inexhaustible *bonhomie* and good nature, his irresistible facility and felicity in winning juries over to the wrong side, on which he was most at home. "Never attack your adversary with a bludgeon," the writer once heard him say, "run him through with a rapier." He lived up to his own precept. He ran his adversary gracefully and thoroughly through the vital parts, and when he was sure that his victim was thoroughly dead he held out his hand to help him to his feet. And Benjamin D. Silliman, the veteran of sixty odd years' practice, still ready to counsel his many clients, to unravel intricate knots of law and to delight hosts of friends with his winning smile, his wise speech, his kindly judgments of men long since gone. Time, alas! will not let my willing pen run on to tell of so many others whom the young Bar of my generation looked upon with something akin to superstitious admiration. A volume would hardly suffice to tell of their virtues and their frailties, for it is a comfort to think that they, too, were human.

<sup>1</sup> Mr. Field was still living when the above was written.

Have they left successors worthy of themselves? Certainly they have. The Bar is now as firm as it ever has been in the possession of learned, upright, sagacious, and honorable members. We are too near them now to judge them fairly, but we may feel assured that the young men of to-day will, after their hair has turned, recall the broad and scientific arguments of Carter, the brilliant versatility of Choate, the deadly keenness of Parsons, the scholarly erudition of Butler—nay, the splendid qualities of a host of others whom it would be tedious and invidious to single out:—they, too, will rank with the best examples of what our profession has produced. But, alas! we shall not be there to see.

FREDERIC R. COUDERT.



**ABBOTT, AUSTIN** (born in Boston, Massachusetts, December 18, 1831; died in New York City, April 19, 1896), was a son of Jacob Abbott, the author, and a brother of Doctor Lyman Abbott. He received his early educational training under the personal supervision of his parents, at Boston and Roxbury, Massachusetts, and Farmington, Maine. In 1843 his father removed to New York. In 1847 Austin entered the University of



AUSTIN ABBOTT.

the City of New York, from which he was graduated in 1851, taking an English oration at the commencement. He subsequently studied law, and in 1852 was admitted to the bar, having been allowed by the court to offer himself for examination shortly before he attained his majority on the condition that he should not take the oath or enroll until he became of age.

He entered into partnership with his elder brother, Benjamin Vaughan Abbott, his brother Lyman afterward joining the firm. They practiced law and wrote on legal subjects under the firm name of Abbott Brothers. Austin Abbott prepared the greater part of "Abbott's New York Digest" and "Abbott's Forms." After the dissolution of the firm by the removal of his brothers, Mr. Abbott continued in practice alone, being chiefly engaged as counsel in important cases, serving as consulting counsel in many in which he never appeared in court. In the conduct of the defense of the suit of Theodore Tilton *against* Henry Ward Beecher he gained a national reputation. He was associated with the counsel for the government in the Guiteau case, in which his advice was sought on the question of insanity and the practice in selection of jurors.

Mr. Abbott began the publication, in 1880, of a series of works, for the writing of which he had been long preparing. The first volume, the "Trial Evidence," was followed in 1883 by a "Brief for the Trial of Civil Issues before a Jury," and in 1889 by a "Brief for the Trial of Criminal Cases," and another on the "Modes of Proving the Facts in Either Class of Trials." In 1891 a "Brief on Questions Arising on the Pleadings in Civil Actions" appeared. The object of these works was to aid in clearing and simplifying the technical difficulties of procedure, and in reducing the number of mistrials, thus facilitating contests on their merits. These works have been adopted as text-books and desk-books for the bench in all parts of the country. Few legal works have had so extended a circulation in so short space of time. Speaking of these books, the *Albany Law Journal* says: "The treatment is in every way admirable. The series of four is indispensable to the safe conduct of causes, civil and criminal. There is no other living lawyer who devotes such shining powers to the benefit of his profession in such unambitious and practical ways."

In 1889 the University of the City of New York conferred on Mr. Abbott the degree of doctor of laws, and in 1891 he was appointed dean of the Law School of the University, with the chair of pleading, equity, and evidence, he having already lectured in the special course of the institution for several years. By his advice the undergraduate course was revised and enlarged and the practical features were increased, as the best preliminary introduction to the theory of the law, and a graduate course, founded on the same principle, was adopted; improvements which have resulted in a great increase of numbers in the school, and a higher grade of instruction. Among Mr. Abbott's other works are "Reports of Practice Cases," "Report of New Cases," "New Practice and Forms."

Mr. Abbott was one of the foremost members of the New York bar, and died universally lamented.



**ABBOTT, JOHN BEACH** (born in Dansville, Livingston county, New York, December 31, 1854), is the son of Adoniram J. and Mary Jane Beach Abbott. After attending academic institutions he entered the Geneseo State Normal School, from which he was graduated in 1875. He then studied for two years at the University of Rochester, but did not graduate. He was prepared for the legal profession under the direction of his father, and was admitted to the bar at Rochester in October, 1880. Soon afterward he engaged in practice at Rochester, where he continued until the spring of 1884. He has since been in successful practice at Geneseo.

In February, 1888, he was appointed by President Cleveland postmaster of Geneseo, an office which he held for two years. Since May, 1886, he has been editor of the *Livingston Democrat*, of Geneseo.



**ACKERLY, NATHANIEL SCUDDER** (born in Northport, Long Island, May 29, 1843), is the son of Samuel Ackerly and Jane Scudder. In the paternal line he is descended from an old family which emigrated from Haddam, Connecticut, to Long Island early in the last century. His great-grandfather on his mother's side, Edmund Scudder, was in the revolutionary war, and at one time was confined in the prison ship.

Nathaniel S. Ackerly attended country schools until soon after the completion of his eighteenth year. In August, 1861, he enlisted in Company K., 48th New York state volunteers, and for a period of two years he was engaged in active service. In the charge on Battery Wagner, South Carolina, July 18, 1863, he lost his left arm, and in the November following he received his discharge, being awarded a medal for gallant and meritorious conduct by Major-General Q. A. Gilmore, commanding.

After leaving the army Mr. Ackerly attended the Albany State Normal School, from which he was graduated in March, 1866. He also completed a course at the Albany Law School, was admitted to the bar at Albany, May 4, 1868, and later was admitted to practice successively in the United States District and Circuit Courts of New York, and the United States Supreme Court. For a period of about six months after his admission to the bar he pursued professional studies in the office of J. Lawrence Smith. In 1869 he began practice in his native place, Northport, Long Island, and he has ever since been active, conspicuous, and successful at the Long Island bar, and in connection with important interests and public concerns.

He has been especially prominent in the notable work of establishing the title of the Town of Huntington to the lands under the waters of its harbors and bays, and to the ownership of shell-fish

rights thus involved, under patents or grants made to the town by the colonial governors. The cases of *Robbins vs. Ackerly* (91 N. Y., 98) and *Lowndes vs. the Town of Huntington* (153 U. S., 1) establish such title, respectively, to the lands under Northport Harbor and those under Huntington Bay.

Mr. Ackerly was one of the first persons to engage in the artificial cultivation of oysters on the New York side of Long Island Sound and to encourage others to develop that important industry. He was instrumental in procuring the enactment of state legislation granting the use of lands exclusively for that purpose, and he has prosecuted special studies bearing upon oyster culture, which have contributed to a large increase in the production.

He was a member of the New York state constitutional convention of 1894.

In 1870 Mr. Ackerly married Mary M. Davis, of Kingston, New York. They have six children living.



**ACKLEY, OLIVER SMITH** (born in Champion, Jefferson county, New York, May 15, 1835), is the son of Oliver and Lydia Read Ackley. His father, who removed from Connecticut to Jefferson county, New York, in 1807, was a soldier in the war of 1812, participating in the battle of Sackett's Harbor. Three of his ancestors fought in the Revolution.

He removed with his parents from Champion to Watertown, Jefferson county, New York, in 1847, where he attended school at the Jefferson County Institute until 1853. He was graduated from Williston Seminary, Easthampton, Massachusetts, in 1856, studied law at the State and National Law School at Poughkeepsie, from which he was graduated in August, 1857, and was admitted to the bar at Albany, September 7, 1857. He soon afterward opened a law office in New York City, where he has since continued in successful practice.



**ALBRO, WILLIAM CLARK**, was born August 16, 1848. He attended the Wesleyan Academy at Wilbraham, Massachusetts, Cornell University, and the Columbia College Law School, then under the direction of Theodore W. Dwight, and received from the latter institution the degree of bachelor of laws. He was admitted to the bar in 1874, and has since been engaged in the practice of his profession in Poughkeepsie. His practice is of a general character. He has been executor or administrator of several important estates. Since 1891 he has been a member of the Poughkeepsie Board of Education. He has always taken an active interest in the public schools.



**ALDEN, HARRY WILBUR** (born in Hudson, Columbia county, New York, June 22, 1872), is the son of George W. and Jennie Miller Alden. He is a direct descendant of John Alden, who won the "Puritan maiden Priscilla," immortalized by Longfellow's verse. On his mother's side he is descended from Cornelis Stephense Muller, who emigrated from Holland to the valley of the Hudson in 1651. His maternal great-grandfather, Honorable Killian Miller, was one of the leaders of the Columbia county bar of his time, and served in the state legislature and in the national congress. Mr. Alden's grandfather, Henry Miller, was also a lawyer and a prominent and highly esteemed citizen.

Harry W. Alden was graduated at the Hudson High School in 1889, being the valedictorian of his class. He entered the competitive examination for entrance to Cornell University, ranking third in the list of competitors from the entire state. He decided, however, to at once fit himself for the legal profession, and to this end first took a course in stenography in the Albany Business College and then entered the law offices of Cady & Hoysradt, of Hudson, as a student. Upon the dissolution of this firm in 1892 he accepted the position of managing clerk with Honorable J. Rider Cady, county judge of Columbia county, and continued to act in that capacity until September, 1893, when he entered the Albany Law School. Meantime he was very successful as a stenographer. In 1891 he was appointed official reporter of the Columbia County Court and Court of Sessions. In the fall of that year he was employed by the republican county committee to report the proceedings in the celebrated Deane electoral contest, and subsequently the canvassing board, although democratic, made him its official stenographer.

Having successfully pursued his studies at the Albany Law School, Mr. Alden was admitted to the bar in February, 1894. He thereupon, at Judge Cady's request, resumed his position as managing clerk in the latter's office, but also began to practice independently. One of his first cases was the successful defense before a naval court of inquiry of a public official against whom grave charges had been presented. This brought him prominently before the public. In December, 1894, he was elected civil justice of the City of Hudson, a notable success in view of the large normal democratic majority. In January, 1896, by the passage through the legislature of the Hudson city charter, he was made city judge, with entire jurisdiction over criminal and civil cases in the city.

Since his admission to the bar he has been quite extensively engaged in active litigation, and has successfully conducted several cases of importance.

In the spring of 1896 Judge Alden was instrumental, with others, in obtaining the passage by the legislature of the bill for the erection of a state armory at Hudson.





**ALEXANDER, DE ALVA STANWOOD** (born in Richmond, Maine, July 17, 1846), is the son of Stanwood Alexander and Priscilla Brown (born in Lockport, Niagara county, New York). In 1858 he went to Ohio with his mother, and during the war served three years as a private soldier in the 128th Regiment, Ohio volunteer infantry. Leaving the army in 1865, he returned to Maine, fitted for college at the Edward Little Institute in Auburn, and in 1866 entered Bowdoin College. He was graduated in 1870, receiving the degree of bachelor of arts, and three years later that of master of arts. He was a member of the Delta Kappa Epsilon fraternity.

Upon leaving college he taught school in Fort Wayne, Indiana, but soon afterward became editor of the *Fort Wayne Gazette*, a daily and weekly newspaper. In 1874 he was made staff correspondent of the *Cincinnati Gazette*, with headquarters at Indianapolis, where, in the same year, he began the study of law under the tuition of ex-United States Senator Joseph E. McDonald. He was admitted to the bar at Indianapolis in January, 1877, and formed a partnership with Honorable Stanton J. Pelle, now of the Court of Claims, City of Washington.

Mr. Alexander served four years as secretary of the republican state committee of Indiana. In 1881 he was appointed auditor of the state department at Washington, an office which he held until 1885, when he came to Buffalo, entering into a legal association with Honorable James A. Roberts, afterward comptroller of the state, who was a college classmate. In May, 1889, he was appointed by President Harrison United States district attorney for the northern district of New York, holding the office until December, 1893. While in Washington Mr. Alexander was elected and served as commander of the department of the Potomac, Grand Army of the Republic. He is now (1897) serving a term in congress, to which he was elected from the 33d district in 1896.



**ALLISON, THOMAS** (born in New York City, September 19, 1840), is the son of Michael Allison and Susan Gentil, both of New York families. His grandparents on his father's side were Richard Allison and Elizabeth Ruckel, the former of New York, the latter of Saint John's, New Brunswick.

Mr. Allison was graduated from the public schools, and in 1860 from the College of the City of New York. He studied law immediately after, entering the office of ex-Judge John W. Edmonds, of the Supreme Court, and was admitted to the bar in 1861. After his admission to the bar he served for many years as a clerk, but steadily advanced until he had achieved his present professional standing. While his private practice has include cases frequently cited, he

has won especial prominence in municipal law, being employed as special counsel in cases in which the city was a party by every corporation counsel irrespective of political affiliations, from ex-Secretary Whitney to the present time. Judge Allison brought the suit in which Hubert O. Thompson enjoined Tammany Hall from initiating 167 new members, thus balking the scheme to control the presidential nomination in the Tilden campaign. While Edward Cooper was mayor he argued against the Public Burdens bill before the senate committee, and secured its rejection after it had passed the assembly. By means of this bill Tammany Hall had sought to legislate the county democracy out of office. He represented the city as sole counsel throughout the Broadway surface railroad litigation, obtaining the final injunction restraining the board of aldermen from passing the ordinance giving the franchise to the Broadway company. He represented the city in proceedings to condemn lands for the speedway, and reduced the claims for damages from \$3,850,000 to \$255,000. Mr. Allison's private practice has also been extensive. Among his cases may be mentioned that of the Tenth National Bank, in which he recovered a judgment for nearly \$400,000; *Greery vs. Cockfort*; *Mechanics' and Traders' Bank vs. Crow*; *Avery vs. Willson*; *Mabie vs. Bailey*; in *re* the Third Avenue Savings Bank in the matter of Juch; and *Abernethy vs. Knight*, involving intricate points of the law of partnerships.

In the following cases the opinions delivered by Mr. Allison as referee have been accepted by the courts on appeal as their opinion, and ordered printed in official reports: *Jordan vs. Haran*, 56 Superior Court (24 J. & S.), 185; *Avery vs. Jacob*, 15 N. Y. Supp., 564 and 59 Superior Court (27 J. & S.), 585; *Leadbetter vs. N. H. Leadbetter Ltd.*, 11th New York Supp., 228.

For nine years Mr. Allison was at the head of the firm of Allison & Shaw. Since May, 1882, he has practiced alone, being employed almost exclusively to try cases for other lawyers. In politics Judge Allison has been with the people against machine domination even in his own party. In 1889 he was the citizens', republican, and county democracy candidate for judge of the Court of Common Pleas, and polled about 92,000 votes, winning from the press, irrespective of party, the most cordial tributes. In April, 1895, by Governor Morton, he was appointed a judge of the Court of General Sessions, succeeding Honorable Randolph B. Martine, deceased. He proved an able judge. During his term of eight months occurred some of the most difficult cases ever tried in that court, including that of Sheriff Tamsen. He was nominated to succeed himself by the republicans, state democracy, and good government clubs, and in the election in the fall of 1895 polled over 110,000 votes, the highest vote on the tickets on which his name appeared. At the very end of his term as judge, the jurors who had served under him presented him with a

silver and ivory gavel and set of resolutions, while the members of the bar who had practiced before him presented him with a silver service, the presentation speech being made by General Benjamin F. Tracy.

On August 30, 1871, Judge Allison was married to Mary C., daughter of the late William E. Millet, of New York. Three sons and three daughters were born to them, of whom only the daughters survive.



ANDERSON, ELBERT ELLERY (born in New York City, October 31, 1833), is the son of Henry James Anderson, also born in New York, a man of singular attainments in languages, the classics, modern literature, and mathematics.

Mr. Anderson traveled in Europe, Asia, and Africa from 1843 to 1848, was graduated from Harvard College, and admitted to the New York bar in 1854, since which time he has continuously practiced law in New York, appearing as counsel in many notable cases. In late years he has conducted extensive railroad litigations, and has accomplished a number of successful reorganizations. In the suit against Jay Gould, to recover interest on the income bond coupons of the Missouri, Kansas & Texas Railway Company, he secured the payment of more than \$2,000,000 to his clients.

But Mr. Anderson is even better known, perhaps, for his prominent services in the cause of reform in the democratic party. In 1871 he was actively engaged in the fight against the Tweed ring. He subsequently joined Tammany Hall, and for several years was its chairman in the 11th district; but in 1879 withdrew, and, with Abram S. Hewitt, William C. Whitney, and Edward Cooper, organized the county democracy, and for some years was chairman of its general committee. He was active in the reform campaign of 1884, resulting in the election of William R. Grace as mayor. He has also been one of the most effective champions of tariff reform, and in recent years a leader of the Cleveland element of the democratic party in New York. His energy in the organization of the "Anti-Snappers" in 1892, in revolt against the democratic "Snap" convention of that year, was a chief, if not the principal, factor in defeating Senator Hill and securing the nomination of President Cleveland by the democratic national convention at Chicago. He was prominent during the campaign of the same year, preceding Mr. Cleveland's election, as president of the reform club and chairman of the tariff reform committee.

Mr. Anderson has declined nominations as Supreme Court justice, and has never held a political office. He has accepted a number of public trusts, however, such as school trustee, rapid transit commis-

sioner, and commissioner in reference to acquiring lands both for the Croton aqueduct and the elevated railway. In 1887 President Cleveland appointed him a commissioner to investigate the affairs of the Union Pacific and Central Pacific railway companies, and the majority report of the commission was prepared by him.

During the civil war Mr. Anderson served as major in the New York state militia, and, going to the front in 1862, was captured by Stonewall Jackson. He was subsequently released on parole.



ANDERSON, HENRY HILL (born in Boston, Massachusetts, November 9, 1827; died at York Harbor, Maine, September 17, 1896), was the son of Reverend Doctor Rufus Anderson, Senior, a graduate of Bowdoin College and a distinguished clergyman of Boston. His grandfather, Reverend Rufus Anderson, was a graduate of Dartmouth College and a man of great force of character. The family is of Scotch descent and long settled in the State of Maine. Mr. Anderson's grandmother was a cousin of Chief Justice Parsons, of Massachusetts.

Mr. Anderson was prepared for college at Phillips Academy (Andover, Massachusetts), entering that institution in 1841 and graduating in 1844. In 1848 he graduated from Williams College, *cum laude*, subsequently (in 1851) receiving the degree of master of arts.

Immediately after his graduation, in 1848, he came to New York and commenced reading law, supporting himself as instructor in the Friends' School, then at the corner of Elizabeth and Hester streets. In the spring of 1849 he entered the office of Henry E. Davies, then counsel to the corporation, and the same year was admitted to the bar. His work in the office of Judge Davies was one of large responsibility, being chiefly the trial of important cases for the city. He was almost immediately intrusted with the preparation and trial of the famous "New Jersey fire cases," arising out of the blowing up of buildings in New York by Mayor Lawrence during the great fire of 1835. These suits, involving over a million dollars, were brought against Mayor Lawrence in New Jersey, and after a hard-fought litigation resulted finally in a verdict for the city. He was also at this time employed by the Croton Water Board to acquire land for the Central Park reservoir, and in these and other important matters was brought in direct contact with such distinguished lawyers of that day as Francis B. Cutting, Daniel Lord, and James T. Brady.

In 1852 Mr. Anderson formed a partnership with Amiel J. Willard and Peter B. Sweeny, under the name of Willard, Sweeny & Anderson. The firm from its inception acquired a large practice in public matters. They were engaged in the establishment of the 8th avenue horse-car railroad, then owned by George Law, Senior, and

were employed in most of the early city railroad litigation. They successfully conducted for Russ & Reid the protracted litigation against the city arising out of the laying of the stone block pavement in Broadway, the first block pavement laid in New York City.

Claudius L. Monell, afterward judge of the Superior Court, became a member of the firm. This firm continued until 1857, when, having met with a severe family affliction in the loss of his wife and two children, Mr. Anderson retired and spent two years in foreign travel.

Returning in 1859, he was called by Honorable Greene C. Bronson, then counsel to the corporation, to act as assistant. In this position he remained over three years, taking entire charge of the trial of all the cases for the city. He was a partner of Judge Bronson until the judge's death in 1863, when he formed a partnership with Mason Young, Honorable Henry E. Howland afterward becoming a partner. Mr. Young subsequently retired. Later George W. Murray and Henry B. Anderson were admitted to membership, the firm continuing as Anderson, Howland & Murray to the present time.

Mr. Anderson in 1871 received the nomination for Supreme Court judge from the Apollo Hall Democracy, but was defeated by Judge Noah Davis. He thereafter steadily refused public office, and although in 1872 nominated by Tammany Hall for judge of the Superior Court, and subsequently offered by Mayor Wickham the office of counsel to the corporation, he refused both honors, preferring to devote his time to an increasing private practice.

Mr. Anderson enjoyed a high standing at the New York bar, as a sound logician and a direct, forceful speaker. For many years he had been the adviser for numerous large estate and corporation interests, and as referee decided many important cases.

He was always a sincere churchman, and was for years a vestryman of Calvary Protestant Episcopal Church when Doctor Satterlee, now bishop, was its rector. A member of many clubs, he was particularly active in the organization of the University Club in its present form and was elected its first president, continuing in that office for nine successive years, during which the club grew into a condition of sound prosperity.

The long period of his active life brought Mr. Anderson in contact with most of the men of prominence in New York during its latter history, and gave him a broad understanding of men and affairs. He was careful in his judgments, tenacious of his conclusions, a formidable adversary, and a jealous guardian of the honor of the profession.

He traveled considerably, both in this country and abroad, and was always fond of out-of-door life, having spent four or five summers yachting along the New England coast.

His family consists of his wife (Sarah B., daughter of the late

William P. Burrall, of Hartford) and his three sons, Henry B., William R., and Chandler P., all of whom are actively practicing law in New York.



**ANDERSON, GEORGE EDWARD** (born at German Flats, now Mahopac Mines, New York, June 24, 1853), is the son of Peter Anderson and Mary Austin. His paternal great-grandfather, Peter Anderson, came to this country from Scotland about 1750 and settled upon the farm at Mahopac Mines, which has been in the family ever since. His mother's family has also lived in that locality for about the same period of time; her grandfather, Job Austin, was a patriot soldier in the Revolution.

Mr. Anderson received his early education in the public schools, and was graduated from the State Normal School, at Albany, in 1873. He was prepared for the bar at the Union University Law School, at Albany, and under the direction of Calvin Frost, of Peekskill, Westchester county. He was admitted to the bar at Albany, May 18, 1876, and since shortly after that date he has been in continuous practice at Carmel, Putnam county.



**ANDREWS, CHARLES** (born in the Village of New York Mills, Town of Whitestown, Oneida county, New York, May 27, 1827), is descended from a New England ancestry. He attended the public school and the seminary of the Oneida Conference at Cazenovia, studied law in the office of Sedgwick & Outwater at Syracuse, and was admitted to the bar in January, 1849. After a brief practice alone he formed with Charles B. Sedgwick the firm of Sedgwick & Andrews, to which George D. Kennedy was admitted in 1855. From 1854 to 1857 he served as district attorney of Onondaga county. Heartily in sympathy with the principles of the newly organized republican party, he became one of its most prominent men in Syracuse and that part of the state. He was elected mayor of Syracuse in 1861, and again in 1868. He was one of the delegates-at-large to the constitutional convention of 1867.

In May, 1870, he was elected an associate judge of the Court of Appeals. Upon the resignation by Charles J. Folger, in 1881, of the office of chief-judge of the court, he was appointed to succeed him. In 1882 he was a candidate for re-election on the republican ticket. In that celebrated campaign, in consequence of republican factional quarrels, the entire republican ticket was defeated by tremendous majorities, Grover Cleveland being chosen governor by 192,000. The majority against Judge Andrews, however, was 120,000 less than that against the head of the ticket. Resuming his professional career,

he continued in active practice until January, 1893, when, having been elected for another term in the Court of Appeals, he once more took his seat upon that bench. On January 1, 1895, he for the second time became chief-judge, succeeding Judge Earl, who had retired, having reached the age limit.

Judge Andrews married in 1855 a daughter of Judge Shankland, of Cortland.



ANDREWS, GEORGE PEIRCE (born in North Bridgeton, Maine, September 29, 1835), is the son of Solomon Andrews and Sibyl Ann Farnsworth, both of old puritan families of New England. Upon the completion of a common and high school course, Mr. Andrews attended Williston Seminary, Easthampton, Massachusetts, and Dudley's Institute, Northampton, Massachusetts, and graduated from Yale College in 1858, having been elected class orator. Upon the completion of his college course Judge Andrews began the study of law in Portland, Maine, in the office of Honorable William Pitt Fessenden, United States senator from that state, and subsequently secretary of the treasury. A little later he spent a year in the south as private tutor, and then coming to New York City, entered the office of Henry P. Fessenden, a cousin of the senator. Two years later he was admitted to the bar, and at once opened an office in New York, which city has been continuously since the field of his activities as lawyer and judge.

Under the Buchanan administration Judge Andrews was appointed assistant district attorney for the southern district of New York, a position he filled for six years, under four different chiefs. A remarkable tribute to the esteem in which he was held was the action of E. Delafield Smith, one of the chiefs under whom he served, himself a republican, who refused absolutely to entertain the request of a delegation of republicans that Mr. Andrews be removed from office on the ground that he was a democrat. In his official position Mr. Andrews's practice covered a wide and varying field, especially including revenue cases, criminal prosecutions, and internal revenue, bankruptcy, common law, and equity suits.

From 1872 to 1882 Judge Andrews served as assistant counsel to the corporation of New York City; and during two years immediately following he was corporation counsel. His service in this position was thus characterized at the time:

Mr. Andrews as corporation counsel is the legal adviser of all the departments of the city government, the mayor, the commissioners of the sinking fund, board of estimate and apportionment, aqueduct commission, gas commission, and board of assessors, and is himself a member of the board for the revision and correction of assessments and city record board. Indefatigable as a worker, Mr. Andrews's time, outside of the litigated business of his office, is

largely occupied in investigating the laws pertaining to the departments and their proper administration, and in answering the thousand-and-one questions that are submitted to him by the various branches of the city government. Since his occupancy of office, he has written hundreds of opinions on questions relating to departmental law and other matters. He has personally appeared in court and conducted very many important and difficult cases, and has been signally successful in compelling the payment of taxes by banks, railroads, telegraph and insurance companies, and other corporations. The amount actually realized to the city by the efforts of Mr. Andrews in this direction in the past two or three years is between three and four millions of dollars. The saving to the city in resisting fictitious and fraudulent claims has saved many millions more. Mr. Andrews is a genial gentleman, broad in his views, and a friend to all classes. With no bigotry toward any party or factions, he is an honest worker for unity and the greatest good to the greatest number.

In November, 1883, he was elected a justice of the Supreme Court for the 1st judicial district. In this position he has distinguished himself by his judicial temperament and his able decisions.



**ANSLEY, HUDSON** (born in Collins, Erie county, New York, January 15, 1838), is the son of Hudson Ansley and Maria Heaton, both of English descent. About 1839 his parents removed to this state from Pennsylvania. He was educated at district school and at the Gowanda and Fredonia academies, taught school for five terms, studied law with Torance & Allen, of Gowanda, and was admitted to the bar at Buffalo in October, 1863. After practicing for about six months at Gowanda in association with Honorable Henry F. Allen, he removed to Salamanca, where he has since resided. In Salamanca he was for eight years in partnership with Honorable O. S. Vreeland, now county judge, and for twelve years with Honorable C. D. Davie, now surrogate. His present partner is John J. Spencer.

Mr. Ansley has pursued a general practice. He was counsel for the defense in the important case of Mary Wileman, charged with poisoning her husband. She was convicted of murder on the trial, but the general term on appeal reversed the conviction, and when tried again she was acquitted.

For several months during the war Mr. Ansley was connected with the 64th New York regiment as hospital steward. He has held the offices of supervisor of the Town of Salamanca for seven years, surrogate for nine months by appointment from Governor Robinson, attorney for the Seneca nation of Indians from 1882 to 1892, and postmaster of Salamanca since 1895.

He has been a director in the 1st National Bank of Salamanca since its organization in 1878, and is also a director in the Salamanca Water Works Company, a private corporation for supplying water and electric light for the village. He is a member of the G. A. R.





ARNOLD, CHARLES W. H. (born in New York City, May 5, 1860), is the son of Henry Arnold and Margaret Hemstreet, both of German families, his father having been born in Germany and his mother in this country. He attended the common schools, and, for a brief period, the Claverack Institute, studied law with J. S. Van Cleef, of Poughkeepsie, was admitted to the bar in Brooklyn, December 13, 1883, and has since that date pursued his profession at Poughkeepsie, being one of the well-known practitioners of that part of the state. He was a member of the constitutional convention of 1894.



BACKUS, HENRY CLINTON (born in Utica, New York, May 31, 1848), is the son of Charles Chapman Backus and Harriet Newell Baldwin. His ancestors were puritans, the first, William Backus, coming from England and settling at Saybrook, Connecticut, about 1637. He and his son Stephen were among those who twenty-two years later received letters patent for and settled Norwich, Connecticut. In 1700 his grandson, Stephen, settled the town of Canterbury, Connecticut. From 1744 to 1756 Timothy Backus engaged with success in a keen theological discussion causing much dissension in New England. Elisha Backus, great-grandfather of Henry C., was a major in the Revolution, and among the soldiers under General Putnam at the battle of Bunker Hill. At the close of the war he removed to Onondaga county, New York, settling the Village of Manlius. His son Elisha was a colonel in the war of 1812, and after its close owned and operated the stage route connecting Utica with Watertown and Ogdensburg, New York. Charles Chapman Backus, his son, was a prominent citizen of Utica, where for several years he was a member of the book concern and publishing house of Bennett, Backus & Hawley, and issued the *Baptist Register*, now the *Examiner*, of New York, which is the leading baptist publication in the country. He removed to New York City about 1850, and became active in the formation of the American Express Company and in other enterprises. His wife, Harriet Newell Baldwin, was a daughter of Edward Baldwin, who came to this country from Wales in 1800, settling in Utica, New York, in 1805.

Henry Clinton Backus received his early education in the public schools of New York City, and at private schools and under private tutors. He prepared for college at Phillips Exeter Academy, New Hampshire, and entered Harvard University, from which he graduated in 1871. He graduated from the Columbia College Law School in 1873, and was admitted to the bar of New York. He was at first connected with the office of Sanford, Robinson & Woodruff, and a year later with that of Beebe, Wilcox & Hobbs. The latter firm en-

joyed a large admiralty practice in the United States courts, and Mr. Backus gained valuable experience in this department. He has acted as counsel in important cases, and in the management of estates. While not making a specialty of criminal practice, in the notable case of the State of Kansas *vs.* Baldwin he undoubtedly saved the life of an innocent man. Sentence of death had been passed upon the defendant for the murder of his sister, in response to local public clamor for a conviction. The Supreme Court of the state refused to rectify the wrong. Mr. Backus prepared an elaborate brief, and caused the publication and distribution throughout Kansas of editorial articles in the *New York Tribune*, *New York Sun*, and the *Albany Law Journal*, thereby creating a counter public opinion which constrained the Governor of Kansas to investigate carefully, and ultimately to grant the application for an absolute and unconditional pardon.

Mr. Backus is a republican, and has been a member of the republican county committee of New York for over ten years, during five of which he served upon its committee on resolutions. He secured the passage of an amendment to the constitution of the county committee whereby twenty-five enrolled voters in any assembly district were empowered to compel the polls at any primary election to remain open twelve instead of six hours. In 1891 he became a member of the executive committee of the republican county committee, and was chosen district leader of his assembly district. Frequently he has represented his district in county and state conventions. He has refused nominations for the assembly, for surrogate, and for judge of the City Court. In 1893 he was nominated to represent the 7th senatorial district in the constitutional convention of New York, but the district was overwhelmingly democratic. He was a member of the committee upon the construction of the monument on Riverside drive, New York City, to Ulysses S. Grant.

Mr. Backus is a member of the Chelsea Republican Club, the Dwight Alumni Association, the city and state bar associations, a fellow of the American Geographical Society, and an honorary member of the Railway Conductors' Club of North America.



**BALDWIN, GEORGE VAN NEST** (born in New York City, January 23, 1838), is the son of Reverend Doctor Eli Baldwin, for many years pastor of the Dutch Reformed Church, formerly located at the corner of Greene and Houston streets, New York City, and is lineally descended from Joseph Baldwin, a member of the original colony of New Haven, one of the founders of the settlement of Milford, Connecticut, in 1639, and who subsequently removed to Newark with the band of pioneers who founded that city. He was of the ancient family of Baldwin, settled in Bucks

county, England, prior to the accession of William the Conqueror. The line can be traced in direct descent from John Baldwin, who in 1485 inherited from his brother Richard "the Manor of Otterarsfee," acquired "in socage of the King, by the service of finding litter for the King's bed." A century later the family is described as "of the



*Geo. V. N. Baldwin*

Manor of Dundridge"—a gift from the king in 1544 to Sir John Baldwin, chief-justice of the Common Pleas from 1536 to 1546. A later descendant, Richard Baldwin, of Cholesbury, County Bucks, was the father of Joseph Baldwin. Mr. Baldwin's great-grandfather, Ezekiel Baldwin, was a revolutionary patriot, serving among the

New Jersey troops. On his mother's side he is descended from the old Dutch family of Van Nest. His great-grandfather, George Van Nest, served during the revolutionary war in the New Jersey line in Captain Jacob Ten Eyck's company, 1st battalion. After the war he was a resident of Somerset county, New Jersey, and a large landowner and slaveholder. Mr. Baldwin's grandfather, Abraham Van Nest, was a wealthy New York merchant and owned a handsome country seat in the part of the present city then known as Greenwich village.

Mr. Baldwin was prepared for college at a private school at New Brunswick, New Jersey, and graduated from Rutgers College in 1856 and from the Columbia College Law School in 1860. In the latter institution he took first honors, winning the first prize of \$250. He was admitted to the New York bar, and from that time to the present has been in active practice in this city, enjoying a large and successful business and recognition as one of the leading members of the bar. He has devoted much attention to the law of trusts and the investigation and trial of causes arising under it. In recent years his practice has been largely as a consulting lawyer and in the management of large estates.

Mr. Baldwin was one of the original members of the Bar Association, was the first vice-president and one of the founders of the University Club, and for many years a member of its council. He is the president of the board of trustees of the New York Society Library and a member of the Metropolitan, Union, and Century clubs, the Saint Nicholas Society, and various other social and literary associations.



**B**ARGER, SAMUEL F. (born in New York City, October 19, 1832), is representative among lawyers who, having displayed not merely legal talent, but aptitude for the management of practical affairs, have been induced to abandon general practice to devote their whole energies to building up a single great interest. The demands of the vast corporations which have sprung up in America have created a special department for the adjustment of business intricacies. The association of men with legal training and executive ability with a single enterprise is another step in this development. The Vanderbilts have been among the first to recognize the advantage of this, and their policy of calling to their aid such helpers as Mr. Barger and Mr. Depew has been justified by the results. With the continued development of corporate enterprises we may expect to see frequent imitations of this policy; yet the credit of establishing the precedent must always remain with the Vanderbilt management, and the two lawyers named will hold a unique place in the history of contemporaneous legal practice.

Mr. Barger is descended from Dutch ancestors who came to New Amsterdam in the early days of the settlement, and located on Staten Island. He was educated at the Columbia College Grammar School, conducted by Doctor Charles Anthon, and the University of the City of New York, then under the chancellorship of Theodore Frelinghuysen; and studying law in the office of Honorable Aaron S. Pennington, of Paterson, New Jersey, was admitted to the New Jersey bar in 1854, and to the New York bar in 1855. Beginning practice in New York City, he exhibited such abilities as to attract the attention of the late Commodore Vanderbilt, who employed him in various legal capacities, and in 1867, when Mr. Barger had been in practice but twelve years, associated him with himself as a director of the New York Central Railroad Company.

From this time Mr. Barger's energies were employed almost exclusively in building up this enterprise. With the consolidation of the "Central" and "Hudson River" companies<sup>1</sup> in 1869, he became a director of the new organization, Mr. Depew then holding the post of corporation attorney. The details of Mr. Barger's efforts from that time to the present in assisting in the acquisition and development of the western lines and various connections which make this great railroad system what it is cannot be entered into here. His success has doubtless been due to his ability to add to business qualifications of the first order the advantage of looking at all questions from the standpoint of a trained lawyer. According to the characterization by one of his colleagues, he also has "what seems to be an almost intuitive knowledge of men and human nature, and a remarkable faculty for judging abilities and motives in those with whom he comes in contact or has dealings."<sup>2</sup>

In addition to the responsible positions of director and member of the executive committee and chairman of the law committee of the New York Central & Hudson River Railroad Company, Mr. Barger has for many years served in the same relation to the greater number of the chief allied lines.<sup>3</sup> While he has never permitted the use of his name in connection with political office, he has accepted a few public trusts where his services were rendered gratuitously, such as commissioner on the board of education of New York City, and commissioner by appointment of the legislature in 1860 to appraise the damage done the quarantine station on Staten

<sup>1</sup> The confidence in Mr. Barger entertained by the directors of these two companies, says the "Memorial History of New York," was "shown by the fact that he was chosen to preside over the famous meeting in Albany, November 1, 1869, at which the consolidation was effected."

<sup>2</sup> Cited in "Memorial History of New York."

<sup>3</sup> Including the Harlem Railroad, the West Shore, Lake Shore & Michigan Southern, Chicago & Northwestern, Michigan Central, and the Canada Southern systems. From its inception he has been a trustee of the Wagner Palace Car Company; and he is a director of the Albany Bridge Company, and of the Canada Southern Bridge

Company. He is a trustee of the Union Trust Company. He was also a director and member of the executive committee of the Western Union Telegraph Company from the death of Commodore Vanderbilt in 1877, until Jay Gould secured a controlling interest in 1881, when he resigned. Mr. Barger is the only surviving member of the board of directors of the original "Central" company prior to the consolidation of 1869. His associates in that body were Commodore Vanderbilt, William H. Vanderbilt, Augustus Schell, Horace F. Clarke, Daniel Torrance, C. W. Chapin, James H. Banker, H. H. Baxter, William A. Kissam, and George J. Whitney.

Island by rioters. He likewise represented the State of New York as presidential elector on the democratic ticket in 1876.

Mr. Barger occupies a prominent place in the social circles of New York City and Newport. He is a patron of art, and has collected many exquisite paintings. His library also contains many rare treasures of the book-making art. He is a life member both of the New York Historical and American Geographical societies, as well as of the Saint Nicholas Society, a patron of the Metropolitan Museum of Art, an attendant of the Fifth Avenue Presbyterian Church (Doctor John Hall, pastor), and a well-known club man.<sup>1</sup>



**BARKER, GEORGE** (born in Venice, Cayuga county, New York, November 6, 1823), is the son of John A. Barker, born of English ancestry in Queens county, New York, in 1787, and Phoebe Ogden, born in Elizabethtown, New Jersey, in 1787. His grandfather, Joseph Barker, was a revolutionary soldier, who did service at and near Norwalk, Connecticut, where the family then resided. His mother was the daughter of Joseph Ogden, a descendant of John Ogden, one of the first settlers of Elizabethtown, New Jersey, and the ancestor of the Ogden families in New Jersey and New York, many of whom have held distinguished public positions and have been prominent in business affairs.

Mr. Barker was educated at the common and select schools near his father's home, and at the Aurora Academy, Cayuga county, from which he was graduated in 1843. He read law with David Wright, of Auburn, New York, was admitted to the bar at Auburn in November, 1847, and commenced practice the following January at Fredonia, Chautauqua county, where he has ever since continued, devoted to his profession and the discharge of official duties connected therewith. He at once interested himself in the affairs of the village, was its clerk for several successive terms, and was elected its president for two terms. He was elected district attorney for Chautauqua county in 1853, serving one term with marked efficiency in the prosecution of criminals. In 1862 he was re-elected to the office, but resigned before the expiration of his term, owing to the pressure of professional business.

In 1867 he was a member of the constitutional convention and served on the judiciary committee and on the committee on organization of the legislature, rendering effective service in both these capacities. In November, 1867, he was elected a justice of the Supreme Court for the 8th judicial district, a position for which, by his wide and successful experience at the bar, his familiarity with

<sup>1</sup> He was one of the founders and early governors of the Manhattan Club: for a number of years one of the governing committee of the Union Club, of which he has been a member for thirty years: and a member of the

Metropolitan, Knickerbocker, Racquet, Tennis, and New York Yacht Clubs of New York, the Somerset Club of Boston, and the Casino and Reading Room of Newport.



George Parker





precedents and legal principles and his judicial temperament, he was specially qualified. In 1876 he was re-elected for a term of fourteen years, by the unanimous vote of the district, being nominated as a candidate by both the leading political parties. During the greater part of his last fourteen years on the bench he was a member of the general term for the 4th judicial department, and during the last part of his service was the presiding justice. In 1890 he was a member of the committee created to revise the judiciary article of the constitution.

Judge Barker's half century of professional and public life has been characterized by unremitting toil and energy, conscientious devotion to his profession, and successful achievement in its higher walks to which he has been called. An eloquent advocate before courts and juries, he has gained equal reputation as an able and impartial judge.

In 1857 he married Achsah Elizabeth Glisan (born in Frederick county, Maryland). His only child, Mary Elizabeth, is the wife of Honorable John Woodward, of Jamestown, New York, now one of the justices of the Supreme Court for the 8th judicial district of New York state.



**BARLOW, FRANCIS CHANNING** (born in Brooklyn, New York, October 19, 1834; died in New York City, January 11, 1896), was the son of David Hatch Barlow. His father was a prominent unitarian minister, born at Windsor, Vermont, his mother a native of Brookline, Massachusetts. General Barlow graduated from Harvard College in 1855, taking the highest honor, and, pursuing his legal studies in the office of William Curtis Noyes, of New York, was admitted to the New York bar and practiced continuously in that city, except when engaged in the public service, until his death.

Soon after his admission to the bar the civil war broke out, and from April 19, 1861, to November 16, 1865, his career was one of continuous and conspicuous military service to his country. Enrolling as a private in the engineer company of the 12th New York state militia volunteers, he emerged as major-general of volunteers, having been appointed to the full grade May 26, 1865. His promotion was rapid, his service gallant and daring throughout. He participated with his regimental command, the 61st New York volunteers, in the battle of Fair Oaks, Virginia, May 31 and June 1, 1862; in the seven days' battle of the Peninsular campaign, including actions at Peach Orchard, June 29, 1862; White Oaks Swamp, June 30, 1862; Malvern Hill, July 1, 1862, and in the valley of Antietam, Maryland, September 17, 1862. With his brigade command (2d brigade, 2d division, 11th army corps) he took part in the Chancellorsville cam-

paign of May, 1863, and in the first day's battle at Gettysburg, July 1, 1863. With his division command (1st division, 2d army corps) he participated in the battles of the Wilderness, May 5 and 6, 1864; Spottsylvania Court House, May 12 and 18, 1864; Cold Harbor, June 3, 1864; and the campaign before Petersburg in June, July, and August, 1864, including the battle of Deep Bottom, Virginia, August 14, 1864.

Returning from the war General Barlow was elected secretary of state of New York, serving from 1866 to 1867; was appointed United States marshal in 1869, and elected attorney-general of New York state for the years 1872-73.

General Barlow appeared as counsel in the following litigations growing out of the Tweed frauds: *People vs. Starkweather*, *People vs. Connolly*, *People vs. Ingersol*, *People vs. Tweed*. While attorney-general he began the fight against the canal ring, which was carried on by his successors. He was counsel in the interest of depositors in a number of savings bank litigations, including the following: *French, Receiver, vs. O'Brien*; *Hun, Receiver, vs. Salter*; *Hun, Receiver, vs. Carey*; *Paine, Receiver, vs. Willett*. He also appeared in many other prominent cases, bearing on corporation and general commercial law.



**BARNUM, FREDERIC STONE** (born in Southeast, Putnam county, New York, June 17, 1858), is the son of LeRay Barnum and Frances E. Stone. He was prepared for college at Amenia Seminary and Selleck's School (Norwalk, Connecticut), and was graduated at Columbia University, receiving from that institution the degrees of bachelor of arts in 1879, bachelor of laws in 1881, and master of arts in 1882. He took the full course at Columbia Law School, being graduated in the class of 1881, served a professional apprenticeship in the office of Close & Robertson, at White Plains, and was admitted to the bar at Poughkeepsie, May 21, 1881. He began practice at Brewsters, New York, subsequently practicing in New York City and White Plains. With the exception of a term as district attorney of Putnam county, to which office he was appointed in 1884 by Governor Cleveland, he has devoted himself to private practice.



**BARRETT, GEORGE CARTER** (born in Ireland, July 28, 1838), is the son of Reverend Gilbert Carter Barrett, a clergyman of the Church of England, who subsequently became a missionary to the Canadian Indians, and grandson of Lieutenant John Carter Barrett, of the English army, who served in the campaigns against Napoleon, receiving a medal for bravery at Waterloo.

Judge Barrett was educated in the schools of London (West Canada), Columbia College Grammar School of New York, and Columbia College, leaving the latter at the end of his freshman year to begin the study of law. He largely supported himself at this time by contributing articles to the newspapers and short stories and serials to various literary periodicals. He was engaged in the successful practice of law for several years after his admission to the bar, and in 1863 was elected justice of the 6th judicial district of New York City. In 1869 he was elected a judge of the Court of Common Pleas, serving one year and nine months, when he resigned to resume practice as a lawyer.

Just at this time, however, occurred the attack upon the Tweed ring, in which Judge Barrett was active. Of the Young Men's Municipal Reform Association, which so strenuously opposed Tweed, he was president; while he was also a member of the reform Committee of Seventy of that period, serving as its counsel, with A. R. Lawrence, Francis C. Barlow, and Wheeler H. Peckham. He was counsel of John Foley in the famous injunction suit brought against the ring.

In 1871 Judge Barrett was elected a justice of the Supreme Court, for the term of fourteen years, and in 1885 was re-elected. He was transferred to the Supreme Court by the state constitution of 1894, and is one of the seven members of its Appellate Division. "Identified for nearly a quarter of a century with the Supreme Court, although at all times possessed of unusual political power, yet unsullied in reputation either as a man, lawyer, or judge, it is not an unfitting tribute that Judge Barrett should be one of the original seven members of the Appellate Division of the Supreme Court of the 1st judicial district of the State of New York."<sup>1</sup>



**BEACH, MILES** (born at Saratoga Springs, New York, in 1833), is the son of the late Honorable William A. Beach, one of the most prominent leaders of the bar of his generation. He graduated from Union College with honors in 1854, and studied law, and after his admission to the bar associated himself with his father as a member of the law firm of Beach & Smith, of Troy, New York, whither his father had removed from Saratoga Springs long before.

Judge Beach attracted attention as a young lawyer, and was elected mayor of the City of Troy, as the nominee of the democratic party, serving two successive terms.

In 1871 he removed to New York with his father, with whom he succeeded Judge Rapallo (elected to the Court of Appeals), in the firm of Rapallo, Daly & Brown, which thus became Beach, Daly & Brown. With the subsequent retirement of Mr. Daly, the firm style

<sup>1</sup> "History of the Court of Common Pleas," by James Wilton Brooks (New York, 1896), p. 98.

was changed to Beach & Brown. Representing the interests of Jay Gould, as well as of the Vanderbilts largely, they had the most extensive railway business of any firm in New York.

Governor Robinson, in 1879, appointed Judge Beach to succeed Judge Robinson, deceased, as a justice of the Court of Common Pleas. The following year he was elected for the full term of fourteen years, over such opponents as ex-Recorder Smyth and Elihu Root. In 1893 he was re-elected for another term, and by the constitution of 1894 transferred permanently to the Supreme Court bench, in connection with which court, however, his work previously had been chiefly done.

"More litigation came before the Supreme Court in the City of New York than was brought before either the Superior Court or the Court of Common Pleas. To relieve the Supreme Court judges the governor was accustomed to appoint one of the judges of the Superior Court, and one of the judges of the Court of Common Pleas, to sit on the Supreme Court bench. Judge Miles Beach, through frequent appointments of successive governors to act with the justices of the Supreme Court, was always more identified in the popular mind with the latter than with the court to which he had been originally appointed and twice elected, and of which he was one of the last judges. . . .

"Judge Beach has been known for many years as one of the most cultivated judges of the New York courts. His opinions are models of conciseness. He has a notable faculty of expressing his conclusions in half the space usually required by others."<sup>1</sup>



BEAMAN, CHARLES COTESWORTH (born at Houlton, Maine, May 7, 1840), is the son of Reverend Charles C. Beaman and Mary Stacy, both of old New England families. He was educated at Smithville Seminary (in North Scituate, Rhode Island) and at Harvard College, from which he was graduated in 1861, subsequently receiving the degree of master of arts. He studied law at the Harvard College Law School, and in 1866 was admitted to the bar in New York City.

Since 1866 Mr. Beaman has practiced law continuously in New York City, during the greater part of this time as a member of the well-known firm of Evarts, Choate & Beaman. In 1871 he was appointed examiner of claims, at the state department, Washington, and in 1872 he was solicitor of the United States before the tribunal of arbitration at Geneva, Switzerland, in the matter of the famous Alabama claims.

<sup>1</sup> Brooks's "History of the Court of Common Pleas," pp. 119, 120.



**BECKER, TRACY CHATFIELD** (born in Cohoes, Albany county, New York, February 14, 1855), is the son of Storm A. Becker and Eliza M. Cannon. On his father's side he is descended from early Dutch settlers of Schoharie county, New York, and on his mother's from English emigrants who settled in Winsted, Connecticut. He was graduated at Union College, Schenectady, in 1874, and at the Albany Law School in 1876, having also pursued legal studies with G. B. & J. Kellogg, of Troy, and Honorable S. W. Rosendale (attorney-general of the state), of Albany. He was admitted to practice in the Supreme Court at Binghamton, May 8, 1876. Since August, 1877, he has been actively prosecuting his profession in Buffalo. He is now a member of the prominent firm of Roberts, Becker, Messer & Orcutt, of which State Comptroller Roberts is the head.

From 1881 to 1885 Mr. Becker served as assistant-district attorney of Erie county. In that capacity he made much reputation by his connection with important trials, notably the case of *People against Bork* (the defaulting city treasurer) and the Kennedy and Thomas graveyard conspiracy cases. In his private practice he has been identified with various actions of celebrity. He defended the murder case of *People vs. Bartholemey*, and has been counsel in a number of suits involving very important questions, including the celebrated case of *Bertles vs. Neenan*, in which the question of the right of survivor to lands owned by husband and wife as tenants of the entirety was settled by the Court of Appeals.

He was a delegate to the state constitutional convention of 1894. In that body he served as chairman of the committee on legislative organization, and on the committees on judiciary and cities. He was one of the organizers of the Buffalo Law School, and since 1886 has been professor of criminal law and medical jurisprudence in that institution. From 1889 to 1892 he was a member of the charter revision committee of the Citizens' Association, which prepared and secured the enactment of the present city charter of Buffalo. He was president of the New York State Bar Association for the year 1894.

Mr. Becker is the author, in conjunction with Professor R. A. Witthaus and other collaborators, of "*Witthaus and Becker's Medical Jurisprudence, Forensic Medicine and Toxicology*" (4 vols., New York, 1896).



**BECKWITH, CHARLES** (born in Genesee county, New York, July 9, 1825; died in Buffalo, March 9, 1895), for many years judge of the Superior Court of Buffalo, has left a reputation as "one of the most equitable judges who ever adorned the bench." When he was eleven years old his

parents removed to Michigan, where the youth continued the preparatory education begun in his native county. In 1845 he entered the University of Michigan, and he was graduated in the class of 1849. He then removed to the State of Mississippi, where he studied law and was admitted to the bar in 1852. For a year or two he practiced law in the southwest, but near 1855 he returned to New York state, settling in Buffalo. He soon became widely known for his clear professional insight and his hard, earnest labors. This careful and conscientious work soon called him to the public service, as well as to increased private practice. In 1860 he was elected alderman from the old 5th ward. He served in that capacity for the next four years with marked efficiency, being chosen twice president of the common council, and during the troublesome times of the draft riots in 1863 he became for a few months acting-mayor.

In the fall of 1863 he was elected city attorney, in which position he served one term with exceptional ability. He continued his private practice of the law until the autumn of 1877, when he was elected to the Superior Court bench. It was said of him during his active practice that, although a lawyer of high attainments, faithful and devoted to his clients, "he would work as hard to settle his clients' lawsuits as other lawyers would to win them." He possessed the spirit of modesty and fairness to a remarkable degree, was a man of great qualities, without pretension or display, and never allowed partisanship to take possession of him, or willingly permitted technicality to triumph over what he believed to be essential truth.

He held the position of Superior Court judge for fourteen years, during the last five of which he was chief-justice, succeeding Honorable James M. Smith.

Throughout his long term of service upon the Superior bench, and as chief-justice, he commanded, in an eminent degree, the respect, confidence, and esteem of the bar and of the entire community. He was patient, pre-eminently judicial in temperament, painstaking in his attention to cases, and a staunch upholder of what he thought to be right. He singularly possessed the power of analysis. His opinions were quite uniformly sustained in the highest appellate court, and for strength of reasoning and excellence of diction rank among the best emanating from the bench.

Judge Beckwith was also a member of the faculty of the Buffalo Law School. His lectures upon equity jurisprudence were models of careful, thoughtful, and scholarly treatment of that specialty.

He was amiable in character, courtly and gracious in manner, and both in practice and on the bench was the personification of kindness toward all with whom he came in contact.



BEECHER, WILLIAM C. (born in Brooklyn, New York, January 26, 1849), is the second son of the late famous Henry Ward Beecher. He was educated in several institutions, spending two years at the Brooklyn Polytechnic Institute, a period more than twice as long in the Gunnery School at Washing-



*W. C. Beecher*

ton, Connecticut, and three years in the Round Hill School at Northampton, Massachusetts. In 1868 he entered Yale College, graduating four years later.

In the autumn of 1873 Mr. Beecher entered the Columbia College Law School, and two years later, in May, 1875, was graduated and admitted to the bar. He began practice as a partner in the firm of Lewis & Beecher, which enjoyed a prosperous existence until its dissolution in 1885. In 1881 Judge Rollins appointed Mr. Beecher assistant-district attorney for New York county, a position which he held until the following year, when he resumed his private practice. General C. T. Christensen in 1880 having appointed Mr. Beecher judge-advocate, with the rank of major, on the staff of the 3d brigade, national guard of New York, he served in this position until the re-organization of the national guard in 1886; the merging of all existing organizations in the newly formed 2d brigade necessitating the retirement of all staff officers.

Although following no one branch of the law as a specialty, Mr. Beecher has had much experience in insurance assignment and negligence causes, and in the trial of causes in court has proved himself a successful jury lawyer. He is special counsel for a number of law firms in New York and Brooklyn.

He resides in Brooklyn, where he is a member of the Hamilton, Crescent Athletic, and Rembrandt clubs.



**BECKMAN, HENRY RUTGERS** (born in New York City, December 8, 1845), is the son of William F. Beekman, late of New York, and Catherine A. Neilson, daughter of a New York merchant. Judge Beekman was graduated from Columbia College in 1865, and from Columbia College Law School in 1867, in the latter year being admitted to the New York bar, and entering upon the practice of his profession. He was a successful lawyer, and at the time of his elevation to the bench, in 1894, was a member of the law firm of Ogden & Beekman.

Judge Beekman was for many years interested in political reform and the study of practical social and economical questions. In 1884 he was appointed school trustee for the 18th ward, New York City. Mayor Grace, in 1885, appointed him a park commissioner, to fill the unexpired term of William M. Oliffe, deceased, and the following year, being re-appointed for the term of five years, he was made president of the board. The project of establishing small parks, as "breathing-places," in the heart of the most thickly settled parts of the city, for the benefit of the poorer classes, was his conception; and Mulberry Street Park and the extension of the East River Park were fruits of his efforts, he having in 1887 prepared and secured the passage of the legislative bill providing for the completion of these and other similar park enterprises.

Having been elected president of the board of aldermen of the city, on the united democratic ticket, Judge Beekman resigned from the



park board, December 31, 1886. In January, 1888, he was appointed by Mayor Hewitt corporation counsel, to succeed Honorable Morgan J. O'Brien, who had been elected to the Supreme Court. In 1888, under Mayor Hewitt, and in 1889, under Mayor Grant, respectively, Judge Beekman drew up the two bills providing schemes of rapid transit for the city, and also was the author of the "Chamber of Commerce" bill, and legal adviser of the commission appointed under it. In 1890 Governor Hill appointed him a member of the commission to secure uniform marriage laws in all the states, and he was elected chairman of the conference of state commissions on this subject.

In the fall of 1894 Mr. Beekman was elected justice of the Superior Court of New York City on the union, or "Committee of Seventy" ticket; and by the constitution adopted in the same election he was transferred to the Supreme Court.

He is a member of the Century, Union, Manhattan, Democratic, Reform, and University clubs. In 1870 he married Isabella, daughter of Mr. Richard Lawrence, of New York City. They have four children, two sons and two daughters.

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**BELFORD, JOSEPH McCURUM** (born in Mifflintown, Juniata county, Pennsylvania, August 5, 1852), is the son of David W. and Anna M. Belford. He was graduated at Dickinson College (Carlisle, Pennsylvania) in 1871, with the degree of bachelor of arts, studied law with Timothy M. Griffing at Riverhead, New York, was admitted to the bar in Brooklyn in September, 1889, and entered upon professional practice at Riverhead, where he has since continued. In 1896 he was elected a member of congress from the 1st district.

Mr. Belford, aside from his professional and political prominence, has made a reputation as a lecturer, chiefly upon literary subjects.



**BENSON, MARTIN V.** (born in East Randolph, New York, June 28, 1839), is the son of John Benson, born in New Jersey, and Millie E. Benson, born in Genesee county, New York.

He was educated in the common schools and Randolph Academy, attended the Albany Law School two terms, and also read law with Alexander Sheldon and Jenkins & Goodwill, and was admitted to the bar February 18, 1871. From the beginning of his professional life he has practiced law in East Randolph, the place of his birth. He is an earnest friend of education, and has taken great interest in charitable work. He has also been prominent in the affairs of the community in which he lives and of Cattaraugus county. He is one of the trustees of the Western New York Home for the protection of homeless and dependent children. He has served for three terms as presi-

dent of the Village of East Randolph, and has been supervisor of the town for sixteen years. He has been for two terms chairman of the board of supervisors of Cattaraugus county, a position which he still holds. He is also president of the People's State Bank of East Randolph.

The law firm is Goodwill & Benson.



**B**ERNARD, REUBEN (born in the Town of Plattekill, Ulster county, New York, February 24, 1830), is the son of David L. Bernard and Abby Demarest, both natives of Ulster county. He received his education at public and private schools, Amenia Seminary and New Paltz Academy, and studied law at the New York State and National Law School, at Ballston Spa, and also in the office of Jonathan H. Hasbrouck, of Kingston. He was admitted to the bar at Ballston Spa, August 8, 1851, and at Albany, December 1, 1851, and on February 17, 1876, he was admitted to practice in the Circuit Court of the United States for the southern district of New York.

Soon after his admission he began his professional career at Kingston, where he has since continued without interruption. His legal business has been largely in the settlement of estates, collection of claims, investing of money, and the transaction of business of a confidential character. For many years he has been the attorney of the Huguenot National Bank of New Paltz, the Ulster County Savings Institution, the Kingston National Bank, the New Paltz Savings Bank, and many other corporations, as well as for individuals and associations in concerns of importance.

Mr. Bernard has been president of the Kingston National Bank since 1877, and has for several years held the office of president of the Board of Trade of the City of Kingston.



**B**ETTS, FREDERIC HENRY (born in Newburgh, Orange county, New York, March 8, 1843), is the son of Honorable Frederic J. Betts and Mary Ward. His father was district attorney of Orange county in 1823; master in chancery, 1823-27; clerk of the United States Circuit and District courts of New York, 1827-41, and judge of the Hustings Court, Campbell county, Virginia, 1867-70.

Mr. Betts is descended from New England ancestors, including many notable colonial personages.<sup>1</sup> He was educated at Russell's

<sup>1</sup> He is eighth in descent from John Haynes, third governor of Massachusetts, and first governor of Connecticut; eighth in descent from George Wyllys and William Leete, respectively, governors of Connecticut; ninth from Edward Rossiter, assistant of Massachusetts; seventh from Samuel Wyllys and Samuel Sherman, assistants of Connecticut; sixth from Colonel Andrew Ward, who served in the expedition against Louisburg; ninth from Captain

John Taylor, who was killed by Indians; fourth from Samuel Comstock Betts and third from Uriah Betts, revolutionary soldiers; and is also lineally descended from the following, who were members of the Connecticut provincial assembly—William Spencer, George Bartlett, Christopher Comstock, Nathaniel Stone, Josiah Rossiter, Lieutenant John Scoville, and Captain Andrew Ward.

Military Academy (New Haven, Connecticut) and Yale College, graduating from the latter in 1864, and subsequently receiving the degree of master of arts. He studied law with Governor Henry B. Harrison, of New Haven, Connecticut, and Man & Parsons, of New York City, and graduated from the Yale Law School in 1865 and the Columbia College Law School in 1866, being admitted to the New York bar in the latter year.

Mr. Betts is recognized as one of the ablest lawyers in the difficult department of patent law, and has been counsel in many of the most important patent litigations of the past twenty years. In 1874 he was counsel for the insurance department of the State of New York, and was the counsel of New York City in patent causes from 1877 to 1893. He is counsel, also, for the Western Union Telegraph Company, the Edison Electric Light Company, the General Electric Company, the Westinghouse Air Brake Company, the Mergenthaler Printing Company, the Harvey Steel Company, and other corporations.

He is the author of "Policy of Patent Law" (1879), and was lecturer on patent law in the law department of Yale University from 1872 to 1883. He has always been interested in city reforms, and was a member of the citizens' committees of "Fifty" and "One Hundred," in 1883 and 1884, respectively; also serving in 1884 as a member of the republican county committee.



**B**ETTS, JAMES ALBERT (born in Broadalbin, Fulton county, New York, March 18, 1853), is the son of Isaiah and Margaret Ann Hoes Betts. He is a direct descendant of Captain Richard Betts (born in 1613), who was one of the original patentees of the Town of Newtown, Queens county, a member in 1665 of the provincial assembly held at Hempstead, high sheriff of Yorkshire, and for many years a magistrate. The father of Judge Betts, Isaiah Betts, of Broadalbin (Fulton county), has creditably filled many local offices and is a successful farmer on the farm where his grandfather located in 1786. Through his mother Mr. Betts is lineally descended from the Holland Dutch family of Hoes. One of his remote maternal ancestors was Johannes Hoes, born about 1692.

James A. Betts attended district schools and the Broadalbin Union Free School, and in 1875 was graduated at the New York State Normal School at Albany. He studied law with Honorable Augustus Schoonmaker and Honorable John J. Linson, and in November, 1880, was admitted to the bar upon examination at the Albany general term. He thereupon began practice in Kingston, where he still resides. Since the 1st of January, 1893, he has held the office of surrogate of Ulster county. In that position he has had many intricate cases before him, which have been strongly contested. His opinions, which have been fully reported, have frequently covered points not

heretofore written upon. In the few instances in which appeals have been taken from his decisions he has been generally sustained.

Judge Betts has held several other public offices of importance, and for years has been prominent in the affairs of the City of Kingston. He was the first secretary of the New York state civil service commission (1883), was clerk of the Ulster county board of supervisors in 1890 and 1891, and since January, 1886, has been a trustee of the Kingston board of education, having also been president of the board for two years. He was active in securing the organization on broad lines of the Kingston board of trade, and also in bringing about the organization and erection of the City of Kingston Hospital, of which he has been vice-president since June, 1893.



**B**ETTS, SAMUEL ROSSITER (born June 8, 1786, in Richmond, Berkshire county, Massachusetts), was the son of Uriah Betts, who served in the revolutionary war, and of Sarah Rossiter, whose great-grandfather was one of the assistant-governors of Connecticut. Mr. Betts was educated at Lenox Academy, being the first student of that institution to enter college. He graduated from Williams College in 1806, in 1830 being made a doctor of laws by the same college. Having read law with Grosvenor & Bay, of Hudson, New York, he was admitted to the bar about 1809, and commenced practice at Monticello, Sullivan county, New York. He was elected a member of congress from this district, serving from 1815 to 1817.

Afterward settling in Newburgh, Orange county, he was appointed state circuit judge in 1823, and judge of the United States District Court, southern district of New York, in 1827, by John Quincy Adams, filling the latter office until his resignation in May, 1867. In addition to his labors at the bar and on the bench he compiled Betts's "Admiralty Practice," and supervised the preparation of his opinions, as published in the reports of Blatchford & Hadland. He was instrumental in establishing the principles of admiralty law as now administered, in interpreting the bankrupt act of 1840, and in administering the prize law during the civil war. During the war of 1812 he served with the troops called into service to defend the harbor of New York, and was appointed judge-advocate by Governor Tompkins. He died in November, 1868, at eighty-two years of age.



**B**IRDSEYE, LUCIEN (born in Pompey, Onondaga county, New York, October 10, 1821; died in New York City, January 27, 1896), was the son of Honorable Victory Birdseye and Electa, daughter of Captain James Beebe. He prepared for college at the Pompey Academy, which his father had

founded, and was graduated from Yale College in 1841. He commenced the study of law in his father's office, at Pompey, at the end of two years entered the office of Kirkland & Bacon, prominent lawyers of Utica, and was admitted to the bar in July, 1844. In October following, he began practice at Albany, New York, when he was admitted as solicitor in chancery and counselor-at-law in chancery. Upon the removal to New York of Mr. Kirkland, in 1850, Judge Birdseye became a partner under the firm name of Kirkland & Birdseye. In 1856 he was appointed by Governor Clark a justice of the Supreme Court for the 2d district, to succeed Judge William Rockwell, deceased, and held the office until the fall election of 1857. While on the bench Judge Birdseye devoted himself with marked assiduity to the work of clearing up the calendars of the circuit and equity term of Kings county, the legal business of which he found greatly in arrears.

Upon his retirement he returned to practice in New York City, continuing with his old firm (which had, however, undergone some changes), under the style of Birdseye, Sommers & Johnson. In 1861 this partnership was dissolved, Mr. Birdseye remaining in practice alone until 1865, when he took into partnership Charles P. Crosby. In 1872 the firm of Birdseye, Cloyd & Baylis was formed. For several years Judge Birdseye was much occupied with the hearing of references, but his general practice became so exacting that he declined further referee service. He has been counsel in many notable litigations. Among these were the suits of Prouty, Boardman, Jermain, and others, against the Michigan Southern & Northern Indiana Railroad Company, which was consolidated with other corporations during the contest, forming the Lake Shore & Michigan Southern. These suits were the prosecution of claims for arrears of dividends on the preferred and guaranteed stocks, and were stubbornly resisted, the most eminent counsel being engaged in the defense. The litigation of the various cases, which were many times in the general term of the Supreme Court and in the Court of Appeals, extended over a period of fourteen years, Judge Birdseye becoming finally successful. A foreclosure case of great magnitude which he conducted was that of the mortgage on the Maxwell tract, lands granted by the Republic of Mexico to Beaubien and Miranda in 1841, some seven years prior to the transfer to the United States of the territory now comprised in southern Colorado, New Mexico, Arizona, and California. The successful termination of the proceedings required Judge Birdseye's presence in the courts of New Mexico, Colorado, and Amsterdam, in the Netherlands, where the bonds secured by the mortgage were largely held.



**BISCHOFF, HENRY, Junior** (born in New York City, August 16, 1852), is the son of Henry Bischoff, a prominent banker. He is of German descent. His grandfather, of Achim, Prussia, was a church builder in Germany nearly a century ago, and subsequently became a lumber merchant and manufacturer of brick, some of his descendants still carrying on the business.

Judge Bischoff attended the public schools of the city and Bloomfield Academy (Bloomfield, New Jersey), and was subsequently placed under a private tutor. He graduated in 1871 from Columbia College Law School, receiving honorable mention in the department of political science. He read law in the office of J. H. & S. Riker for two years, and was admitted to the bar in 1873. He commenced practice in New York City with F. Leary, with whom he remained in partnership until 1878, after which he continued alone.

Mr. Bischoff's practice has been confined exclusively to civil cases, being largely in the direction of real estate litigations and surrogate cases. In 1879, becoming interested in politics, he attracted the attention of party leaders and soon took a prominent place in the councils of the democratic party. He was appointed to collect the arrears of personal taxes for the city, holding the position until his election as judge of the Court of Common Pleas in 1889. In the change arising from the revision of the state constitution in 1894 (the Court of Common Pleas being abolished) he became a Supreme Court judge, January 1, 1896, for the balance of his term, expiring January 1, 1904. With Honorable Joseph F. Daly and Honorable David McAdam, he holds the appellate term, before which all appeals from the lower courts are carried.

His early practical education in the details of banking and finance, acquired while connected with his father's banking house during the period immediately after leaving college (having at times entire charge of the business), became invaluable to him in his legal and judicial career. His decisions upon all questions appertaining to these subjects have been marked by exceptional clearness and comprehensive knowledge of the points involved. His work upon the bench has been thus characterized:

"His moral courage, his self-reliance, his independence of character, his firm adherence to the right cause have rendered his decisions more than usually acceptable to the bar. Though one of the youngest judges on the bench, he has already become noted for his industry, his uniform courtesy, and the soundness of his decisions."<sup>1</sup>

Judge Bischoff is one of the directors of the Union Square Bank, of which he was also a founder. He is a member of the Manhattan Club, the Democratic Club, the Tammany Society, the German Society, the Liederkranz, Arion, and Beethoven societies, and many other German

<sup>1</sup> Brooks's "History of the Court of Common Pleas of the City and County of New York" (New York, 1896), p. 126.

organizations. He belongs to a musical family, and is himself master of many instruments, excelling upon the piano. He speaks German with perfect accuracy and purity of accent, and has an intimate acquaintance with German literature.

He was married in 1873 to Annie Moshier, daughter of Frederick and Louise Moshier, of Connecticut, and has one daughter, Loula, born May 13, 1876.



**BISSELL, WILSON SHANNON** (born in New London, Oneida county, New York, December 31, 1847), is the son of John and Isabella Hally Bissell. His father was one of the pioneers in the business of shipping grain in large quantities to the seaboard by way of the Erie canal. He removed with his family to Buffalo when the son was five years old.

Wilson S. Bissell attended the Buffalo schools, and also the private grammar school of Doctor Schelle. He was prepared for college at the Hopkins Grammar School, of New Haven, entered Yale University and was graduated with honor in the class of 1869. Soon afterward he commenced the study of law in the office of Laning, Cleveland & Folsom (Honorable A. P. Laning, Grover Cleveland, and Oscar Folsom). Of this firm, one of the most prominent in Buffalo, young Bissell became managing clerk. In that position he had charge of all the office details of cases, which at the time were extraordinary in number—aggregating some four thousand,—in consequence of the actions for overcharges of fare brought against the New York Central Railroad Company, of which Laning, Cleveland & Folsom were the attorneys.

Having been admitted to the bar he formed a partnership, in 1872, with Honorable Lyman K. Bass, the retiring district attorney of Erie county, the firm being styled Bass & Bissell. He at once began to attract corporation business, one of his clients in this first period of his practice being the Buffalo & Jamestown Railroad (now the Buffalo & Southwestern). At the beginning of 1874 Mr. Cleveland joined the firm, which thereupon became Bass, Cleveland & Bissell. Mr. Bass, who was serving a term in congress, had little active connection with it, however, and later retired altogether from the association. The firm then assumed the name of Cleveland & Bissell, which it retained until the end of 1881, when, Mr. Cleveland having been elected mayor of Buffalo, Mr. George J. Sicard was admitted to membership. On January 1, 1883, Mr. Cleveland, upon assuming the office of governor of New York, dissolved his partnership relations and Mr. Bissell organized with Mr. Sicard and Charles W. Goodyear the firm of Bissell, Sicard & Goodyear. He continued to devote himself uninterruptedly to his profession until March, 1893, when he entered the cabinet of President Cleveland as postmaster-general. In this position he re-

mained, however, for only two years. He resigned early in 1895, his successor, Honorable William L. Wilson, being qualified April 4, 1895. He immediately returned to his law practice in Buffalo, in



*W. J. Bissell*

which he is still actively engaged. His present firm is Bissell, Carey & Cooke (Mr. Bissell, Martin Carey, and Walter P. Cooke).

Mr. Bissell's professional tastes have always been especially in the line of corporation business, with which he early obtained a thorough familiarity. In this department of practice he has long been one of



the foremost men of the Buffalo bar. Particularly as a counselor he enjoys an eminent reputation.

He possesses in a remarkable degree that judicial mind, that natural sense of justice, that calm, orderly, and methodical arrangement of ideas, that power of differentiating the essential from the non-essential, which go to make up the able and trusted counselor. Quick of decision, fearless of responsibility, true to himself as well as to his client, always mentally as well as morally honest, he has become and continued the confidential adviser of very many of the most prominent citizens and corporations through whom so much has been done to build up the city of Buffalo.<sup>1</sup>

Throughout his life he has had little inclination for active politics, and his retirement from the high office of postmaster-general was in pursuance of his decided preference for his profession. Devoted to the principles of the democratic party, however, he took a cordial interest in the success of that organization until the campaign of 1896, when, with so many democrats of conspicuous reputation, he deemed it his duty to repudiate the new doctrines that had been promulgated in its name. Associated with Mr. Cleveland professionally from the beginning of that statesman's public career until his election as governor of New York, he heartily contributed his influence to promote his friend's advancement. Both in the state convention of 1882, at which Mr. Cleveland was nominated for governor, and in the state and national conventions of 1884, which first made him the candidate of his party for president, Mr. Bissell was one of his most earnest and powerful supporters.

In 1886, by appointment from President Cleveland, he served as a member of the government visiting board at West Point. He was a candidate on the democratic ticket for elector-at-large in the presidential campaign of 1888. In 1890 he was appointed by Governor Hill a member of a commission to propose amendments to the judiciary article of the state constitution.

Since 1895 he has held the honorable position of vice-chancellor of the University of Buffalo. The degree of doctor of laws was conferred upon him in 1893 by Yale University.

Mr. Bissell has been prominently identified with social and other representative organizations in Buffalo, notably the Young Men's Association, of which he has been president, and also, for a number of years, a director.



**BLAINE, CHESTER GAMBER** (born in Varick, Seneca county, New York, March 23, 1856), is the son of John G. and Angelina G. Blaine. After attending a district school he completed his general education at Ovid Seminary. He studied law in the law department of the University of Michigan, and

<sup>1</sup> Encyclopedia of Contemporary Biography of New York, Vol. iv., p. 214.

also in the office of Charles H. Roys, of Lyons, New York, and was admitted to the bar at Rochester, April 2, 1883. He began his professional career at Lyons, and is still engaged in practice there.



**B**LISS, GEORGE (born in Springfield, Massachusetts, May 3, 1830), is the son of George and Mary S. Bliss. His father and grandfather were prominent lawyers of western Massachusetts. From 1837 to 1847 his father was connected with great railroad corporations, being successively agent and president of the Western Railroad of Massachusetts, now the Boston & Albany Railroad; while in 1850 he became president of the Michigan Southern and North Indiana railroads, and was also president of the Chicago & Mississippi Railroad Company, besides being a director in many other prominent western railroads.

Mr. Bliss received his early education at home, spent eighteen months in European travel, and entered Harvard College as a sophomore in 1848, graduating in 1851. During his college course he was associated with David A. Wells in the publication of two volumes of the "Annual of Scientific Discovery" and a work called "Things Not Generally Known," both of which were successful. After his graduation he spent two years in Europe, studying at the University of Berlin and in Paris, and traveling through Sweden, southern Germany, Switzerland, northern Italy, Spain, and Portugal, much of the time on foot. Returning to this country, he studied law in the office of George Walker, of Springfield, Massachusetts, and after a year in Harvard Law School came to New York, entering the office of William Curtis Noyes. The following year he was admitted to the bar.

Declining a partnership offered him by William Curtis Noyes, he engaged in practice for himself. In 1859 and 1860 he was private secretary to Governor Edwin D. Morgan; in April, 1861, was placed upon his staff, and in 1862 became paymaster-general of the state with the rank of colonel. The same year he was appointed captain in the 4th New York Heavy Artillery and detailed to the staff of Major-General Morgan, commanding the Department of New York. In 1862 and 1863, under authority of the secretary of war, he organized the 20th, 26th, and 31st regiments of the United States colored troops, as the representative of the Union League Club of the City of New York.

Returning to the practice of law, in 1866, he became the attorney of the metropolitan board of health and metropolitan board of excise. In the litigation to test the constitutionality of the acts creating these boards, as attorney for the boards, with Dorman B. Eaton as counsel, Mr. Bliss carried the cases to a successful close in the Court of Appeals. Pending the litigation in the excise cases a thousand injunctions were granted in the Common Pleas Court alone.

On January 1, 1873, he was appointed United States attorney for the southern district of New York; which position he held for more



*George Bliss*

than four years, successfully clearing up a congested calendar. Among important cases during this period was the trial of Robert Des Anges, a deputy collector, whom Mr. Bliss convicted of conspir-

acy to defraud the government. Another case led to the exposure of what was known as the "Lawrence Conspiracy," whereby the customs had been defrauded of over a million dollars.

In 1881 and 1882, by appointment of President Garfield, Mr. Bliss was the active counsel of the government in the trial of the celebrated "Star Route Cases" against ex-Senator Dorsey, ex-Assistant Postmaster-General Brady, and others. The cases were twice tried in Washington before a jury, each trial occupying from four to five months. In the first, though some of the minor accused were convicted, the verdict was unsatisfactory and was set aside by consent; the second trial resulted in an acquittal. The law upon which the prosecution was based was subsequently affirmed by the Supreme Court of the United States. The trials put a final end to a system of frauds by which the government was robbed of many millions of dollars.

Mr. Bliss is the author of several works of a legal nature. He has published three editions of the "Law of Life Insurance" and four editions of the "Annotated New York Code of Civil Procedure," which has become the standard authority on that subject. At one time he contributed to the *North American Review*, and was for many years an active newspaper contributor, writing editorially, chiefly on political subjects, for the *Springfield Republican*, the *New York Tribune*, and the *New York Times*.

Mr. Bliss has always been an active republican, and was an intimate friend of President Arthur, but has always refused, except during the war, to take any unprofessional office. He has been closely connected with the history of the laws relating to New York City, having drawn up many of the existing statutes. He prepared the charter of 1873 and many of the important amendments since passed. He drew and procured the passage of the original tenement house act for the City of New York, and was one of three commissioners who in 1879 and 1880, under the authority of the legislature, prepared the compilation known as the "Special and Local Acts Relating to the City of New York," and later drew the "New York City Consolidation Act."

Despite a large practice, Mr. Bliss has found much time for travel, especially in out-of-the-way places in Europe and America. He has been twice married and has two children.



**BOOKSTAVÉR, HENRY WELLER** (born in Montgomery, Orange county, New York, September 17, 1835). is the son of Daniel Bookstaver and Alletta Weller. He is a lineal descendant of Henry Buchstabe, of Switzerland, the religious reformer of the 16th century, who was compelled to oppose his own brother, Johannes Buchstabe, equally prominent on the conserv-

ative side, in the theological contest in the Swiss republic. From Switzerland some of the family emigrated to Germany; while from the latter country, near the beginning of the 18th century, Jacobus Buchstables, or Bööchstabers, ancestor of Judge Bookstaver, came to America, settling in Orange county, New York.

Judge Bookstaver was educated at Montgomery Academy, in Orange county, New York, and at Rutgers College, in New Brunswick, New Jersey, from which last he was graduated with high honors in 1859, subsequently receiving the degree of master of arts, and in



HENRY WELLER BOOKSTAVÉR.

1888 that of doctor of laws. He studied law with the firm of Brown, Hall & Vanderpoel, of New York City, and was admitted to the New York bar in 1861. A little later he became a member of the firm of Brown, Hall & Vanderpoel, and since that time has successfully practiced in this city, with the exception of the considerable period during which he has been upon the bench. While enjoying a large private practice, he became successively sheriff's attorney, counsel to the police board, and counsel to the commissioners of charities and correction. His defense of Sheriff Reilly won him considerable reputation as an eloquent pleader. In 1885 he was elected a justice of the

Court of Common Pleas of this city, since which time his services in this judicial capacity have been highly creditable to him.

Judge Bookstaver's interests outside his professional work are indicated by the fact that he is a member of the Archaeological, Geographical, and Historical societies of this city, and a patron of the Metropolitan Museum of Art and the Museum of Natural History. He is a member of the Casino Club of Newport, Rhode Island, and of the Manhattan, Saint Nicholas, and Zeta Psi clubs (which last he was instrumental in organizing) of New York. He is an enthusiastic alumnus of Rutgers College and a member of its board of trustees. He was married September 6, 1865, to Mary Bayliss Young, of Orange county, New York.



**BRADLEY, GEORGE BECKWITH** (born in the Town of Greene, Chenango county, New York, February 5, 1825), is the son of Orlo F. Bradley and Julia A. Carter, who in early life came with their parents to this state from Connecticut. After receiving a common school education in his native town he attended the academy at Ithaca. He did not have the advantage of either a collegiate or a law school training. His legal studies were pursued in law offices in Greene, New York, and Fulton, New York. He was admitted to the bar at Oswego, in May, 1848. He began practice at Addison, New York, was located there and at Woodhull for about four years, and since the summer of 1852 practiced at Corning up to the time of his election to the supreme bench.

He was a member of the constitutional commission of 1872-73, and from 1874 to 1877, inclusive, he served in the state senate. Since the beginning of 1884 he has been one of the justices of the Supreme Court of the state. During the years 1889, 1890, 1891, and 1892 he sat on the bench of the 2d division of the Court of Appeals.



**BRISTOW, BENJAMIN HELM** (born at Elkton, Todd county, Kentucky, June 20, 1832; died June 23, 1896), was the son of Honorable Francis Marion Bristow and Emily Edwards, niece of the first governor of Illinois. His father was a congressman and member of the constitutional convention of Kentucky in 1850.

General Bristow was graduated from Jefferson College, Pennsylvania, in 1850; studied law in his father's office, and practiced as his partner until 1858, when he removed to Hopkinsville, Kentucky, and formed a partnership with Judge R. T. Petrie. Upon the breaking out of the civil war he was commissioned lieutenant-colonel of the 25th Kentucky regiment. He was in the battles of Fort Henry, Fort Donelson, and Shiloh, being wounded in the last mentioned. When he

recovered he was active in recruiting the 8th Kentucky cavalry regiment, of which he was made colonel. He participated in the pursuit and capture of Morgan's raiders in Kentucky, Indiana, and Ohio. While in the field in 1863 he was elected to the state senate, and during his term as senator was appointed assistant United States attorney for the district of Kentucky. He thereupon removed to Louisville, Kentucky, and a little later was appointed United States attorney for that district. After holding this office for a short time he resigned and formed a partnership with John M. Harlan. In 1869 the office of solicitor-general was created by congress and he was appointed by President Grant as the first solicitor-general of the United States. After two years he resigned, and returning to Louisville, Kentucky, resumed the practice of law. In 1874 he was appointed secretary of the treasury, which office he held for two years. In 1876 his name was prominently mentioned as nominee of the republican party for the presidency, and he received a large vote for the nomination in the republican convention of that year. Upon his resignation as secretary of the treasury he returned to the practice of law at Louisville, where he remained until 1878, when he moved to the City of New York. Here he formed a partnership under the firm name of Bristow, Peet, Burnett & Opdyke, which was continued under the various styles of Bristow, Peet & Opdyke and Bristow, Opdyke & Willcox.

The work of the United States district attorney's office, during Mr. Bristow's service, was exceedingly onerous and varied. At the same time he engaged in heavy private litigation. As solicitor-general he had charge of the argument of the government cases in the United States Supreme Court, and took part in many cases that have become leading authorities. After his removal to New York, his practice included the argument of cases not merely in the New York courts, but also many in the United States Supreme Court, as well as in the higher courts of various states and in the federal courts throughout the country.

In 1879 he was president of the American Bar Association.

He was married, November 21, 1854, to Abbie Slaughter Briscoe, in Elizabethtown, Kentucky. Two children survive him, Nannie Bristow, wife of Eben Sumner Draper, of Hopedale, Massachusetts, and William Benjamin Bristow, of New York City.



**BROWN, AUGUSTUS CLEVELAND** (born in York, Livingston county, New York, October 23, 1839), is the son of Reverend Silas Clark Brown, of Northampton, Massachusetts, and Mary Cleveland, of Brooklyn, Connecticut. He attended the village schools of West Bloomfield, New York, from 1846 to 1853, and Canandaigua Academy from 1853 to 1854, the Geneseo

Academy from 1855 to 1857, and in 1861 graduated from Williams College. He studied law in the offices of Smith & Lapham, of Canandaigua, New York, of which firm James C. Smith became a justice of the Supreme Court of the state, and Elbridge G. Lapham United States senator.

Mr. Brown was admitted to the bar at Rochester, New York, June 5, 1863, and in 1865 began practice in New York City, where he has continued since in association at different times with Honorable Charles A. Rapallo, Honorable James C. Spencer, William M. Hoes, James B. Metcalf, and Eugene F. Daly in the firm of Rapallo & Spencer, and with Honorable William A. Beach and Honorable Miles Beach in the firm of Beach & Brown.

After his admission to the bar in June, 1863, until he began the practice of law in New York City in 1865, Mr. Brown was a soldier in the civil war. In March, 1864, he was commissioned captain of Battery H. of the 4th New York artillery, and in command of his battery, which was at different times attached to the 5th and 2d corps of the Army of the Potomac, participated in the campaign of 1864 from the Wilderness to Petersburg and in the engagements about Petersburg.

As a lawyer in New York City Mr. Brown has been eminently successful, and has been engaged in a large number of important and interesting cases.



**R**OWN, CHARLES F. (born in Newburgh, New York), is the son of the late Honorable John W. Brown, of Newburgh. The latter was born in Dundee, Scotland, October 11, 1796, and brought to this country with his parents, who originally settled in Putnam county, New York, but in 1801 removed to West Newburgh. Here the grandfather of the present Judge Brown was the successful proprietor of a fulling-mill.

John W. Brown, the elder, as a lawyer and jurist, was no less distinguished than his son, the present Supreme Court justice. He received his early education in the common schools of Newburgh, and studied law with Jonathan Fisk, the most eminent lawyer of his day in Orange county. Judge John W. Brown was connected in early life with the Orange county militia, in which he held the commissions first of captain and subsequently of colonel. He held the office of justice of the peace, and from 1821 to 1825 was clerk of the board of trustees of the Village of Newburgh. He served two successive terms in congress, 1833-35 and 1835-37; was an active member of the constitutional convention of this state in 1846; in 1849 was elected a justice of the Supreme Court for the 2d Judicial District, and in 1857 was re-elected. As a justice of the Supreme Court he enjoyed the distinction of never having one of his decisions reversed by the Court of Appeals; while he himself served as an associate-justice of the Court of Appeals



during the later years of his second term on the Supreme Court bench. Distinguished as an advocate, he was still more so as a judge. One of



*Chas F. Brown*

his decisions, in which he withstood a strong public opinion, was against a proposed state loan of \$7,000,000.

Honorable Charles F. Brown, like his father a successful lawyer

and distinguished jurist, was graduated from Yale College in 1866, and early achieved success and recognition in the practice of law in Newburgh. He was elected prosecuting attorney of Newburgh in 1874, and continued in the position until 1877, distinguishing himself in the service of the city. At the end of his term, in 1877, he was elected county judge of Orange county. His abilities as a judge, displayed in this position, were recognized in his elevation in 1882 to the Supreme Court bench, where he has since continued. His many notable decisions, in cases of great importance, cannot be entered into here. From 1889 to 1892 he served upon the 2d division of the Court of Appeals, and in December, 1893, he became the presiding justice of the General Term of the 2d department. On the creation of the new Appellate Division at the beginning of 1896 he was appointed presiding justice by Governor Morton. On October 5, 1896, he declined the democratic nomination to succeed himself, giving the following reason: "At the approaching election I shall cast my vote for the candidates of the republican party, as I cannot support the candidates nominated at the Chicago convention or give my adherence to the political principles set forth in the platform adopted by that body."



**B**ROWN, IRVING (born in Westchester, Westchester county, New York, February 11, 1856), is the son of E. Otis Brown and Harriet Cooper Brown. On his father's side he is descended from Massachusetts ancestors, and on his mother's from a prominent family of Rockland county, New York. After receiving an academic education he began the study of law at the age of seventeen in the office of Andrew E. Suffern, of Haverstraw. He was admitted to the bar in 1877, and soon afterward entered upon the practice of his profession in partnership with Alonzo Wheeler, district attorney of Rockland county. This association continued until 1881. Since then he has pursued his professional business alone. He has always resided and practiced in Haverstraw.

Mr. Brown is one of the recognized leaders of the Rockland county bar, and at present has probably the best practice enjoyed by any lawyer of the county. For the last dozen years he has been connected with most of the notable cases arising and tried there, and much of his business has extended to the higher courts, including the Court of Appeals, in which he has argued a variety of important suits. His services have been equally in request as an advocate before a jury and in the conduct of litigation.

Although he has taken an active interest in politics, as a supporter of the principles of the democratic party, Mr. Brown has always had a decided preference for a strictly professional career, and has never held public office.



IRVING BROWN.



**B**ROWN, SAMUEL HOLMES, was born on a farm near Milton, Dutchess county, New York. He is the son of Milton Brown and Phebe Holmes, grandson of Samuel Brown, and great-grandson of Noah Brown. The latter was of Scotch ancestry, and about the year 1800 removed from Johnstown, New York, to the eastern part of Dutchess county, settling at the Square near Amenia. Samuel H., the subject of our sketch, attended the local schools, and afterward had the advantage of Amenia Seminary, Cazenovia Seminary, the Troy Business College, and the Albany State Normal School. After leaving the Normal School he went to Newark, New Jersey, where he taught for a year and a half

in the New Jersey Business College. Later, having prepared himself for a court stenographer, he followed that profession for a short time.

Upon the death of his father, in 1881, he took up the study of the law in the office of Honorable Milton A. Fowler, of Poughkeepsie, New



*R. H. Brown*

York, and on September 14, 1883, he was admitted to the bar. He immediately opened an office in Poughkeepsie, with a branch office in Millerton. From the beginning of his professional career he enjoyed marked success, and he has become one of the leading lawyers of the

Dutchess county bar, taking a prominent part in important civil and criminal litigations.

Mr. Brown inherited from his father valuable farm properties, and for several years he was extensively engaged in rearing horses, cattle, and sheep, and in producing milk for the New York market. About 1890, however, he disposed of these interests, and he has since devoted himself exclusively to the profession of the law.

He was one of the first to subscribe for stock in the Millerton National Bank when it was established, and was one of the members of the first board of directors. Afterward he became a director of the Farmers' and Manufacturers' National Bank of Poughkeepsie. He was also one of the organizers of the Hallock and Duryee Fertilizer Company, of Mattituck, Long Island.

He is a republican in politics, has on several occasions been a member of the board of supervisors of his county, and also has, at various times, been the choice of many of his party and friends for more important offices. In 1893 he was elected president of the Lincoln League Club of Poughkeepsie. He is recognized as a very acceptable political speaker, and has done a great deal of effective work for his party on the stump.

On October 30, 1877, he married Clara Lefferts Duryee, daughter of John Wyckoff and Elizabeth Verity Duryee, of Mattituck, Long Island, formerly from near Brooklyn. Mr. and Mrs. Brown, together with his mother, now reside at Poughkeepsie.



**BROWNE, IRVING**, lawyer and author (born in Marshall, Oneida county, New York, September 14, 1835), is the son of Lewis C. Browne and Harriet Hand. He was educated in the schools and academies of Nashua, New Hampshire, and Norwich, Connecticut, pursuing afterward legal studies in the office of Theodore Miller at Hudson, New York, and subsequently graduating from the Albany Law School. He was admitted to the bar in March, 1857, and the following September organized the firm of Townsends & Browne at Troy, New York, which continued until June, 1878. The litigations with which Mr. Browne was connected during this period are scattered through the various reports, among the more important being *Meneeley vs. Meneely* (62 N. Y., 427), involving the right to use of family name; *Corcoran vs. Holbrook* (59 N. Y., 517), involving the *alter ego* doctrine; and *Cowee vs. Cornell* (71 N. Y., 91), involving the question of constructive fraud.

Since 1878 Mr. Browne has devoted all his time to the literary side of his profession as editor, lecturer, and author of legal works. From 1879 to 1893 he was sole editor of the *Albany Law Journal*. He has also edited the American Reports from Vol. 25 to Vol. 60, inclusive, two volumes of National Bank Cases, a digest of the New York Re-

ports to Vol. 95, and has edited and annotated a new edition of the same to Vol. 123. His legal works include standard treatises on Parole Evidence, Short Studies of Evidence, Domestic Relations, Criminal Law, Sales, and Bailment. He has besides written "Short Studies of Great Lawyers," "Humorous Phases of the Law," "Law and Lawyers in Literature," "Judicial Interpretation of Common Words and Phrases"; a large number of humorous cases in verse; and, in the purely literary domain, a series of essays on "Iconoclasm and White-wash," a translation of Racine's comedy "*Les Plaideurs*" ("The Suitors"), an essay on the Nineteenth Century Novel, another entitled "The Track of the Bookworm," and a volume of poems entitled "The House of the Heart." At the present time he is annotating English Ruling Cases and editing the "Lawyers' Easy Chair," in the *Green Bag*.

From time to time Mr. Browne has lectured at the Albany and Cornell Law Schools, and is now a lecturer at the Boston University and Buffalo Law Schools. He was for two terms president of the school board of Troy, and is now a member of the New York commission on uniform legislation, a membership entirely congenial with his life-long and persistent advocacy of law reform and codification.



**B**UCKINGHAM, CHARLES LUMAN (born in Berlin Heights, Ohio, October 14, 1852), is the son of George Buckingham and Ariadne Andrews. His grandfather, Samuel Buckingham, and great-grandfather, Thomas Buckingham, were early settlers of the famous "Western Reserve," to which they had removed from Connecticut.<sup>1</sup>

His father's death left Mr. Buckingham and a brother dependent upon their mother, "a lady of unusual attainments and great strength of character." Thrown into circumstances calculated to develop self-reliance, his educational advantages were largely of his own providing. Finishing with the public schools, he made a business trip to the west when sixteen, and returning to Ohio engaged in some successful enterprises. He entered the University of Michigan, and was graduated in 1875, an easy mastery of mathematics and mechanics characterizing his course. Receiving an appointment as examiner in the United States patent office, he held positions in this

<sup>1</sup> The Buckingham family can be traced to a remote antiquity. From the time of William the Conqueror, branches of the family were among the English nobility and landed gentry. Many ancient manors in Buckhamshire, Norfolk, and Suffolk still bear the family name. Sir Owen Buckingham was lord mayor of London in the seventeenth century. The American emigrant, Thomas Buckingham, one of the prominent early settlers of Connecticut, arrived in Boston June 26, 1637, became a founder of New Haven in 1638 and of Milford in 1639, was one of "seven pillars" of Milford Church, and represented the

town in general court. Mr. Charles L. Buckingham is ninth in descent from this gentleman and eighth from his distinguished son, Reverend Thomas Buckingham, ex-Governor Buckingham, of Connecticut, being of the same family. Through his mother Mr. Charles L. Buckingham is descended from the old New England families of Adams and Andrews.

The paternal line is as follows: Thomas Buckingham<sup>1</sup>, Reverend Thomas<sup>2</sup>, Thomas<sup>3</sup>, Thomas<sup>4</sup>, Jedediah<sup>5</sup>, Thomas<sup>6</sup>, Samuel<sup>7</sup>, George<sup>8</sup>, Charles L. Buckingham<sup>9</sup>, of New York.

office several years, receiving various promotions, and at the same time attending the Columbian Law School of Washington. He was admitted to the bar in the District of Columbia, and subsequently in New York City, where he began practice as counsel of the Western Union Telegraph Company. "Almost at once he attracted attention by his brilliant abilities as a lawyer, no less than by his remarkable knowledge as an expert."

Mr. Buckingham's work as a lawyer has been of a character so remarkable as to deserve some notice. It is from the difficulties arising in many departments of legal practice that the necessity for specialism has grown, and it is in the most difficult of these fields that he has achieved distinction. The success of Mr. Buckingham in the line of practice which he has followed strikingly illustrates the possibilities of a professional career where systematic special training has been added to the greatest natural aptitude. His work has been thus characterized:

Mr. Buckingham has attained unusual prominence in the legal profession, at an age when most men have their reputation yet to make. He stands in the foremost rank of distinguished lawyers who have made a specialty of the vast interests and intricate questions involved in modern patent litigation, and in the peculiarly difficult field of electrical cases he is pre-eminent. It may be said that he is the creator of a legal method in this department, requiring, in addition to the highest abilities of the lawyer, an expert scientific knowledge and a genius for original and exhaustive investigation, which, in the degree he exhibits them, few men can ever hope to possess. . . .

He has conducted many of the most important patent cases which have ever come to trial, involving enormous interests, and in this work has enjoyed an extraordinary success. . . .

His industry is one of the marked characteristics of Mr. Buckingham's work. . . . The study of the mechanics of a single great case has cost him the labor that would be necessary to acquire a profession, and, . . . as preliminary work, he has given months to the study of publications and patents bearing even remotely upon the question at issue. Thus equipped, and with a technical knowledge quite as complete as that of the expert witnesses, he possesses a power in cross-examination which is almost unprecedented in this department of law.

The labor involved in the larger of these cases is indicated by the fact that the printed report of evidence and briefs sometimes occupies nine or ten volumes, aggregating several thousand pages, with hundreds of intricate illustrations.

The mere financial importance of his cases frequently amounts to immense sums, and it is the guarding of such large interests which has directed the best legal talent into the special field of patent law. Moreover, with the multiplication of intricacies, this field lends itself, in turn, to subdivision, in which process Mr. Buckingham's peculiar expert work has contributed not the least factor, separating the subfield of electrical cases—most difficult of all—into a division by itself. In this department Mr. Buckingham is the most original figure.

But if attention is naturally drawn to his unusual technical skill, it should not be forgotten that as a lawyer, pure and simple, Mr. Buckingham is one of the

most skillful cross-examiners at the bar, and that his carefully prepared briefs are distinguished for their clearness, unusual vigor and originality, and remarkable command of irony and satire in exposing the weakness of the opposition.<sup>1</sup>

Following are the titles of a conspicuous line of suits, in most of which the causes of Mr. Buckingham's clients were achieved before the cases came to a hearing, either through abandonment or settlement by the opposing side: four or five suits of the Holmes Burglar Alarm Company *vs.* the American District Telegraph Company, 1882-83, prosecuted by General Duncan and Roscoe Conkling; the Brush Electric Company *vs.* the Schuyler Electric Light Company, 1883-85, prosecuted by E. N. Dickerson, Senior, C. E. Mitchell, and Witter & Kenyon; several suits of the Gold and Stock Telegraph Company *vs.* the Commercial Telegram Company, 1883-85, successfully prosecuted against David Dudley Field, Roscoe Conkling, General Duncan, and James E. Chandler; the Western Union Telegraph Company *vs.* the Baltimore & Ohio Telegraph Company, 1885-87, in which the defendant was represented by Messrs. F. H. Betts, G. P. Lowrey, and Edward R. Bacon; State of Delaware *vs.* Delaware & Atlantic Telephone Company, 1889-91, involving the question of common-carrier precedence over patent-right and contract; Edison Electric Light Company *vs.* New Haven Electric Company, 1890-92, prosecuted by Frederic H. Betts and Dyer & Seely; the Ore Separator cases, two suits (Magnetic Separator Company *vs.* International Ore Separating Company, and same *vs.* William Dean Hoffman), 1892-96, defended by Dyer & Seely and Cowen, Dickerson, Nicoll & Brown; two suits, involving the great issue of electric overhead traction (Overhead Conductor Electric Railway Company *vs.* Pittsburgh, Allegheny & Manchester Traction Company, and same *vs.* Duquesne Traction Company, virtually an issue between the General Electric and Westinghouse companies), 1892-96; Deprez *vs.* Thomson-Houston Electric Company, 1892-95, prosecuted by Edmund Wetmore; three suits involving the Tesla patents (Westinghouse Electric and Manufacturing Company and the Tesla Electric Company against the Thomson-Houston Electric Company), 1893-96, prosecuted by Edmund Wetmore, Duncan & Page, and Kerr & Curtis.

Mr. Buckingham is an active member of the American Association for the Advancement of Science, the American Academy of Political and Social Science, and the American Institute of Electrical Engineers, as well as of a number of social clubs and societies of New York City and Washington. He was a contributor to the series of technical articles written by the leading engineers of the country, which were published in *Scribner's Magazine* (1889-90).

<sup>1</sup> "Memorial History of New York," Vol. v., pp. 246-8; *National Magazine*, September, 1894, pp. 495-7.





BUEL, OLIVER PRINCE (born in Troy, New York, January 22, 1838), is of Connecticut ancestry on both sides. His mother, Harriet Hillhouse, was of an ancient Connecticut family, while all the Buels of this country are descendants of Connecticut ancestors. Mr. Buel's father, the late Honorable David



*Oliver Prince Buel*

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Buel, Junior, was for nearly half a century a practicing lawyer, one of the most distinguished members of the bar of northern New York,

and a member of the constitutional convention of 1821. His son, Oliver P., graduated from Williams College in 1859, and studied law under his father, and after his death under the late ex-Judge John K. Porter. After a few years' practice in Troy, Mr. Buel removed to New York, where he has been in active practice since.

Although not a specialist, as general counsel of the United States Life Insurance Company and other corporations, he has been largely engaged in insurance and corporation litigations. In 1871, in an attack upon the Tobacco Manufacturers' Association, instituted by a political ring backed by Boss Tweed, and before a judge afterward driven from the bench, Mr. Buel succeeded in rescuing the corporation from the clutches of a receiver. In the case of *Harley against the United States Life Insurance Company* in the Supreme Court, he succeeded in a defense depending upon destroying on cross-examination the testimony of the most eminent medical expert in the country. The defense was sustained by the Court of Appeals. In the more recent case of *Gould vs. Seney* (31 N. Y. State Reporter) he obtained for his client a decision compelling the syndicate committee of the projected Richmond, Allegany & Ohio Central Railroad to account for more than a million dollars alleged to have been misappropriated.

Mr. Buel is a democrat, inclined to the doctrine of free trade. Soon after his removal to New York, in the early days of the Democratic Club, he was accustomed to engage in its debates. From 1881 to 1885, while residing in Yonkers, he was president of the democratic club of that city, and was also interested for several years in educational matters as a member of the Yonkers board of education. He is a member of the Reform, Catholic, and Salmagundi clubs and the Bar Association. He was chairman of the Bar Association committee which favorably reported a proposition submitted by him to consolidate the courts of New York. On behalf of the association, Mr. Buel made an argument before the judiciary committee of the senate in favor of the consolidation, and the senate approved an amendment of the constitution to this end, but adverse influences succeeded in shelving the measure in the assembly. However, this proposition was adopted by the constitutional convention of 1894. As a member of the Excise Reform Association, Mr. Buel also appeared before Governor Hill in favor of high license.

Mr. Buel was brought up an episcopalian, but in 1881 his convictions led him into the catholic church. He is fond of controversial literature, and has contributed to periodicals. Huxley's attack on Christianity led him to publish in the *Catholic World* a satire, "The Abraham Lincoln Myth," since re-published in book form.

In December, 1871, Mr. Buel married Josephine, daughter of the late General Charles McDougal, one of the ablest surgeons in the United States army.



**JULL, JOHN, JUNIOR**, was born in Slaterville, Tompkins county, New York, September 25, 1863. He was graduated at Cornell University in 1885, and studied law with Halliday & Finch, of Ithaca, and Marsh, Wilson & Wallis, of New York City, and also at the Columbia College Law School, from which he received his diploma in 1887. He was soon after admitted to the bar at Syracuse. He has since been successfully practicing in Elmira.



**BURNETT, HENRY L.** (born in Youngstown, Ohio, December 26, 1838), is the son of Henry Burnett and Nancy Jones. His mother was of an old Virginian family, her parents emigrating to Ohio about the year 1800, from Lynchburgh, Virginia.

The Burnett family is one of the oldest and most honorable in America, tracing directly to William Burnett, colonial governor of New York and New Jersey from 1720 to 1728, and afterwards of Massachusetts and New Hampshire. A later William Burnett, a member of this family, was a distinguished physician of New Jersey, a member of the continental congress of 1776, and served from that year until the close of the Revolution as surgeon-general of the army for the eastern district of the union.

Mr. Burnett's grandfather, Samuel Burnett, also a native of New Jersey, was a prominent supporter of the Revolution and a man of rare culture and polish, as well as of exalted patriotism. At the close of the struggle for independence, finding himself impoverished by the war, he sought to better his fortune in the territorial wilderness of northern Ohio. In spite of the rigors of pioneer life, he established a substantial home, but was unable to give his children the educational advantages which he had enjoyed. By necessary environment, therefore, Mr. Burnett's father became a farmer, but added to his vocation the business of contractor and builder.

To young Burnett, having inherited the propensities of his grandfather, and aspiring to a professional career, the plodding life of a farmer was distasteful. Unable to get the consent of his father to acquire an education beyond that of the district schools, at the age of fifteen, stealing away from the old homestead at night, equipped with a bundle of clothing, forty-six dollars which he had saved up, copies of "Thaddeus of Warsaw" and the "Lady of Lyons," he walked about a hundred miles to Chester Academy, where James A. Garfield was then a student. He built fires, rang the bell, and did any odd job at hand to help pay expenses while at the academy. Later he went to Hiram Institute, where Garfield was one of his teachers. Leaving the institute, he entered the Ohio State and National Law School and was graduated in 1859. He was admitted to the bar in 1860, and commenced the practice of law in Warren, Ohio, the same year. He had

scarcely started in his profession when, the civil war breaking out, he responded to the first call for volunteers, enlisting in the first cavalry authorized in Ohio. Each recruit was to bring his own horse and receive pay for it from the government. When the recruits were as-



HENRY L. BURNETT.

sembled at Warren, they were informed that government certificates would be tendered instead of cash. This caused great dissatisfaction and the men were about to disperse. At this juncture Mr. Burnett leaped upon a fence and shouted: "Those who go into this war to

fight for the cause, and not to sell their horses, follow me into that yard," and mounting his horse dashed into the yard. The effect was electrical; the company followed him to a man. The troop was organized afterward as Company C., 2d Ohio cavalry, with the impetuous Burnett as captain. The regiment, under Colonel Doubleday, participated in the battles of Carthage and Fort Wayne, and afterward in the Cherokee expedition through Arkansas and the Indian Territory under Colonel Weir, who was intemperate and proved utterly incompetent. He finally reduced his command to such straits that a council of the officers of the troop composing the expedition decided to arrest him, and detailed Major Burnett to carry out their mandate, prepare the manifesto to the soldiers in defense of their action, and inform General Blunt at Fort Leavenworth. Major Burnett's regiment also served under General Burnside during a part of the Knoxville campaign, and he was promoted from time to time until he reached the rank of brigadier-general. In July, 1863, he was appointed by General Burnside judge-advocate of the Department of Ohio, in place of Captain Cutts, relieved from duty and ordered to be tried by court-martial. The ability displayed in the trial and conviction of Captain Cutts led eventually to the extension of his jurisdiction to the northern department, in which were situated nearly all the military prisons. He tried the famous Sons of Liberty or Knights of the Golden Circle cases in Indiana, and the cases growing out of the Chicago conspiracy to liberate and arm the large force at Camp Douglass. He had scarcely closed these cases when he was summoned to Washington by Secretary Stanton to aid in trying the Lincoln assassins. Associated with Judge Holt and Honorable John A. Bingham, he secured the conviction of the conspirators.

He resigned from the army in December, 1865, and associated himself in the practice of law in Cincinnati with Honorable T. W. Bartley, late chief-justice of Ohio. Judge Bartley removing to Washington, in 1869, he formed a partnership with ex-Governor Jacob D. Cox and Honorable John F. Follett, of Cincinnati, which continued until 1872, when General Burnett removed to New York. He was at once accorded a recognized position at the bar of the metropolis. In 1873 he became associate attorney and counsel of the Erie Railway Company, resuming general practice, however, in 1875, in partnership with Honorable B. H. Bristow, William Peet, and W. S. Opdyke. He subsequently formed a partnership with ex-Judge Emott, continuing until the death of the judge, and was associated with Edward B. Whitney until the latter was appointed assistant-attorney-general of the United States under President Cleveland. His practice has always been important and eminently successful. He was counsel for the English bondholders in the Emma Mine litigation, in which he was successful. He was associated with Honorable A. F. Walker, and made the closing argument in the great case of the Rutland Railway

Company against Governor Paige, of Vermont, involving some four millions of dollars. The trial, lasting three months, was one of the most exciting legal battles ever fought in New England. In the closing argument General Burnett spoke for sixteen hours, his address attracting wide comment from the press. "If General Burnett had won no previous reputation in the legal forum," said one journal, "the consummate ability displayed in the defense of Governor Paige would stamp him the peer of the greatest advocate of the age."

General Burnett is a member of many clubs, including the Union, Colonial, Century, and Metropolitan. He is president of the Ohio Society, and is ex-president of the Land and Water Club. He is also one of the new reform directors of the Northern Pacific Railroad Company. His wife, a lady of literary culture and high social position, was formerly Miss Tailer, descended from Governor Tailer of the Colony of Massachusetts.



**BURRELL, MYRON LEWIS** (born in Sheffield, Berkshire county, Massachusetts, January 21, 1816), is the son of Warren Burrell and Mary Schelenger. He was educated at common and private schools, studied law with Isaac Hills, of Rochester; Joseph Centre, of Lockport; Fillmore, Hall & Havens, of Buffalo; and Smith & Chase, of Lockport, and was admitted to the bar at Albany in January, 1849. Throughout his long professional career he has practiced at Lockport.



**BUSH, TIMOTHY F.** (born in Liberty, Sullivan county, New York, January 3, 1833), is the son of Abiel and Rachel Bush, natives of Connecticut, who removed from Colebrook, in that state, to Sullivan county, New York, about 1800. Mr. Bush's education was limited to common school and home instruction. He took the course in the Albany Law School, 1855-56, and also studied under the direction of an elder brother, the late Honorable Albert J. Bush, who was twice elected to the office of judge and surrogate of Sullivan county, dying before the expiration of his second term.

Mr. Bush was admitted to the bar at the general term of the Supreme Court held at Albany March 10, 1856, and began practice at Liberty, Sullivan county. Since December, 1874, he has been located at Monticello, the county seat. He has made a reputation as a prominent member of the state bar, and has conducted numerous important suits in all the courts of the state and in the federal courts.

Upon the incorporation of the Village of Liberty, he was chosen its first president. He was appointed to fill the office of county judge, made vacant by the death of his brother, and in November, 1872, was elected for a full term of six years in that position. In 1890 he was

appointed by Governor Hill a member for the 3d judicial district of the constitutional commission created for the purpose of revising the judiciary article of the state constitution. In connection with the labors of this commission he served as a member of the standing committee on the Supreme Court.



**B**UTLER, WILLIAM ALLEN (born in Albany, New York, February 20, 1825), is the son of Honorable Benjamin Franklin Butler, one of the most prominent leaders of the bar of the State of New York during the first half of the present century, one of the revisers of the statutes of the State of New York, and attorney-general of the United States in the cabinets of Jackson and Van Buren.<sup>1</sup> Imitating his father in winning a foremost place as a lawyer, William Allen Butler has also distinguished himself as an author, especially in the direction of poetical satire, and has exhibited a deep interest in the study of social problems and in educational matters.

He received his early education in schools at Albany and Georgetown, D. C., was graduated in 1843 from the University of the City of New York, and studied law in his father's office. Before entering upon the practice of law, he spent part of two years, 1846 to 1848, in travel in Europe. Upon his return he commenced practice in New York City, and he has continuously followed his profession there from that time to the present. His early practice was in association with his father. For many years past he has been at the head of the well-known law firm of Butler, Stillman & Hubbard. Mr. Butler has been one of the most successful among the leading lawyers of New York City, and has been counsel in many of the most notable cases occurring during the long period of his active practice.

He has been concerned in the organization and business of some of the most important banking, trust, and insurance corporations, and has long held a conspicuous position at the admiralty bar. His interesting cases include the following in the United States Supreme Court, settling, according to the principles which he advocated in each case, important rules of the maritime law of this country: "The Pennsylvania" (19 Wallace, 125); "The Lottawanna" (21 Id., 558); "The Scotland" (105 U. S., 24), and "The Montana" (129 Id., 397). He has been president of the American Bar Association (1886), and of the Association of the Bar of the City of New York (1886 and 1887), under whose auspices he published, in 1888, a history of the Revision of the Statutes of New York, with biographical sketches of the revisers.

Mr. Butler's contributions to literature have been notable. During his explorations in Europe, in 1846-48, he contributed to the *Lit-*

<sup>1</sup> For a sketch of Benjamin F. Butler, see Vol. i., p. 274.

*crary World* a series of sketches of travel entitled; "Out-of-the-Way Places in Europe." In the same periodical he also published a series of humorous papers under the general caption of "The Colonel's Club." His "Cities of Art and the Early Artists" was published in the *Art Union Bulletin*. "The Future," a poem, was issued in 1846, while from that time "poetical pieces, displaying wit and fancy," frequently appeared in the current periodicals, and especially in the *Democratic Review*. In 1850 he published a volume entitled, "Barnum's Parnassus." In 1857 he published anonymously in *Harper's Weekly* his famous satirical poem, "Nothing to Wear." This satire obtained immediate celebrity, was reproduced in many forms in the United States and England, and translated into German and French. Its authorship being a secret, it was claimed by an impostor, until Mr. Butler publicly acknowledged himself the author.

In 1858 Mr. Butler published his "Two Millions," written and originally delivered before the Phi Beta Kappa Society of Yale College. A little later appeared the "General Average," a "stinging satire on sharp practices in mercantile life." His notable address delivered before the New York Bible Society on "The Bible by Itself" was published in 1860, and in 1862 a biographical sketch of "Martin Van Buren." In 1871 he published an essay on the ethical relations of "Lawyer and Client," founded upon a lecture on the same subject before the Law School of the University of the City of New York. About the same time appeared his collected poems (Boston, 1871). In 1879 he published a memorial address on Evert A. Duyckinck, who had been his intimate personal friend. Mr. Butler is also the author of two successful works of fiction—"Mrs. Limber's Raffle," which was originally published anonymously in 1876, and "Domesticus," a story touching upon the labor problem in various ways, which appeared in 1886.

He has been deeply interested in the cause of education, and for a long term of years has maintained an active part in the direction of the University of the City of New York, serving upon the council of that institution, by continuous re-elections, since 1862, and delivering an annual course of lectures on admiralty law before the Law School.



CADY, JONATHAN RIDER (born July 31, 1851, at Rayville, in the Town of Chatham, Columbia county, New York), is the eldest son of Perkins F. and Ann M. Rider Cady, his ancestors having long resided in Columbia county, and being of English origin. One of the members of his father's family was the late Judge Daniel Cady, of Johnstown, Fulton county, who served as a justice of the Supreme Court and judge of the Court of Appeals, and who was the father of Elizabeth Cady Stanton.

Mr. Cady was educated in the public schools, and at the Friends'



School, Providence, Rhode Island. He studied law in the office of Gaul & Esselstyn at Hudson, graduated at the Albany Law School,



*J. Reuben Casey*

and was admitted to the bar in 1872. He resides and practices his profession at Hudson.

While pursuing his studies at the law school he served as clerk to the judiciary committee of the assembly. This was during the mem-

orable legislative session of 1872, when the charges of the Association of the Bar of the City of New York against Judges Barnard, Cardozo, and McCunn were investigated, leading to the impeachment of Barnard, the resignation of Cardozo, and the removal of McCunn. This investigation was conducted by the assembly judiciary committee, whose chairman was L. Bradford Prince, since chief-justice of New Mexico and governor of that territory. Among its members were Samuel J. Tilden and David B. Hill. He thus enjoyed the advantage of close association and acquaintance in early life with some of the most prominent men of the state.

Since his admission to the bar he has steadfastly devoted all his energies to the learning and pursuit of the law. His experience has been extensive and varied. In 1882 he formed a partnership with Albert Hoysradt, Esquire, which continued until 1892. He was admitted to the bar of the Supreme Court of the United States in 1888, on motion of Attorney-General Garland. From January 1, 1890, to December 31, 1896, he served as county judge of Columbia county, making a conspicuous record for judicial ability and strength. At the expiration of his term of service he declined the renomination that was tendered to him by a unanimous vote of the committee.

Very early in his practice, when he was twenty-five years of age, he was associated with Charles L. Beale in the defense of John V. Kiere and his wife, who had been jointly indicted for the murder of Charles Hermance, a popular citizen of Hudson. Mr. Beale was taken suddenly and severely ill on the second day of the trial, and the entire conduct of the defendants' case thus unexpectedly devolved upon Mr. Cady. In the trial, which lasted about a week, Gershom Buckley, district attorney of Columbia county, and John B. Longley, ex-district attorney, both lawyers of ability and distinction, were opposed to him for the prosecution. He succeeded in obtaining the acquittal of the wife, and in limiting the verdict against the husband to one of murder in the second degree.

He has taken part in several other well-known homicide cases. Associated with Robert E. Andrews, he defended Henry Moett, charged with a double murder in Taghkanic. Moett was convicted of the murder of his wife, and three times sentenced to death; but his persistent counsel finally prevailed upon a motion for a new trial, on the ground of newly discovered evidence and surprise, made at the Oyer and Terminer, and their client escaped with his life, the district attorney consenting to accept a plea of murder in the second degree. With Mr. Andrews he also defended Lewis Coon, indicted for the murder of his wife. Coon escaped the death penalty and was convicted of manslaughter in the first degree. He was associated with the district attorney, Mr. Aaron B. Gardenier, in the successful prosecution of Oscar F. Beckwith for murder in the first degree. On behalf of the People he conducted the preliminary examination of Giuseppi

Scoma, charged with a murder in the Town of Greenport, and developed a remarkable chain of circumstantial evidence upon which the defendant was finally convicted in the first degree. He was counsel with the district attorney upon the second trial of Andrew Ford, accused of the murder of his wife in the Town of Chatham. This was one of the most notable cases involving alleged arsenical poisoning ever tried in the state. He successfully defended Reuben Best, indicted for the murder of one Sisson in the Town of Claverack, and he has appeared in a number of other homicide cases, either upon the part of the People or of the defense.

In conjunction with District-Attorney Gardenier he conducted the extradition proceedings against J. H. W. Cadby, who was charged with very extensive forgeries, and secured his return from the Province of New Brunswick, after a strenuous legal contest which, commencing in the Province of Ontario, at Hamilton, was removed to Halifax in Nova Scotia, and thence transferred to the Province of New Brunswick. It went through all the courts of that province, and was finally disposed of by the Supreme Court of the Dominion of Canada, at Ottawa. Many prominent Canadian lawyers took a part in it, and it was the first successful attempt, up to that time, to secure extradition from New Brunswick.

While his practice at the criminal bar has been varied and interesting, it has formed but a minor and incidental part of his work. He has been for many years one of the most active lawyers in eastern New York, and transacts a large volume of counsel business in the state and federal courts, as well as in those of other states.

He was associated with Joseph H. Choate, Matthew Hale, Robert F. Wilkinson, George Bliss, William A. Sutherland, and John F. Parkhurst in the celebrated Deane senatorial contested election case of 1891, which resulted in a decision by the Court of Appeals in favor of Deane, the republican candidate, although the democratic board of state canvassers afterward awarded the seat to the latter's opponent. Upon the occasion of this arbitrary action by the board of canvassers, Mr. Cady appeared before them on the part of the republican counsel, and in memorable and effective language protested against and condemned the illegality and dishonesty of the proceeding.

In 1896 he was counsel for William L. Ward in the matter of the contested republican nomination for representative in congress in the 16th congress district of New York, composed of Westchester county and a portion of New York City. The regularity of Mr. Ward's nomination was contested by Ben L. Fairchild, for whom Honorable Benjamin F. Tracy, late judge of the Court of Appeals and secretary of the navy under President Harrison, appeared as leading counsel. The struggle in the courts was bitter and protracted. The Appellate Division of the Supreme Court in the 3d department decided in favor of Mr. Ward, and he was elected to the office.

In politics he has been attached from boyhood to the republican party, and he is one of its recognized leaders in the state. He was for eight years chairman of the republican county committee of Columbia county, and has frequently represented that county in state conventions.

From 1885 to 1889 he was postmaster of Hudson, receiving his appointment from President Arthur. In 1893 he was elected a delegate-at-large to the state constitutional convention, which assembled in 1894. In that body he was chairman of the committee on canals, and framed and secured the passage of the amendment providing for the improvement of those great waterways of the state. This provision of the constitution was adopted by the largest popular vote cast for any of the amendments, and is the basis of the legislation since passed authorizing the expenditure of \$9,000,000 for canal improvements. He was also a member of the judiciary committee, and was one of the sub-committee of four that drafted the amendments to the judiciary article. His associates on the sub-committee were Elihu Root, Louis Marshall, and John M. Bowers. In the republican state convention of 1896, at Saratoga, he made the speech in which Governor Black was placed in nomination.

Mr. Cady is especially prominent at the state bar as an advocate, ranking with the leading *nisi prius* lawyers. He is thorough and effective in the preparation and the presentation of his cases. He is, moreover, a careful student of the fundamental principles of the law, and to the qualities of the brilliant advocate adds the equipment of the sound, sagacious, and well-balanced lawyer.

He was married in 1873 to Sarah C., daughter of Philip K. Burger, of Hudson. They have two children, Elizabeth B. and Perkins F.



AMERON, DANIEL (born in Broadalbin, Montgomery county—now Fulton,—New York, March 5, 1825), is a son of Allan and Catharine Cameron. His mother's name before marriage was Catharine Fraser.

He acquired his literary education at Johnstown Academy (Johnstown, New York), studied law with Honorable John Wells, of Johnstown, and was admitted to the bar January 4, 1848, at the general term of the Supreme Court, held at Fonda, Montgomery county. He thereupon commenced practice at Johnstown, where he continued until 1876. Since that time he has practiced in Brooklyn.

For a number of years, while in Johnstown, Mr. Cameron held the offices of superintendent of schools and justice of the peace.



**CAMERON, WINFIELD SCOTT** (born in Ellicott, Chautauqua county, New York, June 5, 1838), is the son of John Armstrong and Harmony Hitchcock Cameron. He was educated at the Jamestown Academy, the Randolph Academy, and the Chamberlain Institute, attended the Albany Law School, and received his office training for the profession under Honorable Alexander Sheldon, of Randolph, New York, and at Jamestown, New York. He was admitted to the bar at Buffalo in May, 1866, and since that time has practiced at Jamestown, becoming one of the prominent lawyers and citizens of that locality and section.

Mr. Cameron was one of the members to charter the Jamestown Street Railway Company, and for many years has been a director and secretary of that company. He was for a long period a director of the City National Bank of Jamestown, and upon its consolidation with another bank, in the Chautauqua County Trust Company, he became a director in the new institution, which position he still holds. He was a member of the assembly in 1868 and 1869, and has served on the board of trustees of the Village of Jamestown.

On August 5, 1862, Mr. Cameron enlisted as a private in the 154th regiment, New York state volunteers. He was at the battle of Fredericksburg, was wounded and captured at Chancellorsville, took part in the battles of Lookout Mountain, Missionary Ridge, and many other battles and engagements, and marched with Sherman to the sea, remaining in the service to the close of the war. He was brevetted major by the president, and lieutenant-colonel by Governor Fenton, for meritorious services in battle and on Sherman's march. In 1864 he was appointed acting assistant-inspector-general on the staff of the 20th army corps, in which position he continued until the end of the rebellion. Mr. Cameron's only brother, John E. Cameron, was killed in the battle of the Wilderness.



**CANTINE, CHARLES FREEMAN** (born in Saugerties, Ulster county, New York, November 4, 1858), is the son of Peter and Sarah A. Cantine. He was educated at the Saugerties Academy and Rutgers College, being graduated from the latter institution in the class of 1880. He began the study of the law under the direction of his father, a practitioner in Saugerties, and then took the complete course at the Columbia College Law School. Upon the completion of his studies there he was admitted to the bar at Ithaca, in May, 1882. He soon afterward engaged in professional business in Kingston, where he has practiced without interruption since.

Mr. Cantine is now (1897) serving as district attorney of Ulster county, to which office he was elected in November, 1895.



CARTER, JAMES COOLIDGE (born in Lancaster, Massachusetts, October 14, 1827), is the son of Major Solomon Carter, a prominent citizen of Lancaster, Massachusetts, and at times its representative in the legislature, and is lineally descended from the Reverend Thomas Carter, the original emigrant, who at the age of twenty-five came to New England in the ship *Planter* in 1635, having previously been educated at Saint John's College, Cambridge. Reverend Thomas Carter was "ordained as the first minister of Woburn, December 2, 1642,"<sup>1</sup> and served the church continuously for forty-two years, until his death in 1684, at the age of seventy-four.<sup>2</sup>

Mr. Carter was prepared for college at Derby Academy, Hingham, Massachusetts, and was graduated from Harvard in 1850, having distinguished himself at this university for scholarship, and by winning two prizes for essays and one for a Latin dissertation. He was graduated from the Harvard College Law School in 1853, and the same year was admitted to the bar in New York City, where he has been in active practice since.

By brilliant and thorough professional work he achieved the distinction now universally accorded him of a foremost place among great American lawyers. His treatment of questions of law, in the words of another, exhibits the possession of "one of the finest legal minds this country has ever produced." His penetration and grasp of a subject may be described, in lieu perhaps of better adjectives, as intellectual and logical; although, in the presentation of his theme, he is able to add much of the persuasive warmth of eloquence to the more convincing, if less emotional, effect of searching analysis and keen logic.

He has been prominent in famous litigations and controversies involving questions of public interest and of national and international law. He has been counsel for the City of New York in many of its most important cases carried to the New York Court of Appeals. Among such litigations were the proceedings in the nature of *quo warranto* respecting the title to several important city offices; cases of the alleged claims of private parties against the city for wharfage rights; the important proceedings for exemption from taxation instituted by the elevated and surface railroad companies and various foreign banks and other corporations; the claims against the city for the recovery of huge sums as alleged rents of private buildings leased for use as armories, and the recent suits for enormous amounts brought

<sup>1</sup> "History of Middlesex County, Massachusetts," by Samuel Adams Drake, Vol. ii., Boston, 1880.

<sup>2</sup> The line comes down from this clergyman to James C. Carter as follows: Reverend Thomas Carter<sup>1</sup>; his oldest child, Reverend Samuel Carter<sup>2</sup>, minister of the church in Groton, Massachusetts (born August 8, 1640; died 1693); his oldest surviving son, Samuel Carter<sup>3</sup> (born January 7, 1677; died August 30, 1738), who settled

in Lancaster, Massachusetts; his son, Ephraim Carter<sup>4</sup>, of Lancaster; his oldest surviving son, Captain Ephraim Carter<sup>5</sup>, of Lancaster; his son, Major Solomon Carter<sup>6</sup>, of Lancaster; his son, James C. Carter<sup>7</sup>, of New York.

Through his mother, Elizabeth White, Mr. Carter is descended from John White, one of the early settlers of Lancaster.



*James C. Carter*





by the contractors for the building of the new aqueduct. He was also counsel for the people of the State of New York in the famous suit to recover from William M. Tweed \$6,000,000 for moneys abstracted from the city treasury under the fraudulent contrivance known as the "Six Million Audit."

He has argued in the Supreme Court of the United States a large number of cases, many of them involving questions of constitutional law. Among others, the proceedings of the banks of New York City to set aside their tax assessments were carried before this tribunal, Mr. Carter arguing for the city; he also appeared in the Louisiana Lottery cases, which raised the question of the validity of the United States statutes denying to lotteries the use of the public mails; in the Counselman case, involving the right of the government to compel the testimony of the accused before grand juries; in a series of cases testing the claims for land grants made by the United States to aid the construction of transcontinental railroads; in the cases questioning the validity of congressional legislation prohibiting the immigration of Chinese laborers; and the important case of the Bate Refrigerator Company, involving the construction of United States statutes upon the subject of patents.

In addition to the above cases, he was one of the principal counsel for the defendants in the noted litigations some years ago in connection with the will of the celebrated Madam Jumel, which were carried through the various tribunals to the United States Supreme Court. The original case—an attack upon the will—was followed by the claims of various pretenders to the right of inheritance. These cases presented a singular union of professional and dramatic personal interest, and in his able conduct of them Mr. Carter attracted wide attention.

More recently he has also argued in the United States Supreme Court the important cases to recover on foreign judgments from the late firm of A. T. Stewart & Co. Another of his litigations, the case of the *Scotia*, was carried through the United States courts and up to the Supreme Court. This case involved two important issues; first, concerning the limitation of liability for marine torts; second, the question whether a British vessel, libeled in the courts of the United States by the owners of an American vessel, could avail of the defense afforded by United States statutes prescribing rules of navigation, in view of the fact that American vessels libeled by British citizens in the English admiralty courts are denied the benefit of similar British statutes by the courts of England.

But of cases involving international law, the more important and most recent in mind in which he has been engaged was the argument in 1893, before the tribunal of arbitration at Paris, upon the question of the rights of the United States in the seal herds and seal industries of the Pribylof Islands in the Bering Sea. As counsel for the

United States he delivered a brilliant argument. In the income tax cases he was counsel for the government, and delivered a powerful argument for the constitutionality of the law.

An independent in politics, he is one of the more prominent figures in the group of distinguished New York lawyers who have been active in all movements looking to municipal reform. His activity in this direction began with the organization of the Bar Association of the City of New York as a protest against the Tweed régime, and more especially against the degradation of the bench under Tweed's corrupt henchmen, Judges Barnard and Cardozo; and from that time to the present he has participated in every similar movement for the elevation of the legal profession or the purification of our political institutions. In 1875 he rendered distinguished service as a member, by appointment of Governor Tilden, of the commission to devise a form of municipal government for the cities of the State of New York. Since its organization in 1892 he has been president of the City Club, a society of about 650 well-known citizens associated expressly to reform the evils of corrupt or incompetent municipal government.<sup>1</sup>

He is the author of several notable addresses and monographs on legal subjects. "The Proposed Codification of our Common Law" (New York, 1884), a masterly argument against the threatened codification, prepared at the request of a committee of the Bar Association, attracted wide attention to the subject and added to the fame of its author. The address before the Virginia State Bar Association in 1889 on "The Provinces of the Written and the Unwritten Law," and that on "The Ideal and the Actual in the Law," delivered at the thirteenth annual meeting of the American Bar Association, August 21, 1890, and reprinted (Philadelphia, 1890) from the Transactions of that association, were scarcely less notable.



ARVER, DAVID H. (born in the Town of Union, Broome county, New York, March 19, 1843), is the son of Reverend John and Maria Sturgess Carver. His father was a methodist minister, who removed from Columbia county, New York, to Broome county in 1852, and died at Susquehanna, Pennsylvania, in 1872. The son attended a district school and the Cortlandville Academy, at Cortland, New York. At the age of seventeen he began teaching school in Cortland and Broome counties. In this occupation he continued for three winters, and then entered Hamilton College, from which he was graduated with the degree of bachelor of arts in the class of 1871. The master of arts degree has since been conferred on him by that institution. In 1874 he was graduated from the law department of Hamilton. He also pursued legal studies for one

<sup>1</sup> He is also a member of the Union League, Century, University, Metropolitan, and Alpha Delta Phi Clubs of New York City.

year in the offices of Chapman & Martin (the late Honorable O. W. Chapman and Honorable Celora E. Martin, of the Court of Appeals), at Binghamton.

Immediately after his admission to the bar (which occurred at Utica in July, 1875), Mr. Carver began practice at Binghamton, where he has continued without interruption until the present time. He is at the head of the firm of Carver, Deyo & Jenkins, which has the largest professional business, and is generally recognized as the leading law firm of Broome county.

Mr. Carver has held the offices of district attorney of the county (1880-83) and member of the board of education of Binghamton (1886-92). He has been president of the Binghamton Library Association for the past ten years, and president of the Binghamton Presbyterian Union for three years.



CARY, CHARLES SYLVESTER (born in Hornellsville, New York, November 25, 1827), is the son of Christopher and Mary Cary. He received a common school, academic, and legal education, being graduated from Alfred Academy (now college) in 1847, and from the National Law School, at Ballston Spa, New York, in 1850. He was admitted to the bar at Canton, Saint Lawrence county, New York, in May, 1850, and soon afterward opened a law office in Olean, New York, where he is still engaged in the practice of the profession.

Mr. Cary's career of nearly half a century at the bar of western New York has been highly successful and distinguished. Throughout this long period he has attended every term of the Supreme Court held in his county, and for very many years he has had an exceptionally large and important clientage, extending throughout the oil regions. He has been successively at the head of the firms of Cary & White, Cary & Bolles, and Cary, Rumsey & Hastings.

While he has never been a politician in the ordinary sense, or an office-seeker, he has taken an active interest in political affairs and has filled various high official positions. In his party affiliations he has always been a democrat. Notwithstanding his connection with the democratic organization he was appointed by President Lincoln, in 1863, a commissioner of the board of enrollment for the 32d district. In 1865 and 1866 he served as collector of internal revenue for the same district. In 1872 he was the democratic candidate for congress in the Chautauqua-Cattaraugus district. A large number of the votes cast for his republican opponent were rendered technically invalid by an inaccuracy in the ballots, and there was no doubt that Mr. Cary was legally entitled to the seat. He refused, however, to undertake a contest for setting aside the evident will of the people on merely technical grounds. In 1883 he was elected to the assembly, overcom-

ing a large republican majority, and in the same year, being nominated for justice of the Supreme Court by the democratic convention for the 8th judicial district, he ran some 11,000 votes ahead of his ticket. He was appointed in 1886, by President Cleveland, a member of the national commission on the Pacific railroads, and from 1887 until March, 1889, also by Mr. Cleveland's appointment, he occupied the office of solicitor of the treasury of the United States. In 1895 he was urged to become the democratic candidate for secretary of state of New York, but declined.

Mr. Cary has also long been prominently identified with western New York railway interests and banking institutions. He has held the positions of president of the Olean, Bradford & Warren, the Kendall & Eldred, and the Olean & Bolivar railroads, and is now vice-president of the Condersport & Port Allegbeny Railroad. He was one of the incorporators, and is still a director, of the Exchange National Bank, of Olean.



**CARY, EUGENE** (born November 21, 1857), is the son of Richard L. Cary and Lucia Beecher. He was graduated at Cornell University in 1878 with the degree of B.S., read law with Honorable T. P. Grosvenor, of Dunkirk, New York, and Lewis & Rice, of Buffalo, and was admitted to the bar at Buffalo in June, 1884. He practiced alone at Dunkirk from June, 1884, to November, 1884, and from that date to October, 1885, as a member of the firm of Sherman & Cary, and then until May 1, 1887, at Niagara Falls, in association with H. C. Tucker. From then he practiced alone until May 1, 1893, when he organized with William C. Wallace the firm of Cary & Wallace, a partnership which still continues.

Mr. Cary has taken an active interest in politics. In the campaign of 1884 he was a member of the Chautauqua county republican committee, and edited the political department of the Dunkirk *Journal*. He was for one year a member of the Niagara county republican committee, and in 1895 he was chairman of the judicial convention for the 8th judicial district. Since April, 1896, he has been a member of the Niagara Falls board of education.

He is a director of the Bank of Niagara and the Power City Bank.



**CASSEDY, ABRAM STEVENS** (born in Ramapo, Rockland county, New York, November 29, 1833; died in Newburgh, New York, April 29, 1896), was the grandson of Archibald Cassedy, who emigrated from the north of Ireland about the time of the Revolution, and became one of the pioneer settlers of Rockland county, New York. He was imbued with the indomitable industry and moral principles characteristic of the Scotch-Irish, and

became a successful and respected member of the community. His son Archibald engaged in mercantile and agricultural pursuits and married Lydia Gurnee, daughter of Judge Gurnee, of Rockland county, who was of French descent. They lived at Ramapo, where Abram S. was born.

Abram S. Cassedy received an academic education and was graduated from the State Normal College, at Albany, in 1852. He studied law with Judge William F. Fraser, at Clarkstown, New York, and then with Wilkin & Gott, at Goshen, New York, and was admitted to practice in 1857. Doctor Charles Drake was then county clerk, and Mr. Cassedy was appointed his deputy, and filled the position for two years. Then for the next four years he was clerk of the board of supervisors of Orange county. Meanwhile, in 1859, he removed to Newburgh and entered upon the practice of his profession. In 1862 he was elected district attorney of the county on the democratic ticket, and served three years. In 1869 he formed a partnership with Honorable Charles F. Brown, son of Honorable John W. Brown, and the firm of Cassedy & Brown acquired a large clientage. The partnership continued until Mr. Brown became a justice of the Supreme Court. From 1886 until his death he was in partnership with his son, William F. Cassedy, under the firm name of A. S. & W. F. Cassedy. In 1874 Mr. Cassedy commenced a term in the board of education, and served one year as its president; he declined the nomination for a second term. In 1875-78 he was corporation counsel.

In 1880 he was nominated by acclamation by his party for mayor, and was elected by a large majority. During his service in this office the Quassaick creek bridge was built, the West Shore Railroad was building, and the first steps were taken to perfect arrangements for the centennial celebration. He was a director and attorney for the Quassaick National Bank of Newburgh for the last twenty years of his life.

During the partnership of Cassedy & Brown they represented in part the Erie Railroad in Orange county, and were attorneys at Newburgh for the North River Construction Company, which built the West Shore road. They paid out about \$700,000 for the company in procuring the right of way through the city and its immediate vicinity. He was local attorney for the West Shore, and afterward for the receivers. In October, 1885, he was appointed by the court as referee in the matter of the foreclosure sale of the West Shore, and in November of that year sold the road at Newburgh court-house for \$22,000,000 and distributed the proceeds among the creditors. It is worthy of mention that in making this distribution he issued one check for \$1,067,412.76, and three others for more than half a million dollars each. Since then he represented the West Shore Railroad Company in Newburgh.

Mr. Cassedy was an able lawyer, painstaking and conscientious in

all his acts, and won in a marked degree the confidence of the community.

He married Margaret J., daughter of Doctor Charles Drake, of Newburgh, in 1861. William F. Cassedy, his oldest son and partner, is now practicing law in Newburgh, and Frank H., his younger son, is following the same profession at Chicago, Illinois.



**CHACE, A. FRANK B.** (born in Hillsdale, Columbia county, New York, February 13, 1837), is the son of John McGonegal Chace and Eliza Ann, daughter of John L. Becker. In the paternal line his family is of English descent. His mother's ancestors, on both sides, were natives of Holland. During his infancy his parents removed to New York City, where his father engaged in business; but six years later, influenced by considerations of health, the family returned to Columbia county, purchasing a large farm near Spencertown. Here young Chace was reared to manhood. He attended the district school and Spencertown Academy, and, looking forward to a college education, completed his preparation for it at the New York Conference Seminary (Charlotteville). He then passed a creditable examination for admission to the junior class of Union College. But the death of his father in the summer of 1856 compelled him to abandon his plans and devote himself to the care of the family and the farm. While pursuing his academic studies he obtained employment as a teacher in the country and village schools, continuing in this occupation for four winter terms.

In 1859, having decided to fit himself for the legal profession, he entered the law office of Martin H. Dorr, at Hillsdale. At the time of the firing on Fort Sumter, in April, 1861, he was nearly prepared for admission to the bar. Early in that month a meeting to promote the enlistment of volunteers had been held in Hudson, as the result of which, and of a subsequent meeting, Company K. of the 14th regiment of New York state volunteers was recruited, composed of members of some of the most prominent families of the city and county. In this company Mr. Chace enlisted as a private on April 23, eleven days after the firing on Fort Sumter. On the 17th of May following he was mustered into the United States service, and one month later the regiment was sent to the front. He participated with his regiment and company in the battles of Hanover Court House, Mechanicsville, Gaines Mills, and Malvern Hill, having meantime been promoted to the rank of corporal, in charge of the colors.

At the bloody battle of Malvern Hill, July 1, 1862, he was wounded in the left thigh by a rifle ball, suffering a fracture of the femur. McClellan's army, retreating to Harrison's Landing, was forced to leave its thousands of wounded on the field. Here Mr. Chace lay for twenty-four hours, when he was removed by a cavalry squad of the rear guard

to an old barn. His leg was straightened, bandaged, and splinted, but it was not until six days after receiving his wound that he was examined by a surgeon. This, however, proved a fortunate circumstance. Up to that time it had always been assumed by the medical



A. FRANK B. CHACE.

profession that amputation of the limb was the only recourse in a case such as his; and undoubtedly if he had been placed in an army hospital promptly after being wounded his injured leg would have been taken off. But when, six days subsequently, he was put under surgical treatment, it was decided not to amputate, and, much to the

surprise of the medical and surgical department of the army, he was able not only to preserve the leg, but gradually to regain the use of it. His case attracted much attention, being the subject of articles by specialists in the leading medical journals. Mr. Chace has always attributed his successful endurance of this ordeal largely to his vigorous constitution and to his perfectly temperate and careful habits of life as a youth and young man.

After being removed, as already related, from the battlefield to a place of temporary shelter, Mr. Chace, in common with the other union wounded, presently fell into the hands of the enemy. He was then (July 8) taken in a rude wagon over a rough corduroy road to Richmond and placed in Libby Prison, where he remained for fourteen days. Being exchanged at the end of that time he was transported to the United States army hospital at Baltimore, from which he was discharged (also being honorably discharged from the military service) on the 11th of October.

Upon his return home he zealously devoted his abilities to the union cause, frequently addressing war meetings while yet on crutches. Resuming his legal studies he opened a law office in Hillsdale in the spring of 1863. He did a successful office business and in the Justice's Court until his admission to the bar (December, 1863), when he engaged regularly in his profession, enjoying a steadily increasing practice. From the spring of 1864 to the spring of 1866 he was in partnership, at Hillsdale, with Edgar L. Snyder, in the firm of Chace & Snyder. On July 8, 1867, he removed to the City of Hudson and formed a professional association with Judge John C. Newkirk. The firm of Newkirk & Chace soon took a prominent place at the bar of Columbia county and the judicial district, transacting a large and profitable business until its dissolution, by mutual consent, in November, 1889. Mr. Chace thereupon succeeded to its clientage. He has recently established the new firm of A. Frank B. Chace & Sons, in which two of his sons, Alfred Bruce Chace and J. Frank Chace, are associated with him. His youngest son, William Wallace Chace, is at present (1897) a student in the office.

From the outset of his professional career Mr. Chace's abilities have been widely recognized and abundantly rewarded. Still in the vigor of life, he is now, at the age of sixty, admittedly the leader of the bar of Columbia county; and his extensive reputation and clientage have gained for him also a high rank at the bar of the state. For many years he has done an especially large counsel business, trying suits for many of the young lawyers of the county, as well as for practitioners in surrounding counties. He has always given his attention mainly to litigated civil cases, having little taste for the criminal branches of the profession. Thoroughly read in the law, he is conspicuous among the lawyers of his part of the state for judgment and discrimination in all matters involving fundamental principles and



constructions. He is equally well known for conscientious and exact devotion to details. A considerable part of his practice has been in connection with wills and other instruments; and it is said that no legal document drawn by him has ever been broken or even in any manner questioned. He is, moreover, prominent as an advocate; and although of late years his duties as a counselor have engaged most of his time, he still takes part with zest in the contests of the forum.

Of the many important suits tried by Mr. Chace in his thirty-three years of practice, a few may be instanced as involving certain fundamental or otherwise particularly interesting questions of law.

He was associated with Rufus W. Peckham (now one of the justices of the United States Supreme Court) in the case of *Chrysler vs. Kennedy*, as counsel for the defense. This was an action for damages. The judge held that the defendant was liable for a breach of warranty if the jury found that, in a real estate transaction with the plaintiff, he had made exaggerated statements as to value—the plaintiff having seen and examined the real estate. Upon the trial the presentation of the law of the case was, by agreement of counsel, left to Mr. Chace. The jury rendered a verdict of \$30,000, which was affirmed by the general term. But the Court of Appeals ordered a reversal, and the case was subsequently settled for \$1,000.

Mr. Chace's firm obtained the first discharge for debt granted in Columbia county under the national bankrupt act, and also interposed the first successful opposition to a discharge applied for under the terms of that statute.

In the peculiar will case of *McGiffert et al. vs. McGiffert et al.*, Mr. Chace obtained a notable victory for his clients. John McGiffert, a resident of Hudson, upon his decease left considerable property, which he disposed of by a holographic will, containing a provision prohibiting the distribution of the estate among the beneficiaries until a period of ten years should elapse. The court held this provision to be a void limitation and not a trust term, and preserved the will without the limitation; Mr. Chace, by a very able argument, having disproved the contention that the provision was a void trust term, which, if established, would have caused the court to hold that the entire will consequently failed.

In *Groat vs. Gile*, his firm procured a very interesting decision concerning the right of a purchaser to the increase or produce of personal property in cases where possession of the property had not been changed. Gile, a farmer, entered into a contract in the month of April to sell to Groat and another, speculators, a flock of ewes with about the same number of lambs, and received \$25 on the contract, it being agreed that the ewes and lambs should run on the farm until October, when the balance of the purchase money was to be paid. At shearing time the seller sheared the sheep against the protest of the purchasers, who thereupon sued him for the value of the

wool. A decision was rendered in favor of the purchasers, Mr. Chace's clients, which was reversed by the general term; but upon appeal to the Court of Appeals the original decision was sustained.

In the suit of the Board of Water Commissioners of the Village of Philmont *vs.* the Forest Lake Club and others, he secured a construction of the law of damages upon a point at that time involved in some confusion. This action was brought by the authorities to condemn a portion of the water of Forest Lake for the use of the village. The commissioners held, with Mr. Chace, that as the village was a customer for the rights claimed in the suit, this fact should be taken into account in determining the amount of damages to be awarded.

In the notable divorce case of *Younghanse vs. Younghanse*, in the City of Cleveland, Ohio, Mr. Chace was counsel for the wife, charged by her husband with desertion. A counter-plea of desertion was preferred by the defense, and the court decided in favor of the wife, granting a divorce and alimony. It was said by Judge Hamilton, who held the term, that this was the first divorce case in the State of Ohio in which a counter-claim had been allowed and prevailed.

Mr. Chace, though born and bred a democrat—his father having been attached to the freesoil wing of the democratic party,—has always, since attaining his majority, been an ardent and active republican. He has supported the principles of the republican party, on the stump and otherwise by his influence, in almost every campaign for thirty years. He has frequently been a delegate to county, congressional, and state conventions. He has always refused, however, to take nominations for public offices not in the line of his profession, and twice he has declined to become a candidate for district attorney of the county.

As a public speaker he has long been distinguished for effectiveness and eloquence. He has frequently been selected to deliver addresses on occasions of especial importance and interest.

He is prominent in the Grand Army of the Republic and in the Masonic fraternity. In the former organization he has held the office of commander of R. D. Lathrop Post, No. 138, and he is at present an aide-de-camp on the staff of the state commander. In the Masonic order he has served three terms as master of Aquila Lodge, No. 700.

While uniformly declining to accept ordinary political offices, he has been active and influential in all matters related to the welfare of the City of Hudson, of which he is one of the most prominent citizens, equally respected and esteemed for his abilities and for the honesty and integrity of his character and life. From June 1, 1881, to June 1, 1886, he was a member of the local board of education, and during the last year of his service was its president.

August 16, 1865, he was married to Mary Z. Bruce, only daughter of Alfred Bruce, a successful merchant. Mrs. Chace is the only sister of Wallace Bruce, of Brooklyn, the well-known poet and lecturer, and

formerly United States consul to Leith, Scotland. Mrs. Chace is a graduate of the Hudson River Institute and Claverack College. Their only children are the three sons above named, to whom they have given a liberal education, including a course at Yale College. Each of the young men has chosen the profession in which their father has made so great a success.



**CHAPMAN, ORLOW W.** (born in the Town of Ellington, Connecticut, January 7, 1832; died in the City of Washington, January 19, 1890), was the son of Honorable Calvin and Hortensia Dorman Chapman. Among his ancestors were Edward Chapman, who settled in Windsor, Connecticut, about 1660, and was the earliest of the family in America. He was a soldier in the colonial army, and died from a wound received in a battle with the Indians in 1675. Others in the line of his ancestors were Captain Samuel Chapman, who died in the service of his country during the French war; also Colonel Samuel Chapman, of the revolutionary war.

The education of Orlow W. Chapman as a farmer's boy was confined to a few months' study in winters, and later to preparatory studies in the academies at Ellington, Connecticut, and Monson, Massachusetts. He entered Union College, at Schenectady, New York, graduating in the class of 1854, and being a member of the Phi Beta Kappa Society. During his collegiate course he supported himself largely by teaching during portions of the year. After graduation he taught classes in languages in the Fergusonville Academy for one year, and in 1855 entered the law office of Messrs. Parker & Gleason, at Delhi. He was admitted to the bar at a general term of court at Owego, New York, in 1857. In 1858 he removed to Binghamton. In 1862 he married Susan F. Pope, who still survives him. In 1868 he formed a law partnership with Honorable Celora E. Martin, now a judge of the Court of Appeals, in 1876 Honorable George F. Lyon, now justice of the Supreme Court, being added to the firm, which partnership as thus constituted continued until the appointment of Judge Martin as justice of the Supreme Court in 1877, and that with Justice Lyon until Mr. Chapman's death in 1890.

Mr. Chapman was appointed by Governor Morgan district attorney of Broome county in 1862, and was elected to that office in 1865. In 1867 he was elected state senator, and he was re-elected in 1869. In 1872 he was appointed by Governor Hoffman a member of the constitutional commission. In the same year he was nominated by Governor Hoffman as superintendent of the insurance department, being unanimously confirmed by the state senate, and resigned his position as member of the constitutional commission to accept that of insurance superintendent. The latter office he held until his resignation in 1876. He was a member of the national republican convention

at Chicago in 1890, and one of the 306 who favored the renomination of General Grant.

Mr. Chapman was appointed solicitor-general of the United States by President Harrison in 1889, and held that office at the time of his death, January 19, 1890. In Washington the president with his cabinet, and the highest officials of the government, attended the brief funeral ceremonies. In Binghamton every mark of respect was paid to his memory. Mourning emblems were displayed throughout the city, business offices were closed, and the citizens in a veritable pilgrimage of sorrow crowded to the church where the funeral services were held.

Mr. Chapman was a man of beautiful and striking presence, towering like Saul above his fellow-men. Nature had been most generous to him. With a broad, vigorous, well-balanced, active intellect, in a physical frame that men might envy for its massive strength, he was steady of purpose, sound of judgment, clear of comprehension, untiring in research, keen in discrimination, accurate in conclusion, and fruitful in adaptation. His mind was disciplined by education, refined by culture, and quickened by social intercourse; he was patient, earnest, faithful, eloquent, apt for occasions, always to be relied upon, and added to all a gracious charm of manner, a rare personal magnetism and a kindness of heart that never wore out.



CHASE, EMORY ALBERT (born in Hensonville, Greene county, New York, August 31, 1854), is the son of Albert Chase, of English descent, who was engaged for many years in contracting, building, and lumbering, and then retired on a farm, and Laura O. Woodworth Chase, of Scotch ancestry. Most of his early life was spent on his father's farm. He attended the public school at Hensonville, and continued his studies at the Fort Edward Collegiate Institute, but did not graduate. He received his preparation for the legal profession in the office of King & Hallock (Rufus H. King and Joseph Hallock), at Catskill, New York, and was admitted to the bar at Ithaca May 6, 1880. He had previously obtained an interest in the firm of Hallock & Jennings (Joseph Hallock and W. Irving Jennings), at Catskill, and in 1882 he became one of its members, the firm name being changed to Hallock, Jennings & Chase. After Mr. Hallock's retirement, September 22, 1890, the business was continued under the style of Jennings & Chase, until December 1, 1896, when it was dissolved in consequence of Mr. Chase's election (on the republican ticket) as justice of the Supreme Court for the 3d judicial district. Since the 1st of January, 1897, he has devoted himself to the duties of that office.

During his career at the bar Judge Chase was constantly connected with important litigations arising in the 3d judicial district. He was

admitted to practice also in the United States District and Circuit Courts and the United States Supreme Court. He has long been prominent in the local affairs of Catskill. He was a member of the board of education for fourteen years previously to December, 1896, and for five years was its president. He served for a long period as corporation counsel of the Village of Catskill, retiring from that office in 1895, and was supervisor of the Town of Catskill in 1890.

Judge Chase has also been conspicuously identified with several of the most representative local interests. He is now 1st vice-president of the Catskill Savings Bank, a director in the Tanners' National Bank, the Cairo Railroad Company, and the New York & Hudson Steamboat Company, and is president of the Catskill Rural Cemetery Association.



**CHEW, JOHN CALHOUN** (born at Holly Springs, Mississippi, May 28, 1838), is the eldest surviving son of Captain John Chew and Mary Ann Smith, both natives of Maryland; and is of the ninth generation, in this country, in direct descent from the founder of the American branch of the Chew family, John Chew, of Chewton, Somersetsshire, England, who settled in Jamestown, Virginia, in 1620-21.

Mr. Chew's education was acquired mainly at Chalmers Institute, Holly Springs, Mississippi, but it was supplemented by a private course of study, and by extensive travel in this country, while recuperating from a precarious state of health, which precluded a two years' term at a Virginia college for which he had prepared. Later he read law with Thomas W. Harris, of Holly Springs, concluding his law studies at the University of Louisville, Kentucky, from which he graduated, March 6, 1860. He was admitted to the bar the following April, at Brenham, Texas, where he began the practice of law, establishing the same year a cotton plantation on the Brazos River in that state. The civil war intervening, Mr. Chew at its close resumed practice at Houston, Texas. In 1866, during an extensive European tour, he wrote a series of letters to the *Galveston News* that attracted wide attention. On his return, in addition to his law practice, he became connected with the press of Houston, as editor and proprietor and afterward as correspondent at New York of the *Houston Telegraph*.

In 1872 he took up his residence in New York City, where he established an office, representing large Texas interests at the metropolis. For nearly a quarter of a century he has remained counsel and fiscal agent at New York of important corporations, municipal, railway, and land, and has been promoter of various industrial interests in the great southwest. In 1873 and 1874, by appointment of Governor Davis, he was fiscal agent of the State of Texas in New York City; and from 1873 to 1876, by appointment of President Grant, he was

United States centennial commissioner, from the same state, in charge of the international exhibition at Philadelphia.

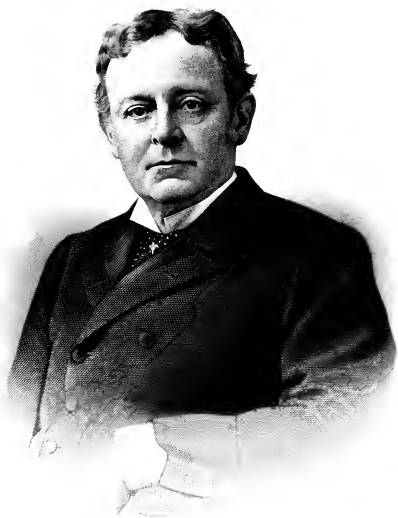
Mr. Chew has been eminently successful in dealing with the intricacies of financial questions; and, through his efforts for the interests he has represented, he has contributed largely to the development of the resources of the southwest.

In 1861 he married Zilphia Guthrie Fuller. She died August 8, 1863, leaving issue a son, Reverend John Marshall Chew, who, since June, 1891, has been rector of the Church of the Good Shepherd, at Newburgh, New York. Mr. Chew married again February 1, 1876, Theodora R. Seixas.



**CHOATE, JOSEPH HODGES** (born in Salem, Massachusetts, January 24, 1832), is lineally descended in the sixth generation from John Choate, who emigrated to Ipswich, Massachusetts, from England about the middle of the seventeenth century, taking the oath of allegiance in 1667. Various members of the Choate family attained distinction in Essex county, Massachusetts. Thomas Choate, born in 1671, and commonly called "Governor Choate," was active in public affairs, a member of the Massachusetts legislature, and a zealous opponent of Governor Andros and his tyrannous government. John Choate, grandson of the pioneer of that name, was a member of the Massachusetts house of representatives from 1741 to 1761, serving also as speaker of the house, and for five years was one of the governor's council. Another grandson of the first settler, Francis Choate, was for thirty years a justice of the peace, and was a writer and speaker of note. David Choate, in the fourth generation of descent, was a revolutionary soldier and prominent in local affairs, while his son, Rufus Choate, was the famous orator, jurist, and statesman, who attained a national reputation. Rufus had a brother David, who was a trial justice in Essex county, and served in both branches of the Massachusetts legislature. Captain Rufus Choate, Junior, son of the famous lawyer of that name, was a union soldier during the war.

Joseph Hodges Choate, of New York City, received his early education in the public schools of Salem, Massachusetts, entered Harvard College at the age of sixteen, and graduated four years later in 1852. In 1854 he graduated from the Dane Law School, in 1855 was admitted to the Massachusetts bar, and in 1856 removed to New York City and was admitted to the bar of this state. He has since practiced continuously in New York City, and has risen to a position where he stands, in a group with a few other lawyers, confessedly at the head of the bar of the city and state. He has achieved a national reputation as an orator, and as a pleader in cases at law. He has been counsel in many of the most famous litigations which have occurred in the last



*Yours very truly*  
*Joseph H. Choate*





quarter of a century. He was one of the Committee of Seventy which organized the campaign against the Tweed ring, and he was associated with Charles O'Connor in the prosecution and conviction of Tweed and his confederates. He was also counsel for General Fitz John Porter, and secured his client's reinstatement to military rank after several years' litigation and argumentation before the military commission at West Point, appointed by President Hayes to try the case. He also successfully defended General di Cesnola in the libel suit brought against him by Gaston L. Feuarent, growing out of the controversy regarding the integrity of the Cyprus antiquities presented by Cesnola to the Metropolitan Museum of Art. More recently Mr. Choate was counsel for Laidlaw in the action of Laidlaw *vs.* Russell Sage, for damages incurred at the time of the throwing of the Norcross bomb in Mr. Sage's office. He was also counsel, in May, 1895, for Medical Inspector Kershner, of the United States navy, tried by court-martial. But perhaps no argument by Mr. Choate has been more notable than that before the United States Supreme Court in the recent income tax case. In the first hearing of this case Mr. Choate secured exemption from taxation for corporate and vested interests, and in the rehearing he succeeded in having the remnant of the income tax law declared unconstitutional.

Mr. Choate is famous as an after-dinner speaker, and his deft services in this direction are in constant requisition at important public social functions. In politics he is an active republican, and a leader in reform movements within the party, as contrasted with the methods of the "practical politicians." He is a member of the Union League Club, and of the New England Society, and has served as president of each of these organizations, as also of the Association of the Bar of the City of New York.



**CHURCH, FRANK BENJAMIN** (born in Friendship, Allegany county, New York, December 17, 1852), is the son of Smith and Mary D. Church. He was educated in the common schools and the Friendship Academy, and studied law in the office of S. M. Norton at his native place. He was admitted to the bar at Rochester, April 10, 1880, and thereupon organized with Mr. Norton the firm of Norton & Church. This association continued until January, 1888, when he removed to Wellsville. He has since been practicing his profession there in partnership with his brother, Frederic H. Church.

Mr. Church was a member of the constitutional convention of 1894, representing the 32d senate district. In March, 1889, he was appointed United States commissioner for the northern district of New York, an office which he still holds.



LARK, FREDERICK LEWIS, was born in East Wilson, Niagara county, New York, December 2, 1851, and died in Tonawanda, New York, February 6, 1887. He was the son of Charles Marsh Clark, of Cornwall-on-the-Hudson, and Mary W. Lewis, daughter of Valentine Lewis, Esquire, of Milton, New York, near Cornwall.

His early youth was spent on his father's farm and in the district school. Later he attended the Wilson Academy, and afterward the Lockport Union School, from which he graduated with honor in 1874. He immediately began the study of the law in the office of Holmes, Fitts & Chipman, of Lockport, where he remained until his admission to the bar in 1877. In July of that year he opened an office in Tonawanda, in partnership with Elias Root, under the firm name of Root & Clark. This partnership continued until the spring of 1882, when, Mr. Root retiring from the firm, Mr. Clark continued the business in his own name, and built up an excellent clientage and lucrative business. In 1885 he again formed a partnership association with Mr. Root, which continued for two years, but his close application had undermined his health, which was never robust, and he died in 1887, at the early age of thirty-five years.

During the ten years of Mr. Clark's active professional life he achieved successes attained by but few men at mature years. The *Tonawanda Herald* of February 10, 1887, referring to his professional career, said:

It was not long before his many sterling qualities of mind and heart were duly recognized and appreciated by the business community in which he cast his lot, and during the short decade in which he was permitted to pursue his profession he built up a successful practice and achieved marked success.

He was the soul of honor, courteous and generous, which, added to his natural ability and high legal attainments, won for him the good will and esteem of all with whom he had business or social relations.

The entire Tonawanda press reflected with equal prominence the popular feeling.

By the bar Mr. Clark was recognized as "an intense worker, always thoroughly in earnest; a man of unusually good judgment, an excellent counselor in business and in legal matters."

Memorial resolutions were passed by the Tonawanda Aid and Savings Association, the Royal Arcanum, and the various lodges, councils, and organizations of which he was a member. The funeral services, which were conducted by the pastor, Reverend I. P. Smith, assisted by the Reverend G. H. Dunning, of Buffalo, were held in the Presbyterian Church, of which Mr. Clark was a regular attendant, and of which he was a trustee at the time of his death.

In January, 1885, Mr. Clark married Isabella P. Fuller, daughter of Nelson Fuller and Pamela Tupper, both of Orleans county, New York, and a descendant of Doctor Samuel Fuller, of the *Mayflower*.



*F. L. Clarke*





**LEARWATER, ALPHONSO TRUMPBOUR** (born at West Point, New York, September 11, 1848), is of Dutch descent, his family having settled in Ulster county in 1664, coming from Baarn, Holland. (The original spelling of the name was "Klaarwater," it being anglicized about the beginning of the present century.) His ancestor, Jacob Clearwater, with Rip Van Dam, then governor of the province, Adolph Philipse, Doctor Gerardus Beekman, and Colonel William Peartree, procured a patent of 7,000 acres of land in the southern portion of Ulster county. On his mother's side Judge Clearwater is a descendant of Jean Baoudin, the distinguished Huguenot exile from France. His remote ancestors took a prominent part in the eighty years' war which resulted in the establishment of the Dutch republic. His grandfather was a soldier in the war of 1812, and both his great-grandfather and great-great-grandfather were soldiers in the war of the American Revolution.

He was educated in the City of New York and at the Kingston Academy, studied law with Judge Augustus Schoonmaker and Senator Jacob Hardenberg at Kingston, and was admitted to the bar in 1871. Since his admission he has been actively engaged in the practice of his profession, and has been connected with many of the most important cases tried in Ulster county during the last twenty years. These are too many for enumeration here. The ones of greater interest will be found in the reports of the Court of Appeals from 54 to 152 New York, and of the Supreme Court from 7 Lansing to 15 Appellate Division Reports.

In 1877 he was elected district attorney of Ulster county, in 1880 was re-elected, and in 1883 was chosen a third time to the same office. In 1889 he was elected county judge of Ulster county, and he was re-elected to that office in 1895, being now the county judge of the county. He took an active interest in the codification of the statutes relating to the practice in criminal cases, and at the request of the late David Dudley Field prepared many of the provisions of the present code of criminal procedure.

Judge Clearwater is, and always has been, a republican, and has represented his party in national, state, congressional, senatorial, and judicial conventions. He is president of the Kingston Club, president of the Wiltwyck Rural Cemetery Association, and president of the Citizens' Charity Relief Association of Kingston. He is vice-president of the Huguenot Society of America, and was the first vice-president for Kingston of the Holland Society. He is a member of the Union League, Metropolitan, and Grolier Clubs of the City of New York, a member of the Saint Nicholas Society, of the Holland Society, of the Society of the Sons of the Revolution, of the New York Genealogical and Biographical Society, and of the Ex Libris Societies of London and Washington. He is a corresponding member of the New York Historical Society, a member of the State Bar Association, one of the

trustees of the Senate House Association of Kingston, was chairman of the committee representing the Holland Society in the construction of a monument at Delfts Haven, Holland, to commemorate the sailing of the Pilgrims from that port in 1620, and is corresponding member of several state historical societies. He has repeatedly delivered historical addresses, and is a frequent speaker at the dinners of the Holland, Huguenot, and Saint Nicholas Societies. He delivered the commemorative address upon the celebration of the one hundredth anniversary of the establishment of Kingston Lodge, No 10, F. and A. M., his subject being "The Antiquity of Free Masonry."

He spent the greater part of the year of 1888 in Europe, and at the dinner given by the chamber of commerce of the City of Rotterdam to the Holland Society, delivered the address in response to the formal speech of welcome to the society made by the burgomaster of the city on behalf of the Dutch government. This address, in which he paid a high tribute to the influence of the Dutch race in the formation of the American republic, has been published by the direction of the burgomaster and scheppens of Rotterdam.

Judge Clearwater is, and for many years has been, deeply interested in the preservation and publication of data relative to the formative period of this republic, particularly that in which the residents of Ulster county bore a conspicuous part; and at his request the board of supervisors of Ulster county have undertaken and are now carrying on under his supervision the translation of the Dutch records of the county, from 1614 to 1777. He has also taken an active interest in the preservation and publication of the records of the Dutch churches of the county, and it is largely due to his efforts that the records of two of the most famous churches in America, the 1st Dutch Church at Kingston, and the Huguenot Dutch Church at New Paltz, have been translated and published. The further prosecution of this work is now being carried on by the Holland Society, of which Judge Clearwater was one of the founders.

In 1875 the judge married Anna Houghtaling, only daughter of Colonel William D. Farrand, of San Francisco, California, and granddaughter of Henry Houghtaling, of Kingston. They live in a large old-fashioned house at Kingston, commanding a fine view of the low lands of the Esopus, the Brabant Hills, and the Catskill mountains, and here they dispense an old-time hospitality.



**CLEVELAND, GROVER** (born at Caldwell, Essex county, New Jersey, March 18, 1837), is descended from an English family, early seated at Ipswich, Suffolk county, a member of which, Moses Cleveland, emigrated to Massachusetts in 1635, settling at Woburn. He is lineally descended in the eighth generation from this pioneer. Mr. Cleveland's father, Richard Falley Cleveland, a graduate from Yale College and a Presbyterian clergy-



*Wm. C. C. C.*





man, married Annie Neal, daughter of a Baltimore merchant. When the son was four years of age, his father accepted a call as pastor of the church at Fayetteville, New York, and here young Cleveland received an academic education, and afterward served an apprenticeship as clerk in a country store. He then removed with his father to Clinton, Oneida county, where he enjoyed further educational advantages. In his seventeenth year he was appointed assistant teacher in the New York Institution for the Blind, New York City, where his elder brother, William, was also a teacher. In 1855, he assisted his uncle, Lewis F. Allen, in the compilation of the "American Herd Book," as also in the preparation of a number of the succeeding volumes. In August, 1855, he obtained a clerkship with the law firm of Rogers, Bowen & Rogers, of Buffalo, and in 1859 he was admitted to the bar. From that time until January 1, 1863, he remained in the employ of his firm as managing clerk.

In 1863 Mr. Cleveland was appointed assistant-district attorney of Erie county. This office he held for three years. During the civil war he was drafted to serve in the union army, but borrowed money and hired a substitute to take his place. Two of his brothers were already in the army, while his mother and sisters were dependent upon his earnings for their support.

In 1865 he received the nomination for district attorney of Erie county on the democratic ticket, but was defeated. He formed a law partnership with Isaac V. Vanderpool, which continued from January 1, 1866, until August 1, 1869, when he became a member of the firm of Laning, Cleveland & Folsom. In 1870 Mr. Cleveland was elected sheriff of Erie county. At the expiration of his term of office, in 1873, he resumed the practice of law as a member of the firm of Bass, Cleveland & Bissell. By the retirement of Mr. Bass, and the admission of George J. Sicard, in 1881, the firm name was changed to Cleveland, Bissell & Sicard.

Mr. Cleveland's public reputation may be said to date from his election as mayor of Buffalo in 1881, as the nominee of the democratic party, but also the acknowledged candidate of the reform elements outside of party lines. He was elected by an unprecedented majority. Entering upon his duties as mayor May 2, 1882, he became known almost immediately as the "Veto Mayor." "By vetoing extravagant appropriations he saved the city nearly \$1,000,000 in the first six months of his administration." The city government of Buffalo at that time was flagrantly corrupt, and Mr. Cleveland's determined stand for pure government occasioned a bitter contest with the city council, in which he was victorious. His course as mayor brought him into prominence as a public man, and upon the convening of the democratic state convention at Syracuse, September 22, 1882, he was nominated for governor of the state.

In his inaugural address as mayor of Buffalo, Mr. Cleveland said:

"It seems to me that a successful and faithful administration of the government of our city may be accomplished by constantly bearing in mind that we are the trustees and agents of our fellow-citizens, holding their funds in sacred trust, to be expended for their benefit; that we should at all times be prepared to render an honest account of them, touching the manner of their expenditure; and that the affairs of the city should be conducted, as far as possible, upon the same principles as a good business man manages his private concerns." This profession Mr. Cleveland had zealously carried out in the conduct of the mayoralty. Similarly in his letter of acceptance of the nomination for governor, he wrote: "Public officers are the servants and agents of the people, to execute the laws which the people have made, and within the limits of the constitution which they have established. . . . We may, I think, reduce to quite simple elements the duty which public servants owe, by constantly bearing in mind that they are put in place to protect the rights of the people, to answer their needs as they arise, and to expend for their benefit the money drawn from them by taxation." Mr. Cleveland was elected governor by the enormous plurality of 192,854 over Honorable Charles J. Folger. It has been well said that his "state administration was only an expansion of the fundamental principles that controlled his official action while mayor of Buffalo."

As his course as mayor had won the confidence of the citizens of the state, in like manner his career as governor, considered in connection with the phenomenal vote given him by the people, attracted the attention of the nation, and at the national democratic convention held at Chicago in July, 1884, he was nominated for the presidency, with Thomas A. Hendricks as candidate for vice-president. The ticket was elected by a popular majority, as well as by a majority in the electoral college. As president of the United States, Mr. Cleveland once more exhibited a determination to veto measures which he deemed injurious, and thus gained the distinction of using the veto power beyond all precedent on the part of a chief executive of the United States. A majority of these vetoes, however, were of private pension bills, and Mr. Cleveland took a bold stand in relation to this species of abuse, regardless of the clamor which was raised in the name of the old soldiers.

President Cleveland's first administration was also characterized by efforts for civil-service reform, and by the message of 1887, in which he made the tariff question the issue of the succeeding election. In 1888 he was again the democratic candidate, but was defeated by Benjamin Harrison in the electoral college, although receiving a popular majority. At the end of his term he resumed the practice of law, locating in New York City, and subsequently appeared in many important cases before the Supreme Court of the United States.

In 1892, notwithstanding the most bitter opposition of the democratic machine in his own state, he was the choice of the democrats of the country for a third nomination for the presidency, and was nominated on the first ballot in the national democratic convention at Chicago. He was elected by a large majority, both of the popular vote and of the electoral college. The second term of President Cleveland was begun under circumstances seemingly promising the complete establishment of the governmental and party policies for which he stood. Chosen by a peculiarly decisive expression of the popular will—which was especially decisive in the great doubtful states,—on clearly defined issues, with both houses of congress under the full control of his party, all the conditions appeared favorable to a masterful administration. But very serious divisions existed in the democratic party, alike on questions of principle and along factional lines. The issue of the free coinage of silver had long found much favor among the democratic masses, and the advocates of that program were now determined to force it to the front. On the other hand, the president was unalterably committed against enlarging the functions of silver in the financial system of the country, and, indeed, believed it was needful to further limit those functions. He accordingly called an extra session of congress for the purpose of repealing the silver purchase law of 1890. In that body bitter antagonisms were immediately developed, and, although the repeal bill was ultimately passed, it was evident that grave and probably permanent differences had supervened between the executive and a considerable element of his party. Meantime, a money panic had seized the country, and a long period of severe business prostration followed. The democratic majority in congress was not even united on the tariff bill; the measure framed, after months of delay, was so unsatisfactory to the president that he refused to give it his approval, although permitting it to become a law without his signature. The silver wing of the party, embracing financial and agrarian extremists of all varieties, continued hostile to Mr. Cleveland throughout his administration. The finances of the government were consequently involved in serious difficulties. Under the new tariff the revenues raised were insufficient to meet expenditures, and congress failed to provide any means of relief. Moreover, the gold reserve of the treasury at times declined alarmingly. The executive, perceiving no other resort, was obliged to issue special sales of bonds, to the amount of several hundreds of millions, to replenish the reserve and supply the deficit in the revenues. These executive acts were violently condemned by the extremists. The country naturally lost confidence in the democratic party, and at the congressional elections of 1894 a heavy republican majority was returned.

Thus Mr. Cleveland's second term, inaugurated under the brightest auspices, ended in utter failure from the point of view of positive legis-

lation. In several important respects it compares, however, with the most distinctive presidential administrations in the history of the republic. On the occasion of the formidable railroad riots at Chicago the president, dissatisfied with the action of the governor of Illinois, authorized the use of federal troops for the protection of property, under the terms of the interstate commerce provisions of law, thereby asserting the supremacy of the national military power in a manner most novel and significant. In his remarkable special message to congress, in December, 1895, on the subject of the boundary controversy between Great Britain and Venezuela, he gave expression to the Monroe doctrine in terms more resolute and practical than had been employed by any other president. Another memorable act of executive policy was the negotiation by the state department of a general arbitration treaty with Great Britain, which, though rejected by the senate, forms a precedent in the spirit of our relations with foreign powers upon which strong hopes for the future are based by the advocates of international arbitration as a substitute for war. Finally, toward the end of his term, he caused a sweeping extension to be made in the civil-service regulations, applying the exclusive merit test to substantially all the ordinary offices under the government.

Upon leaving the presidency, in March, 1897, he took up his residence in Princeton, New Jersey, with the intention of passing the remainder of his life in retirement.

Mr. Cleveland's candidacy for the various public offices which he has filled has been remarkable for the large independent vote he has commanded, and the considerable number of voters whom he has drawn from opposing parties. However opinions may differ as to the wisdom or expediency of some of his policies and executive acts, dispassionate men agree that the great lesson of his public career is its demonstration that an honest and earnest administration of office, as opposed to the scheming and wire-pulling tactics of "practical politicians," will generally win the confidence of the people, and prove in the end to be the wisest and shrewdest policy.



LINTON, GEORGE (born in Buffalo, New York, September 7, 1846), is a son of the late George W. Clinton, a grandson of Governor De Witt Clinton, and great-grandson of General James Clinton, of the Revolution. His mother, Laura Catherine Clinton, was a daughter of John C. Spencer, the reviser, and a granddaughter of Chief-Justice Ambrose Spencer.<sup>1</sup> He attended the Buffalo schools, being graduated from the Central School (now High School), and studied law with the Honorable Henry L. Clinton, of New York, and also at Columbia College Law School, from

<sup>1</sup> Sketches of Mr. Clinton's father, his grandfather Clinton, and his grandfather and great-grandfather Spencer, appear in their alphabetical sequence in the biographical pages of Vol. i.

which institution he was graduated with the degree of bachelor of laws. He was admitted to the bar in New York City, May 18, 1868, and after a brief period of practice there removed to Hudson, Wisconsin. In 1874 he returned to his early home, Buffalo, where he has since been continuously engaged in active and very successful practice, advancing steadily to the eminent position which he now occupies at the bar of that city.

Mr. Clinton has taken a hearty interest in promoting improvements in the great canal system of the state, whose construction was so peculiarly the achievement of his renowned grandfather. He was for several years, and until it ceased to exist, president of the Union for the Improvement of the Canals of New York. To the efforts of this organization is due the credit of awakening the public interest in the canals which has resulted in the improvements now in progress.

He has held the public offices of park commissioner of Buffalo (1882-83), member of the assembly (1884), and member of the trunk sewer commission of Buffalo. He has also served as president of the Buffalo Merchants' Exchange (1893).

For two years Mr. Clinton was connected with the faculty of the Buffalo Law School as professor of admiralty law. The pressure of his professional business compelled him to resign this position.



**COATSWORTH, EDWARD EMERSON** (born in Buffalo, New York, November 5, 1866), is the son of Caleb and Jane Webb Coatsworth. He was educated at Public School No. 4 and the Central School of Buffalo, prepared for the profession of the law in the office of Tabor & Sheehan, and was admitted to the bar at Buffalo, January 6, 1888, since which date he has been in active practice in that city. He is associated with John Cunneen in the firm of Cunneen & Coatsworth.



**CODLING, WILLIAM BEACH** (born in Wilton, Connecticut, May 9, 1855), is the son of Reverend Robert and Matilda B. Codling. His father was a naturalized Englishman. The son attended public and select schools, the high schools of South Norwalk and West Winsted, Connecticut, and the Fort Edward (New York) Collegiate Institute, from which he was graduated in 1877. He taught school from 1877 to 1884, studied law under the direction of the late Judge J. Lawrence Smith, of Smithtown Branch, New York, and was admitted to the bar in Brooklyn, February 13, 1885. He has since practiced in Northport, New York. He served as school commissioner for the 2d district of Suffolk county two terms, from 1888 to 1894.



COFFIN, OWEN TRISTRAM (born near the Village of Mechanic, Town of Washington, Dutchess county, New York, July 17, 1815), is the son of Robert and Magdalen Bentley Coffin. He is of the sixth generation in descent from Tristram Coffin, who emigrated from Devonshire, England, about the middle of the seventeenth century and settled on the Island of Nantucket, of which he became one of the proprietors (owning one-tenth of it), and also the chief magistrate.<sup>1</sup> Mr. Coffin's mother was a daughter of Colonel Taber Bentley (a descendant of the family to which the famous Doctor Bentley belonged) and a granddaughter of Colonel James Vanderburgh, of the Revolution.<sup>2</sup> Robert Coffin, the father of Mr. Coffin, was a thrifty farmer, prominent in the affairs of his town, of which he was a magistrate for many years, and represented the county in the assembly. He had ten children (the subject of this sketch being his seventh child and fourth son), of whom four survive, whose united ages are 326—an average of eighty-one,—the eldest being ninety and the youngest seventy-four.

Owen T. Coffin attended the schools of his neighborhood and was prepared for college at the Sharon (Connecticut) Academy and the Kinderhook Academy. In 1837 he was graduated at Union College, in the same class with John K. Porter, afterward the distinguished judge of the Court of Appeals, between whom and himself a friendship was formed which was never interrupted. He studied law in the office of Judge Rufus W. Peckham, the elder, was admitted to the bar in 1840, and began practice at Carmel, Putnam county. In 1842 he removed to Dutchess county, and in 1845 became a member of the law firm of Johnston, Coffin & Emott, of Poughkeepsie, in which Charles Johnston, ex-member of congress, and James Emott, afterward justice of the Supreme Court, were associated with him. Retiring from this firm, he formed a co-partnership with General Leonard Maison, a well-known lawyer of Poughkeepsie, whose daughter he had married in 1842. During his residence in Poughkeepsie he held several positions of importance, including that of district attorney of the county.

In 1851 he became a partner with Honorable W. Nelson and his son, W. R. Nelson, in the firm of Nelson & Coffin, at Peekskill, where he still resides. After nearly twenty years of successful practice at the Westchester county bar, in which he established a reputation as one of its leading and strongest members, he was elected, in 1870, surrogate of the county. In this office he continued for four succes-

<sup>1</sup> One of Tristram Coffin's descendants was Isaac Coffin, who entered the British navy before the breaking out of the American Revolution and rose to the rank of admiral. He was knighted and received a grant of the Magdalen Islands, at the mouth of the Saint Lawrence, of which one of the name, Colonel Coffin, is the present lord. Admiral Coffin, after leaving the navy, was for many years a prominent member of the British parliament.

<sup>2</sup> Colonel James Vanderburgh was descended from Holland ancestors, who at an early period settled in Dutchess county. He was a prominent citizen of Beekman, in that county, was a member of the provincial congress of 1776, and was a zealous patriot in the Revolution. While Washington and Lafayette were in his vicinity, he entertained them, with their staffs, at his house.

sive terms, retiring on the 31st of December, 1894. His long service as surrogate of Westchester county was distinguished throughout by an exceptional capacity for the delicate duties of that responsible



*Osman M. Coffin*

position. " Many of his judgments were carried to the highest court of the state and received its sanction, and many opinions in cases decided by him have been referred to as authority in other courts."<sup>1</sup>

Judge Coffin is one of the most prominent and respected citizens of

<sup>1</sup> *The Surrogate*, March, 1891.

Peekskill. He has always taken a warm interest in educational matters. For thirty-eight years he has been president of the board of trustees of the Peekskill Academy. For a long period he has been a member and warden of the Peekskill Episcopal Church. Though now (1897) eighty-two years old, he is still in the vigor of active life.

In 1889 he received from Union College the degree of doctor of laws.

He has been twice married. His first wife, Belinda Emott Maisou, whom he married in 1842, died in 1856. In 1858 he was married to Harriette Barlow, daughter of the late Doctor Samuel Barlow, and a sister of the late S. L. M. Barlow.



COLE, IRVING W. (born in Farmer, Seneca county, New York, September 21, 1859), is the son of Ira Hopkins and Mary Caroline Denison Cole. He received his education in the school of his native place, and in the Cook Academy, Havana, New York. He entered the law office of Honorable O. P. Hurd, at Watkins, New York, and during his studentship was clerk of the Surrogate's Court of Schuyler county for two and one-half years. In 1883 he was graduated at the Albany Law School. Being admitted to the bar, he began practice in September of the same year at Watkins, in association with his brother, ex-Speaker Fremont Cole. Since October 1, 1893, he has practiced at Buffalo, and since May 1, 1894, in partnership with E. J. Plumley, under the firm name of Plumley & Cole.



COLEMAN, ROSWELL CARPENTER (born in Goshen, Orange county, New York, December 3, 1840), is the son of James Carpenter Coleman and Phebe Ann Mead. He is of English descent by both parents. His ancestors have lived in this country for about two hundred years, and have been residents of Orange county for more than one hundred years. By occupation they have been mostly farmers. His mother is a granddaughter of Colonel Matthew Mead, of Connecticut, who served in the Revolution; and ancestors of both his parents were refugees from Wyoming, Pennsylvania, after the massacre.

He was graduated from Ward School No. 35 in the 9th ward of the City of New York into the New York Free Academy, where he remained for one year. He completed his course of academic education at Farmers' Hall Academy in Goshen, New York. While attending school he also clerked in stores and worked upon the farm. He studied law at Goshen with Sharpe & Winfield, and afterwards attended and graduated from the Albany Law School with the degree of bachelor of laws, being admitted to the bar at Albany in May, 1863. He at once commenced practice at Goshen as managing clerk in the office of Joseph W. Gott, where he remained for about four years. He then



engaged in practice for himself. On January 1, 1896, upon retiring from the office of surrogate, he opened an office in Newburgh, and in May following moved with his family to that place.

He held the office of justice of the peace of the Town of Goshen from 1865 to 1872, and that of surrogate of Orange county from 1883 to 1895, inclusive.

He is principally known to the profession outside of his county by the numerous opinions written by him while surrogate, which appear in the law reports. In 1875 he with his associates became famous as members of the celebrated American rifle team which then visited Ireland. In that year he was appointed by Governor Tilden inspector of rifle practice, with the rank of captain, in the 19th battalion of state militia.



**COLGAN, WILLIAM PAUL** (born in Dunkirk, Chautauqua county, New York, July 4, 1869), is the son of Bernard and Mary Prendergast Colgan. After attending the Dunkirk Union Schools he was appointed by President Cleveland in May, 1885, to a position in the United States mail service, in which he continued until May 29, 1889, being dismissed for political reasons. Soon after leaving the mail service he began the study of law, at first with Holt & Holt, of Dunkirk, New York, and then with his brother, John H. Colgan, of Buffalo. He was admitted to the bar at Buffalo, June 8, 1893, and on January 1, 1894, entered into a legal copartnership in that city with his brother, under the firm style of Colgan & Colgan, which continued until the latter's death, September 14, 1894. Since that date he has practiced alone.

Mr. Colgan has won a reputation among the young lawyers of Buffalo. He was associated with Honorable John Laughlin in the defense of Bernard Murray, charged with the killing of William H. Bright, President of the Genesee Oil Works, and succeeded in acquitting James Towe, charged with the murder of Josie Bennett in Buffalo in 1894. Aside from his criminal practice Mr. Colgan enjoys a large and lucrative civil practice, being counsel in numerous cases of importance.



**COLLIN, FREDERICK** (born in Benton, Yates county, New York, August 2, 1850), is the son of Henry Clark and Maria Park Collin. He attended district school and Penn Yan Academy, completing his preparation for college under the direction of his brother, Charles A. Collin. He was graduated at Yale in 1871 with the degree of bachelor of arts, subsequently receiving from that institution the A.M. degree. After leaving college he pursued legal studies with Collin & Atwill, and also with John A. Reynolds, with whom he is now associated in the well-known law firm of Reynolds, Stanchfield & Collin. He was admitted to the bar at Syra-

cuse, October 26, 1876, and entered upon practice at Elmira, where he has continued without interruption since, becoming equally prominent at the bar and in political and public life.

From 1887 to 1894 he served as president of the board of education of that city. In 1894 he was elected mayor, and in 1896 was re-elected. He is still the incumbent of the mayor's office, his term expiring with 1898.



**COTHRAN, GEORGE W., LL.D.** (born in Royalton, Niagara county, New York, February 25, 1834), is a son of John Cochran and Amelia Grove. The changed spelling of the name was instituted by Mr. Cothran's elder brother, and generally adopted by the family.

George W. Cothran was the youngest of a family of thirteen. In 1838 his father died, leaving a small and heavily encumbered estate, and in the fall of that year his mother removed with her children to Richland county, Ohio. In 1842 she returned to the homestead at Royalton, New York, whence she removed in 1850 to Lockport. Young Cothran received only an elementary education, but having an alert mind and an ambition to succeed in life, he built extensively by self-study upon these meager foundations. Before he had attained his majority, he had contributed numerous articles to magazines and other periodicals, and had also made himself highly proficient in the mechanic arts, his practical studies in this department being prosecuted so thoroughly that it has been said of him that "to-day he could not only draw plans for a house, a mill, or a bridge, but could construct them."

In August, 1854, he entered the law office of Phineas L. Ely, of Lockport, and three years later he was admitted to the bar at Buffalo. He remained for another year with his preceptor, and then, in September, 1858, began practice for himself in Lockport. He was immediately successful; at the second term of court after the opening of his office only one law firm in Lockport had a larger number of cases on the calendar than he.

Soon after the breaking out of the war Mr. Cothran decided to abandon his profession and enter the military service. In September, 1861, he organized a battery of volunteer light artillery, of which he was commissioned captain. Although his military career was comparatively brief, it was eminently creditable, and, indeed, brilliant. "Cothran's battery" achieved a reputation not excelled by that of any other volunteer battery in the army of the Potomac. He was at Winchester, Cedar Creek, Beverly Ford on the Rappahannock, Newmarket, Cedar Mountain in Virginia, Antietam, and Fredericksburg, and participated in various reconnaissances, retreats, and marches. It was by his battery that General Ashby was killed near Newmar-

ket, Virginia, in 1862. After the battle of Antietam, at which he was under fire for eight hours, he was recommended to the president for promotion by every commissioned officer in the 11th army corps. But influences at Washington, probably controlled somewhat by political considerations, were not favorable at the time to his advancement, and he remained with his battery while serving on the staff of General Williams as chief of artillery of the 1st division of the 12th corps. Preferring the responsible position of battery commandant, he declined a proffer of promotion to the rank of major or lieutenant-colonel tendered him by the adjutant-general of New York. In 1863, having contracted sciatica-neuralgia as the result of severe exposure, he resigned from the army and returned to Lockport. In the same year he married Jennie, the daughter of W. W. Mann, of Buffalo, and removed to that city.

In Buffalo Mr. Cothran soon rose to prominence in his profession, ranking among the ablest and most successful practitioners of that brilliant bar. On January 1, 1877, he was appointed county judge of Erie county by Governor Robinson, as his first official act, a selection which has been specially recommended to the new governor by ex-Governor Tilden. At the close of his term he was urged by the members of the bar to continue on the bench, but he declined the nomination. He also declined a nomination for judge of the Superior Court of Buffalo. On a subsequent occasion, however, he consented to be a candidate for that office, but was defeated with his party at the polls.

In July, 1879, he went to Chicago to assist his friend, F. E. Hinckly, in the conduct of certain complicated railway litigations. He was instrumental in arranging the affairs of the Chicago & Iowa Railroad Company and placing that corporation on a satisfactory basis. He also became general solicitor of the Chicago & Iowa, the Chicago, Pekin & Southwestern, and the Chicago, Rockford & Northern railroad companies. While in Chicago, he was in partnership for about two years with Judge Van H. Higgins and Henry J. Furber. In 1887 he returned to Buffalo, where he has practiced ever since.

Among the important cases with which Judge Cothran has been connected, especial mention may be made of *Fisher vs. the New York Central & Hudson River Railroad Company* (46 N. Y., 644), which compelled a revision of the passenger tariff on all the railways of the United States, and out of which some nine thousand actions have resulted, and *Cothran vs. Ellis* (107 Ill. Reports), settling an important question of law relating to transactions on boards of trade.

He has made a number of notable contributions to legal literature. He has edited what is known as the sixth edition of the New York Revised Statutes in three very large volumes, and also has edited and annotated several editions of the general statutes of Illinois from 1879 to the present time. Besides these works he has published "The

Law of Supervisors " (Albany, 1888) and " The Law of Assessors and Collectors " (Albany, 1889).

The degree of doctor of laws was conferred upon him by Baker University (Kansas) in 1877.

Throughout his life Judge Cothran has manifested an active interest in free-masonry, having taken all the degrees and orders except the thirty-third. At the triennial gathering of Knights Templar at Chicago in 1880, he was Grand Master Hurlbut's chief of staff. He was one of the founders of Medinah Temple, Nobles of the Mystic Shrine, at Chicago.

He has collected a very valuable library, which is especially rich in law books, in literature, and in music. He has one of the largest private collections of music in America. He has always been a warm friend of educational institutions. He took a leading part in founding the Buffalo College of Physicians and Surgeons, became its president, and filled in it the chair of medical jurisprudence.



**C**ONDERT, FREDERIC RENÉ (born in New York City, March 1, 1832), is the son of Charles Condert, born in Bordeaux, France, in 1795, who after an adventurous career in the service of the Bonapartes escaped to America in 1824, where he settled for the remainder of his life. He was an officer in the Guard of Honor attached to the old imperial herald of Napoleon I., was wounded in the famous three days' fight at Leipsic, participated in the battles of Montereau and Moutmirial, and served actively in the desperate engagement when the allies entered Paris. After the restoration, through the influence of Lafayette, he became involved in the conspiracy to place the Duke of Reichstadt (Napoleon II.) on the throne of France. The conspiracy failed, and he was tried and condemned to be shot. Through some informality in the trial, the execution was postponed, and after many months spent in prison he escaped to England. Two years afterward he returned to France in disguise, which was discovered, but through the assistance of influential friends he escaped to the United States. He was awarded two decorations for his devotion to the cause of the Bonapartes, one being the Legion of Honor, and the other a medal presented by the Second Empire for services rendered to the First. This was the medal which Napoleon I., when dying at Saint Helena, desired to have presented to the companions of his glory, and which was, in accordance with his wishes, awarded by Louis Napoleon to every surviving officer and soldier of the First Empire. Louis and Joseph Bonaparte were entertained at Charles Condert's house during their visit to America.

Frederic R. Condert received his early education at his father's school in New York City, and at the age of fourteen entered Columbia College, graduating with the highest honors in 1850, his address on



FREDERIC R. COUDERT.



that occasion attracting attention from the press. In 1852, at the age of twenty-one, he was admitted to the New York bar. His brothers, Louis and Charles Coudert, Junior, joined him in the practice of law, forming the firm of Coudert Brothers, which, with its Paris branch, is one of the oldest law firms in New York, transacting a large business and numbering among its clients many of the governments of Europe.

Of late years there have been a great number of cases involving nice questions of law, in which the advice of Mr. Coudert has been sought. His success as a jury lawyer has been pronounced. He has the happy faculty of quickly recovering himself in a trial, if the facts seem to change or the evidence to go against him. He at once leads the jury to believe that the particular adverse evidence brought out was exactly what he had contemplated as a possibility.

As a mark of his fairness, courtesy, and popularity, he was selected by his fellow-members of the bar to be their spokesman in opposition to the civil code which was so persistently urged upon the legislature. He was also selected to write the memorial of Charles O'Connor, and again honored by being elected president of the Bar Association of New York City. As a speaker he commands the closest attention of his professional brethren. His style is clear, his ready wit enlivens the most tedious subjects, and he also has the power of appealing to the judgment and convincing the intellect. It would be impossible to give a complete list of his orations and after-dinner speeches. One of the most notable was his address at the centennial celebration at Columbia College in 1887. He lectures at times for charitable purposes, and has treated as platform subjects "Edmund Burke," "Lying as a Fine Art," "Manners and Morals," "The Church and the Bar." He has written largely for the leading periodicals upon subjects outside of his profession.

Mr. Coudert has taken an active part in the political work of the democratic party. During the Tilden and Hayes campaign his services were in constant request. After that election, he was appointed by the democratic committee to go to New Orleans and assist in securing a fair count of the vote of Louisiana. He was a personal friend of Samuel J. Tilden, and in 1879 an ardent supporter of Governor Robinson. During the latter campaign he made an eloquent speech in favor of "democratic union," and was the only speaker who claimed the rapt attention of the noisy crowd. He supported Mayor Grace in both his campaigns, and took a prominent part in the first election of Mr. Cleveland. He was president of the Lawyers' Campaign Club, and made many speeches in favor of the candidate.

Mr. Coudert has himself positively refused political preferment, and has several times declined nominations which signified election to the Court of Appeals. Aside from this, he has held many positions of trust and honor. In 1877 he was appointed to represent the inter-

ests of American commerce at the international congress on the law of nations, held at Antwerp. In 1882 he attended another session of that congress, held in Liverpool. He was one of the most prominent figures in the so-called "anti-snap" organization, the activity of which was chiefly instrumental in securing the nomination of Grover Cleveland for president in 1892. He was chairman of the Maynard committee of the New York Bar Association, which investigated the alleged election frauds, influencing the defeat of Maynard in 1893. He was counsel for the United States, with Edward J. Phelps and James C. Carter, in the famous Behring Sea controversy with Great Britain, before the jury of arbitrators at Paris in July, 1893. In January, 1896, he was appointed by President Cleveland a member of the high commission to inquire as to the true boundary line between the Republic of Venezuela and the Province of British Guiana—a commission constituted pursuant to the recommendations in Mr. Cleveland's famous Venezuelan message.

For ten years Mr. Coudert was president of the French Benevolent Society. He was the first president of the United States Catholic Historical Society, holding this office several terms, was president of the Young Men's Democratic Club of New York City, and for many years president of the Columbia College Alumni Association. For three years he was government director of the Union Pacific Railroad; for several years vice-president, and is now president, of the Manhattan Club; for a considerable period was trustee of Seton Hall College, New Jersey; and is a trustee of Columbia and Barnard Colleges, a member of the visiting committee of Harvard College, and a director in numerous social and charitable institutions. He was awarded the degree of doctor of laws from Seton Hall College in 1880 and from Fordham College in 1884, and the degree of doctor of canon and civil law (J. U. D.) from Columbia in 1887.

Mr. Coudert has also received many honors from foreign governments. He was made a Knight of the Legion of Honor of France during the presidency of Marshal McMahon; an officer of the crown of Italy for services rendered to the Italian ambassador to Washington; and an officer of the Order of Bolivar by Venezuela, as a graceful compliment in recognition of the address he delivered on the inauguration of the Bolivar statue in Central Park.



**C**OWING, RUFUS BILLINGS (born in Jamestown, Chautauqua county, New York, May 25, 1840), is the son of John Kirkland Cowing and Sedate Foote. He received a good common school education, took courses in Jamestown Academy and the Brooklyn Polytechnic Institute, and was graduated from Harvard College. He studied law in the office of Niles & Bradley, New York City, and was graduated from the Harvard College



Law School, being admitted to the bar the same year (1864) both in Boston and New York.

Judge Cowing began practice in New York City, and was soon in the enjoyment of a successful business. A few years later his practice was interrupted by his elevation to the bench, in which capacity he has served continuously since. As a judge Mr. Cowing has acquired an established reputation. He has been on the criminal bench of New York for seventeen years, and during that time has disposed of more than seventeen thousand cases.

In 1877 he was alderman-at-large of New York City. He is a member of various social organizations, president of the New York Homoeopathic Medical College and Hospital, and vice-president of the Union League Club. As a lawyer and judge he has followed in the footsteps of three of his uncles, one of whom was judge of Chautauqua county for twenty-five years, another, city judge of Milwaukee for seven years, and a third, ex-law partner of Honorable John G. Carlisle, secretary of the treasury in President Cleveland's cabinet.



**ROAK, JOHN** (born October 25, 1846), is the son of Thomas and Ann Croak. He attended the common schools and the Mariners' Harbor Academy (Staten Island), studied law with S. E. Church and Brown & Estes, of New York City, and also at the Albany Law School, and was admitted to the bar at Albany on December 5, 1867. He was subsequently admitted to practice in the United States District and Circuit Courts.

Mr. Croak has served two terms as district attorney of Richmond county (1876 to 1882) and one term as a member of the state legislature (1892). In August, 1894, he was elected one of the trustees of the Firemen's Home, of Hudson, for a term of five years. He has always practiced in New York City.



**ROWLEY, RODNEY RUFUS** (born in Mount Holly, Rutland county, Vermont, November 12, 1836), is the son of Rufus and Permelia Crowley. Both his parents were great-grandchildren of Abraham Crowley, who was born at Newburyport, Massachusetts, and about 1760 located at Mount Holly, Vermont. Mr. Crowley's father, Honorable Rufus Crowley, was a member of the legislature in Vermont, and in 1841 removed to the Village of Randolph, New York, where he followed mercantile pursuits, and was twice chosen a representative in the assembly at Albany (1847 and 1857).

Rodney R. Crowley attended the common schools and took the four years' course in the Randolph Academy, being graduated from that institution in 1855. He then read law, successively, with Weeden &

Henderson, of Randolph, Honorable Porter Sheldon, of Rockford, Illinois, and Honorable Alexander Sheldon, of Randolph. He was admitted to the bar May 16, 1861, at Buffalo.

On the 17th of August, 1861, he enlisted as a private in Company B. of the 64th regiment, New York volunteers. He was promoted rapidly, receiving the appointment of captain in December, 1862. He was engaged in some of the most desperate battles of the war, and was wounded at Fair Oaks, and again at Gettysburg, the second time so seriously as to compel his resignation (November 7, 1863). Later he was appointed provost marshal of the 31st district of New York, serving from December, 1864, to October 15, 1865, with the rank of captain of cavalry.

Engaging in the practice of the law at Randolph, Captain Crowley soon became prominent in the profession and also in political and official life. He was connected with the Jumel estate litigation in 1871, was counsel for the defense in the Mudge murder case, and acted as counsel, among other suits, in the litigations concerning the Chamberlain estate (1874-75), railroad bond suits (1878-79), in bank cases at various times, and in a great variety of country cases, Surrogate's Court practice, etc.

In 1868 and 1869 he served as supervisor of the Town of Randolph, from 1869 to 1871 was collector of internal revenue for the 31st district of New York (embracing Cattaraugus and Chautauqua counties), was elected state inspector of prisons in 1875 by 21,000 majority, and continued in the office until its abolition in 1877, and was deputy superintendent of banks of the State of New York from 1893 to 1896. He has also held the position of president of the Village of Randolph (1890 and 1891).

In politics he was a republican until the Greeley campaign, when he joined the democratic party, with which he has since been affiliated. He has been a delegate to numerous democratic state conventions, and from 1891 to 1893 was chairman of the Cattaraugus county democratic committee.

He has taken an active interest in veteran societies, having been commander, in 1892 and 1893, and again in 1897, of G. A. R. Post 297, and president, in 1894, of the 64th New York Volunteers Regimental Society. He is a royal arch mason and a member of the A. O. U. W.

On September 2, 1861, he was married to Jane Hobart Mussey, of an old Connecticut family. They have two grown children.



**F**RUMB, LEVERETT FINCH (born in Matawan, Monmouth county, New Jersey, November 28, 1859), is the son of Reverend John W. and Roba Finch Crumb. When he was six years old his parents removed from New Jersey to Peekskill, Westchester county, New York, which has been his home ever

since. He attended the old Howard Street School until his fifteenth year, and then entered the Peekskill postoffice as a clerk. Later he pursued studies at the Westchester County Institute and the Peeks-



*Lawrence F. Crumby*

kill Military Academy. In 1878 he began the study of the law in the office of Edward Wells (since deceased), and in May, 1883, was admitted to the bar.

Mr. Crumb from early youth took a hearty interest in politics, being ardently attached to the principles of the republican party, and his political career began almost simultaneously with the practice of his profession. In April, 1883, he was elected to the responsible position of clerk of the Village of Peekskill, and a year later was chosen corporation counsel of the village. These two offices he has held ever since, having been re-elected annually for fourteen years, although at one time the partisan complexion of the board from which he derived his appointment was democratic.

In 1895 he was nominated by the republican party for the office of county clerk of Westchester county, and after a very difficult and exciting canvass he was elected by a large majority, becoming on January 1, 1896, the first republican clerk that the County of Westchester had had in its history. As county clerk he is also clerk to the Supreme Court and the County Court. His administration of the office has been characterized by great conscientiousness and the introduction of many improvements in its conduct, his knowledge and ability as a lawyer enabling him to promptly perceive in what particulars existing defects could be remedied. In 1896 the county clerk's office was the center of a most bitter and persistent partisan struggle to prevent his printing of the official ballots. In the course of this contest thirty-two stays, mandammuses, and injunctions were served upon him, but he successfully carried out his official duty, without violating any of the orders of the court, and placed the ballots in the hands of the electors for the whole county, without error, on election morning.

In his profession Mr. Crumb has built up a large practice. To this he gives careful and assiduous attention in addition to his many public duties. He is recognized as one of the ablest practitioners of the county. His success, both professionally and in political life, is largely due also to unusual qualities of executive ability, to which he adds uncommon energy and activity, and a pleasing personality that has attracted to him many warm friends and a large personal following.

He is one of the leading and most popular citizens of Peekskill, and takes much interest in all matters calculated to promote its interests and prosperity. He was instrumental in organizing the Board of Trade of Peekskill in 1890, and was chosen its first secretary, a position which he still holds, having been continued in it from year to year.

Mr. Crumb has a number of fraternal connections. He is active in Freemasonry, being a member of Courtlandt Lodge No. 34, F. and A. M., Mohegan Chapter No. 221, R. A. M., and Westchester Commandery No. 42, Knights Templar, of Sing Sing. He is also a member of Cryptic Lodge No. 75, Independent Order of Odd Fellows, and of Bald Eagle Tribe No. 264, I. O. R. M.

He is a member of the City Club of Yonkers. He is a trustee in the 1st Baptist Church of Peekskill, and assistant superintendent of the Sunday-school, and is prominent in the work of the Young People's Society of Christian Endeavor.

On April 26, 1888, Mr. Crumb married Nellie M. Starr, youngest daughter of George S. Starr, of Peekskill.



**C**UDDEBACK, CORNELIUS E. (born in Port Jervis, New York, March 10, 1849), is the son of Elting Cuddeback and Ann B. Elting, both of Huguenot descent. Jacob Caudebec, the ancestor of all of the name in this country, came from France as a fugitive after the revocation of the edict of Nantes. In 1690 he received, with others, a patent from Queen Anne for 1,200 acres of land in the vicinity of Port Jervis, and his descendants still own and occupy a considerable portion of it.

Mr. Cuddeback attended the public schools at Port Jervis, was graduated at Yale in 1871 with the degree of bachelor of arts, read law for a few months with Carr & Howell in Port Jervis, and in 1873 was graduated from Columbia College Law School. In May of the same year he was admitted to the bar in New York City, and soon afterward he entered upon the practice of his profession at Port Jervis, where he has since continued. He has participated actively and with success in most of the litigations arising in that village and its vicinity since he engaged in practice. He served as corporation attorney for the Village of Port Jervis for twelve years from 1879 to 1891, and was a member of the reorganization committee of the Port Jervis, Monticello & New York Railroad Company in 1894 and attorney for the receiver of that corporation during the period of its insolvency.

At the celebration by the Minisink Valley Historical Society of the two hundredth anniversary of the settlement of the valley, Mr. Cuddeback contributed an address on some of the important historical aspects of that interesting locality.



**C**ULLEN, EDGAR MONTGOMERY (born in Brooklyn, New York, December 4, 1843), is the son of Doctor Henry James Cullen and Eliza McCue. His father, born in Ireland, came to America early in life, studied medicine, and became one of the most eminent physicians of Brooklyn. His grandfather, Henry James Cullen, Senior, was settled at Malla Might, County Sligo, Ireland. Judge Cullen's mother was the sister of Judge Alexander McCue, of Brooklyn.

Judge Cullen prepared for college at Kinderhook Academy, was graduated from Columbia College in 1860, and, having decided to become a civil engineer, attended the Troy Polytechnic Institute.

With the outbreak of the civil war he entered the union army as a volunteer, and was commissioned 2d lieutenant in the 1st United



Edger M. Cullen

States infantry. He was assigned to the Department of the Mississippi, and participated in the battles of Corinth and Farmington. In 1862 Governor Morgan commissioned him—at the age of nineteen—

colonel of the 96th New York volunteers, attached to the 18th army corps, and in this capacity he served throughout the operations in Virginia, resulting in the capture of Petersburg and the surrender of Richmond.

Resigning his command at the close of the war, he resumed the vocation of civil engineer, which he followed actively for a year and which led to his appointment, in 1875, as engineer-in-chief with the rank of brigadier-general on the staff of Governor Tilden. Meantime he had studied law in the office of his uncle, Judge McCue, was admitted to the bar at Brooklyn in May, 1867, and had successfully entered upon the practice of law. Hewas a partner in the firm of McCue, Hall & Cullen, re-organized about 1870 as Hall & Cullen, which enjoyed a large corporation business. In 1872 he was appointed assistant-district attorney, and served the city several years in that office. In 1880, as nominee of the democratic party, he was elected a justice of the Supreme Court for the 2d judicial district of the State of New York.

On the bench he attracted attention by his integrity and legal acumen. His connection with the notorious Dutchess county election case is worthy of special attention. It is alike complimentary to the integrity of the justice and to the intelligence and patriotism of the people of the 2d judicial district, who, irrespective of party, hastened to support with their franchises a judge whose honest, impartial administration of the law had mortally offended the unscrupulous element in control of his own political party. No attempt can be made here to explain to those who have not the facts in mind the many legal complications in the Dutchess case. Suffice it to say that the political complexion of the state legislature for the ensuing year depended upon the returns of the 1891 election for senator in the hands of the board of canvassers for Dutchess county, and that in the partisan strife over this issue two sets of returns had come into existence through the action of this board, one of which, if accepted by the state board of canvassers, would elect the republican candidate, while the other would elect his democratic rival. The original figures, as tabulated by the county board (which was overwhelmingly democratic), favored the republican. An adjournment was had, however, and at the next meeting, instead of footing up the figures which it had already officially tabulated, and sending the result to the state canvassers, the board arbitrarily adopted, by resolution of a democratic supervisor, other figures, derived how or whence no one knew. When the county clerk, the legal secretary of the board, who chanced to be a republican, hesitated to certify this fabricated return, a democratic secretary *pro tem.* was appointed (one Mylod), who signed and transmitted the false figures to the state board of canvassers. Actions were at once begun restraining the state board from canvassing this return and compelling the county board to reconvene and correct its

work. The facts were so notorious that Mr. Justice Barnard, of the Supreme Court, himself a democrat, said in his opinion in one of these actions: The state board *has a return which does not indicate the true result*. It is proper that the board should hold its hand until the true record reaches it."

Eventually the Dutchess board reconsidered its action and issued corrected returns which demonstrated the election of the republican candidate, but meantime Governor Hill had peremptorily removed the republican county clerk of Dutchess and appointed a democrat (Mr. Storm Emans) in his place. With the co-operation of this appointee every effort was made to prevent the forwarding of the corrected returns to the state board of canvassers. Orders requiring their transmission from one judge were followed by stays from another. In this situation the case was brought before Mr. Justice Cullen, December 19, 1891. He ordered the transmission of the corrected returns to Albany, but upon the agreement of the counsel on both sides to promptly carry the whole case to the Court of Appeals for decision on its merits, he restrained the state board of canvassers from canvassing either return until a decision from the Court of Appeals for their guidance should be handed down; providing, however, in case of unwillingness of counsel to bring the case to a decision as agreed, or, as he expressed it, "on proof that said appeals are not prosecuted with due diligence," the restraint upon the board of canvassers might be vacated on a day's notice. In making this order, Justice Cullen declared:

I cannot shut my eyes to the fact that this is a great political question and must be decided by strict law. If each party is desirous of seeing justice done, I think they will agree that it ought to go to the court of last resort. Though this court does not wish to be understood as evading any responsibility, it suggests that the case be taken to the general term of the Supreme Court of the 1st department in New York on Monday, where a formal judgment may be taken, and that the next day it be taken to the Court of Appeals, the condition being, however, that the certificate now in the hands of the county clerk of Dutchess be transmitted to Albany, so that the state board of canvassers, now under a stay which you do not question, may act at once on whatever return the Court of Appeals may decide to be valid.

The next important development was of a sensational character. Pursuant to Mr. Justice Cullen's order of December 19, the new county clerk of Dutchess, on the evening of December 21, mailed at Poughkeepsie copies of the corrected returns to the governor, secretary of state, and comptroller, respectively, but at three o'clock the following morning set out for Albany, where he

proceeded first to the executive mansion to consult Governor Hill. Hill testified that he directed him to go to Mr. Isaac H. Maynard, the deputy attorney-general, for advice, which he at once did, and then with Maynard proceeded to the offices of the three officials to whom the copies of the return had been sent.



At the governor's office a messenger boy was found in charge, who testifies that he permitted them to look over the governor's mail, take out the letter containing the return, and carry it off, and that when he subsequently informed the governor of what had been done, the latter told him "that was all right." At the office of the comptroller an office boy was in charge who testifies that Mr. Maynard came in and told him he wanted to get a letter that had been "*mis-directed*," and thereupon went to the table on which the mail had been deposited and helped himself. But at the office of the secretary of state that official himself was in, and states under oath that *he handed back to Mr. Emans the envelope*.<sup>1</sup>

Proceedings were instituted to punish Clerk Emans for contempt of Justice Cullen's order, it being assumed that he had not, in effect, transmitted the returns. This view, had it prevailed, would have made Emans the scapegoat for the guilty state officials, while at the same time establishing the opinion, which the conspirators so greatly desired, that the correct returns had not been, in law, transmitted to them. But Mr. Justice Cullen, in his notable decision in the contempt proceedings, held otherwise. He denied the motion to punish for contempt, on the ground that the order of the court requiring an actual transmission of the returns to the state board of canvassers had been complied with, and that any criminal operations by the clerk subsequently in re-possessing himself of the returns must be reached through some action other than contempt proceedings. He declared:

Though the duty imposed on the clerk, both by the statute and the order of this court, was to transmit, still it is clear that at some point this duty of the clerk ceased, and that the responsibility for the returns devolved upon other officers. The person who was clerk might afterward purloin the returns and thereby commit an offense, but it would not be official misconduct, but personal crime, nor would it be a disobedience of the court's order. Such point occurred when the returns reached the officers to whom by the law and the court's mandate they were directed to be sent. . . . Though the inclosures containing the returns had not been opened, no imposition was practiced upon any of the officers as to their contents, but the officers were entirely aware of the character of the papers delivered up. There was, therefore, in law and in fact, a complete transmission of the returns to the officers prescribed by statute. The returns were not before the board of state canvassers, not because of any defect in the transmission, nor of a disobedience of the order of the court, but because by the action of the secretary of state, the governor, and the counsel (Maynard) of the comptroller, the returns were taken from the several public offices, where they had been properly received, and were given to Mr. Emans.<sup>2</sup>

Thus, as the eminent committee of the New York City Bar Association, citing Mr. Justice Cullen's opinion, justly remarked:

The county clerk's transmission of the returns of the 21st was regular and lawful. On the morning of the 22d they were regularly and lawfully in the respective offices of the governor, the secretary of state, and the comptroller.

<sup>1</sup> "The Dutchess County Case," by John I. Platt, Poughkeepsie, 1892, p. 19.

<sup>2</sup> Report of Committee of New York City Bar Associa-

tion, appointed March 8, 1892. Also reports of Joint Legislative Committees, Albany, 1892.

The secretary of state, under the statute, was bound to procure the two copies in the offices of the governor and comptroller. And those officers had no right in law to deliver those copies to any other person than the secretary of state.

It was this opinion of Mr. Cullen, moreover, which that committee refers to as the occasion of their organization as a committee to report upon Mr. Maynard's connection with the case, the resolution under which they were appointed beginning, "*Whereas*, It appears from a late opinion pronounced by a judge of the Supreme Court that grave offenses may have recently been committed in the taking of an election return from the office of the comptroller of this state," etc.

Naturally enough, Mr. Cullen's straightforward course in this case, together with a similar impartiality in other instances bearing a political complexion,<sup>1</sup> was a cause of grave offense to that stripe of politicians who justified the fraud which had been perpetrated at Albany. In 1894 it became apparent that this element hoped to avenge itself by nominating a successor to Mr. Cullen. But the scheme was frustrated. The Brooklyn Bar Association, as a body and irrespective of party, passed resolutions declaring that, in view of the character and reasons for the opposition to Mr. Justice Cullen, the honor of the judiciary and the bar required his re-election. Accordingly, he was nominated by the republican convention of Kings county, September 29, 1894, and one week later (October 6) was nominated by both wings of the democracy. Thus, as the candidate of all parties, he was re-elected by an enormous vote of confidence.

In his acceptance of the republican nomination, Mr. Cullen said: "That I am a democrat, you all know. That party faith may influence a judge in the decision of principles which are the cardinal doctrines of his party, may well be. Nay, I go further: such should be the case; otherwise the profession of political faith would be mere political hypocrisy. But in the application of those rules of justice, honesty, and fairness, which people of all parties hold alike—aye, even in the application of those principles which are party tenets,—certainly the judge should know no distinction between man and man, or party and party, but award according to his light the same justice to each."



CUNNEEN, JOHN (born near the City of Ennis, County of Clare, Ireland, May 18, 1848), is the son of Daniel and Bridget Scanlon Cunneen. In his fourteenth year he came to Albion, Orleans county, New York, making the journey from Ireland alone. He had attended a private school in Ireland, and completed his education in public schools in the vicinity of Albion, and in the Albion Academy. November 1, 1870, he entered the law office of John H. White, at Albion, as a law student, and in Janu-

<sup>1</sup> Notably in liberating by habeas corpus citizens who had been summarily arrested and refused bail by the political bosses of Gravesend, Long Island.

ary, 1874, was admitted to the bar. He thereupon began practice at Albion, where he continued until January 1, 1890, when he removed to Buffalo and became a member of the law firm of Tabor, Sheehan, Cunneen & Coatsworth, composed of Honorable Charles F. Tabor, then attorney-general of the State of New York, Honorable William F. Sheehan, then speaker of the assembly and subsequently lieutenant-governor, Mr. Cunneen, and Edward E. Coatsworth. This firm was dissolved in October, 1894, when Mr. Sheehan removed to New York City. Since then Mr. Cunneen has been associated in business at Buffalo with Edward E. Coatsworth, in the firm Cunneen & Coatsworth.

Mr. Cunneen's life has been devoted almost exclusively to his professional work since his admission to the bar. He has been a successful lawyer, having been engaged in cases involving difficult questions of law and fact, and very large amounts, notably the litigations occasioned by the mismanagement of the managing executor of the estate of Roswell S. Burrows, at Albion. This estate was worth over a million dollars, but had been largely dissipated, and the managing executor left the country a defaulter. Charles H. Moore, of Albion, was appointed receiver, and engaged Mr. Cunneen as his attorney. The estate had large interests at Richmond, Virginia; Baltimore, Maryland; New York City, and other places. No regular books of account had been kept by the executor, and none of the personal estate was on hand when the receiver took possession, many of the available securities being held in banks in the cities mentioned, in pledge for loans made to the managing executor, who had used a large portion of the moneys borrowed in unfortunate speculations. Litigations arose between the holders of these securities and other claimants upon the estate, including the receiver of a bank at Albion, and the receiver of the estate. Almost five years of Mr. Cunneen's life were devoted to these litigations, in which he was remarkably successful. In the suit between the receiver of the bank and the receiver of the estate, in the Circuit Court of the United States for the northern district of New York, Mr. Cunneen recovered a judgment for his client of about a half million dollars, which is said to be the largest amount ever recovered in a single suit by any attorney residing in Orleans county.

He also succeeded in a suit between the receiver of the Burrows estate and the American Loan and Trust Company of the City of New York, which involved the power of executors in dealings with trust property, and which establishes important rules of law on the subject. It was twice decided in the Court of Appeals, and is reported in 115 N. Y. Reports, 65, and 133 N. Y. Reports, 696.

Since removing to Buffalo Mr. Cunneen has appeared as attorney and counsel in many of the most important cases which have been tried in that city. Prominent among these was the Ingalls will case,

the trial of which occupied about eight weeks continuously in the Surrogate's Court of Erie County and a like period of time before a jury in the Circuit Court, and involved the title to about \$800,000. The jury disagreed, and an amicable settlement was afterward made between the interested parties. In this case he was associated with Adelbert Moot and William B. Hoyt, of Buffalo, and David J. Wilcox, of Springville, New York, and opposed by Honorable Sherman S. Rogers, John G. Milburn, and several other prominent members of the Buffalo bar.

Mr. Cunneen has always regarded it a patriotic duty to interest himself in public questions. He has been in demand as a campaign speaker in every important campaign since 1870, and has generously responded. He represented Orleans county in the democratic state conventions for many years, and represented one of the congressional districts of Erie county in the national convention of 1892 at Chicago. In 1895 and 1896 he represented that county in the democratic state committee, of which he was chosen secretary. He has never been an office-seeker, however, the only exception being that in 1883 he was the nominee of the democratic party for the office of district attorney of Orleans county, and while the republicans had 1,500 majority, Mr. Cunneen was defeated by only twenty-six votes.



**URT**ISS, HARLOW CLARKE (born in Utica, New York, November 6, 1858), is the son of Charles Gould Curtiss and Amelia Lent Main. He was graduated at Trinity College (Hartford, Connecticut), in 1881, with the degree of bachelor of arts, studied law with Cleveland, Bissell & Sicard, of Buffalo, was admitted to the bar at Rochester, October 5, 1883, and in November of the same year began practice in Buffalo, where he has since continued.



**URT**ISS, JOHN DELEVAN (born in Frewsburg, Chautauqua county, New York, April 13, 1858), is the son of Edward J. and Elizabeth Eaton Curtiss. Both his parents died before he had completed his fifth year, leaving him without money and with practically no relatives or friends. He attended school in the winters and worked on a farm in the summers until the age of sixteen, when he received a teachers' certificate. He thereupon devoted himself to teaching during the winter season, continuing to attend school in the spring and fall and to perform farm work during the summer. He thus was able, notwithstanding the great disadvantages of his early years, to obtain a very respectable academic education, completing the course of study at the Jamestown Union School and Collegiate Institute.

In 1880 he entered the law office of John G. Wicks, of Jamestown,

and after three years of professional study he was admitted to the bar at Rochester, October 5, 1883. He soon afterward began practice at Jamestown, where he has continued to the present time, enjoying a large and successful business.



**CUTTING, CHARLES HENRY** (born in Buffalo, New York, November 23, 1856), is the son of Thomas S. and Maria Barbour Cutting. He was educated in Buffalo, attending Public School No. 18 and the Buffalo Central High School, studied law with his father, was admitted to the bar at Rochester, April 5, 1878, and since that date has been engaged in active practice at the Buffalo bar, chiefly as attorney for mercantile houses. He was for five years, from 1877 to 1882, a member of Company C., 74th regiment, New York state national guard.

Mr. Cutting's father, Thomas S. Cutting, was for twenty-five years a legal practitioner in Buffalo, well known and highly respected. He died in 1881.



**DALY, CHARLES PATRICK** (born in New York City, October 31, 1816), is descended from the ancient Irish family of O'Daly, of County Galway, his parents having emigrated to New York from the north of Ireland in 1814. He was educated at a private school, and, early thrown upon his own resources by his father's death, obtained employment as a clerk at Savannah, Georgia, and a little later shipped before the mast. Three years of a sailor's life sufficing him, he returned to New York City and apprenticed himself to the trade of stationery manufacture. At the same time he pursued his studies and joined a debating society. His abilities in debate attracted the attention of William Soulé, who persuaded him to enter his law office. After three and a half years of legal study he was admitted to the bar, the rule of that day requiring seven years of preparation being suspended for the occasion.

Judge Daly formed a partnership with Thomas McEhrath (who with Greeley founded the *New York Tribune*), and entered upon a successful practice. He was elected to the state legislature in 1843, refused a nomination for congress, and in 1844 was appointed by Governor Bonck to succeed Judge Inglis on the bench of the Court of Common Pleas. The constitution of 1846 making the judges elective, he was continued upon the bench by popular vote, and successively re-elected until his enforced retirement, December 30, 1885, having reached the constitutional limit of seventy years of age. His term of continuous service for forty-two years upon the same bench is perhaps only paralleled in the history of the judiciary of the United States in the case of Judge William Cranch, of Washington.<sup>1</sup>

<sup>1</sup> Judge Cranch served the extraordinary term of fifty-four years on the bench of the Circuit Court of the District of Columbia, and for a half century was presiding justice.

In 1857 he succeeded Honorable Daniel P. Ingraham as "chief-judge" of the court, this title of the presiding-justice being changed to "chief-justice" in 1871.

A meeting of the bar of New York City was held, December 30, 1885, in testimonial to Chief-Justice Daly, upon his retirement, ex-President Arthur, David Dudley Field, William Allen Butler, Honorable Richard O'Gorman, and Honorable Richard L. Larremore making addresses, to which Mr. Daly responded. The gavel which he had so long wielded, encased in gold, was presented to him. Ten years later, December 30, 1895, Judge Daly was himself a chief participant in the meeting of the bar to commemorate the dissolution of the historic Court of Common Pleas, under the terms of the constitution of 1894, consolidating the Superior Courts of cities with the Supreme Court of the state. He delivered an address, giving a historical account of the court. From William Allen Butler's address, upon the retirement of Judge Daly, the following is extracted:

To have served as associate-judge, first judge, and chief-justice of the Court of Common Pleas for the City and County of New York is to have held a foremost place as a judicial officer in the commercial center of the nation, during the most eventful period in the history of our jurisprudence—a period marked by progress and reform, by the simplification of the methods of procedure, by the application of the principles of justice to all the new and unprecedented activities of the age, by the enlargement of the field of judicial cognizance and research through the aid of science and the inexhaustible energies of commerce, by the investiture of the courts of common law with the benignant powers of equitable jurisdiction, and by the unexampled advance of freedom and the rights of man. . . .

Very near to the people in its original and its appellate jurisdiction, this court has commanded the respect of the bench and the bar, by the character of its judges and the weight of their decisions, a respect largely due, as many of us can testify, to the personal probity, the undeviating courtesy, the ability, the industry and painstaking of the learned and accomplished jurist who for more than twoscore years has aided in its administration of justice, and for more than a quarter of a century been its presiding-judge. Standing thus as a representative of the past as well as the present judicial system, we may well point to the chief-justice as an example of the best working of both, and as illustrating, in his person and career, the excellence of the judges we had when judges were appointed, and the excellence of the judges we have had since judges became elective; while his protracted term certainly vindicates the wisdom of the popular suffrage by which his long continuance in office has been secured.

In 1860 Judge Daly received the degree of doctor of laws from Columbia College. He has delivered numerous addresses on public occasions and before learned bodies, has lectured at the Columbia College Law School, and for many years has been president of the American Geographical Society. Many of his decisions appear in the "Reports of Cases in the Court of Common Pleas, City and County of New York" (New York, 1868-87), compiled under his supervision.

His published works include: "Historical Sketch of the Judicial Tribunals of New York, from 1623 to 1846" (New York, 1855); "History of Naturalization and its Laws in Different Countries" (1860); "Are the Southern Privateersmen Pirates?" (1862); "Origin and History of Institutions for the Promotion of Useful Arts by Industrial Exhibitions" (Albany, 1864); "When was the Drama Introduced in America?" (1864); "First Settlement of Jews in North America" (1878); "The Jews of New York"; "What We Know of Maps and Map-making before the Time of Mercator" (1879); "The Ancient Feudal and the Modern Banking System Compared"; "History of the Surrogate's Court of New York"; "Barratry: Its Origin, History, and Meaning in the Maritime Law"; "History of Physical Geography"; "Have We a Portrait of Columbus?" "Is the Monroe Doctrine Involved in the Controversy between Venezuela and Great Britain?" "Wants of a Botanical Garden in New York"; "Biographical Sketch of Gulian C. Verplanck"; "Sketch of Henry Peters Gray, the Artist"; "Biographical Sketch of Charles O'Connor."



**DALY, JOSEPH FRANCIS** (born in Plymouth, North Carolina, December 3, 1840), is the son of Captain Denis Daly, of Limerick, Ireland, who while a youth received an appointment as purser's clerk in the British navy, afterward built and sailed his own vessel in the merchant service, and finally settled in North Carolina as wharfinger, ship-owner, and merchant. His wife, whom he married in New York, July 31, 1834, was Elizabeth Therese (born March 9, 1812, in Montego Bay, Jamaica), daughter of Lieutenant John Duffey, of the British service, and Margaret Moriarty, of Tralee.

Judge Daly has resided in the City of New York since 1849. He began the study of the law with S. Weir and Robert B. Roosevelt, and was admitted to the bar in May, 1862. From that time until his elevation to the bench, in May, 1870, he was actively engaged in practice. Among his prominent and interesting cases were the prosecutions of public officials before the governor in 1865; injunctions against waste by municipal officers in *Hecker vs. the Mayor*, in January, 1865, the first action of the kind<sup>2</sup>; trials of public officials, investigations of local departments, and a suit involving the constitutionality of legislative appropriation of private wharf property for a canal district without compensation to owners (*Roosevelt vs. Godard*).<sup>3</sup>

Together with Hamilton W. Robinson, Charles H. Van Brunt, and Richard L. Larremore, Judge Daly was elected to the Court of Common Pleas, May 17, 1870, taking office July 1 of the same year. He has served as judge continuously since that time, having been re-

<sup>1</sup> 19 Abbott's Practice Reports, 376.

<sup>2</sup> 18 *Ibid.*, 369.

<sup>3</sup> 52 Barbour's Reports, 534.

elected with Judge Larremore and Henry Wilder Allen in November, 1884. In October, 1890, he was chosen chief-judge, and under the amended constitution of 1894 was transferred to the Supreme Court, January 1, 1896.

Mr. Justice Daly has done a vast amount of editorial, critical, and miscellaneous writing, besides his judicial opinions, which are to be found in *Daly's*, *Abbott's*, *Howard's*, and the *Miscellaneous Reports*, the *State Reporter*, and the *New York Supplement*. He was married to Emma Robinson Barker, step-daughter of Judge Hamilton W. Robinson, November 19, 1873. She died in 1886, leaving three children. He was married again June 18, 1890, to Mary Louise, daughter of Edgar M. Smith. Judge Daly was one of the founders and incorporators of the *Players' Club*, together with Edwin Booth, Augustin Daly (his brother), Lawrence Barrett, and others. He is president of the *Catholic Club* and a member of the *Geographical Society*, the *New York Law Institute*, the *Southern Society*, the *Democratic Club*, the *Friendly Sons of Saint Patrick*, the *American Authors' Guild*, the *Board of Managers of the Roman Catholic Asylum*, the advisory board of *Saint Vincent's Hospital*, and other societies. The degree of doctor of laws was conferred upon him in 1883 by *Saint John's College, Fordham*.



DANFORTH, GEORGE LINTNER (born in Middleburgh, Schoharie county, New York, July 19, 1844), is a son of the distinguished Judge Peter S. Danforth (noticed below) and Aurelia, daughter of Reverend Doctor George A. Lintner, of Schoharie, New York. He received his preparatory education in a select school at Middleburgh and in Schoharie Academy, entered Rutgers College, and was graduated from that institution in the class of 1863 with the degree of bachelor of arts. Afterward his alma mater conferred upon him the degree of master of arts. He studied law under the direction of his father, and was admitted to the bar upon examination by the general term at Albany in September, 1865. Soon afterward he engaged in practice at Middleburgh, where he still resides. His career at the Schoharie county bar has been eminently successful, and he has also been identified in a conspicuous manner with the public, educational, and general affairs of his community and with banking and railway interests of foremost local importance.

Mr. Danforth, in 1886, held the position of president of the Village of Middleburgh, and he has served for six years as a trustee of that municipality. In 1894 and 1895 he was president of the board of education of the Middleburgh High School, and he has been connected with that body as a trustee for a period of seven years. He was a democratic delegate from the 17th senatorial district to the New York constitutional convention of 1894.



He has taken a strong interest in historical investigations appertaining to Schoharie county and that section of the state, has delivered various lectures on historical subjects, and for seven years has been president of the Schoharie County Historical Society.

For the past ten years Mr. Danforth has been identified with the 1st National Bank of Middleburgh. He is also a member of the board of directors of the Middleburgh & Schoharie Railroad Company, and since 1892 has been treasurer of that corporation.

On December 15, 1869, he married Anita Whitaker, of New York City. Their son, Pierre W. Danforth, is the publisher of the Middleburgh *Press*.



DANFORTH, PETER SWART (born in Middleburgh, Schoharie county, New York, June 19, 1816; died there, July 18, 1892), was the son of George Danforth, a lawyer of Middleburgh, who was born in Albany on the site of the present state capitol, and died in Savannah, Georgia, at the age of forty-one. The son at an early age became a student in Kinderhook Academy, and at seventeen entered Union College, of which the famous Doctor Eliphalet Nott was then president. At this institution he made a highly creditable record. He was one of five in a class of one hundred and thirty-seven who were received into the Phi Beta Kappa Society. He was graduated in 1837. Among his classmates were the late Judge John K. Porter, Reverend Phineas Gurley, D.D., of Washington, D. C.; Edward Tuckerman, formerly professor in Amherst College; Reverend Mr. House, the distinguished missionary, and Owen T. Coffin, for eighteen years surrogate of Westchester county.

Mr. Danforth began the study of law in the office of Robert McClellan, member of congress from the Schoharie district, and later studied for a year under the celebrated Marcus T. Reynolds, of Albany. Admitted to the bar at Albany on January 1, 1840, he began practice at Middleburgh with Judge Lyman Sanford, with whom he remained associated for sixteen years. In 1845 he was appointed district attorney for Schoharie county, a position which he retained for three years. In 1854 and 1855 he represented Delaware and Schoharie counties in the state senate. In that body he delivered a notable speech, in April, 1855, upon the engrossing question of internal improvements, advocating the policy of retrenchment.

For a long period he was prominently identified with the state militia, being judge advocate of the 18th brigade for fourteen years. Always a democrat in politics, he was conspicuous among the "war democracy" during the rebellion, took an active part in raising regiments for the union army, and contributed generously for that purpose from his private means. He was active in the sanitary commis-

sion, and served as one of the four commissioners-at-large appointed by the State of New York.

In 1872 he was appointed by Governor Hoffman a justice of the Supreme Court. He retired from this office in 1874.

Judge Danforth was warmly interested throughout his life in religious, educational, and benevolent work and institutions. He was a communicant of the Dutch Reformed Church, and was frequently a representative in its general synod, serving on its most important committees. He gave special attention to Sunday-school matters, and during a visit to England delivered numerous addresses in connection with the Robert Raikes centenary. For fourteen years he held the position of trustee of the Inebriate Asylum at Binghamton.

He was married October 10, 1839, to Aurelia Lintner, only daughter of Reverend Doctor George A. Lintner, of Schoharie. Three children were born of this marriage:—George Lintner Danforth (noticed above); Elliot Danforth, a lawyer in New York City, and Cornelia S., wife of Doctor Isaac W. Ferris, son of the late Chancellor Ferris, of the New York University.



**D**ANIELS, CHARLES (born in New York City, in the month of March, 1824 or 1825), is of Welsh descent. He was born in obscurity and poverty, was left an orphan when very young, and his earliest recollections are of hard work for his daily bread, first on farms in Ontario county and after that learning and following the trade of shoemaker. His educational opportunities were confined to a part of two terms in district schools and part of one term in an academy. About the age of seventeen he strolled one day into the courtroom at Canandaigua and listened to an eloquent address delivered to a jury by Mark H. Sibley. This made a profound impression on him, and he resolved to become a lawyer. Removing to Buffalo in 1842 he reduced his living expenses to \$2 a week, spending the remainder for books, which he studied industriously at night and while at work on the shoemaker's bench. He secured his admission to the bar in 1846, being specially favored as to time by the late Chief-Justice Nelson, who presided over the court before which he was examined. He thereupon formed a legal co-partnership with Honorable Eli Cook, afterward mayor of Buffalo, which continued until 1852. From that time until his elevation to the bench of the Supreme Court he practiced alone, constantly gaining in reputation as one of the most able, as well as one of the most learned and most industrious, members of the profession.

In 1863 Mr. Daniels was nominated and elected to the office of justice of the Supreme Court of the state. He retained that position for twenty-eight consecutive years, also serving during the year 1869 as a member of the Court of Appeals. While still on the Supreme bench

he was nominated by the republican party as its candidate for a full term as Court of Appeals judge, but was defeated.

The long career of Judge Daniels in the Supreme Court was marked throughout by the highest conscientiousness, integrity, and capacity. It is fully recognized that a judge more honest, more devoted to duty and more generally correct in his decisions has never sat in the higher tribunals of this state. He was rarely overruled, and some of his decisions are justly celebrated. Upon his retirement from the bench very flattering tributes were paid to him by the profession and the judiciary. A reception in his honor was tendered by the Association of the Bar of the City of New York, at which the justices of the United States Supreme Court, the federal justices for the 2d circuit, and the justices of the State Supreme Court were present.

Judge Daniels has taken a hearty interest in the affairs of the City of Buffalo, where he resides, and has been especially prominent in the promotion of improvements for the harbor and for public buildings.

Since he left the bench he has served four years in congress as a republican representative. In the 54th congress he was chairman of the committee on elections.



**D**AVIS, NOAH (born in Haverhill, New Hampshire, September 10, 1818), received his early education in the public schools of Albion, New York, whither his parents had removed in 1825, and at a seminary in Lima. Studying law, he was admitted to the bar in 1841, and began practice in the Village of Gaines and later in Buffalo. In 1844 he returned to Albion, forming a partnership with Honorable Sanford E. Church, which continued for fourteen years. At the end of that period, in March, 1857, Mr. Davis was appointed a justice of the Supreme Court, and was subsequently elected to succeed himself.

In November, 1868, however, he resigned from the bench to accept the seat in congress to which he had been elected on the republican ticket. After serving from March 4, 1869, to July 20, 1870, he resigned from the house of representatives to accept an appointment by President Grant as United States attorney for the southern district of New York. This office he also resigned, December 31, 1872, having been elected a justice of the Supreme Court of New York for the 1st judicial district. He served with distinction upon the bench in New York City until his retirement at the end of his term, in January, 1887, at which time a committee of members of the New York bar presented a portrait of him by Daniel Huntington to the Supreme Court. Judge Davis said at the time: "It is my nature to form strong convictions, and sometimes I express them too strongly, but neither by speech nor silence have I ever designed to injure any suitor or his counsel. In searching the record of my judicial life I can find no

entry that I ever decided any cause or matter contrary to my then convictions of right."

Two interesting trials before Judge Davis were those of Edward Stokes for the murder of Fisk, and William M. Tweed, indicted on twelve counts for malfeasance in office. The penalty for Tweed's offense was imprisonment for a year, but in order to punish him more severely Judge Davis made the sentence cumulative, inflicting the full penalty of a year's imprisonment for each of the twelve counts of the indictment. In the Court of Appeals, two years later, this cumulative sentence was set aside as contrary to law. Judge Davis and Charles O'Connor (who had prosecuted Tweed) thereupon indulged in severe strictures upon the justices of the Court of Appeals, and much feeling was exhibited.

In 1874 Judge Davis became presiding-justice of the Supreme Court of the 1st judicial district, holding the position until his retirement from the bench.



**DECKER, GEORGE HENRY** (born in Branchport, Yates county, New York, April 23, 1842), is the son of William H. Decker and Lucy Caroline, daughter of Benjamin Durham. In the paternal line he is of Dutch descent, and is in the sixth generation of the Decker family in this country. His maternal grandfather emigrated from England and purchased a large tract of land in Yates county, which is still in the family. George H. Decker attended district school and prepared for college at the Genesee Wesleyan Seminary (Lima, New York), and was graduated in the classical course in 1866 from Hamilton College, which in 1869 conferred upon him the degree of master of arts. After his graduation he taught in the Walkill Academy at Middletown, for one year, when he resigned and commenced the study of law with Franklin & Morris, of Penn Yan. In September, 1888, he returned to the Walkill Academy as its principal. In this position he continued until June, 1870, meantime completing his legal studies under the tuition of James N. Pronk, of Middletown. In May, 1870, he was admitted to the bar at the general term at Poughkeepsie. Resigning his principalship in the academy, he entered upon the practice of his profession at Middletown, where he has continued to the present time.

Mr. Decker has gained a prominent position at the Middletown bar. He has been connected with numerous cases of local importance, notably one involving the constitutionality of a portion of the charter of the City of Middletown, which affected also nearly every other village and city charter in the state. His contentions in this case were sustained by the courts.

He has held the offices of city clerk of Middletown for one year, and corporation counsel for two terms. He has for sixteen years been a member of the local board of education, serving as its president for

two years. He has also for three years been secretary of the board of managers of the New York State Homeopathic Hospital for the Insane at Middletown.



**DEMAREST, ABRAM ACKERMAN** (born in Nanuet, Rockland county, New York, October 27, 1831), is the son of Abram J. Demarest and Jane Ackerman. He is of French Huguenot ancestry on his father's side, and of Holland descent on his mother's. His early education was received at the public schools at Nanuet, and in the spring of 1850 he was graduated from the State Normal School at Albany. From January 1, 1857, to January 1, 1869, he occupied the office of county clerk of Rockland county. During this period he studied law. He was admitted to the bar in Brooklyn in 1871, and began practice in Nyack, Rockland county, where he has continued to the present time. In the years 1885, 1886, and 1887 he was district attorney of Rockland county.

Mr. Demarest was one of the early and most active promoters of the Rockland Central Railroad, being a director of the company and its attorney. This road, which required about ten years for its completion, was consolidated with the Ridgefield Park Railroad under the name of the Jersey City & Albany Railroad, and later was sold to and became a part of the West Shore.



**DEPEW, CHAUNCEY MITCHELL** (born in Peekskill, New York, April 23, 1834), is of Huguenot descent on his father's side and of New England descent through his mother. He was prepared for college at Peekskill, was graduated from Yale College with honors in 1856, studied law with Honorable William Nelson, of Peekskill, and was admitted to the bar in 1858. The same year he was elected a delegate to the republican state convention, having been active in connection with the republican party during the two years of his legal study. He began the practice of law, but did not cease his political activity, canvassing the state for Lincoln in 1860. In 1861 he was elected to the assembly from the 3d district of Westchester county, and re-elected the following year, during which he was chairman of the committee on ways and means and frequently acted as speaker. In 1863 he was the successful republican candidate for secretary of state. He declined a re-nomination for this office in 1865, and removed to New York City, where he was soon appointed tax commissioner. President Johnson had made out the papers for Mr. Depew's appointment as collector of the port of New York, but a rupture between the president and Honorable Edwin D. Morgan led to a change of plan. Appointed United States minister to Japan by Secretary of State Seward, Mr. Depew resigned after holding the commission a few weeks.

Mr. Depew early abandoned the regular practice of law to devote

himself to the general management of the affairs of a great corporation. In 1866 he was appointed attorney for the New York & Harlem Railroad Company. Upon the consolidation of the New York Central and Hudson River Railroad companies, in 1869, he was made general counsel. Subsequently he became a director. In 1875 he was appointed general counsel of the entire Vanderbilt system, and elected a director of each company composing it. Upon the re-organization in 1882 he was elected 1st vice-president of the New York Central, and he succeeded James H. Rutter as president of this road and the West Shore, June 14, 1885. These positions he has held ever since.

Contemporaneously with his business activity, Mr. Depew has retained his strong interest in politics. In 1872 he was the candidate for lieutenant-governor of New York on the ticket of the liberal republicans who had nominated Greeley for president. In 1874 the legislature appointed him a regent of the State University, and he has held this office ever since. His name was before the legislature eighty-two days for election to the United States senate in 1881, when Senators Conkling and Platt had sought to embarrass President Garfield by their resignations. He was the leading candidate, and failed of election by but ten votes on joint ballot. After the assassination of President Garfield he withdrew, feeling "that the senatorial contests should be brought to a close as decently and speedily as possible." In 1884, with a two-thirds republican majority in the legislature, he was offered the United States senatorship, but declined. In 1888, in the national republican convention, he received the solid vote of the delegation of this state for the presidency. Diverting his strength to Benjamin Harrison, the latter was nominated. In the national convention of 1892 he was one of the leaders who secured Harrison's re-nomination, as opposed to Mr. Blaine. Mr. Depew refused the appointment as secretary of state to succeed Blaine offered him by President Harrison.

As an orator and after-dinner speaker Mr. Depew enjoys a national reputation. Since 1872 he has been a trustee of Yale College, and in 1887 received the degree of doctor of laws from that institution. He is president of the New York Society of the Sons of the American Revolution, and of the Saint Nicholas Society, for seven years was president of the Union League Club, for ten years president of the Yale Alumni of New York City, and is a member of the Holland Society of New York and the Huguenot Society of America.



**E WITT, JEROME** (born in Nicholson, Wyoming county, Pennsylvania, February 15, 1845), is the son of Evi De Witt, a descendant of the Dutch De Witt family, and Anne E. Wilson, of English birth and ancestry. He was educated at home by his mother, in the public schools and at academies in Sus-





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quehanna county, Pennsylvania. He received his professional training at Binghamton, in the law offices of William Barrett, Honorable Horace S. Griswold, and Honorable Benjamin N. Loomis, and also was a student for one year in the law department of the University of Michigan. On February 9, 1871, he was admitted to the bar at Albany, and has since been in continuous practice at Binghamton, where he has become prominent in his profession and as a citizen. For about twelve years, ending in May, 1895, he held the position of treasurer of the Binghamton State Hospital.



**DEXTER, SEYMOUR** (born in the Town of Independence, Allegany county, New York, March 20, 1841), is the son of Daniel Dexter, a successful farmer, born in Herkimer county, New York, and Angeline Briggs Dexter, born in Yates county, New York. He is a lineal descendant of Reverend Gregory Dexter, an associate of Roger Williams in the Providence plantations. Young Dexter attended district school, and at the age of fourteen entered Alfred Academy, where he studied for two winter terms. He then entered Alfred University, but at the breaking out of the war left his books to enter the army. On April 27, 1861, he enlisted in Company K., 23d regiment, New York state volunteers. At the end of his two years' term of service he was mustered out with the rank of corporal, and returned to college, being graduated in 1864 with the degree of bachelor of arts. The literary degree of Ph.D. has since been conferred upon him.

Selecting the legal profession, he went to Elmira in the fall of 1864 and entered the office of James L. Woods. In May, 1866, he was admitted to the bar at the general term in Binghamton. He then became managing clerk for George M. Diven, and after a year in this capacity he formed a partnership with Robert T. Turner, to which E. C. Van Duzer was later admitted. The firm of Turner, Dexter & Van Duzer soon commanded a prosperous business and took a high rank at the state bar.

In the spring of 1872 Mr. Dexter was appointed city attorney of Elmira, and in the fall of the same year he was elected to the assembly, being the only republican chosen to that office in Chemung county from 1866 to 1883. Declining a re-nomination the next year, he continued his legal practice until the 1st of January, 1878, when he assumed the office of county judge and surrogate of Chemung county, to which he had been elected the previous fall on the republican ticket. At the close of his term he was re-elected. He remained on the bench until July, 1889, when he resigned to accept the presidency and active management of the 2d National Bank of Elmira, a position which he still occupies. Upon his retirement from the bench

a banquet was tendered him by the county bar and highly complimentary resolutions were adopted.

Judge Dexter has won a high reputation in the management of the banking institution of which he is the head. His inclination and capacity for financial concerns had previously been displayed in his administration of the affairs of the Chemung Valley Mutual Loan Association, of which he has been president since its organization in 1875. This association now has assets of nearly \$700,000, and has been a very important factor in the promotion of thrift and substantial citizenship in Elmira. During the past ten years Judge Dexter has devoted especial attention to the cultivation of general interest in local building and loan enterprises. He was one of the chief promoters of the New York State League of Co-operative Savings and Building Loan Associations (being its president for three terms), organized the United States League, and was its president for two years, and was the organizer and presiding officer of the world's congress of building and loan associations at the Columbian exposition. He was the proposer of the motto of the United States League, "The American Home the Safeguard of American Liberties," which is now printed on all the literature of local associations in the United States. He is the author of a standard work on this subject, "Dexter's Treatise on Co-operative Savings and Loan Associations," published by the Appletons in 1889.

He has also been actively interested throughout life in all economic and public questions, and has contributed considerably to their discussion. In 1890 he delivered an address on "The Economic Value of Local Building and Loan Associations" before the American Economic Association, and in 1892 he discussed the subject of "Compulsory Arbitration" before the American Social Science Association at Saratoga Springs. He has delivered other addresses of importance, was for three years a lecturer on political economy before the advanced classes of the Elmira Reformatory, and has been a contributor of articles to the magazines and the press.

Judge Dexter has not practiced law since he took his place on the bench in 1878, although he consented in a few instances to serve as counsel before resigning the office of county judge and surrogate; since then his time has been given to the active management of the bank. He is now president of the New York State Bankers' Association.

He has been, and is still, prominent in various institutions. He is a trustee of Elmira College and Alfred University. He was conspicuously identified with the Soldiers and Sailors' Home, drew all the bills relating to that institution until it was turned over to the state, and was chairman of its ways and means committee while its buildings were being erected. He was one of the charter members of Baldwin Post, G. A. R., and has been judge advocate of the state de-

partment of that organization. He has been a member of Park Church, Elmira, from the time he was a law student, sustaining an active connection with its Sunday-school work, and a close friend of its eminent pastor, Reverend T. K. Beecher.

Judge Dexter was married, June 17, 1868, to Eleanor E. Weaver, daughter of Ebenezer Weaver, of Leonardsville, Madison county, New York. They have four living children, two sons and two daughters.



**TRIPP, ISRAEL** (born on a farm in the Town of Union, Broome county, New York, January 28, 1854), is the son of Richard Deyo and Caroline Ackert (or Eckert). His father was born in Ghent, Columbia county, New York, in 1819, and was of French Huguenot stock, a lineal descendant of the original Ulster county patentee. His mother was of German parentage. He attended the district school and Binghamton High School, being graduated from the latter with the valedictory, in 1875. In the fall of the same year he entered Amherst College, from which institution he was graduated in 1879 with the degree of bachelor of arts. His legal studies were pursued mainly in the office of D. H. Carver, of Binghamton. He was admitted to the bar at the general term at Albany in January, 1883, and has practiced at Binghamton since that date, for the past ten years as a member of the firm of Carver, Deyo & Jenkins.

This firm, of which Mr. Deyo's old preceptor is the head, has for several years been connected with much of the important litigation arising in Binghamton and that part of the state. It effected a compromise with the creditors of the Lester Shoe Company, which failed in 1892 with liabilities aggregating more than half a million. Through it was brought about the re-organization of the Chenango Valley Savings Bank, which became insolvent in 1895. Carver, Deyo & Jenkins are attorneys for various local banks, including the Strong State Bank, the People's Bank, and the Chenango Valley Savings Bank, are general attorneys for the Security Mutual Life Association, and similarly represent many other corporations.

Mr. Deyo is prominent and well-known in republican politics. He served in the state legislature in 1890, 1891, 1892, and 1893, declining a re-nomination. During his service he was a member of some of the most important committees of the assembly, and one of the republican leaders of the house. In April, 1894, he was appointed by Governor Flower on the commission to investigate the charges preferred against the managers of the State Reformatory at Elmira. The report of this commission was submitted to the governor in December of that year, and is a valuable contribution to the literature of the times bearing upon the treatment of criminals, particularly in relation to the Elmira Reformatory system.



**DILL, CHARLES G.** (born in Middletown, New York, March 9, 1839), is the son of Charles Dill, born in Little Britain, Orange county, New York, in 1799, and Apphia C. Dill, born near Middletown in 1801. He received a common school and academic education, being graduated at the Wallkill Academy (Middletown) in 1856. He studied for the legal profession in the law department of the University of Albany, and also in the office of Wilkin & McQuoid, of Middletown, and was admitted to the bar at Albany, May 13, 1861. He has since pursued a general practice at Middletown, in which he has enjoyed marked success.



**DILLON, JOHN FORREST** (born in Northampton, Montgomery county, New York, December 25, 1831), is the son of Thomas Dillon and Rosanna Forrest, and grandson of Timothy Dillon, of the ancient Irish family of Dillon. When he was seven years of age his parents removed to Iowa, then a sparsely settled territory. He attended the public schools, and, entering the medical department of the Iowa University, was graduated three years later and practiced medicine for six months. Believing he had been unwise in the choice of a profession, he supported himself by engaging in business as a druggist and began the study of law. He was admitted to the bar in 1852.

After practicing law a few months he was elected prosecuting attorney of Scott county, Iowa. Declining re-nomination, he formed a legal partnership and engaged in a successful practice which gave him local reputation. In 1858 he was elected judge of the 7th judicial district of Iowa, embracing four counties, and was re-elected at the solicitation of the bar of the district. During this period he prepared his first legal work, a digest of Iowa Reports, the fruit of careful study of the decisions of the Iowa Supreme Court. During his second term as district judge he was elected to the Supreme Court of the state by the republican party and served his term of six years, dating from January 1, 1863, a part of the time as chief-justice. He was re-elected in 1869, but before he had qualified was appointed by President Grant United States circuit judge of the 8th judicial circuit, embracing the States of Iowa, Minnesota, Nebraska, Missouri, Kansas, Arkansas, and (eventually) Colorado. He had already accumulated materials for his notable work on "Municipal Corporations" (Chicago, 1872), and being under contract to the publishers, completed it with the help of his gifted wife, Anna M., daughter of Honorable Hiram Price, of Davenport, Iowa. During his ten years as circuit judge (1869-1879) he also founded and himself for one year edited the *Central Law Journal*; published "Removal of Causes from State to Federal Courts" (1875), and "Municipal Bonds" (1876); each winter delivered lectures on medical jurisprudence before the stu-

dents of the Iowa State University, and prepared five volumes of "United States Circuit Court Reports" (1871-80), largely made up of his own decisions.

In September, 1879, Judge Dillon removed with his family (two sons and two daughters) to New York City to accept the professorship of real estate and equity jurisprudence in Columbia College Law School and the position of general counsel to the Union Pacific Railway Company. In 1881 he formed a partnership with General Wager Swayne (which was dissolved in 1893), and in 1882 resigned his professorship in Columbia College, giving his attention entirely to practice in New York City. He has argued notable cases in the Court of Appeals, including the Arcade Railway cases and the cause of the property-holders in connection with the new parks acquired by New York City. He also enjoys a large practice in the United States Supreme Court. He argued, among others, the express cases in that court, the Boyd-Thayer contest for the governorship of Nebraska, the *quo-warranto* case of the State of Kansas *against* the Kansas Pacific and Union Pacific railroad companies, involving the title to the Missouri Pacific Railway, and the Texas Railway Commission case. He was also senior counsel for the defense in the trials of the unique case of Laidlaw *vs.* Sage, growing out of the exploding of a bomb by the dynamiter Norcross. He is standing counsel of such important interests as the Union Pacific Railway system, Missouri Pacific system, Western Union Telegraph Company, Manhattan Railway Company, Texas & Pacific Railway Company, Keweenaw Association (Limited), and the estates of James C. Ayer, Sidney Dillon, and Jay Gould.

Judge Dillon is a member of the association for the reform and codification of the law of nations, and attended its third annual conference in Europe. He is also one of two Americans who are among the forty members of the *Institute de Droit International*. He was one of the commissioners appointed by Governor Morton to prepare a charter for "Greater New York." Judge Dillon's work on "Municipal Corporations" reached the fourth edition in 1890, and his "Removal of Causes" the third edition in 1881. He is also author of "Laws and Jurisprudence of England and America" (1894), and numerous addresses. In 1891-92 he was "Storrs" professor of municipal law in Yale University, and in 1892 was elected president of the American Bar Association. The famous work on "Municipal Corporations" has been characterized (by Mr. Irving Browne in the *Albany Law Journal*) as "a legal classic, a work that will live alongside of Kent and Story and Washburn and Parsons and Greenleaf, when nearly all the other books of the past decade are quite forgotten."



**DITTENHOEFER, ABRAM JESSE** (born in Charleston, South Carolina, March 17, 1836), is the son of Isaac and Babetta Dittenhoefer, both natives of Germany, who came to this country in 1834, settling at Baltimore, removing thence to Charleston, and in 1840 to New York City, where Isaac Dittenhoefer became a prominent merchant. Judge Dittenhoefer attended the public schools of New York, the Columbia College Grammar School, and Columbia College, where he received first prizes in Latin and Greek. At the age of twenty-one he was admitted to the New York bar, and at once entered upon a successful practice.

As a lawyer, Judge Dittenhoefer has been conspicuous in litigations relating to the dramatic stage, and is recognized as an authority in that branch of the law. He procured the incorporation of the benevolent institution, the Actors' Fund, and has since been its counsel without compensation. While successful in stage litigations, he has also been active in every other branch of the law, appearing as counsel in many commercial and corporation cases. He is at present counsel for the Lincoln National Bank, the Franklin National Bank, and the Mercantile Credit Guarantee Company. He has also been retained in important criminal cases. Years ago he was appointed one of its counsel by the board of aldermen indicted for granting permits to encumber the streets with newspaper-stands, and succeeded in quashing the indictment. He was counsel for the old excise commissioners, Doctor Merkle, Richard Harrison, and Murphy, indicted for an infraction of the law, and succeeded in obtaining a verdict of acquittal. In the more recent indictments against the excise commissioners, Meakim, Fitzpatrick, and Koch, he was one of the leading counsel for the commissioners, and after years of litigation the indictments were dismissed on a motion argued by him.

Judge Dittenhoefer identified himself with the republican party in its infancy. He served as chairman of the German republican central committee for twelve consecutive terms. At the age of twenty-two he was the unsuccessful candidate of the republican party for justice of the City Court, but some years later was appointed by Governor Fenton to the bench of that court, to fill the vacancy caused by the death of Honorable Florence McCarthy. In 1860 he was a republican elector. President Lincoln offered him the position of United States judge for the district of South Carolina, his native state, but he declined, being unwilling to abandon his practice in New York. He was a delegate to the republican convention that nominated President Hayes. Judge Dittenhoefer was married in 1858. His son, Irving Mead Dittenhoefer, is a lawyer, a partner with his father.





A. S. Diven





**DIVEN, ALEXANDER SAMUEL.**—To recall to the memory and review the career of General A. S. Diven, with a brevity and conciseness suitable for these pages, is embarrassing and unsatisfactory to the person who undertakes it. His long life of more than eighty-seven years was so full, that a mere recapitulation of what he accomplished would more than occupy the space allotted, and to set forth only one phase would be unjust to his memory. He excelled as a statesman, a lawyer, a soldier, and a business man, making such a record in each one of these lines of endeavor as alone would have satisfied the ambition of most men.

General Diven belongs by ancestry, birth, and residence to New York state and its history. He was born within its borders, on the beautiful hills near the head of Seneca Lake and not far from the famous Watkins Glen, on February 10, 1809. His ancestors were of Irish and English extraction. His direct ancestor, from whom he gets one of his Christian names, Alexander Diven, came from "sweet Tyrone among the bushes," and settled in the valley of the Cumberland, where many of his descendants now dwell. His wife, Margaret, was English.

General Diven's father was John Diven, a patriot soldier of the Revolution, who rose from the ranks to be a captain. After the war he became interested in the Duncan Islands in the Susquehanna river, near Northumberland, Pennsylvania, but losing them by some ancient flaw in the title, he removed, in 1799, to what is now Schuyler county, New York. The farm that he bought, cleared, and long occupied, is on the hills west of the Village of Watkins, and is still in the possession of the family. He was the first postmaster in that locality. John Diven's second wife was Eleanor Means. Her family was among the sufferers in the Wyoming valley in the massacre of 1777. A small child then, with some of the survivors she had a thrilling escape, fled down the Susquehanna and settled near Northumberland. She became the mother of General Diven. He was the only son by this marriage, besides him three daughters having been born into the family. Two of these, Eleanor and Charlotte, lived unmarried on the old homestead, to an advanced age. John Diven died in 1842 at the age of eighty-six.

General Diven's education, obtained by his own exertions, was completed at the academies in Penn Yan and Ovid. When twenty-one years of age he went to Elmira and studied law in the office of Judge Hiram Gray, at the same time teaching school. He was also at different times in the offices of Fletcher Haight in Rochester and Judge J. M. Parker in Owego, conducting for a few months the county clerk's office in the latter place. He chose for his residence the then promising little town of Angelica, in Allegany county, to which place he removed in the spring of 1833. He was licensed as an attorney on July 15, 1830, as counselor on May 12, 1837, and as solicitor

on May 16, 1837, and was admitted to practice in the United States District and Circuit Courts on March 18, 1842. In Angelica he formed a partnership, lasting only a year and a half, however, with George Miles, a lawyer of commanding ability and large practice, who subsequently removed to Ann Arbor, Michigan, and became a justice of the Supreme Court of that state. For four years, from 1838 to 1842, General Diven served, by appointment, as district attorney of Allegany county. In 1845 he returned to Elmira, taking up his residence on "Willow Brook farm," a short distance from the city, a beautifully located spot, that ever after, except for a brief period, was his home. The next year he formed a partnership with Colonel Samuel G. Hathaway and James L. Woods, under the firm name of Diven, Hathaway & Woods. It speedily became the leading law firm of all that section of the state, continuing until July, 1861, when it was dissolved and General Diven formed a partnership with his son under the firm name of A. S. & G. M. Diven. This connection was in existence until the fall of 1865, when General Diven relinquished entirely the practice of his profession.

During the height of his career as a lawyer was the period when there was intense activity in railroad construction. His industry, ability, and business sagacity drew him within the influence of this activity and absorbed much of his energy. Largely through his instrumentality that great thoroughfare of the southern tier, the New York & Erie Railroad, was completed. From 1843 onward, for more than ten years, he helped to carry it safely through its early struggles for existence. He was the commissioner to obtain the right of way for it, and with his firm managed the legal business of the western end of the line. He had, too, a large part in its practical construction. Afterward, in 1862, when it again fell into financial straits, he was made a director of the company and then its vice-president. He served in that capacity up to 1872, and during most of these years resided in New York City.

Many other lines of railroad had the benefit of General Diven's sagacity and energy. He was interested and largely instrumental in the construction of the several lines of road that now make up the Northern Central Railway, that connects Philadelphia with the New York Central at Canandaigua, a line running through Elmira, and also its continuation to Niagara Falls. He was the active partner in a firm that constructed a large portion of the main line of the Missouri Pacific road and had nearly completed what was then known as its southwest branch when the war broke out and all operations thereon ceased. With one of his sons in the early seventies he built the road from Carbondale, Pennsylvania, to near Susquehanna, and soon afterward constructed a portion of the New York & Canada Railroad, along the west shore of Lake Champlain, both now operated by the Delaware & Hudson Canal Company. This closed General Diven's active business career.

General Diven was always interested in the politics of his country, but never a politician in the ordinary acceptance of the term. He cast his first vote for Andrew Jackson at his first election, and was an earnest democrat until the repeal of the Missouri Compromise. He was a candidate for the assembly from Allegany county in 1843, and again in Chenung county in 1854. He neither desired nor had he solicited these nominations, and his time was so fully engrossed with his extended legal business that he scarcely thought of or attended to them. He was not elected in either instance. In the great contest of 1840 he took the stump for the democratic ticket and worked with zeal and energy for its success.

General Diven was opposed to the institution of slavery, but recognized its constitutional protection, and believed it should be restricted to the states where it existed, but prohibited in the territories and not allowed in any new state. With such views he became one of the founders of the republican party and canvassed all of the southwestern counties of the state in the Fremont campaign of 1856. While he was engaged in his extensive railroad operations in Missouri in 1857, without his knowledge and against his consent, he was nominated for the New York state senate, and although absent from home during most of the canvass, was elected by a very handsome majority. He was very prominent in the body of which he was a member, introducing resolutions and advocating the national policy of his party, with persistent energy and eloquence. In 1858 his name was before the republican state convention as a candidate for lieutenant-governor. But it was presented by the radical wing of the party, and that element being much the lighter, greatly to his satisfaction he was not nominated. In 1859, his name, without solicitation on his part, was again before the state convention, for judge of the Court of Appeals. But he was opposed because of a report made by him in the senate against a so-called "personal liberty bill," and the nomination went elsewhere. But the next year, in 1860, he was nominated for congress, took an active part in the canvass, and received a large majority of the votes of his district. He speedily became one of the strongest men on the floor of the house. In the newspapers of the period he is referred to as "one of the ablest men in congress, as well as one of the purest and most patriotic." He was the first to introduce resolutions for the employment of negroes in the army. Three of his speeches are worthy to stand with the best political literature of the house, and at the time attracted wide attention and comment. In one he contended that it was impossible to put an end to the war by legislation, and pleaded the necessity for its prosecution for the purpose for which it was undertaken—the preservation of the union—solely. He "stood by" Lincoln. In another he inveighed forcibly against the "confiscation bill," arguing that congress had no power over the property of individuals by virtue of the laws of war. But

probably his best speech, grounded on the very highest order of statesmanship, and one that created great excitement throughout the country, was one in favor of the surrender to the English of Mason and Slidell. It was considered at the time, and deservedly, to be the best exposition of the reasons for the policy that ultimately prevailed in the unfortunate incident.

In the summer of 1862, while yet a member of congress, General Diven rose from his seat and after a stirring and patriotic speech, which in the then condition of our country thrilled every one who heard it, asked for leave of absence to go home and raise a regiment of troops. Of course the leave was granted, and the outcome was the 107th New York volunteers, which was ready for the field in September of the same year, and was the first regiment in the state to respond to the call of President Lincoln, issued in July.

General Diven went to the front with the command of lieutenant-colonel, his commission signed by Governor E. D. Morgan, dated September 6, 1862. The colonel of the regiment, Van Valkenburg, also a member of congress, soon after retired on account of his health, and General Diven became colonel, his commission as such being dated October 21, 1862. He distinguished himself at the front, was in the battle of Antietam, and led his regiment on the bloody field of Chancellorsville, the published official records of the war bearing frequent testimony to his gallantry.

Early in 1863 the State of New York was divided into three departments for purposes of the draft, and Elmira was selected as the rendezvous for the eleven western congressional districts, which formed one department. General Diven was chosen as commander of the post, as he was one of the most conspicuous men in the region, and his personal relations with the authorities of the state, then democratic, were such that there would be little apprehension of any friction between them and the general government. The wisdom of the choice was apparent from the start. The operations of the general government were conducted in the division without the shadow of a difficulty, to its entire satisfaction, while in other portions of the state there was continued turmoil and confusion. General Diven, for the purpose of the post, was made adjutant-general and acting-assistant-provost marshal-general, with the rank of major, his commission as such being signed by Mr. Lincoln, March 8, 1864. A little over a year after that, on March 28, 1865, he was brevetted brigadier-general for meritorious services during the war. It was only eighteen days before President Lincoln died and was one of the latest official acts that he performed.

General Diven's attachment for and loyalty to the spot that he chose for and always called his home were conspicuous. Whatever made for its advantage and interest was close to his heart. He made of his "Willow Brook" property one of the loveliest country seats

in the whole land. Many of his railroad operations, as can be seen, had Elmira for their center. He was interested in and gave freely of his time, money, and energy to the building up of a serviceable water works system in his city. He also helped to originate, with his son, its street railway line. He was one of the founders, a liberal patron, and for many years chairman of the board of trustees of the Elmira College for women, the first institution in the country to educate and grant degrees to women, on lines similar to those of colleges and universities for men. From early manhood he was a member of the presbyterian church, and was always connected with the organization in Elmira, being for many years one of its active, influential, and interested officers. With every minute of his life, as might be said, fully occupied, he yet found some leisure to maintain a good acquaintance with literature and society. He was quick, apt, and accurate in quotation and of such excellence as a reader of the older authors that many found him, at times, in his own home, charming to listen to. He was a great lover of children, and in his presence, with childish intuitiveness, they were at once at peace and at home.

In July, 1834, General Diven married Amanda M. Beers, of a well-known family of that region, who was born on October 22, 1811. She died on August 18, 1875, after a married life of more than forty years that was a perfect union in all respects. During the war, for some time she was in the field with her husband, and her care and consideration for the soldiers of his regiment made her beloved by all, and established a memory that is still warm and bright in the hearts of many of the members of the 107th. Eight children were the fruits of this marriage, of whom two sons and three daughters survive. A second marriage took place in 1876, to Maria Joy, who still survives.

Twenty years ago, General Diven acquired property on the Saint John's river, Florida, near the City of Jacksonville, and since that time he spent his winters there. While engaged in no regular active business, he kept himself in touch with the progress of events, took great interest in political matters, and devoted much of his time and means to benevolent and educational institutions and enterprises.

Early in January, 1896, he made his usual trip to Florida, but soon after was attacked by the grippe. He rallied somewhat and in April was able to return to his Elmira home. For a time hopes were entertained that, in the pure air of his native valley, he might ultimately recover, but his great age was against him, and after a brief rally his strength gave way and he gradually sank to his final rest. He died on June 11, 1896, four months over eighty-seven years of age. The funeral services were observed at his home at "Willow Brook," there being present one of the largest gatherings of a like nature ever known in the history of the county. The body was attended to the family vault in Woodlawn cemetery by a delegation of the survivors of the 107th regiment. Numerous meetings were held by public

bodies, citizens, and societies, of which he had been a member, and there was a representative memorial gathering of the Chemung county bar. At all of these sentiments were uttered and resolutions adopted bespeaking the high character of the deceased, bewailing his loss, and lamenting him as one of the most distinguished, beloved, and honored citizens of Elmira and the state.

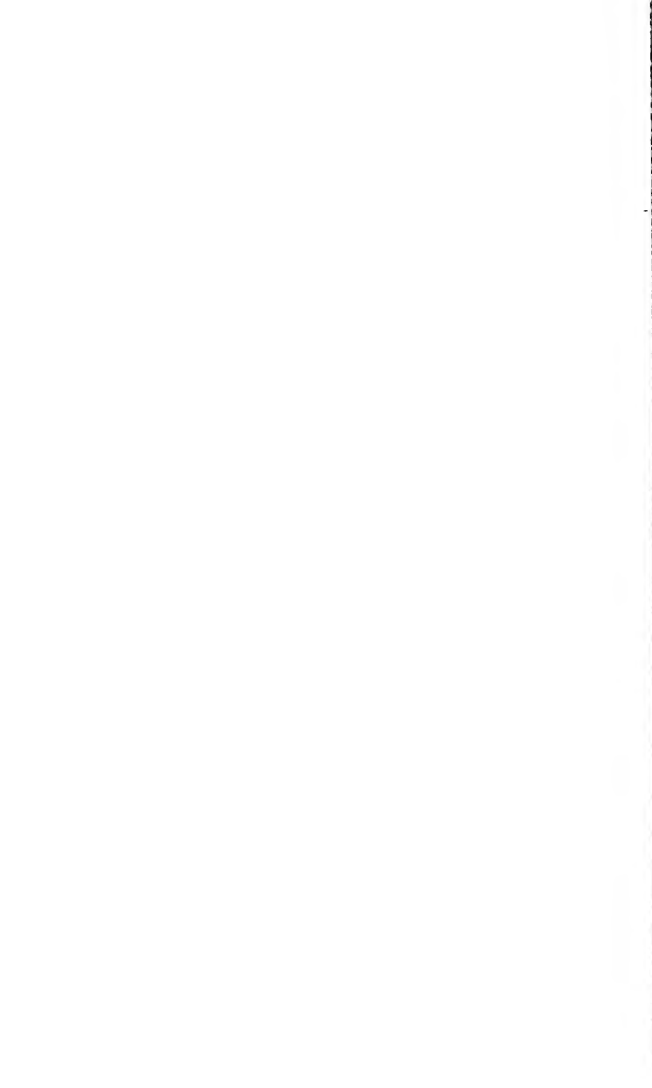


DIVEN, GEORGE MILES, eldest son of the preceding, and named for the partner and warm personal friend of his father, was born at Angelica, New York, August 28, 1835. He inherited many of his father's personal characteristics, not the least of which were his energy, activity, and capacity in the management of extensive business operations. His earlier education, obtained at the Elmira Academy and at a private school in Geneva, New York, was at times varied by employment, which, while it interrupted his regular studies, gave him lessons of experience that proved useful to him in after life. Before he had reached the age of fourteen he was for several months employed as rodman in a corps of civil engineers engaged in the construction of the Chemung Railroad. Again, in his sixteenth year, he was connected, for some time, with an extensive lumber concern in Allegany county, in which his father was interested. Entering Hamilton College in 1853, he was graduated in the class of 1857. While in college he pursued an extra course of law under Professor Theodore W. Dwight, who afterward attained great eminence in connection with the law department of the Columbia University of New York City.

After graduation Mr. Diven was engaged for more than a year in a large lumbering establishment in Williamsport, Pennsylvania, controlled by his father. Returning to Elmira he read law in the office of his father's firm until April, 1860, when he went to Saint Louis, Missouri, to take charge of the financial affairs of Diven, Stancliff & Co., contractors for the construction of the southwest branch of the Pacific Railroad of Missouri. Except to return home in June of that year to pass an examination in Binghamton for admission to the bar of his native state, he remained at Saint Louis until June, 1861, pursuing his law studies in the meantime, with the intention of practicing his profession there. The breaking out of the war put an end to his plans. He returned to Elmira, and on July 1 of that year began the practice of his profession with his father, under the firm name of A. S. & G. M. Diven, a connection that continued until the fall of 1865. For thirty-six years he has had his office in the spot where it is now located. He early established a reputation as a good and careful lawyer and a sound and trustworthy business man. Until 1879 he continued in business alone, although having associated with him, in his railroad cases, ex-Judge Hiram Gray, until the latter was ap-



*C. M. Driver*





pointed one of the commissioners of appeals of the state, on July 1, 1870. On October 1, 1879, the partnership of Diven & Redfield was formed, the junior member of which, Henry S. Redfield, had studied law in Mr. Diven's office. This partnership still exists, its membership having been increased on January 1, 1896, by the admission of Mr. Diven's eldest son Eugene, a graduate of Leigh University and of the National Law School of Washington, D. C., who after two years' service as an examiner in the patent office, is making a specialty of patent law.

Mr. Diven's practice has been largely connected with railroads. For more than ten years he was an attorney for the Erie Railway Company, at one time having charge of all its legal business in the western part of the state. Since the Northern Central Railway Company, now forming part of the Pennsylvania system, leased the Elmira & Williamsport Railroad, in the spring of 1863, he has been and still continues its solicitor for the State of New York, a position he has now held for nearly thirty-four years. For about twenty-five years he has been the local attorney and counsel for the Lehigh Valley Railroad Company, and as such he was largely engaged in the legal work required in the re-organization of its various lines in the State of New York. While his practice has been by no means confined to railroad business, yet his calls in that direction have demanded most of his time.

With devoted attention to his profession, Mr. Diven has not only acquired a large experience and an extended reputation, but has gathered together one of the largest law libraries in western New York. He was active in the organization of the New York State Bar Association, has been a regular attendant at its meetings, and for the year 1891-92 was its president. In 1874 his college elected him one of its board of trustees, a position that he continues to hold.

An active but conservative member of the republican party from its organization, Mr. Diven has never desired and never held any political office, although serving, by appointment of the common council, nearly seven years as a member of the board of education of the City of Elmira, and for six years as its president.

While giving chief attention to his profession, Mr. Diven has had the management of matters involving unusually large sums of money, and his judgment has never failed him or been at fault. Some of the most important business enterprises of Elmira, in their immature and uncertain beginnings, have relied, with safety, upon his advice and judgment. At one time he was largely interested in coal mining, was a stockholder and director of the Erie & Atlantic Sleeping Coach Company until it was absorbed by the Pullman company; has dealt extensively in real estate; in 1868 purchased the original but bankrupt Elmira Water Works, re-organized the company, and with other members of his family brought the property to a high and profitable state

of efficiency. He aided greatly in the construction of the first street railway in his city, and for a number of years managed its affairs; was instrumental and influential in the re-organization of the Rolling Mill Company of Elmira, one of the largest plants of its kind in the country, and was foremost in the conception and construction of the Elmira State Line Railroad, now the Tioga branch of the Erie. He is largely interested in the La France Fire Engine Company, of which he has been president nearly all the time of its existence, and which, almost entirely owing to his efforts, has achieved noted prominence for its steam fire engines and other fire apparatus, by which it is known throughout the United States, and, to no small extent, in foreign countries.

Notwithstanding Mr. Diven's active life, he has found time to indulge in somewhat extensive travels, having made three trips abroad, on one of which he spent a winter along the Mediterranean and in Egypt, and he has also passed many pleasant winter months at the family residence in Florida.

He is a member of the Union League of Philadelphia, the Manhattan Club of New York, the Red Jacket Club of Canandaigua, and a charter member of the Elmira City Club.

Mr. Diven, on June 3, 1863, married Lucy M. Brown, of Clinton, New York, where his college is located, a lady of the most estimable character and the sweetest disposition, combined with great personal attractiveness. She died September 2, 1888. Of the six children of this marriage four sons survive, Eugene, already mentioned, married Jeannette Pettibone Murdoch, a daughter of John Murdoch, Esquire, one of the most distinguished lawyers of southwestern New York. A child, the fruit of this marriage, is named for his great-grandfather, General A. S. Diven, and will probably carry the designation far into the twentieth century as "Alexander the Third." Of the other sons of Mr. Diven, Alexander S., named for his grandfather, a graduate of Yale College, is now (1897) studying law in his father's office; Alden B., a graduate from a course of civil engineering at Lehigh University, is engaged with the La France Fire Engine Company, and Louis has recently finished a course of electric engineering at Lehigh.



**OWNS, FRED LESTER** (born in Medina, Orleans county, New York, August 14, 1855), is the son of Lester C. and Susan G. Downs. He was educated in the common schools and at Medina Academy, studied law with Stanley E. Filkins, was admitted to the bar at Rochester, April 10, 1880, and at once opened a law office in Medina, where he has since practiced his profession. He has been prominent in local affairs, having held the office of justice of the peace of the Town of Ridgeway, trustee of the Village of Medina for three years from 1883, and president of the vil-

lage for three successive terms (1892, 1893, and 1894). He has always been active in republican politics, is a member of the republican county committee, and in 1895 was elected the representative of the county in the assembly at Albany.

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**DUGRO, PHILIP HENRY** (born in New York City, October 3, 1855), is the son of Anthony and Dorothea Dugro. He was educated in New York City at the famous grammar school of Doctor Charles Anthon, and in 1876 was graduated from Columbia College. His legal studies were prosecuted in the law offices of McKeon & Smyth and at the Columbia College Law School, from which he was graduated in 1878, the same year being admitted to the bar. He has practiced his profession in New York City continuously since his admission.

In the fall of 1878, when but twenty-three years of age, he was elected to the assembly from the 14th district of the city. He also served a term in congress (1881-82), being elected from the 7th congressional district in the fall of 1880. In 1883 he was nominated for comptroller of the city, but declined on account of the death of his father. In 1886 he was elected a justice of the Superior Court of New York City, and in 1896 elevated to the Supreme Court bench through the re-organization of the judiciary effected by the constitution of 1894.

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**DWIGHT, CHARLES C.** (born in Richmond, Berkshire county, Massachusetts, September 15, 1830), is the son of Reverend Edwin Wells Dwight, a congregational minister, and Mary Sherrill, both natives of Massachusetts. He was graduated at Williams College in 1850, and then for two years was engaged in teaching. He studied for the legal profession in the office of Amos Dean, of Albany, was admitted to the bar in 1853, and in 1855 began practice at Auburn. In 1859 he was elected county judge of Cayuga county, and was serving in that office when, upon the breaking out of the war, he entered the army, being commissioned captain in the 75th New York volunteers. In 1862 he was appointed, by President Lincoln, assistant-adjutant-general of volunteers, and assigned to duty on the staff of General Lewis G. Arnold, in command at New Orleans. In the same year he became colonel of the 160th New York volunteers. In 1863 he was judge of the Provost Court at New Orleans. From 1864 until the close of the war he served as a member of the staff of General Canby, being detailed to act as commissioner for the exchange of prisoners in the department of the gulf.

Resuming his practice at Auburn in 1865, he steadily added to the high reputation he had already gained in the profession. He was elected a delegate to the constitutional convention of 1867, and in

1868 he was appointed a justice of the Supreme Court for the 7th judicial district to fill the vacancy caused by the death of Justice Henry Wells. In 1869 he was elected to that office for a full term. He has since served continuously on the Supreme bench, and is now the senior judge in service in this state.

Justice Dwight was married, in 1868, to Miss Emma Munro, of Onondaga county.



**DYKMAN, JACKSON O.** (born in Patterson, Putnam county, New York, in or about 1826), is the great-grandson of Captain Joseph Dykman, an early settler of Putnam county and a captain in the continental army during the revolution. He was educated in the public schools, taught school, and studied law with Honorable William Nelson, of Peekskill. After his admission to the bar, he commenced practice at Cold Spring, Putnam county, where he was elected school commissioner and district attorney of the county.

In 1866 he removed to White Plains, where he has since resided. He was elected district attorney of Westchester county in the fall of 1868, and in this office "particularly distinguished himself by the energy, skill, and success with which he prosecuted the famous Buckhout murder trial, one of the celebrated cases in the history of the county." Although a democrat in politics, Judge Dykman received the nomination of the republican party in 1875 for justice of the Supreme Court for the 2d judicial district, and, receiving the support of the best elements of both parties, was elected by a large majority.

At the end of his first term of fourteen years he received the unanimous nomination of both political parties, and, of course, received the full vote of both. He served upon his second term until the 31st day of December, 1896, when he reached the constitutional limitation of age. By virtue of a provision in the new constitution of the state, however, Governor Black, on the 2d of January, 1897, re-assigned Judge Dykman to duty, and he has since that time been engaged in the full performance of the duties of a justice of the Supreme Court.

Upon his retirement from the bench Judge Dykman was given two banquets, one by the Bar Association of Brooklyn, and one by the Bar Association of Westchester county. At the latter banquet the Honorable Chauncey M. Depew closed his eulogistic remarks upon Judge Dykman in the following language:

From the tail of a plow to an academy, from the academy to the law office, from the law office to the law practice, from the law practice to the bench, our friend Judge Dykman worthily can bear the encomium which Daniel Webster put upon Chief-Justice Jay, that "the ermine when it fell upon his shoulders, touched nothing less spotless than itself."

The lawyers of Westchester county have procured a fine portrait

of Judge Dykman to be painted and hung in the court-house at White Plains, and his fellow-citizens of the county presented him with an ivory gavel highly ornamented with gold.

He may often be seen at the court-house in White Plains in the discharge of his official duties. He is ever kind and courteous to all, his health is firm, and the prospect is that his usefulness will continue to the end of his term.

As a judge he has been thus characterized:

In the performance of his judicial duties, Judge Dykman is ever patient, affable, and courteous. He is kind and obliging to the members of the bar, and especially so to the younger lawyers. He has been a member of the general term of the Supreme Court from the time he took his seat on the bench, and his opinions in that court, in the numerous cases on appeal, evince laborious research, sound judgment and discretion, and absolute fairness and impartiality, and demonstrate the propriety of his elevation to the high judicial position which he occupies. At the circuit for the trial of cases he is a favorite with both lawyers and suitors for his patience and impartiality. He manifests great love for justice and right, and deep abhorrence for wrong and oppression.<sup>1</sup>

Judge Dykman was married to Emily L. Trowbridge, of Peekskill, of the old family of that name of New Haven, Connecticut. Their two sons, William N. Dykman and Henry T. Dykman, are both practicing lawyers, the former in Brooklyn and the latter in White Plains, New York.



**E**ARL, ROBERT (born in Herkimer, New York, September 10, 1824), is the son of John and Margaret Petry Earl. On his father's side he is descended from Ralph Earl, who emigrated from England to Rhode Island in 1634. His mother was the daughter of Doctor William Petry, born near Mentz, Germany, in 1733, who was a surgeon in the armies of Frederick the Great, emigrated to America in 1763, was an ardent patriot in the Revolution (being a member of the committee of safety of the then Tryon county, New York), and died at Herkimer in 1806.

Robert Earl was prepared for college at the Herkimer Academy and was graduated at Union College in 1845. In 1874 the degree of doctor of laws was conferred upon him by that institution, and in 1887 by Columbia College. For two years after leaving college he was principal of Herkimer Academy, meantime pursuing legal studies with Honorable Charles Gray (afterward justice of the Supreme Court). Completing his legal education in the office of his brother, Samuel Earl, he was admitted to the bar in 1848, and he then established with his brother, at Herkimer, the law firm of S. & R. Earl, which continued until 1870.

In 1849, and again in 1860, he served as supervisor of his native town, and from 1856 to 1860 held the office of judge and surrogate of

<sup>1</sup> Scharf's "History of Westchester County," Vol. i., p. 533.

the county. On November 2, 1869, he was elected a judge of the Court of Appeals. He took his seat upon the bench of the court January 1, 1870, and served as chief-judge until July 1, when, under the amended constitution, he became a commissioner of appeals, serving as such until July 1, 1875. On November 5, 1875, he resumed his seat in the Court of Appeals, being appointed by Governor Tilden to succeed Judge Grover, deceased. He was in 1876 elected for a full term, and in 1890 was re-elected, having been nominated by both parties. On January 25, 1892, Governor Flower appointed him chief-judge of the court, to fill the vacancy caused by the death of Chief-Judge Ruger. He retired from the bench on the 31st of December, 1894, having reached the age limit prescribed by the constitution. He has since been living at his home in Herkimer.

In politics, Judge Earl has always been a democrat. He was married, in 1852, to Juliet, daughter of Henry J. Wilkinson, of Richfield Springs.



**EATON, DORMAN BRIDGMAN** (born in Hardwick, Vermont, June 27, 1823), is the son of Honorable Nathaniel Eaton and Ruth Bridgman, of early New England ancestry on both sides. He was graduated from the University of Vermont in 1848, subsequently receiving the degrees of master of arts and doctor of laws, and from the Harvard Law School in 1850, taking first prize for a legal essay in the latter institution. He was admitted to the New York bar in 1851, formed a partnership with Judge William Kent, and was engaged in the successful practice of law in this city for many years.

Mr. Eaton is especially known, however, through his efforts in the direction of various public reforms. In 1865 he was instrumental in securing the establishment of a paid fire department in New York City. He drafted the law of 1866, creating the board of health, and the next year drew up its sanitary code. He also prepared the law under which the police courts were organized. From 1870 to 1873 he was abroad studying the civil-service systems of Europe. Upon his return President Grant appointed him a civil service commissioner to succeed George W. Curtis. He was made president of the commission. In 1874, at the request of congress, he prepared a code for the government of the District of Columbia. In 1877 he visited Great Britain for a further study of this subject. He drafted the civil service law enacted by congress in 1883, and was the first commissioner appointed under its provisions by President Arthur.

He is an acknowledged authority on the question of civil service reform, and has written much on this and other subjects. He has been a frequent contributor to the *North American Review*, and prepared a number of articles for Lalor's "Cyclopedia of Political Science." Soon after his admission to the bar he assisted Judge William Kent

in editing "Kent's Commentaries," and in 1852 prepared an edition of "Chipman on Contracts Payable in Specific Article." He published a volume giving a history of civil service in Great Britain as the result of his investigation in 1877. He is also the author of "The Independent Movement in New York" (1880), "Civil Service Reform in Great Britain" (1880), "Spoils System and Civil Service Reform in the New York Custom House and Post Office," "Term and Tenure of Office," and "Secret Sessions of the United States Senate."

For many years he was chairman of the committee on political reform of the Union League Club. The first civil service reform society formed in this country was organized at his home in 1878.



**EDWARDS, FRANCIS SMITH** (born in Windsor, Broome county, New York, May 28, 1817), is the son of Joseph and Abigail Buell Edwards. His grandfather, Jasper Edwards, was a sergeant in the French and Indian war, was at the battle of Quebec, and assisted in carrying off the body of General Wolfe; and in the Revolution was with Washington when the Hessians were captured at Trenton, and also during the winter at Valley Forge.

He received a good academic education and nearly completed the classical course at Hamilton College, leaving in his senior year before graduation. He read law with Abiel Cook and John Waite, of Norwich, and Judge Roswell Judson, of Sherbourne, and was admitted to the bar in New York City, May 20, 1840. After practicing at Sherbourne, Albany, and Fredonia, he located in 1859 at Dunkirk, where he has since lived. His active professional career, from which he has only recently retired, extended over considerably more than half a century. Although ranking high as a civil practitioner, he has been especially prominent as an advocate. He defended the Battles murder case in 1862, and Governor Seymour, upon refusing a pardon, complimented him for his efforts in behalf of the condemned man. He also defended Herman Koch, charged with murder, and secured a verdict of manslaughter in the third degree.

Mr. Edwards was appointed by Governor Seward, in 1842, master and examiner in chancery for Chenango county. In 1852 he became special county judge of Chautauqua county. In 1854 he was elected on the American ticket a representative in the 34th congress, defeating Reuben E. Fenton. The first session of this congress was made memorable by the long and exciting contest for the speakership, which, to a certain extent, was a struggle between the sections nominally dividing on Mason and Dixon's line, but really separating and sub-dividing without reference to geographical considerations. Opposed to sectional agitation, and bent on giving prominence on all occasions to the questions on which he was elected, it was natural

that Mr. Edwards should have favored, during that great struggle, the choice of some northern man not so closely identified with sectionalism as was Mr. N. P. Banks; and it was also natural that finally, coming to the conclusion that the house could be organized in no other way, he should give his support to Mr. Banks, who, moreover, had solemnly pledged himself to the maintenance of American principles.

Judge Edwards has at various times held the local offices of village and city attorney and police justice. From the latter he finally retired at the beginning of 1897.



**EDWARDS, SAMUEL** (born in Glenville, New York, April 24, 1839), is the son of Samuel B. Edwards and Ruth L. Rogers. He attended public and private schools, and academies in Schoharie and Washington counties, and was graduated at Union College in 1862 with the degree of bachelor of arts. After studying law with S. L. Magoun, he was admitted to the bar at Albany, in December, 1864. He engaged in practice at Hudson, where he still resides. He soon rose to prominence in the profession, being retained in many important litigations, and became recognized as one of the leaders of the bar.

Since January, 1887, he has been one of the justices of the Supreme Court of the state for the 3d judicial district.



**ELY, WILLIAM CARYL** (born in Middlefield, Otsego county, New York, February 25, 1856), is the son of William H. Ely and Ellen Caryl. Mr. Ely's family, both in its direct and its collateral lines, is of New England origin, and is intimately identified with the history of Otsego county. Many of his lineal ancestors were soldiers in the Revolution and in the American colonial wars. His great-grandfather, Benjamin Gilbert, was a lieutenant of the 5th Massachusetts regiment of the line in the regular continental army under Washington, came to New York at the close of the Revolution, and was the second sheriff of Otsego county; he held that office for three terms, and was several times member of the assembly. The paternal grandfather of W. Caryl Ely, Doctor Sumner Ely, represented the county in the assembly, was a senator for a term of four years, and was president of the New York state medical society,<sup>1</sup> and his maternal grandfather, Leonard Caryl, was a member

<sup>1</sup> Doctor Sumner Ely entered Yale at the age of fourteen in the sophomore class, and graduated at seventeen in the class of 1804. One of his sons, Sumner Stow Ely (W. Caryl Ely's uncle), became eminent at the bar. He was graduated at Hamilton College and practiced law in New York and Brooklyn, as a member, successively, of the firms of Britton & Ely, and Britton, Ely & Snell. He

was for thirty-five years a partner of Winchester Britton. Being deaf he could not appear in court. His specialty was real estate law, but his briefs are celebrated. It may not unjustly be said that his briefs, researches, and work in the famous case of the La Abra Silver Mining Company *against* the Mexican government constitute a monument of legal learning and ability.





*A. C. Cey,*



of the assembly from that county. Both were contemporaries and political and personal friends of Marcy, Wright, and Seymour. Mr. Ely's father, William H. Ely, served as an Otsego county assemblyman in 1874 and 1875.

W. Caryl Ely attended school at his native place, and after studying at academic institutions entered Cornell University in the class of 1878. He did not, however, graduate, leaving college in his junior year. Soon afterward he began the study of the law at East Worcester, New York, in the office of John B. Holmes (now a practitioner in Troy), and in 1882 he was admitted to the bar at Ithaca. Commencing practice at East Worcester, his abilities soon brought him into prominence at the bar of Otsego county. In 1885 he removed to Niagara Falls, where he practiced alone for two years, with steadily increasing success, and then organized with Frank A. Dudley the firm of Ely & Dudley. Since 1893 (when Morris Cohn, Junior, was admitted) the firm has been Ely, Dudley & Cohn. It now transacts the largest law business done in Niagara county.

During the first ten years of his professional career Mr. Ely was an "all-round" practitioner, trying cases at circuit, acting as counsel, arguing appeals, etc. From the beginning he was uniformly successful in jury cases. Since 1886 he has enjoyed the distinction of having recovered the largest verdict awarded in Niagara county in an action for damages for personal injuries. Notwithstanding his reputation as a jury lawyer, he has only once consented to defend a person accused of crime. In this instance his client was the treasurer of the board of water commissioners of Suspension Bridge, who had been indicted on three distinct charges. Mr. Ely tried the suit on two of the charges, with a successful issue in each.

His professional rule is, never to permit an intending client to deceive him as to the facts, and, on the other hand, never knowingly to deceive a client as to the law. In other words, he always recommends the settlement of a doubtful case, never advising a fight unless it is clear that something is to be gained which cannot be achieved otherwise; and he makes it a rule never to take a bad case if aware of its character.

Since his removal to Niagara county he has had a very large corporation practice. He was one of the original promoters and incorporators of the great Niagara Falls Power Company. He drew and secured the enactment of its charter, and has assisted in the preparation and has had charge of all subsequent legislation. He is at present local counsel to the company. He was the chief promoter of the Buffalo & Niagara Falls Electric Railway, and is now its president. He was one of the founders, and is attorney and trustee, of the Niagara County Savings Bank, a flourishing and growing institution; is counsel and a director of the Carter-Crume Company, a large manufacturing corporation, and is counsel at Niagara Falls for the Manu-

facturers and Traders' Bank of Buffalo. In brief, he has been and is still actively connected with almost all the large enterprises contributing to the building up of the new City of Niagara Falls.

Mr. Ely has traveled extensively throughout the United States, taking a keen interest in everything relating to the material development of the country. He has been especially attracted by the resources of the Pacific states. In this connection he has acquired a considerable interest, and has been identified with the construction of about sixty miles of irrigating canals in the Columbia river valley in the State of Washington.

In politics, Mr. Ely has always been warmly attached to the fundamental principles of the democratic party, as all his ancestors have been for a century. He has held the offices of clerk of the board of supervisors of Otsego county (1879-80), supervisor of the Town of Worcester (1882-83), member of the assembly from the 1st district of Otsego county (1883 to 1885, inclusive), and village attorney of Niagara Falls for five years. While in the assembly he was one of the most conspicuous democratic members, serving on the ways and means, rules, railroad, and other leading committees, and being the candidate of the minority for the speakership in 1885. In 1891 he was the democratic nominee for justice of the Supreme Court for the 8th judicial district. He has been tendered the nomination for district attorney of Niagara county and other offices, and his name has been prominently mentioned among the party leaders for high state offices. He has, however, in consequence of the exacting demands of his business engagements, uniformly refused to stand as a candidate. Upon quitting his last public employment he formed the opinion, which has never since been changed, that no man should accept an office of any kind unless he can so arrange his affairs as to give to the conduct of the office all the time necessary to secure the best results to the public.

From 1893 to 1896 Mr. Ely was a member of the democratic state committee, being also for two years its treasurer and a member of the executive committee. In the campaign of 1896, unable to support the candidacy of Mr. Bryan, he resigned from the committee, writing a letter in this connection which excited much comment throughout the state.

In 1884 he married, at Cobleskill, New York, Grace Keller, a lineal descendant of John Alden and Priscilla Mullins, by the line of Elizabeth Alden, the first female child born in the Plymouth colony. Mrs. Ely is a member of the Society of *Mayflower* Descendants.



ESMOND, DARWIN WILLIAM (born in North Egremont, Massachusetts, June 22, 1845), is the son of Darwin Esmond and Geraldine L. A. Warner. He was educated in the common schools of New England, New York, and Illinois, and studied for two years each with Reverend Charles S. Brown and Reverend L. W. Walsworth, of the New York methodist conference. Later he prepared for the profession of the law in the office of Honorable Abram S. Cassidy, of Newburgh, New York. He was admitted to the bar in Brooklyn, December 11, 1867, and immediately began practice in Newburgh, where he is still located.

Mr. Esmond has won a reputation as a practitioner at the Newburgh bar for fidelity and devotion to his cases, and has been connected with various causes of much local interest. In two notable trials he claims to have obtained his highest fee. One was the case of a little child of six years, who had been outraged; the other was of a serving woman, arrested on a false charge of larceny. Both were friendless and penniless; they paid him by kissing his hand.



EVARTS, WILLIAM MAXWELL (born in Boston, Massachusetts, February 6, 1818), is the son of Jeremiah Evarts, the well-known Christian philanthropist who, bred a lawyer, devoted himself to the cause of missions and the rights of the Indians. Mr. Evarts was prepared for college in the Boston Latin School, and in 1837 was graduated from Yale College, having founded the *Yale Literary Magazine* during his course. His legal studies were prosecuted at the Harvard Law School, and in the office of Daniel Lord, of New York City. Admitted to the New York bar in 1841, he at once engaged in practice there, and "soon established a reputation for learning and acumen, and was often consulted by older lawyers."<sup>1</sup>

In the article which introduces this volume Mr. Coudert happily characterizes him as "polished, self-possessed, keen-witted, the hero of the three great cases of our generation—the Johnson impeachment, the Tilden election case of 1876, the Geneva arbitration case." There were also other cases of almost equal renown, notable among them being his defense, as senior counsel, of Henry Ward Beecher in the suit brought against him by Theodore Tilton.

From 1849 to 1853 Mr. Evarts was assistant-district attorney of New York City. In 1851 he successfully prosecuted the filibusters engaged in the expedition of the *Cleopatra* to Cuba, and the same year delivered the argument in favor of the constitutionality of the metropolitan police act. In 1857 before the Supreme Court, and in 1860 before the Court of Appeals, he argued the Lemmon slave case as counsel for the State of New York, opposing Charles O'Connor, coun-

<sup>1</sup> Appleton's "Cyclopedia of American Biography," Vol. ii., p. 385.

sel for the State of Virginia. In 1862, in the United States Supreme Court, he argued the right of the government in civil war to treat captured vessels as prizes, according to the laws of war. In 1865 and 1866 he successfully established the unconstitutionality of state laws taxing national bank stock and United States bonds without authorization by congress. In 1868 he was chief counsel of President Johnson in the impeachment proceedings in the United States senate, and by appointment dated July 15, 1868, became attorney-general in President Johnson's cabinet, serving until the close of the administration. In 1872, as counsel for the United States before the arbitration tribunal at Geneva on the *Alabama* claims, he "presented the arguments on which the decisions favorable to the United States were to a large extent based." In 1875 occurred the sensational trial of Beecher, in which he was conspicuous as leader of the brilliant array of counsel for the defense. Two years later, in 1877, he was again successful at his appearance as the advocate of the republican party before the electoral commission in the famous Tilden-Hayes presidential contest. He was likewise counsel in the Parish will contest and the litigation over the will of Mrs. Gardner, mother of President Tyler's widow, both of which involved great fortunes and aroused wide interest at the time. Mr. Evarts's "services were often sought in cases in which large corporations were parties, and he received in some instances fees of \$25,000 or \$50,000 for an opinion, such as that on the Berdell mortgage upon the Boston, Hartford & Erie Railroad."<sup>1</sup> For many years he has been the head of the law firm of Evarts, Choate & Beaman, comprising several of the leaders of the New York bar.

Outside the strict profession of the law, Mr. Evarts is universally conceded a high rank as a statesman. He was early prominent as a leader of the republican party, being chairman of the New York delegation in the republican national convention of 1860, in which body he placed William H. Seward in nomination for the presidency. In 1861 he was Horace Greeley's rival before the New York legislature as a candidate for the United States senate, and by his subsequent withdrawal from the contest secured the election of Ira Harris. His elevation to the position of attorney-general of the United States under President Johnson has been already noted. In 1877, in recognition of his distinguished services to the republican party in the presidential contest, as well as in recognition of his profound abilities, he was given the portfolio of secretary of state in President Hayes's cabinet, serving the full presidential term. "His administration of the state department was marked by a judicious and dignified treatment of diplomatic questions, and especially by the introduction of a higher standard of efficiency in the consular service, and the publication of consular reports on economic and commercial conditions in

<sup>1</sup> Appleton's "Cyclopedia of American Biography," Vol. ii., p. 385.

foreign countries."<sup>1</sup> At the close of his term, in 1881, Mr. Evarts was appointed as delegate of the United States to the international monetary conference at Paris. He was subsequently elected to the United States senate by the New York legislature to succeed Elbridge G. Lapham, and served the full term, from March 4, 1885, to March 3, 1891. In the senate he was one of the most distinguished figures, and was a recognized leader of his party.

As a public speaker Mr. Evarts is distinguished by the brilliancy, depth, and intellectual power of his oratory. His published addresses include orations at the unveiling of the statues of William H. Seward, Daniel Webster, and Bartholdi's "Liberty," in New York City; on Chief-Justice Chase, at Dartmouth College, in June, 1873; and upon the opening of the centennial exposition in Philadelphia in 1876.



**F**IELD, STEPHEN JOHNSON (born in Haddam, Connecticut, November 4, 1816), is the son of Reverend David Dudley Field, and a brother of the late David Dudley Field and Cyrus W. Field. At the age of ten he accompanied his sister, the wife of a missionary, to Smyrna, for the study of oriental languages. Returning, he was graduated from Williams College in 1837, at the head of his class. He studied law in New York City with his brother, David Dudley Field, was admitted to the bar, and became a partner. Discontinuing this association in 1848, he traveled extensively in Europe, and in the fall of 1849 went to San Francisco.

He was one of the founders of Marysville, California, serving as its first alcalde prior to the organization of the judiciary of the state. As a member of the first legislature after the admission of California as a state, serving on its judiciary committee, he secured the passage of important laws affecting the judiciary and the civil and criminal procedure of the various courts of the state, as well as the law giving a legal sanction and authority to the regulations of miners among themselves, "thus solving a perplexing problem."

During the succeeding six years he was in the enjoyment of an extensive practice. He was elected a justice of the California Supreme Court for the term of six years beginning in January, 1858, but took his place on the bench in October, 1857, being appointed to fill a vacancy. In September, 1859, he succeeded David S. Terry as chief-justice of the court, and so continued until his appointment as a justice of the United States Supreme Court by President Lincoln in 1863.

In 1869 he was appointed professor of law in the University of California. In 1873 the governor of California appointed him a member of the commission to examine the laws of that state and make recommendations for legislative amendments. He was a member of the Tilden-Hayes electoral commission in 1877 and voted with the demo-

<sup>1</sup> Appleton's "Cyclopedia of American Biography," Vol. ii., p. 385.

cratic minority. In the democratic national convention at Cincinnati, in 1880, he received sixty-five votes on the first ballot for the nomination for the presidency.



**FILKINS, STANLEY EUGENE** (born in the Town of Bethany, Genesee county, New York, February 19, 1836), is the son of James Filkins and Abigail Jenkins. He is a direct descendant of Henry Filkins, the first collector of the port of New York, and also of the Filkins named as the grantee of the tract of land known as the "Little Nine Partner Grant," in the vicinity of the present City of Poughkeepsie. On his mother's side he is a grandson of Herman Jenkins and a great-grandson of Elder Nathaniel Brown, who were the first free-will baptist ministers in western New York. He attended the Grand River Institute, in Ohio, studied law with Brown & Glowackie, of Batavia, and M. T. Jenkins, of East Randolph, was admitted to the bar early in 1857, and engaged in practice at Medina, where he has remained to the present time. He has always devoted himself strictly to his professional business, never seeking political honors. He has been connected with a number of cases notable in the legal annals of his part of the state. He defended George Alford, indicted for the murder of one Toombs, and also Asa Boughton, on trial for the murder of Levant Bancroft. Alford was acquitted and Boughton was found guilty of manslaughter in the third degree.

As a member of the school board of Medina, Mr. Filkins drew and put through that body the first resolution of the kind passed by any school board in this country, excluding religious exercises from the public schools. An indignation meeting was held, which strongly denounced the action of the board. But the movement thus inaugurated spread throughout the country, school boards everywhere took similar steps, and both the great political parties responded to the popular demand by inserting in their state and national platform planks in opposition to sectarian schools.



**FINN, DANIEL** (born in Westfield, Chautauqua county, New York, November 9, 1843), is the son of William and Frances Halsey Finn. On his father's side he is descended from a family resident in this country for six generations, and in the maternal line he is in the eighth generation of descent from his original American ancestor. He was prepared for college at the S. S. Seward Institute, of Florida, Orange county, and he was graduated at Hamilton College in 1868 with the degree of bachelor of arts. In his senior year at that institution he took the law school course.



After leaving college he continued his legal studies with Henry MeQuoid, of Middletown, New York, and later in the office of Osborne & Swayne, of Toledo, Ohio. He was admitted to the bar at Albany in October, 1870. Since March, 1871, he has been in successful practice at Middletown.



**FITCH, THEODORE** (born in Franklin, Delaware county, New York, March 30, 1844), is the son of Reverend Silas Fitch and Mary A. White, both of early New England ancestry.<sup>1</sup> Mr. Fitch was prepared for college at academies in Poughkeepsie and Middletown, New York, and was graduated from Yale College in 1864. He became tutor in Latin, Greek, and mathematics in Delhi Academy (Delaware county, New York), of which his father was then principal, at the same time studying law with Honorable William Murray, of Delhi (then county judge and subsequently a justice of the Supreme Court). He was admitted to the bar at Binghamton, in May, 1867, and in the fall of the same year commenced practice at Yonkers. While Yonkers has always remained his residence, he also opened a law office in New York City, and since 1883 has had his office exclusively in New York, in partnership with his brother in the firm of T. & S. H. Fitch.

He soon acquired a high standing at the Westchester bar, and has enjoyed a successful practice for many years both in Westchester county and New York City. His work has been chiefly in the provinces of corporation and real estate law. From 1876 to 1883 he was city attorney of Yonkers, serving three terms, and during that time won every case for that city, with a single exception, in which also he was virtually successful, greatly diminishing the claim against the city. Among his interesting cases are the *People ex rel. Manhattan Savings Institution vs. Otis, Mayor* (90 New York, 48), in which it was held unconstitutional to re-issue bonds in place of those stolen; *Hobbs vs. City of Yonkers*, a peculiar suit for back fees which had been relinquished by the plaintiff while a candidate for office as an inducement to his election; *Theall vs. City of Yonkers*, involving the historic boundary between the townships of Yonkers and Eastchester; the suit several times in the Court of Appeals, of Levi P. Rose, to regain

<sup>1</sup> The family of Fitch is of ancient antecedents in England. In old records the name is written "Fyche," "fytche," "Fytch," "fytch," and "fitch." The family is of German origin, its modern German representative bearing the names of "Fichte," "Ficht," and "Fecht." According to tradition, the English emigrant came from Saxony under Hengist and Horsa. In the *Heralds' Visitations for Essex* the pedigree descends from William, second son of John Fitch, who was living in Fitch Castle (in the parish of Widdington in north-western Essex) in 22 Edward I. (A. D. 1294). "From one of the remaining fragments of the ancient church register of Bocking, adjoining Braintree in Essex, we

learn that Thomas fitch married Anna Pew, 6 August, 1611. Of their children, five sons and the widowed mother emigrated to America and settled in Connecticut."

From the eldest of these sons, Thomas Fitch, Mr. Theodore Fitch is descended, the line being as follows: Thomas Fitch<sup>1</sup>, of Bocking, Essex, England; Thomas Fitch<sup>2</sup>, of Norwalk, Connecticut; John Fitch<sup>3</sup>; John Fitch<sup>4</sup>; Matthew Fitch<sup>5</sup>; Silas Fitch<sup>6</sup>, of Norwalk, Connecticut, settled in 1795 in Franklin, Delaware county, New York; Reverend Silas Fitch<sup>7</sup>; Theodore Fitch<sup>8</sup>, of New York City. Honorable Thomas Fitch, governor of Connecticut, was also of this branch of the family.

title to Getty Square, Yonkers, on the ground of breach of condition in the original grant through the encroachment of the Radford building upon the square; and the litigations for several years over the



*Theodore Fitch*

Smith Moquette Loom patents, in which, in association with Joseph H. Choate and Francis N. Bangs, he successfully represented the Smith Carpet Company.



**FOSDICK, LEWIS L.** (born in Springfield, Long Island, July 21, 1837), is a son of Morris Fosdick, who was county judge and surrogate of Queens county from 1850 to 1858, and again held the office of surrogate from 1858 to 1866, after which he practiced in Jamaica until his death in 1892. The son, after attending district school and the Union Hall Academy, entered the University of the City of New York, from which he was graduated June 30, 1858, with the degree of bachelor of science. He studied law with John J. Armstrong (district attorney of Queens county and afterward county judge), and was admitted to the bar at Poughkeepsie, May 17, 1860. He has always practiced in the Village of Jamaica, Queens county. He was a partner with Judge Armstrong for twenty-five years, until the death of the latter in 1886. He has held several local offices of a non-political character.



**FOWLER, BENJAMIN MALTBY** (born in Durham, Connecticut, April 27, 1854), is a son of Doctor Benjamin M. Fowler and Mary Payne. In both the paternal and the maternal lines he is descended from early New England settlers. His first American paternal ancestor, William Fowler, arrived in Boston from England in 1637 with Reverend John Davenport, and was one of the prominent founders and officials of the New Haven colony, which afterward became a part of Connecticut. Thomas Payne, a progenitor on the maternal side, landed at Plymouth in 1621, having emigrated from Kent county, England. Though as a rule Mr. Fowler's people have not taken a conspicuous part in public affairs, they have always been noted for sobriety, integrity, industry, and eminent respectability—qualities which he therefore comes honestly by and possesses in no small measure.

His father, a physician of great promise, highly esteemed by all who knew him, died at the early age of thirty-seven, leaving a widow, two sons, and a daughter. In 1856 Doctor Fowler removed with his family from Connecticut to Poughkeepsie. The son was educated in the schools of that place, being graduated from the Poughkeepsie High School, and later took a special course of study at the River-view Military Academy. Soon afterward he began the study of law with Thompson & Weeks, with which firm and its successor, Thompson, Weeks & Lown, he spent most of his clerkship, although for a time he was with Anthony & Losey and Robert E. Taylor. He was admitted to the bar by the general term of the Supreme Court, at Poughkeepsie, May 13, 1875.

While studying law he also took up the study of shorthand. As he was the pioneer stenographer in Dutchess county his services were in constant request in the various courts in that locality. He was official stenographer of the Dutchess County Court, Surrogate's

Court, and the state board of assessors for some years. In 1889 he gave up the practice of stenography to devote exclusive attention to the practice of law. At that time he was engaged in the settlement of the late John Guy Vassar's estate, having been appointed by Mr. Vassar an executor of his will. As the estate was an unusually large one, and was the subject of considerable litigation, it attracted much public attention. Although the litigation was carried through the Court of Appeals, the estate was finally settled and distributed within three years—a record which reflected great credit on Mr. Fowler and his associates.

In 1891 he was appointed one of the administrators of the estate of the late Honorable Homer A. Nelson. Since 1888 he has been secretary and assistant treasurer of Vassar Brothers' Hospital at Poughkeepsie. For some years past he has been local attorney for the American Surety Company.

While he has never sought or held public office, the fact that these and other large interests have been committed to his care indicates the esteem and confidence with which he is regarded in the community where he resides.

On December 15, 1881, at Jersey City, he married Miss Ada M. Douglas, daughter of the late M. S. Douglas, a New York merchant. Of this marriage three children were born: Douglas P., August 11, 1883; Maltby S., July 18, 1886, and Benjamin M., Junior, September 1, 1890.



**F**OWLER, MILTON ALANSON (born in Claverack, Columbia county, New York, March 12, 1835), is the son of Alan-son Fowler and Sarah E. Miller. He is descended, both in the paternal and the maternal lines, from old New England families. His father (born in Granville, Massachusetts, May 24, 1802; died in Poughkeepsie, New York, in March, 1894) was engaged in early manhood in the building of the national road over the Blue Ridge in Virginia, and later was connected with various public works and for many years was in business in Claverack, New York. Mr. Fowler's mother, Sarah E. Miller (born in Tolland, Massachusetts, in 1811, and still living), is descended on her father's side from early settlers of Tolland, Massachusetts, and on her mother's from the Birdseye family, of Middletown, Connecticut.

Milton A. Fowler attended public and private schools at Claverack, was prepared for college at Claverack and Hudson Academies, and at the age of seventeen entered Rutgers College, from which he was graduated in 1855 with the degree of bachelor of arts, taking the first honors. He also received in his senior year the Suydam prize in natural sciences. He entered the law office of Gaul & Essylstyn, at Hudson, New York, and took the complete course of study at the

Albany Law School, being graduated from that institution in the spring of 1857, and admitted to the bar upon his law school diploma. After practicing for six months at Red Hook, Dutchess county, he removed to Fishkill, in the same county, where he continued to follow his profession until his election as surrogate of the county, in the fall of 1867. He thereupon took up his residence in Poughkeepsie. At the expiration of his service as surrogate, January 1, 1872, he resumed his professional business. He is still an active practitioner in Poughkeepsie.

Mr. Fowler has been connected as counsel with various cases of great importance arising out of railroad law, involving especially questions resulting from the acts of one company in taking the land of another, and questions as to private and public railway crossings and as to the taking and restoration of highways. He was engaged in the celebrated case of *Rumsey against The New York & New England Railroad Company*, settling riparian rights when a railway runs along tidewater. He was also counsel in the cases of *Fishkill Savings Institute against Bostwick*, Receiver, settling the law as to the responsibility of a bank for the acts of its cashier, and *Bostwick, Receiver, against Directors of the Bank of Fishkill*, determining the measure of responsibility of directors.

He took an active part in the building of the Dutchess & Columbia and connecting railroads, and of the Poughkeepsie bridge and the railways on both sides of the Hudson river connecting with that structure.



**FRENCH, WINSOR BROWN** (born in Cavendish, Windsor county, Vermont, July 28, 1832), is the son of Luther and Lydia Brown French. His paternal great-great-grandfather, Joseph French, of Concord, Massachusetts, was a lieutenant in the revolution, and on his mother's side he is a lineal descendant of Chad Brown, of Providence, and also of Roger Williams.

He attended district school, the Clinton Liberal Institute of Clinton, New York, and Woodstock Academy (Vermont), at which latter institution he was prepared for college. In 1859 he was graduated from Tufts College (Massachusetts), with the degree of bachelor of arts, to which the honorary degree of A.M. has been added since. After his graduation he became a member of the Phi Beta Kappa Society, with which he is still connected.

His legal studies were pursued in the offices of Honorable James B. McKean and Pond & Lester, at Saratoga Springs. He was admitted to the bar at that place in 1861, and has since been in continuous practice there, except for a period of three years, when he served in the union army.

At the breaking out of the rebellion he assisted in recruiting and organizing the 77th regiment, New York state volunteers, and went with it to the field as adjutant. He was subsequently promoted to be major, lieutenant-colonel, and colonel of his regiment, and thereafter breveted brigadier-general of United States volunteers.

At the end of three years, on December 14, 1864, he was mustered out of the service with his regiment, having participated in all the battles of the 6th corps, army of the Potomac, during that period.

From 1865 to 1888 he was in partnership with Honorable Alembert Pond. During a portion of the time Honorable Edgar T. Brackett (now state senator) was a member of the firm. The practice carried on by Pond, French & Brackett was of a general character, extending to all the courts.

Mr. French was elected to the office of district attorney of Saratoga county in 1868, and held it for three years. While serving in this capacity he caused the arrest of Henry Ray, a member of the state legislature, on an attachment issued by the direction of Justice Platt Potter, of the Supreme Court, and had Ray brought to the courthouse in Saratoga to testify in a criminal proceeding. This arrest occasioned great excitement in the legislature, and out of it grew the great "Breach of Privilege" case, wherein the legislature undertook, but signally failed, to establish that the power of the legislative branch of the government was superior to that of the judicial. The case attracted widespread interest in the courts and among the legal profession throughout the country. It is reported in the appendix to Barbour's Supreme Court Reports, Vol. 55.

In 1896 Mr. French was a McKinley and Hobart presidential elector, and cast his vote as a member of the electoral college held at Albany, January 11, 1897.



**F**URLOW, ALFRED LETSON (born on a farm in the Town of Gerry, Chautauqua county, New York, February 8, 1860), is the son of Luther J. and Emily Beach Furlow. He received his education in the common schools, and later taught school during the winter seasons, working on the farm while not thus employed. In the fall of 1882 he began reading law with Byron A. Barlow, of Jamestown. During his student years he supported himself by collecting and by practicing in the justice's courts. In 1884 he removed to Michigan, where he was admitted to practice in the highest courts of the state on December 30 of that year. Soon afterward he returned to Jamestown, and on April 2, 1885, he was admitted as an attorney of the Supreme Court of New York state. He then opened an office in Jamestown, where he has since continued, becoming prominent in the profession.

In June, 1889, Mr. Furlow was appointed one of the justices of the


peace of the City of Jamestown, to fill a vacancy, and subsequently he was elected to serve for the remainder of the term and also for another full term of four years. In this office his court transacted the principal share of litigated justice's business in Jamestown, and his decisions, when appealed from, were almost uniformly sustained by the higher courts. In one important case, where Justice Furlow directed the jury as to its verdict, a reversal was ordered by the County Court, but the general term of the Supreme Court sustained the Justice's Court upon appeal.

On January 1, 1895, Mr. Furlow formed a co-partnership with Allen E. Billings, in the firm of Furlow & Billings. In the fall of 1896 this relation was discontinued, and he has since practiced alone.

Mr. Furlow has been particularly successful in the prosecution of violators of the excise laws in Chautauqua county. He has also made a high reputation at the Jamestown bar as a general practitioner. In politics he has always been an earnest republican. In the fall of 1896 he was prominently mentioned as a suitable person to receive the republican nomination for county judge of Chautauqua county. He is an active member of the 1st Baptist church of Jamestown, and was one of the charter members of the Young Men's Christian Association of that city.

He was married in January, 1889, to Jennie E. Bristol, a teacher in the Jamestown schools. One child was born to them, whose mother, however, died in May, 1891. Mr. Furlow was again married in September, 1893, to Anna N. Harper, daughter of Samuel Harper, of the Town of Charlotte.

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URMAN, JOHN WESLEY (born in Haverstraw, Rockland county, New York, March 9, 1847), is the son of Gilbert and Sarah Furman. His father's ancestors were Germans, who were among the early and influential settlers of Long Island, the old Furman homestead having been located near the present site of the court-house in the City of Brooklyn. His mother was also of German descent, being a member of the old Van Wart and Dey families of the State of New Jersey. He attended district school at Camp Hill, in the Towns of Haverstraw and Ramapo, and later was a student in Canandaigua Academy and Cornell University. He was graduated in 1871 from the Oswego Normal School, and was engaged for several years in teaching. In May, 1881, he completed the course at the law school of the University of the City of New York, and in the same month he was admitted to the bar at Poughkeepsie. He has since practiced his profession at Haverstraw.



URSMAN, EDGAR LUYSTER (born in Charlton, Saratoga county, New York, August 5, 1838), is the son of Jesse B. Fursman, a farmer, and is a descendant of William Fursman, a member of an old family of Oxfordshire, England, who emigrated to this country in 1760, and who, entering the patriot army in the Revolution, was killed at the battle of White Plains. Edgar L. Fursman was educated at academic institutions, being graduated from Fort Edward Institute in the class of 1855. After pursuing legal studies for two years in the office of Judge A. Dallas Waite, of Fort Edward, he was admitted to the bar and engaged in practice at Schuylerville, Saratoga county. His abilities soon attracted attention, and in a few years he built up an extensive business. In 1867 he removed to Troy, entering into partnership with Honorable James Forsyth, one of the leaders of the Rensselaer county bar. This association continued until 1870, when, upon the removal of William A. Beach to New York, he became a member of the new firm of Smith, Fursman & Cowen, which was organized to succeed Beach & Smith.

In 1882 he was elected judge of Rensselaer county by the largest majority ever given a candidate for that office, and he was re-elected in 1888. From this position he was elevated by election in 1889 to the Supreme bench of the state, again receiving a very large majority. His term expires on the 31st of December, 1903.

His acceptance of judicial office was in pursuance of a sense of public duty, involving personal sacrifices of an unusual character. As a practitioner he had gained a recognized place in the front ranks of the profession, being equally distinguished in the conduct of litigations and as an advocate. His clients numbered some of the leading moneyed interests of Troy and various great corporations. As a jury lawyer also he had obtained a very high reputation, being sometimes likened to the famous William A. Beach. One of his noted successes as an advocate was in the case of Arthur J. McQuade, a New York "boodle alderman," re-tried on a change of venue in Saratoga county, in which he obtained a verdict of acquittal.

Before going on the bench Judge Fursman was at times a delegate to democratic state conventions, and otherwise manifested a strong interest in the cause of the democratic party, to which he had been warmly attached from boyhood.

In 1860 he married Minerva, daughter of James P. Cramer, a leading merchant and iron manufacturer of Schuylerville, and niece of Honorable John Cramer, one of the prominent citizens of his generation, who served as a Jefferson presidential elector.







ELBRIDGE THOMAS GERRY.



**GASKILL, JOSHUA** (born in Royalton, Niagara county, New York, November 4, 1835), is the son of Varney and Sarah Bishop Gaskill. His father was of a Quaker family, whose ancestors emigrated from England about 1750 and settled in New Hampshire, where he was born. His mother was of French descent, her American ancestor having come over in the latter part of the seventeenth century; her father, Thomas Bishop, was a captain in the Revolution. Joshua Gaskill was reared on a farm, and until the completion of his twentieth year continued to perform farm work while not attending school. He received his early education in the common schools, at the Lockport Union School, and at Wilson Collegiate Institute and Gasport Academy, and was graduated at the University of Rochester with the highest honors in 1859, afterward (1863) receiving the degree of master of arts. He pursued legal studies with Honorable George D. Lamont, of Lockport, and was admitted to the bar at Buffalo in December, 1860. He has practiced in Lockport continuously since, except for about four months in 1862-63, when he was associated with William H. Sweet, at Saginaw, Michigan. From 1863 to 1868 he was in partnership with A. J. Ensign at Lockport, in the firm of Ensign & Gaskill. Since 1868 he has practiced alone.

Mr. Gaskill has for many years transacted a large collection and real estate business, and has pursued a miscellaneous practice, being connected with numerous important litigations. He has held the offices of city clerk of Lockport (1865-66), clerk of the board of supervisors (1866), and surrogate of Niagara county (1872 to 1878). He has written and delivered occasional poems and addresses. On May 25, 1863, he was married to Miss Salome Cox.



**GERRY, ELBRIDGE THOMAS** (born in New York City, December 25, 1837), is the son of Thomas R. Gerry and grandson of Elbridge Gerry, vice-president of the United States and one of the signers of the Declaration of Independence. He is lineally descended from Thomas Gerry, of Newton-Abbot, England, who came to America in 1730 and became a merchant in Marblehead, Massachusetts, where he lived until his death, in 1774, having married the only daughter of Enoch Greenleaf, a prominent and wealthy citizen of Boston. Through the Greenleaf family the descendants of Thomas Gerry are connected with a number of the oldest puritan families. After one of these families the famous Elbridge Gerry was named. This first Elbridge Gerry was one of the notable figures of the revolutionary period. He was born in Marblehead, July 17, 1744, entered Harvard College at the age of fourteen, and was graduated in 1762. He represented Marblehead in the Massa-

chusetts general court in 1772, and was made a member of the important committee of correspondence. He was returned to the provincial congress of Massachusetts in 1774, and again in 1776; was elected to the continental congress in 1776, and became a signer of the Declaration of Independence; was re-elected continuously throughout the Revolution; took an active part in the organization of the United States; served in congress under the constitution; was appointed on a special mission to France; was governor of Massachusetts, and became vice-president of the United States.

Mr. Gerry's mother was a daughter of Peter P. Goelet. His father, a naval officer, died in 1846, leaving him a child eight years of age. He was carefully educated, graduating from Columbia College in 1857, delivering the German salutatory oration. The same year he was elected president of the Philolexian Society of Columbia College. After his graduation he entered the law office of William Curtis Noyes. In 1866 he was admitted to the bar, and the same year to practice in the Supreme Court of the United States. Shortly afterward he became a partner of Mr. Noyes, as a member of the law firm of Noyes & Tracy. Upon the death of Mr. Noyes he formed a partnership with Honorable William F. Allen, subsequently judge of the Court of Appeals of New York, and Benjamin Vaughn Abbott, the well-known author of many standard law-books. Judge Allen eventually withdrew from the firm, which was then continued under the name of Abbott & Gerry. While at the bar Mr. Gerry enjoyed an extensive practice, appearing in many important cases. Among these were the Marx will contest, the Martin will case, the Carman will case, the Strong divorce case, and the Louis Bonard will case. He was counsel in defending McFarland and Stokes, both indicted for homicide.

Mr. Gerry was married, December 3, 1867, to Louisa M., only daughter of Robert J. Livingston and great-granddaughter of Morgan Lewis, who was, successively, attorney-general, chief-justice, and governor of the State of New York, and grand master of the Masonic fraternity.

Mr. Gerry was elected a member of the constitutional convention of 1867, serving as a member of its committee on the pardoning power. Shortly afterward he became associated with Mr. Bergh, who founded the American Society for the Prevention of Cruelty to Animals, and he was chiefly instrumental in securing the greater part of the legislation affecting animals now on the statute-books of New York.

The Society for the Prevention of Cruelty to Children was brought into existence at his instance in 1874, while in 1879 he succeeded John D. Wright as its president, and has held that position ever since. In 1886, by appointment of the New York state senate, he served as chairman of the commission to examine into the most humane and effective method of executing the death sentence. On the strength of

the report of this commission, the present system of electrical execution was adopted as a substitute for hanging.

Mr. Gerry has been a governor of the New York Hospital since 1878, is a trustee of the Protestant Episcopal General Theological Seminary, and was commodore of the New York Yacht Club from 1885 to 1893. In 1889 he was chairman of the executive committee and of the committee on literary exercises of the centennial anniversary of the inauguration of George Washington, and in 1892 was chairman of the commission appointed by Mayor Grant to examine into the question of the best method of caring for the city's insane. The commission presented a valuable report on this subject. Since 1882 he has been president of the Chi Psi fraternity, one of the oldest Greek letter college societies. Many articles from his pen have appeared in magazines; among others, a series in the *North American Review* on "Cruelty to Children" (July, 1883); on "Capital Punishment by Electricity" (September, 1889); on "Children of the Stage" (July, 1890); also, in *Purple and Gold*, "A Plea for College Fraternities" (Vol. i., No. 1); "Chi Psi at Columbia" (Vol. iv., No. 1); "In Memoriam, Samuel Hand" (Vol. iv., No. 1).

Mr. Gerry's chief work, however, has been in connection with the Society for the Prevention of Cruelty to Children, and through his incessant labors in this direction he has won a national reputation.



**GIBBS, CLINTON BURT** (born in Buffalo, New York, June 9, 1857), is the son of James S. Gibbs, of English descent, born at Ovid, New York, and Sarah Burt Gibbs, of Holland descent, born at Wales, New York. His grandfather, Asgill Gibbs, who died in Rochester, New York, at the age of ninety-five years, was at the time of his death the oldest practicing lawyer in the United States.

Clinton B. Gibbs received a public school and high school education, receiving a full diploma in the classical course from the Buffalo High School. He studied law with Hawkins & Stevens, of Buffalo, was admitted to the bar at Rochester, October 10, 1879, and soon afterward entered upon his professional career at Buffalo, where he still practices. He has obtained a large and varied practice, and ranks with the prominent general practitioners of the Buffalo bar.

Mr. Gibbs has taken much interest in local educational questions and conditions. In 1889 he delivered an address in the symposium on the needs of the public schools of Buffalo. He was a member of the committee of the Associated Alumni of the Buffalo High School which secured the enlargement of that structure in 1885. He has never sought political office, preferring to devote himself to his profession.



**GIBSON, JUDSON A.** (born in the Town of Lincklean, Chenango county, New York, August 16, 1857), is the son of Alonzo Gibson, of Scotch-Irish descent, and Maria Burdick, who came from a Rhode Island family. At the age of thirteen the death of his father placed upon him the responsibility of caring for his invalid mother and the farm properties left by his father. He continued to work on the farms and manage them until 1876, when for a brief time he was in business in Cazenovia. In 1878 he sold out his business and entered the Cazenovia Seminary, where he remained for four years, pursuing the classical course preparatory to college. After his graduation from that institution he decided to begin at once to fit himself for the legal profession. His first studies to this end were pursued in Cazenovia, but he soon removed to Elmira and entered the office of H. Boardman Smith and Newton P. Fassett. Upon Mr. Smith's election to the Supreme bench, he continued his studies with Mr. Fassett and Justice Smith's son, Walter Lloyd Smith. In September, 1885, he was admitted to the bar at the general term at Binghamton. In 1887 Walter Lloyd Smith was appointed a justice of the Supreme Court to succeed his father, and later was elected to that office. Mr. Gibson thereupon succeeded to most of the business of the old firm of Smith & Fassett. In 1888 he formed a partnership with Colonel Archie E. Baxter. This was succeeded in 1891 by the firm of Babcock, Baxter & Gibson, which, however, continued for only two years. Since 1893 he has practiced alone.

Mr. Gibson, from the time that he engaged in the study of the law, has devoted himself entirely to his chosen profession. He has enjoyed increasing success, both in criminal and civil practice. The first important case with which he was connected was that of William Decker (1889), whom he defended on the charge of murder. He also defended James J. Bush, cashier of the defunct Elmira National Bank, who was indicted in the United States court for wrecking the bank. The action was tried at Buffalo in September, 1896, and Mr. Gibson had sole charge of the preparation of the defense from the beginning.

He has served one term as city attorney of Elmira.



**GIEGERICH, LEONARD A.** (born in Rotz, Bavaria, May 20, 1855), was brought to this country with his parents when about a year old. He was educated in the public schools, Saint Nicholas parochial school, and De la Salle Institute (supporting himself from the age of twelve), and, studying law, was admitted to the bar in 1877.

In 1886 Judge Giegerich was elected to the assembly. The following year President Cleveland appointed him collector of internal revenue for the 3d New York district. In 1890 Governor Hill appointed

him to succeed Judge Nehrbas (deceased) on the bench of the City Court. The same year he was elected county clerk. He resigned this office in the fall of 1891 to accept the appointment by Governor Hill to succeed Judge Allen (deceased) in the Court of Common Pleas. In 1892 he was the successful nominee of both parties to succeed himself for the full term of fourteen years. He was elected a member of the constitutional convention of 1894, and through the operation of the new constitution was transferred to the Supreme Court, January 1, 1896.

He was married in 1887 to Louise M. Boll, of New York City.

As a member of assembly his record was warmly indorsed by the Reform Club of New York. He was one of the two members who persistently refused all passes from railway corporations. As county clerk he introduced many reforms which relieved wants long felt by practicing lawyers. During his incumbency of the county clerkship he endeared himself, probably without the least intention, to all historians by the classifying of musty records two hundred years old that had been stored for years in the courthouse. Always attentive to duty, he has required the same attention from those under him, and has thus earned the reputation of a disciplinarian. Though the youngest judge on the Common Pleas bench, his record was most satisfactory to both the bar and the public, and he has rapidly acquired a reputation as one of the best trial judges of our time.<sup>1</sup>



IFFORD, EDWARD A. (born in Athens, Greene county, New York, December 22, 1856), is the son of Alfred Gifford and Christina Hallenbeck. In his paternal line he is of English and in his maternal of Holland Dutch descent. He was brought up on a farm and received only a district school education, upon which he improved, however, by industrious study at home. He served a legal clerkship of three years in the office of J. Washington Hiseerd, at Coxsackie, was graduated at the Albany Law School May 22, 1884, and was admitted to the bar at Albany on January 25, 1884, four months before his graduation from the law school. After three years of practice in New York City he became superintendent and general passenger and excursion agent of the Seneca Falls & Cayuga Lake Railroad and the Cayuga Lake Park Companies, at Seneca Falls, New York, holding these offices from August, 1887, until October, 1889. In November, 1889, he settled at Athens, Greene county, and resumed the practice of his profession.

In November, 1892, Mr. Gifford was elected district attorney of Greene county, being the second republican to hold that office in the history of the county, and in 1895 he was re-elected. As district attorney he has made a high reputation for ability and conscientious devotion to official duty. He conducted, without assistance, the prosecutions of George W. Hess, indicted for murder in the second de-

<sup>1</sup> Brooks's "History of the Common Pleas," p. 131.

gree for the killing of Hezekiah Bedell, and Pasquale Caserta, tried for murder in the second degree for the killing of his cousin, Joseph Caserta. In the Hess case the prisoner, although ably defended by Honorable Jacob H. Clute and Honorable Eugene Burlingame, was convicted of manslaughter in the first degree, and the conviction was subsequently affirmed. In the case of Caserta (the accused being defended by Egbert Palmer, of Catskill) a verdict of murder in the second degree was obtained. Both cases excited great public interest and rank among the most celebrated criminal suits ever tried in the County of Greene.

and rank among the most celebrated criminal suits ever tried in the daughter of Clark Porter, of Athens.



**G**IFFORD, SILAS DEVOL (born in Columbia county, New York, December 31, 1826; died at Tuckahoe, Westchester county, New York, September 15, 1895), was the son of Isaac S. Gifford and Annis Ford. His father was a prominent baptist minister, and his grandfather, Amaziah Gifford, served in the continental army for four years. Judge Gifford attended the public schools of his native town, was prepared for college, and was graduated from Williams College. He taught school for one year at Sleepy Hollow, Tarrytown. Relinquishing pedagogy, he entered the law office of Honorable Robert S. Hart, of White Plains, New York, was admitted to the bar in 1852, and opened an office in Morrisania, on old 5th street (now East 167th street, New York City).

Becoming prominent in his profession and in republican politics, Judge Gifford was appointed town superintendent of public schools. In 1856 he was elected justice of the peace and was re-elected at the close of his term. In 1862 he was appointed by Governor Morgan surrogate of Westchester county to fill the vacancy caused by the death of Robert H. Coles. He was elected supervisor of Morrisania in 1870 and in 1871 county judge of Westchester. He remained upon the bench until 1883. Upon his retirement he was presented with a magnificent gavel by the attachés of the court as a mark of appreciation of his courtesy and ability.

He was a member of the recruiting committee during the civil war and was instrumental in raising several companies of volunteers. He married Elizabeth, daughter of John Rae, by whom he had two children, Jessie and Stanley Pelham Gifford. The latter is a mining engineer. In April, 1873, Judge Gifford changed his residence from Morrisania, New York, to Marble Hall, Tuckahoe, Westchester county, where he resided continuously until his death.





**GILDERSLEEVE, HENRY ALGER** (born in Dutchess county, New York, August 1, 1840), is descended from an old Dutch family, and was brought up on his father's farm with the limited educational advantages of such a position. In 1862 he recruited a company (Company C. of the 150th New York volunteers), and participated with his command in the battle of Gettysburg and the subsequent campaign in Maryland and Virginia. In 1863 he was assigned to special duty in recruiting and forwarding troops, but requesting active service with his regiment again in 1864, was with Sherman in Georgia, and until the close of the war. He was made provost marshal of the 1st division, 20th army corps, and in 1865 was commissioned major and breveted lieutenant-colonel "for gallant and meritorious service"; while he was congratulated by Generals Slocum and Williams for his services before the capture of Savannah.

Judge Gildersleeve was subsequently connected with the national guard of New York. He was commissioned lieutenant-colonel of the 12th regiment in 1870, and became one of the incorporators and directors of the National Rifle Association, serving as its secretary, and subsequently as its president. He was captain of the company of American riflemen sent to Ireland in 1875, and was offered by Governor Dix the position of general inspector of rifle practice upon the creation of that office, but declined.

Upon his return from the field Judge Gildersleeve studied law in New York City, attending the Columbia College Law School, and was admitted to the bar in May, 1866. He acquired a successful practice as a jury lawyer in both civil and criminal cases, frequently serving as referee.

In 1875 he was elected a judge of the Court of General Sessions of New York City, his term of office expiring December 30, 1889. In May, 1891, Governor Hill appointed him a justice of the Superior Court of the City of New York, and the following fall he was elected for the full term of fourteen years, beginning January 1, 1892. Under the constitution of 1894 he was transferred to the Supreme Court. Very few of his decisions have been reversed by the higher courts.



**GILLETTE, JOHN** (born in Palmyra, Wayne county, New York, November 18, 1840), is the son of John and Margaret Gillette. His paternal grandfather emigrated to this state from New England and resided at Kinderhook, being a neighbor of Martin Van Buren.

John Gillette received a common school education and went through the high school at Palmyra. He did not attend college, though prepared to enter. He studied for the legal profession in the office of Aldrich & McLouth, at Palmyra, and was admitted to the bar

at Rochester in 1864. Soon afterward he engaged in practice at Canandaigua, where he has since continued. He has devoted himself exclusively to his profession, and has uniformly declined to accept public office or to become interested actively in concerns not related to his professional pursuits. As a lawyer he has long been prominent at the bar of his part of the state, has been constantly connected with litigations of importance, and has been employed by various corporations as their legal representative. He has had an extensive practice in many counties as a trial lawyer. Among his clients have been the Aetna Life Insurance Company, the Mutual Life Insurance Company, and the Fidelity and Casualty Company of New York. He is now attorney for the Pennsylvania & Northern Central Railroad Company, and has for years been attorney in negligence cases brought against railway companies and municipal corporations, having tried as many such suits as any lawyer of his section. He has also taken part in a number of exciting criminal actions, notably the case of Frank Lawrence, tried for murder, in which he appeared for the defense.



**L**UCK, JAMES FRASER (born in Niagara Falls, New York, April 28, 1852), was graduated in 1874 at Cornell University, studied law, was admitted to the bar, and rose to prominence in the profession. He is a member of the eminent Buffalo law firm of McMillan, Gluck, Pooley & Depew (Daniel H. McMillan, James F. Gluck, Charles A. Pooley, and Ganson Depew). He is attorney for the New York Central & Hudson River Railroad Company, and other corporations.

Mr. Gluck has been prominent in politics, and holds the office of president of the Central Republican Club of Erie county. His work in perfecting the organization of his party in Buffalo has attracted attention throughout the United States.

He is curator of the Buffalo library, and has presented that library with one of the most valuable collections of autographs, manuscripts, and letters in the United States. It includes complete book manuscripts of 106 eminent American and English authors; letters, addresses, essays, and other autograph fragments (in many cases a large number of an author's manuscripts) of about one hundred eminent American men and women of letters; of eighty-eight eminent English men and women; a small collection of manuscripts of French, German, and other continental authors; Latin missals of the fifteenth century, Persian scripts, and many American and English historical documents, seals, and other relics.

Mr. Gluck is also a trustee of Cornell, a trustee of the Buffalo Academy of Sciences, and vice-president of the State Bar Association.

Among his public addresses are the following: "The Position of the Scholar in Politics," delivered before the Cornell Alumni in 1877;

"The Power and Influence of Music," at the laying of the cornerstone of the new Music Hall in Buffalo, and "The Responsibilities and Rights of the Medical Profession," at the commencement of the University of Buffalo.<sup>1</sup>



**GOODWILL, JOHNSON VAN BUREN** (born in Darien, Genesee county, New York, January 6, 1837), is the son of Johnson and Livonia M. Goodwill. He was educated in the common schools, studied law with M. T. Jenkins and at the Albany Law School, was admitted to the bar at Albany in December, 1862, and has since practiced at East Randolph. He is the head of the firm of Goodwill & Benson.



**GREEN, ELEAZER** (born in Remsen, Oneida county, New York, March 16, 1846), is the son of Eleazor Green and Sylvia Kent. After attending the common schools he completed his education at the Westfield Academy. He received his office training for the law with Cook & Lockwood (Orsell Cook and Clark R. Lockwood), and was graduated at the Albany Law School, with the degree of bachelor of laws, in May, 1868, being admitted to the bar at Albany upon his graduation. He began the practice of his profession in May, 1870, at Jamestown, where he still continues, being the head of the firm of Green & Woodbury (organized in 1894).

Mr. Green was mayor of the City of Jamestown from 1894 to 1896. Since January 1, 1896, he has been district attorney of Chautauqua county.



**GREENE, GEORGE CALEB** (born in Ballston Spa, New York, January 16, 1833), is the son of William Peter Greene and Mary Hough. He was educated in the common schools and at Chester Academy (Chestertown, New York), studied law with William H. Greene, of Chestertown, and Woods & Murray, of Lockport, and was admitted to the bar at Buffalo on January 12, 1857.

From 1857 until 1881 Mr. Greene was a general practitioner at Lockport. In 1881 he established himself at Buffalo, where he still resides, becoming the head of the prominent firm of Greene, McMillan & Gluck. He retired from this partnership in 1887, when he discontinued general practice, and has ever since devoted himself to his duties as general counsel of the Lake Shore & Michigan Southern Railway Company.

<sup>1</sup> This sketch is reproduced from Appleton's "Cyclopedia of American Biography."

Mr. Greene was appointed canal appraiser of the State of New York in 1870. He served in that office three years, and was thereafter special counsel for the state in several important cases.



REENE, WILLIAM H., was born near Boston, Massachusetts, August 31, 1812, and died in Buffalo, New York, April 24, 1882. At the age of fifteen he entered Dartmouth College, and he was graduated from that institution with the first honors. For a time he conducted a select school in Skaneateles, New York, and while thus engaged he studied law in the office of Lewis H. Sanford. Being admitted to the bar, he entered into partnership in Buffalo, in 1836, with Thomas T. Sherwood. After Mr. Sherwood's death he was associated for some years with William C. Bryant. He lived and practiced in Buffalo, and was one of the foremost leaders of the bar. Devoted to his profession, in which he was a most indefatigable worker, his career was strictly that of a lawyer, and he never held or was a candidate for public office.

Mr. Greene was regarded by his professional brethren as one of the best read and best equipped lawyers of his generation. One of the old school, he never took kindly to the modern code-makers of law practice. An intense litigant, he always refused to accept defeat so long as there was the power of appeal. He had absolute confidence in his own legal judgments, a characteristic which gave point to his definition of law, as "the power of decision." He was a man of great pleasantry and wit, and his *bon mots* were always current, and are still remembered. He possessed very scholarly and cultivated tastes, and in his library and home he found his recreation and diversion from the labors of his profession. Highly successful in his practice, he accumulated large means, to which he added by fortunate investments in Buffalo real estate.

In politics Mr. Greene was a Clay whig and subsequently a republican. He was identified with various institutions and societies. He was for a time a trustee of the State Normal School in Buffalo, and he was also a member and president of the Buffalo Historical Society.

A widow, two sons, and a daughter survive him.



GRISWOLD, JOHN A. (born in the Town of Cairo, Greene county, New York, November 18, 1822), is the son of Stephen H. Griswold and Phoebe Ashly. His most remote known ancestor was George Griswold, of Kenilworth, Norwich county, England, whose two sons, Matthew and Edward, emigrated from there to Connecticut in 1639. The Griswold family descended from them has for generations been one of the most prominent families of Connecticut, numbering among its members two



*Wm. H. Greene*



governors, several judges, and other officials of the state and national governments.

John A. Griswold received a common school and academic education, and at the age of eighteen entered the law office of Griswold & Corning at Syracuse. He afterward studied in the office of the firm of the late John Adams and Justice Malbone Watson, at Catskill,



JOHN A. GRISWOLD.

Greene county. He was admitted to practice in the Supreme Court of this state in September, 1848, and in the Supreme Court of the United States in December, 1869.

His professional business has been of the usual general character, and he is still engaged in its active practice at his home, Catskill. Throughout his long career he has enjoyed a high reputation at the

bar of that part of the state, and at various times he has been connected with suits of much public interest. During the civil war he brought an action in behalf of one Albert W. Patrie against United States Marshal Robert Murray and his deputy Buckley, charging them with assault and false imprisonment in arresting and confining him for some days in Fort Lafayette on account of alleged "disloyal language" against the national administration. Mr. Griswold obtained for his client a verdict for \$9,000 damages, which was subsequently affirmed with costs by the United States Supreme Court.

He was elected district attorney of Greene county in 1857, surrogate and county judge in 1864, a member of the 41st congress in 1868, and served as a member of the state constitutional convention of 1894. In that body he strenuously opposed the provision prohibiting or restricting the labor of convicts in the state prisons. He also opposed the amendment authorizing the appropriation of \$9,000,000 for the widening of the canals to be used free and without tolls, maintaining that it would operate mainly for the benefit of citizens of other states, to the detriment of agriculturists of this state on both sides of the Hudson river and to and near the Pennsylvania line, who would be compelled to pay by taxation for the improvement really tending to their own injury. He was one of the strongest opponents of the female suffrage amendment, contending that it would have the effect of degrading not only the female sex but the entire people.

In 1857 Mr. Griswold married Elizabeth H. Roberts, of Clintondale, Ulster county, who died November 8, 1896.



**GUERNSEY, DANIEL WEBSTER** (born in Stanford, Dutchess county, New York, March 29, 1834), is a son of Stephen Gano and Eleanor Rogers Guernsey. He is a descendant of John Guernsey, who was one of the New Haven colony in 1638. The Guernseys are a very old New York state family. John Guernsey, grandson of the first John, removed from Connecticut to Amenia, New York, in 1709. The Rogers family, to which Mr. Guernsey's mother belonged, came from Connecticut.

Daniel W. Guernsey was educated at district school, at a private school maintained by his father and Colonel J. Thompson for several years, and at Rose Hill Academy (Newburgh, New York). He entered the law office of Talcott & Thompson, at Buffalo, and later studied with Honorable George W. Houghton (judge of the Superior Court) and his partner, Delavan F. Clark. He was admitted to the bar in 1856. From 1857 to January, 1861, he was engaged in practice at Valley Falls, Kansas. Returning to this state he located at Poughkeepsie, where he still resides.

In September, 1862, he enlisted as a private in the New York state volunteer infantry. He continued in the service through-



out the war, being discharged August 30, 1865, with the rank of captain. He took part in various memorable battles, assaults, and expeditions. He was present at the taking of Forts Wagner and Gregg, fought at Petersburg and Cold Harbor, and was engaged in both Fort Fisher expeditions and the final skirmish at Wilmington, where as senior officer he was in command of his regiment.

Resuming his law practice after the war he advanced to prominence at the Poughkeepsie bar. For twelve years, from 1884 to 1896, he held the office of judge of Dutchess county.



**GUERNSEY, STEPHEN GANO** (born in Stanford, Dutchess county, New York, April 22, 1848), is a son of Stephen Gano and Eleanor Rogers Guernsey, and a brother of Judge Daniel W. Guernsey (noticed above). He attended the public schools and Fort Edward Institute, studied law with his brother and Honorable Charles Wheaton, and was admitted to the bar in May, 1871, at Poughkeepsie, where he began, and still continues, in the active practice of his profession. From 1874 to 1876, inclusive, he held the office of deputy county clerk, and from 1890 to 1894 he was a member of the board of education of Poughkeepsie. Since 1892 he has been president of the Poughkeepsie National Bank.



**GUTHRIE, WILLIAM DAMERON** (born in San Francisco, California, February 3, 1859), is the son of George Whitney Guthrie and Emma Gosson. He received his early education in Paris, where his family lived from 1861 until 1870. The two years following were spent at school in England. He then returned to this country, and after two years' attendance at the public schools in New York City he was obliged to support himself. He entered the office of Blatchford, Seward, Griswold & Da Costa as clerk and stenographer at the age of sixteen, studying indefatigably at night, reading law and pursuing other studies. At the end of four years he gave up active work in the office for a year and attended Columbia College Law School, carrying the work of junior and senior classes at the same time, completing the course in one year. He was admitted to the bar in New York City in May, 1880. Returning to the office of Blatchford, Seward, Griswold & Da Costa as managing clerk, in three years' time he was admitted to the firm, which in 1885 was reorganized as Seward, Da Costa & Guthrie, and subsequently changed to Seward, Guthrie, Morawetz & Steele.

Since his admission to the bar, a large share of the important business of the firm has been intrusted to Mr. Guthrie. In jury cases he has been signally successful and he has shown ability in unraveling many complicated equity cases. His firm has always represented

large interests, and he has been connected with heavy financial transactions and has successfully adjusted many complicated matters in corporation re-organizations. His arguments in the income tax cases and in other important matters have attracted the attention of lawyers and judges by reason of their force, literary merit, and scholarship.

Mr. Guthrie has paid large attention to general literature. Few college men have wider classical attainments or a greater familiarity with the works of the great orators and with English and French literature. He has prepared and delivered various addresses upon subjects connected with the lives of leading generals of the war as well as upon legal and literary subjects. While his devotion to his profession is thorough and unremitting, concentrating all his efforts thereon, he has taken a deep interest in politics and has achieved success as a political orator.



**H**ALL, CHARLES SAMUEL, was born in Middletown, Connecticut, May 10, 1827, and in 1837 removed with his parents to Binghamton, New York. He is the eldest son of Samuel Holden Parsons Hall and his wife, Emeline Bulkley. The first of his line in this country was John Hall (Boston, 1633), who settled first in New Haven and afterward in Wallingford, Connecticut. He numbers among his ancestors Reverend John Eliot, the apostle to the Indians; Reverend Richard Mather, Reverend Charles Chauncy, second president of Harvard College; Reverend Peter Bulkeley, founder of Concord; Henry Wolcott and Matthew Griswold, the founders of the noted families of those names; Governor William Brenton, of Rhode Island, and Governors Thomas Welles and Jonathan Law, of Connecticut. General Samuel Holden Parsons, of the continental army, was his great-grandfather, and Governor Lyman Hall, a signer of the Declaration of Independence, his cousin. On his father's side he traces back to Hugh Capet, and on his mother's to the Emperor Charlemagne. His family is distinctively a New England family, nearly every ancestor having come to this country during the great puritan immigration which commenced in 1630, and no ancestor of his having removed therefrom until his father, afterward prominent in New York politics and a member for two terms of the New York senate, settled in Binghamton.

Mr. Hall was prepared for college in the Binghamton schools, and in the fall of 1844 entered Yale College, graduating with the class of 1848, in which were several noted lawyers, including Judge Nathaniel Shipman, of the United States Circuit Court of Appeals; Judge Dwight Foster, of the Massachusetts Supreme Court; Honorable Henry Hitchcock, of Saint Louis; Sidney Webster, of New York;

Isaac S. Newton, of Norwich, and Samuel C. Perkins, of Philadelphia. In September, 1848, Mr. Hall entered the Yale Law School. After finishing the course he continued his studies in the office of Daniel S. Dickinson, United States senator from New York. In August, 1850, he received from Yale College the degree of LL.B., and in 1851 that of A.M. He was admitted to the bar in this state in January, 1851, to the United States District Court in May, 1879, and to the United States Circuit Court in August of the same year. He was appointed United States commissioner for the northern district of New York on December 13, 1856, and master and examiner in chancery in November, 1879, which offices he continues to hold. Mr. Hall has since resided in Binghamton, where he is still in the practice of his profession, much of his time being occupied with the care of estates. He has held several important positions in the city government, and at the request of a committee of which Mr. Dickinson was a member drafted the charter of the city and later revised the school laws. He was engaged in the famous Dwight insurance case, having charge of the defense for the New England Life Insurance Company.

Mr. Hall has been a frequent writer on matters of public interest. In 1854 he published an article entitled "Why the Missouri Compromise Should be Repealed," which was extensively copied with more or less favorable comments, according to the politics of the critic. He has also published articles on the relations of the states and the general government, on the currency, and on education. Within the past year the Putnams have issued for him a book of five hundred pages, consisting of sketches of the lineal ancestors of his family, which has been received with considerable approval.

In the critical campaign of 1896 he was the candidate of the national or sound money democrats for representative in congress in the 26th congressional district, comprising the Counties of Broome, Chenango, Delaware, Tioga, and Tompkins.



AND, WALTER MARTIN (born in Binghamton, New York, August 9, 1851), is the son of Doctor Stephen D. and Elmina H. Hand. His father was a native of Berkshire county, Massachusetts, was a schoolmate of Samuel J. Tilden at New Lebanon, and was a prominent citizen of Binghamton, representing the county in the state constitutional convention of 1867. He died in March, 1879, at the age of seventy-three. His mother, who died in May, 1897, at the age of ninety, was a descendant of the Granger family. He attended the Binghamton public schools, and was graduated from Hamilton College in the class of 1872. He then entered the office of Peter W. Hopkins (state senator and district attorney), and on January 13, 1876, was admitted to the bar at Albany. He has since practiced successfully at Binghamton.



**HASSETT, JAMES JOHN** (born in Elmira, New York, September 14, 1873), is the eldest son of ex-Alderman P. Hassett, of Elmira, who has been actively engaged in business in that city for the past twenty-five years. He attended Grammar School No. 5 of Elmira, and then entered the Elmira Free Academy, where he pursued a special course of study selected with particular reference to equipping him for his chosen profession. From this institution he was graduated in 1892. He then took the three years' course in the law department of Cornell University, being graduated in 1894. Meantime, during his vacations, he was a clerk in the law offices of Babcock, Baxter & Gibson, of Elmira, with whom he continued after his graduation. He was admitted to the bar at Syracuse, October 1, 1895. He had previously for a considerable time conducted actions in the different courts of record. On January 1, 1897, the old firm of Babcock, Baxter & Gibson having been dissolved, Mr. Hassett associated himself with one of its members, Judson A. Gibson. Besides attending to his own clientage, he has been engaged in completing the business of the former firm and attending to the trial of cases pending in the appellate courts. He and his partner, Mr. Gibson, are rapidly acquiring a large practice and becoming prominent trial lawyers, both of civil and criminal causes.



**HATCH, EDWARD W.** (born in Friendship, Allegany county, New York, November 26, 1842), is the son of Jeremiah Hatch, a native of Vermont. Jeremiah Hatch was a classmate of the poet John G. Saxe at Middlebury College, removed to Allegany county, New York, and engaged in the practice of law at Oramel. In the fall of 1862 he raised a company of infantry and went to the war as a captain in the 130th New York volunteers. Contracting a disease in the service, he died in December of the same year. The son was thus left an orphan at the age of ten. He remained at school until his fourteenth year, when he obtained employment in a blacksmith's shop. He continued to work at the blacksmithing trade until 1872. He then entered the law office of Andrew J. Lorish, at Attica. Removing to Buffalo in 1875 he continued his studies with Corlett & Tabor. He was admitted to the bar in June, 1876, and the next year established with Mr. Corlett the firm of Corlett & Hatch. After Mr. Corlett's elevation to the bench of the Supreme Court, in January, 1884, he entered into partnership with H. W. Box and Porter Norton in the firm of Box, Hatch & Norton. As a practitioner his abilities soon gained for him prominence at the bar, especially as an advocate. He also became active in politics as a supporter of the republican party, being particularly effective as a campaign speaker.

From 1881 until 1887 he held the office of district attorney of Erie county, to which he was twice elected. Since January 1, 1886, he has





*Faithy Yours*  
*S. G. Haven*

been one of the justices of the Supreme Court for the 8th judicial district, having been elected to succeed Honorable Loran L. Lewis in that position. He is a member of the appellate division of the court for the 2d department.

Justice Hatch was married, May 24, 1880, to Helen Woodruff, of Conneaut, Ohio.



**H**AVEN, SOLOMON G., lawyer and statesman (born in Eaton, Chenango county, New York, November 27, 1810; died in Buffalo, New York, December 24, 1861), was the son of Asa Haven, a descendant of the Haven family of Lynn, Massachusetts.

He was brought up on a farm, attending district school winters, until seventeen years of age, when he commenced the study of law in the office of Governor John Young, of Geneseo, New York, with whom he remained until admitted to the bar. Upon admission, in 1835, he removed to Buffalo, and after practicing alone for a few months formed a co-partnership with Millard Fillmore and Nathan K. Hall, under the firm name of Fillmore, Hall & Haven. Mr. Fillmore was already a member of congress and a rising man in national politics, and Mr. Hall was soon to be elevated to the bench. It is worthy of note that each member of this firm subsequently attained national renown—Mr. Fillmore as president of the United States, Mr. Hall as postmaster-general under Fillmore's administration, and Mr. Haven as a member of the United States congress during the same administration, the three being re-united in conspicuous prominence at Washington. The law partnership continued until January, 1841, when Judge Hall, elected to the bench, withdrew. Messrs. Fillmore and Haven pursued business together until December, 1847, when, Mr. Fillmore having been elected comptroller of the State of New York, Mr. Haven succeeded to the clientage of the firm. In 1848 he formed a partnership with James M. Smith, which continued until 1857, Mr. Smith then withdrawing to engage in banking. With the exception of a brief business association with William Dorsheimer in 1860, Mr. Haven continued practice the remaining four years of his life alone.

As a lawyer he was devotedly attached to his profession, relinquishing it only under the compulsion of failing health. He was an indefatigable worker to the extent of disregarding recreation, and even fatally overtaxing his energies. For years, by common consent, he occupied the front rank at the bar in western New York. He was distinguished for strong, clear perception and self-reliance, for earnestness, directness, and cool determination before a jury, and for his thorough knowledge of the law and compact logic before the court.

In his public career Mr. Haven was scarcely less eminent than at

the bar. In 1844 he was appointed district attorney of Erie county, and in 1846 was elected mayor of Buffalo. In 1850 he was elected to the house of representatives, and he was re-elected in 1852, and again in 1854. In congress he was conspicuous for his industry, honesty, and straightforward independent course, was a ready debater, and though in the minority maintained a position of influence in a critical period of national history. He was active in securing the appropriation for the post-office and custom-house at Buffalo. In politics he was a conservative whig, retaining his cherished principles unaffected by political changes.

Mr. Haven died suddenly of heart disease, December 24, 1861. At a memorial meeting of the Buffalo bar, held December 26, nearly the entire bar of the city, the justices of the Supreme and Superior Courts, and many prominent citizens being present, the following resolution was adopted:

*Resolved*, That while we bear this public testimony to his professional standing, a just appreciation of the character of the deceased requires that we should make special commendation of the care and scrupulousness with which he performed every public and every private duty, of his probity and uprightness as a citizen, of his prudence and wisdom as a statesman, and of the geniality of his temper, which never failed to win the hearts of all who approached him. The political and professional contests in which he bore so prominent a part did not excite bitterness of feeling in his heart. The weapons which passion gives to some men were unknown to him. His victories were won by the influence of a sunny and gentle disposition, by the play of unflinching wit, by constant industry and varied learning, and by the force of a strong, vigorous, and comprehensive intellect.

In 1838 Mr. Haven married Harriett N. Scott, daughter of Doctor William K. Scott, of Buffalo. Of his four children, three of whom survived him, two are now living—Mrs. Charles Day, of New York City, and Ida, who resides with her mother in Buffalo.



**HAWES, JAMES WILLIAM** (born in Chatham, Massachusetts, July 9, 1844), is the son of James Hawes and Susannah Taylor, and is lineally descended from Edmond Hawes, who came from England in 1635 and was prominent in the affairs of Plymouth colony. He is also descended from Stephen Hopkins, one of the passengers of the *Mayflower*. He received his early education in the public schools and the high school of Chatham, Massachusetts, was graduated from Harvard College at the head of his class in 1866, attended the Harvard Law School one year, being at the same time instructor in mathematics in the college, spent some months in the office of Hawkins & Cothren, of New York City, and was admitted to the New York bar in November, 1868. He has continuously practiced in this city since.



Among his interesting cases are the following: *Miner vs. Beekman* (50 N. Y., 337), first determining the statute of limitations in this state applicable to an action to redeem mortgaged premises; *Harper vs. Shoppell* (23 Blatchf., 431), involving questions under the copyright law; *Smith vs. Gold and Stock Telegraph Company* (42 Hun, 454), holding that in furnishing stock quotations a telegraph company is a *quasi* common carrier and must serve the public without discrimination; *Reiss vs. New York Steam Company* (128 N. Y., 103), relating to the proof necessary to establish negligence in the management of steam apparatus; *Nirdlinger vs. Bernheimer* (133 N. Y., 45), holding a sub-partner entitled to an account of the business of the firm; *Francis vs. New York Steam Company* (114 N. Y., 380), in which he sought to hold a passenger on a horse-car in a city to the same measure of care respecting exposure of his person out of a window as on a railroad; *People ex rel. Barron vs. Martin* (48 State R., 288), where, as counsel for the republican county committee, he applied for a writ of prohibition against the board of police to obtain a decision on the question of what constituted a quorum of inspectors of election. He was counsel for one of the defendants in *Belden vs. Burke*, involving \$8,000,000 of the mortgage bonds of the Columbus, Hocking Valley & Toledo Railway Company (33 State R., 1019; 20 Supp., 320, 72 Hun, 51). In 1890, appearing before the board of health, he successfully defended the New York Steam Company against a proceeding to declare its pipes in Broadway a nuisance. In 1884, as counsel for John N. Stearns and other taxpayers, he conducted an examination of the park commissioners under section 60 of the consolidation act.

Mr. Hawes participated in the overthrow of Tweed in 1871, and has been active in the cause of good government in New York City from that time to the present. He was one of the Cooper Union committee of fifty-three chosen in 1884 to secure reform measures at Albany, as well as one of the sub-committee that did the actual work of that committee. Previously, in 1883, he had been chosen one of the Cooper Union committee of sixty to secure legislation looking to an increased water supply by an economical method, free from partisan control. In 1885 he was an active member of the committee that drafted and submitted to the legislature a constitutional amendment separating municipal from state elections, and was a member of the committee of the Republican Club which, in August, 1885, successfully advocated before the republican state committee an increase of the number of delegates to state conventions. In 1886 he was chosen a member of the Academy of Music citizens' committee of one hundred, and was a member of its executive committee and chairman of the sub-committee on its general policy. In the same year he was chairman of the joint committee of the Republican Club of the City of New York, the Young Men's Democratic clubs of New York and Brooklyn,

the City Reform Club, and three other organizations to secure an affirmative vote of the people on the question of calling a constitutional convention. He was chairman in 1893 and 1894 of the committee of the Republican Club, which drafted and submitted amendments to the constitutional convention of 1894 which became the basis of part of its action. In 1891 he was chairman of a committee that prepared a bill for compulsory voting. He has also been the originator of various movements to secure ballot reform.

He has been active in connection with the management of the republican party, serving as an officer of assembly district organizations, a member of the county committee, and a delegate to state conventions. He was one of the organizers of the Republican League of the United States in 1887, and the first chairman of the executive committee of the New York Republican State League. In 1881 and 1882 he was a member of the board of aldermen of New York City, and in that body was chairman of the committee on law department. In 1885 he was the republican candidate for justice of the City Court (in 1895 declining the anti-Tammany nomination for the same office), and in 1890 was anti-Tammany candidate for president of the board of aldermen. From 1882 to 1884 he was president of the Republican Club of the City of New York, and for two years thereafter chairman of its executive committee. He is a member of the Bar Association of the city, was one of the incorporators of the Harvard Club in 1887, and is a member, and in 1881 and 1882 was president, of the Phi Beta Kappa Alumni in New York.

He was a regular contributor to Appleton's "American Cyclopædia" from 1873 to 1876, to Appleton's "Annual Cyclopædia" for several years, and to Kiddle and Schem's "Cyclopædia of Education" (1877). He is author of "Legislative Reform" (*Columbia Jurist*, January 21, 1886); "The New Constitution of Brazil" (*Overland Monthly*, February, 1892); and "The Guarany" (*Overland Monthly*, 1893), a Brazilian romance translated from the Portuguese. In 1881 he delivered an address on Garfield before the board of aldermen in New York City, and he has delivered addresses on public and political subjects on other important occasions.



**H**AYS, DANIEL PEIXOTTO (born in Pleasantville, Westchester county, New York, March 28, 1854), is the son of David Hays and Judith Peixotto, and a direct descendant of Jacob Hays, who was high constable of New York during the period of the Revolution. His great-grandfather served with credit in the patriot army during the revolutionary war, and the homestead purchased by him at the close of that memorable struggle is still in possession of Mr. Hays. He attended the 13th street public school in the City of New York, and was graduated from the College

of the City of New York in 1873. Entering the Columbia College Law School, he was graduated in 1875. Having accepted a position as office boy in the law office of Carpentier & Beach while pursuing his studies, at the time of his graduation he had advanced to the position of managing clerk with this firm, and in 1877 was taken into partnership with the senior member, ex-Judge Beach, the new firm becoming Beach & Hays. A few months later, on the death of Judge Beach, Mr. Hays formed a co-partnership with James S. Carpentier, the remaining member of the old firm, which was maintained until the death of the latter in 1885. He then became associated with Mr. Samuel Greenbaum under the present firm style of Hays & Greenbaum.

As a lawyer Mr. Hays ranks among the leaders of his profession. He has managed with ability and success many important cases that have come before the New York courts, notably that of General Adam Badeau against the executors of General Grant's estate for services in writing the "Grant Memoirs." He was counsel for General Sickles while the latter was sheriff of New York county, and is his attorney at the present time. Mr. Hays argued the case for General Sickles against Ashbel Green and others, trustees of a railroad mortgage, in the United States Supreme Court. He also argued before the Court of Appeals and won the case of the People *against* Wilmerding, involving the right of the state to tax goods sold at auction, arguing against the constitutionality of the law.

In November, 1893, Mr. Hays was appointed commissioner of appraising relative to the changing of grades in the 23d and 24th wards, New York City, and the same year was made civil service commissioner and elected chairman of the board upon the death of the preceding chairman. He has always taken an active interest in politics as a democrat. He was a delegate to the state convention from Rockland county which nominated David B. Hill for governor. He purchased the *Nyaack City and County*, a publication in Nyaack, New York, with a view to changing its political complexion and giving its support to Grover Cleveland. The paper is still a flourishing democratic organ.

Mr. Hays is a member of the Democratic, Lawyers', Reform, Sagamore, and Harlem Democratic clubs, of which latter organization he was for two years president, and is now chairman of the executive committee.

He was married, April 7, 1880, to Rachel, daughter of Aaron Hershfield, of New York. They have five daughters.



**H**AZEL, JOHN R. (born in Buffalo, New York, December 18, 1860), is the son of John Raymond Hazel and Adelheit Scherzinger. He was educated in the Saint Louis parochial and common schools, studied law with James C. Fullerton, and was admitted to the bar in Rochester, April 7, 1882. He soon afterward entered upon practice in Buffalo, where he has been engaged continuously until the present time, since 1891 as the head of the firm of Hazel & Abbott, his partner being Frank A. Abbott.

Mr. Hazel has taken an active interest in politics. Since 1893 he has been state committeeman of the republican party for the 32d congressional district. In 1894 and 1895 he held the office of commissioner of corporation tax in the department of the comptroller of the State of New York, and he is now (1897) one of the receivers of the Bank of Commerce in Buffalo.



**H**AZELTINE, ABNER (born in Wardsborough, Vermont, June 10, 1792; died in Jamestown, New York, December 20, 1879), was the son of Daniel Hazeltine and Susannah Jones. His original American ancestors were among the earliest settlers of Plymouth colony. His parents removed from eastern Massachusetts to Windham county, Vermont, when that county was new. The son's youthful experiences were consequently those of privation and hardship. Without the advantage of schools, such as the humblest child now enjoys, it was a difficult matter to obtain the very beginnings of an education. He made the best use, however, of his opportunities, and in a single winter completed "Pike's Arithmetic," the only textbook then available. Not satisfied with the ordinary attainments possible to be reached by the farmer's boy in the ordinary schools, he eagerly pursued the classical studies necessary for admission to college, under the direction of his pastor. He then entered Williams College, from which he was graduated in 1815.

In September of that year he removed to Jamestown, New York, then a mere settlement, to which some of his friends and relatives had previously emigrated. Having already decided to make the legal profession his life-work, he devoted himself assiduously to the study of law. In due time he was admitted to practice in the Court of Common Pleas, and at the expiration of the regular stated period (as was the rule in those days) in the Supreme Court and Court of Chancery. Soon afterward he went to live in Warren, Pennsylvania. He remained there for three years, and then returned to Jamestown, but continued to practice in the courts of Pennsylvania, as well as those of New York.

He devoted himself with untiring energy to his profession, and pursued it constantly to the end of his long life, never abandoning it to engage in other pursuits. The law was his delight, and to it he

gave not merely his best energies, but the whole of them. Not gifted with eloquence as it is ordinarily defined, or with remarkable brilliancy, it was by great labor and complete and thorough preparation of and for every single cause, no matter how small its amount or how indifferent its results might be, that he succeeded in obtaining a full mastery of the whole subject of the law, and made himself familiar with its history and the application of its principles. No emergency found him unprepared, and when seeming difficulties appeared, apparently blocking further advance or threatening defeat, he was fully equipped. He often achieved success when disaster was imminent by the complete knowledge he had acquired of the law. It was this knowledge that enabled him to elucidate the principles upon which the matter in controversy rested, and to show how the application of those principles controlled the case.

It was not long before his attainments became known to his associates. His advice and counsel were sought, and he was, without effort or solicitation on his part, placed in positions of honor and trust. In 1828 he was elected to the legislature, and again in 1829. In 1832 he was chosen a representative in congress, to which body he was re-elected in 1834. After the adoption of the state constitution of 1846, he was elected district attorney, and later county judge. He held also, by appointment, for many years, the office of commissioner of the Circuit Court of the United States for the northern district of New York. But public life had no attractions for him. He was content to fill his measure of usefulness to his fellows in his chosen profession. His successes were at the bar. There he found a field wide and difficult enough to satisfy his greatest ambition and to require his closest attention. He was a ready and graceful writer. He found his recreation in literature, and was often called upon to write addresses on literary and historical subjects. He contributed frequent articles to the local newspapers.

At a meeting of the bar, held after his death, one of his associates said:

It is but a short time, Mr. Chairman, that we heard an argument in this court-house, from the Honorable Abner Hazeltine, involving one of the nicest and most intricate questions of law, when from his physical appearance, from his great age, and apparent weakness, it was hardly to be supposed that we were to have an elucidation from him such as we would have expected years before. When he took the floor it is true we witnessed some degree of physical weakness; but there was yet that strength of mental power that I do not think I ever heard Judge Hazeltine himself excel.

And another said:

Paramount to all professional duties, he recognized allegiance to the moral law. His store of moral virtues exceeded his acquisition of attachable goods. Throughout his long life there blended in beautiful harmony the lawyer and the honest man, the barrister and the Christian. The confidence of the early set-

tlers of this county in his integrity was never equaled by that extended to any of his associates or successors.

Any sketch of Abner Hazeltine would be imperfect that did not make mention of his Christian life and character, for these were so marked as to mold and influence the whole man. His religion was no formal, outward thing, but was at the very foundation of his character, and his entire life was consistent with it. He was one of the nine who organized the first church of Christ in Jamestown, in 1816. He continued all his life a pillar in that congregational church, zealous for its welfare and strongly attached to it. His counsel and help were frequently sought in ecclesiastical matters and difficulties in neighboring congregational churches, and also throughout western New York.



AZELTINE, ABNER, Junior, the third son of Abner Hazeltine, the first lawyer who settled in Jamestown, was born March 18, 1836. He was in the atmosphere of the law from boyhood. While a student in the Jamestown Academy he was required in the evenings to copy in his father's office, in long hand, as was necessary in those days, before stenography and typewriting were in use, the lengthy papers in chancery suits. Thus was acquired an early familiarity with legal proceedings that induced him to adopt the practice of the law as his profession. When prepared he joined the class which was graduated at Williams College in 1856. He then returned to his father's office and began seriously the study of law. He practiced civil engineering to some extent while so engaged. In December, 1860, he was admitted to the bar, after completing a course of study in the Albany Law School.

He immediately joined his father in practice at Jamestown, and succeeded to the business at his decease. This he has continued to the present time. He has held the office of district attorney of Chautauqua county, and for a number of years has been United States Circuit Court commissioner. From 1864 to 1868 he served as postmaster of Jamestown. His practice has been general, and he has been employed in numerous intricate and difficult matters. While devoted to his profession he has found time to direct extensive agricultural enterprises. He is largely engaged in developing and improving the dairy interests of Chautauqua county, managing a large dairy farm and giving much of his time to the improvement of this, the chief agricultural industry of the region where he lives. He finds pleasure in keeping himself familiar with all the improvements and advances made in agricultural science, and is often called upon to address farmers' institutes.



**H**ADLEY, RUSSEL (born in Stockbridge, Massachusetts, September 27, 1852), is the son of Joel T. and Anna A. Headley. After attending Siglar's Preparatory School, at Newburgh, he entered Cornell University, from which he was graduated in June, 1872. He then pursued legal studies with Judge Francis M. Finch and Judge M. H. Hirshberg. He was admitted to the bar at Poughkeepsie in May, 1874. Mr. Headley has always practiced at Newburgh, being now the head of the firm of Headley & McClung, in which Benjamin McClung is associated with him.

He has held the offices of corporation counsel of the City of Newburgh (1881-83) and district attorney of Orange county (1883-89). He is the author of several well-known and standard legal works—"Headley's Criminal and Penal Code," "Headley's Criminal Justice," "Headley on Assignments," and "Headley's Privilege and Competency of Witnesses."

Mr. Headley is a member of the Sons of the American Revolution and the Manhattan Club of New York City, a trustee of Washington's Headquarters Commission, and a director of the Newburgh Historical Society. In 1879 he was appointed inspector of rifle practice in the 17th battalion, New York state national guard, and served therein until the battalion was mustered out of service a few years ago.



**H**EDGES, H. P. (born in East Hampton, New York, October 13, 1817), is the son of Zephaniah Hedges and Phoebe Parsons Osborn. After attending Clinton Academy, at East Hampton, he entered Yale College, from which he was graduated in 1838. He studied law one year in the New Haven Law School, and later in the offices of David L. Seymour, of Troy, and George Miller, of Riverhead. He was admitted to the bar in May, 1842, after examination at the city hall in New York. In the fall of 1843 he began practice at Sag Harbor. Ten years later he removed to Bridgehampton, where he is still engaged in his profession.

Mr. Hedges has for more than forty years held a prominent position at the Suffolk county bar. Early in his professional career he became specially interested in questions affecting property ownership in the eastern part of the county. He was connected with the suit in relation to the Montauk titles in 1851, and for many years he has been engaged in litigations appertaining to Montauk and Shinnecock lands. He drew the legislative bill which divided the Shinnecock Hills from the Neck with the Indians, and has had an extensive practice in Indian titles.

He has held the offices of member of the legislature (1852), district attorney for four years from January 1, 1862, and county judge and surrogate (1866-70 and 1874-80). As surrogate he tried several very

interesting will cases, notably the Nancy Smith case, which covered one thousand printed pages.

Judge Hedges has throughout his life taken an especial interest in local town and county historical subjects. He delivered the bi-centennial address at the East Hampton celebration in 1849, one of the bi-centennial addresses in commemoration of the organization of Suffolk county in 1883, and one of the addresses at the fifth semi-centennial of South Hampton in 1890. He is now engaged upon a history of East Hampton.



**HEERMANCE, MARTIN** (born in Jefferson, Hillsdale county, Michigan, December 17, 1852), is the son of Reverend Harrison Heermance and Rebecca A. Van Denbergh. He was educated at the De Garmo Classical Institute, Rhinebeck, New York, studied law with Essylstyn & McCarty, of Rhinebeck, and was admitted to the bar at Brooklyn in September, 1883. He began practice at Poughkeepsie, where he is still engaged in active professional business.

Mr. Heermance has held the elective offices of supervisor of the Town of Rhinebeck (1881 and 1882) and district attorney of Dutchess county (1889 to 1892). In January, 1896, he was appointed state assessor by Governor Morton. The legislature subsequently changed the board of state assessors into a state board of tax commissioners, and Mr. Heermance is now (1897) chairman of that board. He is a member of the Holland Society and of the Masonic order, and is a past master of Rhinebeck Lodge.



**HENDERSON, WILLIAM HARRISON** (born in Tulley, Onondaga county, New York, December 4, 1828; died in Randolph, New York, December 5, 1896), was the son of John and Mary Hunt Henderson. With his parents he removed to Cattaraugus county in 1840. He attended the well-known Fredonia Academy for three years, entered the State Normal School at Albany, being graduated with honors in the spring of 1848, and during the next two years was engaged in teaching as principal of the public school at Randolph, New York. He commenced the study of law in 1850 with Honorable Alexander Sheldon, of Randolph, continuing with Honorable Joseph E. Weeden, of the same place, and was admitted to the bar at the general term held at Buffalo, April 27, 1852. From that time until his death he was engaged uninterruptedly in the practice of his profession at Randolph, excepting during the periods of his service as county judge and on the Supreme bench of the state. He was first associated with his preceptor, Mr. Weeden, and then with Alson E. Levenworth. In 1859 he entered





Wm. H. Henderson



into a copartnership with Alexander Wentworth, under the firm style of Henderson & Wentworth, which continued until the death of Judge Henderson, and which, at that event, was probably the oldest continuous law partnership in western New York.

One of the leaders of the bar of Cattaraugus county, and conspicuous as a citizen, Judge Henderson, while never seeking public office, was ready, when called upon to do so, to contribute his abilities to the public service. In politics an earnest supporter of the principles of the democratic party, he was nominated by that organization at various times for important offices to which his election was made impossible by the large republican preponderance in the county. His candidacy, however, generally operated to reduce the normal republican majority. In 1851 he was an unsuccessful candidate for county treasurer. On August 18, 1875, Governor Tilden appointed him judge of Cattaraugus county to fill a vacancy caused by the death of Judge S. S. Spring. Upon the expiration of his term he was his party's choice for the same position, and succeeded in cutting down the republican majority from 3,000 to about 300. In recognition of the marked ability with which he had discharged his duties as county judge, he was appointed by Governor Tilden, March 21, 1876, a justice of the Supreme Court for the 8th judicial district, to succeed George D. Lamont, deceased. His services upon the bench of the highest trial court of the state have been thus described:

He carried to the bench the same habits of careful study and of painstaking research which had characterized him at the bar. His opinions soon began to attract attention. They were logical, learned, and exhaustive, critical in analysis and comprehensive in reasoning. He shirked no labor, slighted no cause. Kind and courteous to all, yet ever fearless and unswerving in following his convictions, he became known and honored as an impartial and upright judge. His administration was universally satisfactory and successful. The young men of the bar found in him a judge who heard them patiently and respectfully, and from whose presence they went away satisfied that whatever might be the fate of their cases, they had had a fair and respectful hearing, and would have an honest, intelligent decision. His entire service disarmed criticism and won universal commendation.<sup>1</sup>

In the fall of 1876 Judge Henderson was the democratic candidate to succeed himself upon the Supreme Court bench, but the heavy republican majority of the district could not be overcome.

At the centennial celebration of American independence held at Olean, July 4, 1876, Judge Henderson presided. In 1879 he was the democratic nominee for state senator from the 32d district. He was alternate delegate-at-large to the democratic national convention of 1880, at Cincinnati, sitting in that body in the place of Governor Robinson, at the governor's request.

Judge Henderson was active and prominent in connection with

<sup>1</sup> "History of Cattaraugus County."

various local interests. He was for ten years president of the State Bank of Randolph, and was a director of that institution and of the 1st National Bank of Salamanca and the People's Bank of East Randolph. For many years he was legal adviser of Benjamin Chamberlain, the founder of Chamberlain Institute, and as president of the board of trustees of Chamberlain Institute since 1876 carried out the plans of the founder. He was also for years president of the board of trustees of the Western New York Society for the Protection of Homeless and Dependent Children, and under his direction was erected the "Home" which now cares for about one hundred and forty children, who are being trained and educated until permanent homes can be found for them.



**HERENDEEN, EDWARD GIDEON** (born in Macedon, Wayne county, New York, October 19, 1857), is the son of Edward Welcome and Anna Hallett Nickerson Herendeen. He is descended in both the paternal and maternal lines from ancestors resident in New England for more than two hundred years. The original American ancestor of the Herendeen family came to Rhode Island with Roger Williams. Mr. Herendeen's mother's family (Nickerson-Crowell-Hallett) is descended from old Cape Cod settlers. His father removed from Macedon to Geneva, New York, in 1869. He was president of the Herendeen Manufacturing Company, of Geneva, until his death, which occurred early in 1897.

Edward G. Herendeen received his early education in private schools and under the direction of tutors. He later attended the Geneva Academy and Geneva High School, and in 1879 was graduated with honors at Hobart College, receiving the degree of bachelor of arts, an election to the Phi Beta Kappa Society, and subsequently (1882) the degree of master of arts. While in college he was a member of the Kappa Alpha Society. After pursuing legal studies with the late Supreme Court Justice H. Boardman Smith, at Elmira, he was admitted to the bar in May, 1882. He immediately entered upon his profession in Elmira, where he still continues. After a brief practice alone he became a member of the firm of Knox & Herendeen. After its dissolution in 1887 he again practiced alone until 1891, when he formed with Mr. H. C. Mandeville the partnership of Herendeen & Mandeville, with which he is still identified.

Mr. Herendeen has attained a degree of prominence at the Elmira bar. He was counsel for the plaintiff in the case of the Elmira Savings Bank *vs.* Davis, receiver of the Elmira National Bank. In this suit action was brought to establish the statutory preference of savings bank deposits in national banks, under the laws of New York. Decisions in favor of Mr. Herendeen's client were rendered by the general term in 1893 and the Court of Appeals in 1894. He argued

the case before the Supreme Court at Washington in 1895 and again in 1896, the outcome being a reversal, right to preference being denied. This interesting test case (in which the final opinion is by Mr. Justice White) is reported in 73 Hun, 143 N. Y., and 161 U. S.

Mr. Herendeen's professional specialty is commercial and corporation practice. In 1896 he delivered an address before the New York State Bankers' Association on "Commercial Paper." He has for a number of years been a member of the American Bar Association and the New York State Bar Association. In the latter association he has held the office of secretary of the committee on grievances. He is a trustee, and secretary and treasurer, of the Supreme Court Library at Elmira.

Mr. Herendeen is connected in an executive capacity with several corporations. He is president of the Elmira *Advertiser* Association and the Herendeen Manufacturing Company (Geneva, New York), and a director of the State Bank of Elmira and the Elmira Iron and Steel Rolling Mill Company.



**HICKEY, CHARLES**, was born in the Town of Somerset, Niagara county, New York, April 18, 1857. Orphaned in his childhood by the death of his father, who left no property, he was obliged from the age of ten to make his own way in the world. His education was limited to attendance at the common schools of his county and the union school of Lockport. For several years he taught school, and while thus engaged he served two terms as president of the Niagara County Teachers' Association. Having fitted himself for the legal profession under the direction of Honorable John E. Pound, of Lockport, he was admitted to the bar at Rochester in October, 1884. He engaged in practice in Lockport, of which place he is still a resident.

Soon after entering upon his profession Mr. Hickey was elected a justice of the peace, but he resigned the position after one year's service. From 1892 to January 1, 1896, he was city attorney of Lockport. Since the latter date he has been judge and surrogate of Niagara county, being the first to hold these two offices jointly. In politics he is a republican.

Mr. Hickey was instrumental in having the Odd Fellows' Home Association of the state locate its Home in Lockport, and is now (1897) serving his third term as president of the association.



**HICKS, EDWIN** (born in the Township of Bristol, Ontario county, New York, February 14, 1830), is the son of Aaron Hicks and Sarah Cornell. The Hicks family is of English origin. Its earliest American ancestor was Robert Hicks, who came over in the ship *Fortune*, November 11, 1621, and who was

a descendant of Ellis Hicks, knighted on the field of Poitiers, September 19, 1356, for bravery in the capture of a set of colors from the French. In the maternal line Mr. Hicks is descended from Thomas Cornell, one of the first settlers of Massachusetts colony, who resided in Boston as early as 1638.

Edwin Hicks attended district school, meantime working on his father's farm. After leaving school he devoted himself for several years to teaching, and also continued his studies. In 1850 he entered the law office of Seward, Blatchford & Morgan, at Auburn. Completing his preparation for the legal profession with Honorable Benjamin F. Harwood, of Dansville, New York, he was admitted to the bar in March, 1854, and on the 1st of January, 1855, he began practice in Canandaigua, where he still resides.

From the first he has maintained a prominent position at the bar of the county. In 1857 he was appointed by Governor King district attorney of Ontario county, and in 1863 he was elected to that office, in which he was continued by re-election for four successive terms. His administration of this office was characterized by marked vigor and ability. He prosecuted the case of *People vs. Charles Eighmy*, for murder in the first degree, obtaining the first conviction for murder (the condemned man being duly executed) ever had in Ontario county. In March, 1876, he was employed for the prosecution in the case of *People vs. George Crozer*, accused of the murder of his wife by arsenical poisoning at Benton, Yates county. This case excited great popular interest on account of the high respectability of the parties concerned. The defendant was convicted of murder in the first degree and sentenced to the gallows. Mr. Hicks has been engaged in many other cases of homicide, in the trial of which he has been very successful. In his civil law business he has been concerned in numerous litigations involving important interests, with highly satisfactory results.

In politics he has been a republican ever since the organization of the party, and has frequently been a member of its state and other important conventions. He was elected to represent the 26th district in the state senate of 1878 and 1879, although that district had previously been represented by a democrat for six years. In the senate he was a member of the judiciary committee and other prominent committees. Since his retirement from that body he has devoted himself without interruption to his law practice.



**HILL, JOHN LINDSAY** (born in Florida, New York, October 31, 1840), is the son of Reverend Nicholas Hill and Sarah Hegeman, of Irish, English, and Dutch ancestry. His mother was a descendant of the old English family of Palmer and the equally ancient Dutch family of Hegeman. His

grandfather, Adam Hill, was a native of Londonderry, Ireland. His father, before he became a clergyman, was a revolutionary soldier. Enlisting as a drummer-boy in Colonel Cornelius Van Dyke's regiment in 1776 when but ten years of age, he was discharged as a sergeant at the age of fifteen, having shared with Washington's army the winter of terrible suffering at Morristown, New Jersey, and seen active service in the famous "Sullivan expedition" and in the siege and battles of Yorktown. In 1803 he became a methodist episcopal clergyman—a pioneer in methodism in the Mohawk valley.

John L. Hill was prepared for college at the academies of Amsterdam and Jonesville, New York, and was graduated from Union College in 1861, the last year of the presidency of the venerable Eliphalet Nott. He learned practical surveying and printing to some extent before entering college. He spent the latter part of his senior year as superintendent of the public schools at Waterford, New York, continuing in this charge after graduation until February, 1862, when he resigned to prepare for admission to the bar. He was admitted the following May, and at once commenced practice at Schenectady, New York, in partnership with the late Stephen H. Johnson, then county judge. He soon acquired a leading practice, and in 1864 was elected district attorney of Schenectady county. During the next four years he was one of the counsel for the canal commissioners. In 1868 he removed to New York City, and was for four years in partnership with Guy R. and T. D. Pelton, and afterward for a time was associated with Henry L. Clinton. In May, 1873, he entered the firm of Barrett, Redfield & Hill, which was changed to Redfield & Hill, and later to Redfield, Hill & Lydecker. In 1887 the present firm of Lockwood & Hill was organized.

Mr. Hill has been prominent in his profession in New York City as advocate and counselor, and has tried many important cases. He was one of the counsel for Henry Ward Beecher in the famous Tilton-Beecher case, being associated with Thomas G. Shearman and General Tracy as counsel for Plymouth Church during the preliminary church investigation, and continuing afterward with the same gentlemen, together with Messrs. Evarts, Porter, and Abbott, throughout the six months' trial, with Judges Beach, Fullerton, Pryor, and Samuel D. Morris as opposing counsel.

Mr. Hill belongs to many clubs and historical and literary organizations. He is a member of the Alpha Delta Phi Club of New York, and was one of the founders of the Union Chapter. He is a member of the New York Union Alumni, the Phi Beta Kappa Association, Lawyers' Club, Law Library Association, New York Geographical Society, Society of the Sons of the Revolution, Brooklyn, Carleton, Montauk, and Wyandanch clubs, Brooklyn Bar Association, Brooklyn Law Library Association, Long Island Historical Society, Brooklyn New England Society, and State Bar Association. He is president of the

Wyandauk Club, and a trustee of the Berkeley Institute. He is a resident of Brooklyn. His political sympathies are with the reform element in the democratic party.



**HILTON, HENRY** (born in Newburgh, New York, in October, 1824), was of Scotch-Irish antecedents on his father's side and of Scotch descent through his mother, Janet Graham. His father early removed to New York City, and here Judge Hilton was educated in the public schools, studied law, and in 1846 was admitted to the bar. He served as master in chancery, and acquired a large practice. As counsel of the property-owners he defeated the plan to condemn "Jones's Woods" for a city park. In 1857 he was elected a judge of the Court of Common Pleas over William M. Allen by 17,000 majority. He edited two volumes of "Hilton's Reports," covering the period 1855-60.

After his retirement from the bench he resumed practice as head of the firm of Hilton, Campbell & Bell. He was counsel and business adviser of the late A. T. Stewart, his wife being a cousin of Mr. Stewart's wife. Mr. Stewart, by will, in 1876, left him a large legacy, and Mrs. Stewart subsequently transferred to him all interest in the mercantile business, by her late husband's request, as she declared. Judge Hilton retired from law practice and conducted the mercantile business until 1883, when his sons and son-in-law succeeded him, under the firm name of Sylvester, Hilton & Company, later changed to Hilton, Hughes & Company.

Judge Hilton's country seat at Saratoga Springs, "Woodlawn Park," with its fifteen miles of wooded drives, is one of the striking features of that resort.



**HINSDALE, ELIZUR BRACE** (born in Genesee county, New York, December 4, 1831), is descended from puritan ancestors who were located in New England during early colonial days. The founder of the Hinsdale family in America arrived at Plymouth colony, Massachusetts, about 1650, and subsequently removed to Connecticut, where (in Litchfield county) the immediate ancestors of Judge Hinsdale were located for several generations. His grandfather, Jacob Hinsdale, and four brothers were soldiers in the Revolution. His father, Elizur Hinsdale, was a captain in the war of 1812, and was the founder of the edge-tool business in Winsted, Connecticut, where he was proprietor of a large manufactory for those days. He sold out, and removing to Leroy, Genesee county, New York, became an extensive land owner. The famous Elihu Burritt was his cousin. Judge Hinsdale's grandmother was a



sister of Jonathan Brace, of Hartford, a leading member of the Connecticut bar in his day.

Judge Hinsdale was educated in the common schools and at a local academy, and studying law was admitted to the bar at Buffalo in May, 1856. He at once began practice in Leroy, where he remained five years. During the campaign for the election of Lincoln, in 1860, he was chairman of the Genesee county republican central committee. He removed to New York City in 1861. Making a specialty of corporation law and the settlement of financial difficulties, he gained a leading place in this department. His practice has been largely litigated cases, and he has been a prominent figure in important contests in all the courts. In 1870 he organized the firm of Hinsdale & Sprague. He was connected for more than twenty-five years with the Long Island Railroad Company as general counsel, and was counsel for the several corporations prior to amalgamation. He was for some time its vice-president, and until recently was at the head of its law department. He took part in making all the contracts of the road, with the result that not a single contract has been successfully assailed in the courts. He effected the final consolidation of the three independent roads on Long Island and carried through successfully the notable litigations connected with the system, from 1877 to their termination in the Court of Appeals in 1895.

Judge Hinsdale has long been active in the republican party, especially in connection with the Union League Club. For ten years he has been a member of the committee on political reform of this club, and for a number of years its chairman, in which capacity he has been active in the preparation of the important addresses on public questions issued by the committee from time to time.

Judge Hinsdale is the author of other valuable papers, one on the reform of land transfer being especially notable. He was also the author of the legal opinion, affirmed by the Court of Appeals, crediting the City of New York with power to issue bonds for the purpose of acquiring new public parks.

Under the magistrates' act, reforming the bench of New York City, he was in 1895 appointed a judge of the Court of Special Sessions by Mayor Strong, and in recognition of his ability as an organizer and his effectiveness in securing the results of reform, was made presiding justice by his associates.



**H**INSON, CHARLES WESLEY (born in Buffalo, New York, November 20, 1844), is the son of George and Mary Hinson. His father was born on the island of Heligoland in 1818, and his mother in Ireland in the same year. He was educated in the public schools and high school of Buffalo, studied law with Judge James M. Humphrey and Galusha Parsons, and was ad-

mitted to the bar at Buffalo, May 9, 1866. He soon afterward entered upon the practice of his profession at Buffalo, continuing actively and successfully until his election to the bench. He was the attorney for the Fenians who under General O'Neill invaded Canada at Fort Erie in 1866. In this celebrated case twenty-eight officers and four hundred men were charged with violating the neutrality laws. He procured their release on habeas corpus. In 1867 he served as a member of the assembly. In 1892 he was elected judge of the Municipal Court of Buffalo for a term running to 1899.



**HITCHCOCK, CHARLES HENRY** (born in Binghamton, New York, November 12, 1857), is the son of Henry S. Hitchcock and Mary Jane Smith. The Hitchcock family has been in the country since 1680, when three brothers of the name emigrated from England to Connecticut. Mr. Hitchcock's immediate branch of the family was resident in Massachusetts until 1810, when his great-grandfather, Samuel Hitchcock, removed to Madison county, New York.

Charles H. Hitchcock was graduated from the Binghamton High School in 1875 and from Hamilton College in 1879, with the degree of bachelor of arts. He received his legal training in the office of Millard & Stewart, at Binghamton, and was admitted to the bar at Albany in February, 1885. Since his admission he has practiced continuously at Binghamton, devoting himself especially to conveyancing, Surrogate's Court business, accountings, and similar lines. He is particularly experienced in the department of real estate titles, and has an extensive knowledge of local history as bearing upon questions of title, being a recognized authority upon these subjects. Since January, 1883, he has been attorney for the Binghamton Board of Health.

Enlisting in the national guard of New York in 1883, he was promoted through the several grades to the rank of 1st lieutenant (January 31, 1893). He served in the railway strike of August, 1892. He has received the state decoration bestowed for fifteen years of faithful service.



**HOADLY, GEORGE** (born at New Haven, Connecticut, July 31, 1826), is descended from illustrious New England ancestry, the son of George Hoadly (born at Northford, Connecticut, December 15, 1781), and grandson of Captain Timothy Hoadly, of that place. His father was a graduate of Yale College in 1801, which institution he served as tutor from 1803 to 1806. He was both a lawyer and banker, and was also mayor of New Haven. Removing with his family to Cleveland, Ohio, in 1830, he became

mayor of that city, and for fifteen years was a justice of the peace there.

Governor Hoadly's mother, Mary Anne, widow of Jared Scarbor-



*Geo. Hoadly,*

ough, of Hartford, Connecticut, and eldest daughter of William Walton Woolsey and Elizabeth Dwight, of New York City, was born in the latter city, May 3, 1793. She was the great-granddaughter of the

famous Jonathan Edwards, niece of President Dwight of Yale College, sister of President Woolsey of Yale College, and aunt of Theodore Winthrop, the well-known author, and of Sarah Woolsey, better known under her pseudonym of "Susan Coolidge." Among the children and grandchildren of William Walton Woolsey have been no less than eleven presidents and professors in American colleges, or their wives.

Governor Hoadly was educated in private schools at Cleveland, Ohio, and entered the Western Reserve College (since removed to Cleveland, Ohio, and known as Adelbert College) when fourteen years of age. He was graduated in 1844, and spent the following year at the Harvard Law School under the tutorage of Judge Joseph Story and Professor Simon Greenleaf. During the following year (1845-46) he continued his legal studies with Judge Charles C. Convers, of Zanesville, Ohio, and in the fall of 1846 entered the offices of Chase & Ball, of Cincinnati, at the head of which firm was the famous Salmon P. Chase. He was admitted to the bar in August, 1847, and in 1849 became the partner of his employers, the firm name being changed to Chase, Ball & Hoadly.

Governor Hoadly participated in cases of the greatest importance from the outset, the activity of Mr. Chase in politics throwing the work upon his shoulders. His abilities speedily won recognition, and in 1851 the state legislature elected him judge of the Superior Court of Cincinnati to complete its constitutional term of existence, which expired in 1853. Upon leaving the bench he formed a partnership with Edward Mills. In 1855-56 he was city solicitor of Cincinnati, and in 1859 was elected by the people to the (second) Superior Court of Cincinnati, to succeed Judge Gholson. By Governor Chase in 1856, and again by Governor Tod in 1862, Mr. Hoadly was offered a judgeship upon the Supreme bench of Ohio, but in each instance declined. He was re-elected to the Superior Court in 1864, but two years later resigned, and organized the law firm of Hoadly, Jackson & Johnson, which, after 1874, became Hoadly, Johnson & Colston. This firm became distinguished for its extensive conduct of railroad litigations. Governor Hoadly represented the democratic party in the famous Tilden-Hayes presidential contest, arguing the Florida and Oregon cases before the electoral tribunal in February, 1877.

He likewise established the liability of the State of Tennessee to receive for taxes the issues of the Bank of Tennessee, both *ante-bellum* (8 Wall., 44) and *post bellum* (97 U. S., 454). He argued unsuccessfully with James C. Carter against the constitutionality of the Chinese exclusion act (130 U. S., 581).

In 1873-74 he was elected to the constitutional convention from Hamilton county, Ohio, and was chairman of the committee on municipal corporations.

He was active after the war in the liberal republican movement, but





Yrs sincerely,  
H. B. Horublow.

opposed the nomination of Horace Greeley as president in 1872. He voted for Grant's re-election, but in 1876 supported Tilden, and was active in the Tilden-Hayes contest, as already stated.

In July, 1883, he was nominated for governor of Ohio by the democratic party, and after a spirited campaign was elected by 12,529 plurality over Foraker. His administration was successful and popular, but with the overthrow of his party in 1885 he was defeated for re-election. In March, 1887, he removed from Cincinnati to New York City, where he has since successfully practiced law, at the head of the firm of Hoadly, Lauterbach & Johnson. This firm is conspicuous for its large railroad and corporation practice. In 1896 he supported General Palmer for president, being a thorough disbeliever in protection as well as populism.



**HOLLS, FREDERICK WILLIAM** (born in Zelienople, Butler county, Pennsylvania, July 1, 1857), is the son of Reverend Doctor George Charles Holls, an eminent German Lutheran educator, clergyman, and philanthropist. He comes from original Dutch stock, and most of his ancestors were theologians or soldiers. Both his father and mother were natives of Darustadt, Germany. He received his preparatory education under the direction of his father and at the Columbia Grammar School, and in 1878 was graduated at Columbia College with the degree of bachelor of arts. He then entered the Columbia College Law School, from which he obtained his diploma *cum laude* in 1880, meantime studying law in the office of Honorable Jacob F. Miller, and on May 20, 1880, was admitted to the bar at Poughkeepsie. He has since been in continuous practice in New York City. He is now at the head of the firm of Holls, Wagner & Burghard (organized May 1, 1896). He is counsel for the German Society, the German Savings Bank, and the German Hospital.

Mr. Holls was a delegate-at-large to the state constitutional convention of 1894, and in that body was chairman of the committee on education. He has also held the office of commissioner on uniform charter for cities of the third class. In 1883 he was the candidate of his party for state senator, and succeeded in reducing the adverse majority in the district from 3,500 to 429.

He is the author of various essays, lectures, and travels. Since his marriage, in 1889, he has resided in Yonkers.



**HORNBLOWER, WILLIAM BUTLER** (born in Paterson, New Jersey, May 13, 1851), is the son of Reverend Doctor William H. Hornblower, professor of theology in the Allegheny (Pennsylvania) Theological Seminary, and Matilda Butler, of a colonial family of Connecticut active in the French wars and

the Revolution. His grandfather, Honorable Joseph C. Hornblower, for many years chief-justice of New Jersey, was one of the foremost advocates and jurists of his day. His great-grandfather, Honorable Josiah Hornblower, was a revolutionary patriot and member of the old national congress in 1785, and brought, in 1750, the first steam engine to America. The late Justice Bradley and Judge Lewis B. Woodruff were his great-uncles.

Mr. Hornblower prosecuted his preparatory studies at the Collegiate School of New York City, and in 1871 was graduated from Princeton College, where he won first prize in English literature and belles-lettres, graduating as belles-lettres orator of his class. He was graduated from Columbia College Law School in 1875, having enjoyed the advantage of frequent discussions with his famous uncles, Woodruff and Bradley. After his admission to the bar he rose rapidly to prominence in the special department of bankruptcy law, soon enjoying a large practice in mercantile cases. The law reports contain a large number of important cases argued by him in state and federal courts, involving questions of insurance, railroad, and corporate law. The firm of Hornblower, Byrne & Taylor, of which he is the head, represents many of the largest corporations and business consolidations.

The possession of wide legal learning and of a judicial temperament have led to the calling of Mr. Hornblower's services into frequent requisition as a referee, and to his selection to fill high judicial positions. In 1890 he was appointed by the governor of New York on the commission created by act of legislature to propose amendments to the judiciary article of the state constitution. In 1893 President Cleveland nominated him to succeed Justice Blatchford of the United States Supreme Court, but he shared the fate of other appointees who were rejected in the senate by intrigue against the president on the part of factionists of Mr. Cleveland's own party.

Mr. Hornblower's sympathies are with the reform wing of the democratic party. He is a member of the Manhattan, Century, Metropolitan, University, Democratic, and Reform clubs and the New York Bar Association, in whose reform movements he has always been active, serving on its important committees, and as secretary (for three years) of its executive committee. He has written and lectured on legal subjects. Among his chief productions in this line may be mentioned: "Conflict between Federal and State Decisions" (*American Law Review*, March, 1880); "Is Codification of the Law Expedient?" (address before the American Social Science Association, September 6, 1888); "The Legal Status of the Indian" (address before the American Bar Association, August, 1891), and "Appellate Courts" (address before the students of Columbia College Law School, February 26, 1892).





HOWLAND, HENRY ELIAS (born in Walpole, New Hampshire, June 30, 1835), is the son of Aaron P. Howland and Huldah Burke, his father being in the fifth generation in descent from John Howland of the *Mayflower*, and his mother a descendant of the family of which Silas Wright was a member. His early education was received at the High School at Walpole and at Kimball Union Academy, Meriden, New Hampshire. He was graduated from Yale College in 1854, subsequently receiving the degree of master of arts. He read law with Judge Frederick Vose at Walpole, afterward pursuing his legal studies at Harvard Law School, from which he was graduated in 1857. He continued his studies in New York City with John Sherwood, and was admitted to the New York bar in October, 1857. His practice has been large and varied, many of the cases in which he has appeared involving large amounts. He is a member of the firm of Anderson, Howland & Murray.

He was judge of the Marine (now City) Court from 1873 to 1874, by appointment of Governor Dix; alderman in 1875 and 1876; president of the department of taxes in 1881, and is now president of the board of managers of the Manhattan State Hospital. He was the republican candidate for judge of the City Court in 1873, for the Court of Common Pleas in 1884, and for the Supreme Court in 1887, but in each case was defeated by the democratic nominee. In addition to a professional and judicial career in which his ability and learning, his fairness and unflinching courtesy, have commanded the confidence of clients and the profession, perhaps no member of the bar enjoys a wider popularity among the social clubs and various social, beneficent, and literary institutions of New York City.

He is a member of the corporation of Yale University, secretary of the Century Club, has been a member of the council of the University Club since it was formed, is a member of the executive committee of the Union League, president of the Society of the *Mayflower* Descendants, 1st vice-president of the New England Society, trustee of the New York Free Circulating Library, has been connected with the State Charities Aid Association for many years, is trustee of the old Marion Street Maternity Hospital, president of the Society for the Relief of Destitute Blind, president of the Jekyl Island Club (Brunswick, Georgia), and vestryman in the Ascension Church. His club membership includes nearly all the prominent clubs in the city,—among them the Metropolitan, Century, Union League, Players', Downtown, Republican, City, Shinnecock Hills, Golf, Meadow Club of Southampton, of which he is president; Adirondaek League, and the City Bar Association. His readiness, graceful address, and humor have made him exceedingly popular as an after-dinner speaker.



HUBBARD, THOMAS HAMLIN (born in Hallowell, Maine, December 20, 1838), is the son of the notable Doctor John Hubbard, an active figure in public life in Maine a half century ago, who was elected to the state senate in 1843 and served as governor from 1849 to 1853, during which period the famous prohibitory legislation known as the "Maine Liquor Law" was placed on the statute-books, the successful enforcement being largely due to the zeal of Governor Hubbard. On the side of his mother, Sarah Hodge Barrett, General Hubbard is descended from one of the "minute-men" of Lexington fame, who was afterward killed in the second battle of Stillwater, preceding Burgoyne's surrender.

General Hubbard was graduated from Bowdoin College in 1857, studied law in his native town, and was admitted to the Maine bar in 1860. He still prosecuted his studies during the succeeding year, however, at the Albany Law School, and May 14, 1861, was admitted to the New York bar.

The call for troops in the civil war interrupted his legal practice. Returning to Maine in 1862, he joined the 25th volunteers of that state, with the commission of 1st lieutenant and adjutant. During a part of the subsequent service he was acting-assistant-adjutant-general of his brigade. Mustered out July 11, 1863, he became active in raising the 30th volunteers, receiving the commission of lieutenant-colonel in this regiment November 10, 1863. He served through the Red River campaign and presently assumed command of the regiment, leading it in the assault of Monett's Bluff. He assisted in the construction of the Red River dam, increasing the depth of the water at Alexandria, Louisiana, in order to float the stranded gunboats, and helped to bridge the Atchafalaya River with a line of steamers for the passage of the army. Commissioned colonel May 13, 1864, he was transferred with his regiment to the Shenandoah Valley, where he served throughout the campaign of 1864-65, sometimes in command of the regiment, occasionally in command of the brigade. During this time he acted as president of a court-martial. He was ordered to Washington in April, 1865, and participated with his command in the grand review of the following month. A little later he was dispatched to Savannah, Georgia, where he conducted a board for examination of officers of the volunteer force who were applicants for commissions in the regular army. Shortly after, having received the commission of brevet brigadier-general, July 13, 1865, he was mustered out of service, and returning to New York City resumed the practice of law.

Between 1865 and 1866 General Hubbard was associated with the late Honorable Charles A. Rapallo. In January, 1867, he became partner in the firm of Barney, Butler & Parsons, which in 1874 was re-organized as Butler, Stillman & Hubbard, the present firm style.





*Chas. R. Ingalls*

General Hubbard has achieved great success in his profession, and is recognized as one of the leaders at the bar. He has been counsel in many commercial cases involving large interests, and for many years gave especial attention to railroad and other corporate litigation, in which his firm has been largely engaged. He is a director and vice-president of the Southern Pacific Company, and president of several railroad companies affiliated with that corporation.



HUGHES, WILLIAM (born in New York City, May 21, 1856), is the son of Patrick and Dorothy Hughes, both born in Ireland. His father was inspector of ironclads in the civil war and superintendent of the fire department of the City of Brooklyn until his death in 1870. The son was educated at public and parochial schools, became a student in the law office of ex-Judge James Troy, of Brooklyn, and was admitted to the bar in that city, September 20, 1877. He has since been in uninterrupted practice at the Brooklyn bar. In 1892 and 1893 he served in the Kings county board of supervisors, and in 1894 was a member of the state legislature.



HYNDMAN, WILLIAM HUGH (born in Newburgh, New York, October 13, 1861), is the son of Robert and Elizabeth Gibb Hyndman. He attended the public schools and the Newburgh Free Academy, and in 1884 was graduated at Yale College. He then entered upon the study of the law in the office of Scott & Hirschberg (Honorable M. H. Hirschberg). He was admitted to the bar at Poughkeepsie, May 16, 1889. He has since been in active and successful practice in Newburgh. On January 1, 1895, he became recorder of the City of Newburgh, an office which he still occupies.

Mr. Hyndman has been active in fraternal societies. He is at present (1897) master of Newburgh Lodge, No. 309, F. and A. M., and a member of Highland Chapter, No. 52, R. A. M., Hudson River Commandery, No. 35, and Mecca Temple, A. A. O. U. M. S.



INGALLS, CHARLES RUSSELL (born at Greenwich, Washington county, New York, September 14, 1819), is of English descent, both on the paternal and maternal sides, the earliest ancestor of whom he possesses reliable information being Edmund Ingalls, who with his family emigrated from Lincolnshire, England, and arrived in the Colony of Massachusetts Bay in June, 1629, settling in the territory which is now the City of

Lynn. Four of his kinsmen were soldiers in the revolutionary army, one of them, James Ingalls, a great-uncle, being killed at the battle of Bunker Hill. Charles Ingalls, his grandfather, resided in Methuen, Massachusetts, and after being graduated from Dartmouth College removed to Washington county, New York, and read law. As soon as he was admitted to practice in the courts of this state, in 1802, he located in Greenwich, New York, where he opened the first law office, and successfully conducted a law practice until his death, September 2, 1812. Charles Frye Ingalls, the father of the subject of this record, adopted the same profession, and after his admission to the bar, October 9, 1819, began the practice of law at Greenwich, which he continued until within a few years of his death (March 5, 1870). He served as district attorney and judge of the Common Pleas of his county, and was a member of the New York assembly. He was highly esteemed for his integrity and ability as a lawyer, and for his probity as a citizen. The maiden name of the mother of Justice Ingalls was Mary Rogers; she was the daughter of Nathan and Dorothea (Cleveland) Rogers, natives of Canterbury, Connecticut, and removed in the year 1800 to Greenwich, New York.


Charles Russell Ingalls read law at Greenwich under the instruction of his father, and on January 12, 1844, was admitted to the Supreme Court and Court of Chancery. Soon thereafter he formed a partnership with his father, who had secured an extensive practice. In June, 1860, he removed to Troy, New York, and became a partner of Honorable David L. Seymour, a lawyer of recognized learning and ability, where they conducted an extensive law business under the firm name of Seymour & Ingalls. Mr. Ingalls became so favorably known as a lawyer and citizen in the 3d judicial district that in 1863 he was unanimously nominated and elected to the office of justice of the Supreme Court of that district. In 1870 he became *ex-officio* a member of the Court of Appeals. In 1871 he was nominated by both political parties for the same office, and elected for fourteen years, without opposition. In 1877 he was appointed by the governor a member of the general term of the 1st department of the state, comprising the City of New York, and served in that capacity three years. In 1885 he was again nominated, and without opposition elected, to the same office for another term of fourteen years. He continued to serve until January 1, 1890, when he retired from the bench, having been a Supreme Court justice for twenty-six years, and having attained the age of seventy, the limit prescribed by the constitution of the state.

He had the honor, in 1896, of being appointed as one of the committee of one hundred to the conference at Washington, D. C., to consider the practicability of a permanent system of arbitration between Great Britain and the United States. He was a delegate-at-large from the State of New York to the national democratic conven-

tion, which met at Charleston, South Carolina, in 1860, and favored the nomination of Stephen A. Douglass for president.

He has been a trustee of the Rensselaer Polytechnic Institute for twenty-five years, and in 1887 was unanimously elected its president, but declined the office because he deemed it incompatible with his judicial duties. He has been a member, and ruling elder, in the 2d Street Presbyterian Church of Troy many years.

The family of Justice Ingalls consists of himself, of his wife, Margaret L. Ingalls, and a daughter, Margaret Marvin Ingalls.

NGERSOLL, ROBERT GREEN (born in Dresden, New York, August 11, 1833), was the son of "a congregational clergyman of such broad views as frequently to cause dissension between himself and his parish."<sup>1</sup> The family removed to the Mississippi valley in 1843, and Mr. Ingersoll's boyhood was mainly passed in Wisconsin and Illinois. He received only the elementary education which the rude district schools of that section and period afforded, but was always an extensive reader. He read law in a country office, was admitted to the bar, and established himself in practice at Shawneetown, Illinois, in partnership with his brother, Honorable Eben Ingersoll, subsequently a member of congress. Both brothers became active in local politics, but in 1857 removed to Peoria.

Mr. Ingersoll was the democratic candidate for congress in his district in 1860, but was defeated. In 1862 he enlisted in the federal service and was commissioned colonel of the 11th Illinois cavalry. Subsequently he identified himself with the republican party, and in 1866 was appointed attorney-general of Illinois. His services as a campaign orator have been in constant requisition since the republican national convention of 1876, in which his speech nominating James G. Blaine for president attracted great attention. President Hayes offered him the appointment as United States minister to Germany in 1877, but he declined.

Mr. Ingersoll is one of the best known lawyers in the country, having been called upon to try important suits in the courts of all sections. He was the counsel of the defendants in the notable "Star-Route" prosecutions in 1883, and secured an acquittal.

Mr. Ingersoll is widest known, however, as a lecturer against Christianity and the bible. He is the author of "The Gods" (Washington, 1878), "Ghosts" (1879), "Some Mistakes of Moses" (1879), "Lectures Complete" (1883), "Prose Poems and Selections" (1884), together with many pamphlets and published addresses, and introductory chapters in "Modern Thinkers" (Chicago, 1881), and "The Brain and the Bible" (Cincinnati, 1882).

<sup>1</sup> Appleton's "Cyclopedia of American Biography," Vol. iii., p. 348.



INGRAHAM, FRED (born in Hempstead, Queens county, New York, July 16, 1857), is the son of Richard and Jane Dikeman Ingraham. His father, who came from Amenia, New York, was a practicing lawyer of Brooklyn, and his mother was a daughter of Judge John Dikeman, of that city. He was graduated at Wesleyan University in the class of 1878, read law in the office of Hinsdale & Sprague, of New York City, and was admitted to the bar in Brooklyn in the spring of 1880. He has always practiced in the City of New York.



JAMES, EDWARD CHRISTOPHER (born in Ogdensburg, Saint Lawrence county, New York, May 1, 1841), is the son of Honorable Amaziah Bailey James and Lucia Williams, daughter of Captain Christopher Ripley, a soldier in the war of 1812. His father, grandfather (Samuel B. James), and great-grandfather (Amos James) were all lawyers, the latter being a commissioned cavalry officer in the Revolution. The family came originally from Wales, settling in Rhode Island in early colonial days. Through his mother's line Mr. James is connected with Governor Samuel Huntington, a signer of the Declaration of Independence; the two governors, William Bradford, Senior and Junior; General Roswell S. Ripley, historian of the Mexican war (in which he won distinction), and major-general in the confederate army, and General James W. Ripley, who gained fame in the war of 1812 and against the Indians, was in charge of the armory at Springfield, Massachusetts, and was chief of ordnance on the personal staff of President Lincoln. Mr. James's father was a justice of the New York Supreme Court from 1853 to 1877, and from the latter date until his death, July 6, 1883, a member of congress.

Mr. James received his early education in the common schools, and attended the Ogdensburg Academy and Doctor Reed's Walnut Hill School, at Geneva, New York. He went to the front in the service of the country, in August, 1861, as adjutant of the 50th New York volunteers. During the winter of 1861-62 he was acting assistant-adjutant-general of the engineer brigade, and during the Peninsula campaign (1862) was aide-de-camp on the staff of General Woodbury. He was commissioned, successively, major, lieutenant-colonel, and colonel, assuming temporary command of his brigade at times, and in August, 1863, was honorably discharged on a surgeon's certificate for disability received in service.

Returning to Ogdensburg, he commenced the practice of law, his previous reading of law in his father's office having been such that in October, 1863, he was admitted to the bar. January 1, 1864, he formed a partnership with Honorable Stillman Foote, surrogate of Saint Lawrence county, under the firm name of Foote & James, this



association continuing until the retirement of Mr. Foote, July 1, 1874, after which, for seven years, Colonel James conducted his large practice alone. In November, 1881, he formed a partnership with his managing clerk, Alric R. Herriman, and leaving the Ogdensburg office in his charge, established an office in New York City. Here he soon secured wide recognition. Since the dissolution of the Ogdensburg firm, in 1886, he has had no partner.

His interesting cases in New York include the "Freight Handlers' Strike" case (*People vs. New York Central & Hudson River Railway Company*), in which as counsel for the state he in 1882 successfully brought mandamus proceedings against the New York Central and Erie railway companies to compel the performance of their duties to the public, establishing the right of the state to compel the operation of railways (28 Hun, 543). Honorable Roscoe Conkling was leading counsel for the corporations. Since January 1, 1885, he has been special counsel for the Manhattan Elevated Railway Company, and has defended many of the important cases involving the rights of abutting owners in the streets through which the railroads pass. From 1887 to 1892 he was counsel for Mrs. Appleton in her action of ejectment (growing out of the will of her father, John Anderson, the late tobacconist), to recover from the New York Life Insurance Company a fifth part of the Plaza Hotel property, the opposing counsel being Joseph H. Choate and William B. Hornblower. The jury trial before Judge Patterson, from December 7, 1891, to January 11, 1892, resulted in a satisfactory settlement. He obtained a verdict for \$37,500 damages in the Court of Common Pleas in the action of Mrs. Ellen Pollock against her father-in-law for alienation of her husband's affections. He was counsel for the widow's estate and the next of kin in the Fayerweather will case, involving between two and three million dollars. He was counsel for Russell Sage in the action of Laidlaw *vs.* Sage, arising out of the explosion of a dynamite bomb by the assassin, Norcross, the opposing counsel being Joseph H. Choate. He defended Captain William Devery, of the New York police force, upon an indictment for neglect of duty growing out of the "Parkhurst crusade," and secured a verdict of acquittal in April, 1894. He was also counsel for Inspector McLaughlin and other members of the police force, indicted for extortion in March, 1895, after the Lexow committee investigation. In 1886 he was counsel for the minority bondholders in the proceedings for the re-organization of the East Tennessee, Virginia & Georgia Railway Company. In 1888 he was counsel for the Mutual Life Insurance Company in the McCullum case, in Niagara county, with his associate, Mr. Robert Sewell, defeating the claim on a life policy for \$50,000 on the ground that the insured was a suicide. He was counsel for Russell Sage and the executors of Jay Gould in the recent action brought to recover \$11,000,000 by the bondholders of the Kansas Pacific Railway Company, the complaint, after a year's

litigation, being withdrawn. He was also counsel for the Dueber Watch Case Company in their action against the combined watch manufacturers to recover \$500,000 damages for a boycott. He was retained for the defense in the actions arising out of the fall of the Ireland building, at West 3d street and South 5th avenue, in August, 1895.

Colonel James's practice being exclusively that of a counsel, requiring his presence only when the courts are in session, he is enabled to devote his long summer vacations to travel, and in this way has visited many of the most distant countries. He visited Japan during her recent war with China, and has visited North Cape, in Norway, nearly every European country, including Russia, and all the more interesting parts of North America.

He was married, November 16, 1864, to Sarah Welles, daughter of Edward H. Perkins, of Athens, Pennsylvania. She died December 3, 1879, leaving two daughters, Lucia and Sarah Welles. The elder, Lucia, is the wife of Doctor Grant C. Madill, of Ogdensburg.



**J**EFFERY, DANIEL ELWOOD (born in Ransomville, Niagara county, New York, June 5, 1855), is the son of David A. and Mandana Tuttle Jeffery. In the paternal line he is of Welsh descent, and in the maternal his ancestry runs back to the landing of the pilgrims. He attended district school, and later the Lockport Union School. Selecting the legal profession, he prepared himself for it in the offices of Alfred Holmes and Fitts & Bulger (William J. Bulger), of Lockport. After his admission to the bar, in September, 1884, at Buffalo, he began practice at Lockport, where he still continues.

Mr. Jeffery has held the offices of clerk to the Surrogate's Court of Niagara county (February, 1881, to January, 1886), and assistant-district attorney of Niagara county (January 1, 1887, to January 1, 1890).




**J**EWELL, MARCIUS BUSHNELL (born in Machias, Cattaraugus county, New York, November 7, 1858), is the son of Jerome B. Jewell and Charlotte Warner. He is in the third generation of descent from the American ancestor of his family, who came from England. He attended the common school at Machias and the Ten Broeck Free Academy at Franklinville, New York, and in 1879 commenced the study of law with A. J. Knight, of Wyoming county. The next year he removed to Olean, where he continued his studies in the office of Cary, Jewell & Rumsey. Being admitted to the bar at Rochester, April 3, 1883, he entered into partnership with his brother, J. R. Jewell, at Olean. This association was dissolved in 1892, since which time he has practiced alone, at


the same place. He has devoted much of his time to criminal cases, and during the past ten years has been engaged in the principal criminal actions tried in Cattaraugus county.

For seven successive terms Mr. Jewell held the office of supervisor of the Town of Olean.

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 JOHNSON, JAMES GOULD (born in Ellicottville, New York, June 28, 1836), is the son of Marcus H. and Sophronia Wiloughby Johnson. He was educated at Randolph Academy, Randolph, New York, and received his preparation for the legal profession in the office of Honorable Alexander Sheldon, of that place. After the breaking out of the war he enlisted in the union army. He served in the Peninsular and Maryland campaigns (1861 and 1862), after which he obtained his discharge. Having already been admitted to the bar (in June, 1860), he now entered actively upon his profession. In his early career Mr. Johnson was a practitioner at Randolph, where he still resides. Since 1880 his office has been in Salamanca.

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 JOHNSON, OSCAR WILLIAM (born in the Town of Butternuts, Otsego county, New York, September 8, 1823), is the son of William and Olive Mann Johnson. He was educated at the district school of Gilbertsville and the Fredonia Academy, and in 1843 commenced legal studies in the office of Colonel John Wait, an able lawyer of Norwich, Chenango county. Being admitted to the bar at Albany in January, 1848, he began practice the next year in Norwich. In 1851 he removed to Fredonia, where he has pursued his profession ever since, ranking as one of the prominent members of the bar of that section of the state.

Mr. Johnson was for twenty-five years the attorney of the Dunkirk, Allegany Valley & Pittsburgh Railroad Company, and in that capacity was connected with the litigation growing out of the bonding of towns to aid in the construction of the roads. For fifteen years he was the attorney of J. Condict Smith, a prominent railroad builder, who during that period built the Dunkirk, Allegany Valley & Pittsburgh, the Warren & Venango, the Northern Central Michigan, the Chicago & Atlantic, and other roads. He died in November, 1883, leaving Mr. Johnson as his sole executor. The settlement of the complicated estate was prolonged for many years.

Mr. Johnson has held no official position except that of postmaster at Fredonia during the administration of Franklin Pierce. He has taken a warm interest in the cause of popular education and has delivered many addresses before teachers' institutes and literary associations, and in other connections. He has written sketches of

pioneers of western New York, and of pioneer life, and has contributed largely to Ferguson's "History of Chautauqua County." In 1891 he published for gratuitous and private circulation a volume of his writings, entitled "Addresses, Essays, and Miscellanies, from 1840 to 1890."

In his profession, while he has not been an advocate before juries, his learning, judgment, and character have obtained for him much respect, both for his attainments and his personality.



**J**OLINE, ADRIAN HOFFMAN (born in Sing Sing, Westchester county, New York, June 30, 1850), is the son of Charles Oliver Joline, who served with distinction in the Mexican and civil wars, was a native of Princeton, New Jersey, and was the son of John Joline, a well-known resident of Princeton. His mother, Mary Hoffman, is the daughter of Doctor Adrian Kissam Hoffman, and a sister of the late Governor John T. Hoffman. Doctor Hoffman was the grandson of Martinus Hoffman, of Red Hook, and Alida Livingston, whose father, Philip Livingston, was a son of Robert Livingston, "Lord of the Livingston Manor."

Mr. Joline was prepared for college at Mount Pleasant Academy, Sing Sing, and under the private tuition of Reverend Doctor James I. Helm. In the summer of 1863 he was clerk of the military commission at Norfolk, Virginia, convened for the trial of Doctor Wright for the murder of Lieutenant Sanborn, one of the first officers of colored troops. In 1864 he was clerk of the military commission which sat at Fort Lafayette for the trial of prisoners. In 1866 and 1867 he was a clerk in the street commissioner's office and in the mayor's office in New York.

He entered Princeton College in 1867, and was graduated in 1870. In college he was a junior orator in 1869, received the prize for essay offered by the *Nassau Literary Magazine* and the essay prize of the *Cliosophic Society*, wrote the class ode, and delivered the literary oration at commencement. He was president of the Princeton Club of New York in 1894, established the C. O. Joline prize in American political history in 1890, and is a member of the committee on the increase of the endowment of Princeton University.

After graduating he studied law in the office of Brown, Hall & Vanderpoel, in New York City, at the same time attending Columbia College Law School, from which he was graduated in 1872. During this period he was the New York correspondent of the *Atlanta True Georgian*. He was admitted to the bar in May, 1872. In 1873 he formed a partnership with ex-Judge William H. Leonard, which continued until 1876; he then entered the firm of Butler, Stillman & Hubbard, becoming a partner in 1881; more recently he has become a member of the firm of Butler, Notman, Joline & Mynderse.

Since 1884 he has been engaged principally in business relating to railway and other corporations, and as one of the attorneys of the Central Trust Company of New York has had since 1888 charge of most of that company's railroad litigations. He has been associated as junior or leading counsel with many railroad re-organizations, including the East Tennessee, Virginia & Georgia, Nickel Plate, Rio Grande Western, Scioto Valley, Houston & Texas Central, Saint Louis & Chicago, Minneapolis & Saint Louis, and other companies. He has also been counsel in a large number of suits relating to the foreclosure of railway mortgages, and his practice has been chiefly in the federal courts throughout the country. He was counsel for the American Contracting and Dredging Company, which had the contract for dredging the Panama Canal, and represents other corporations.

He was for two years one of the examiners of applicants for admission to the bar in New York City, and is chairman of the executive committee of the Bar Association of the city. He is a member of the New York Historical Society and of the University, Grolier, Delta Phi, and Downtown clubs.

In 1876 he was married to Mary E., daughter of Honorable Francis Larkin, a leading lawyer of Westchester county.



KANE, MICHAEL NOLAN, was born in McLean, Tompkins county, New York, April 1, 1851. He received his early education in the district school of his native locality and in the Cortlandville Academy. In July, 1873, he was graduated from the Cortland Normal School, being president of his class. He taught school two years, as principal of Monroe and Norwich High Schools. He then (1875-76) took a special course in Cornell University. His office training for the legal profession was obtained under the direction of Honorable Samuel D. Halliday, of Ithaca. He was graduated at the Albany Law School in 1878, delivering the class oration, and in September of the same year was admitted to the bar at the Brooklyn general term. He has since been engaged in general practice in Warwick, New York. He has held the offices of police justice and president of that village, special surrogate of Orange county (1884 to 1890), and member of the assembly (1891).



KELLOGG, RALPH AVERILL (born in Champlain, Clinton county, New York, September 4, 1867), is a son of Sylvester Alonzo Kellogg, one of the justices of the Supreme Court of the 4th judicial district, and Susan Elizabeth, daughter of James Averill, a lawyer of Rouse's Point, New York. Mr. Kellogg's great-great-grandmother, Hannah Kent, was a sister of the celebrated

Chancellor James Kent. His brother, Henry T. Kellogg, is a prominent lawyer of Plattsburgh, New York.

He was graduated from the classical department of Harvard University in 1888, with the degree of bachelor of arts, and from the law school in 1891 with the degree of bachelor of laws, receiving also in the latter year his master of arts degree. While at the law school he was one of the editors of the *Harvard Law Review*. In September, 1892, he was admitted to the bar at Saratoga Springs. He entered upon the practice of his profession at Plattsburgh, but in December, 1892, removed to Buffalo, where he has since pursued his profession with steadily increasing success. He is now associated with Edward C. Mason in the law firm of Mason & Kellogg.



**KELLY, PAYETTE** (born in the Town of Baston, Erie county, New York, June 5, 1850), is the son of Dennis Kelly and Betsy Gwin. He was graduated with the degree of bachelor of arts, from Hamilton College, in 1876, subsequently receiving from that institution the degree of master of arts. After leaving college he was for four years teacher of the classics in the Military Institute at Tarrytown. Meantime he studied law in the office of Lucius T. Yale, of that place, and in the spring of 1880 was admitted to the bar at Brooklyn. In 1882 and 1883 he was principal of the Hamburg Union School and Academy. He began his career as a legal practitioner at Hamburg. Subsequently he opened a law office in Buffalo, where he is still actively engaged in the business of his profession.

In the spring of 1890 Mr. Kelly was elected supervisor of the Town of Hamburg, a position which he has held ever since by successive annual elections. In 1891, 1892, and 1893 he was chairman of the board of supervisors of Erie county.



**KENEFICK, DANIEL JOSEPH** (born in Buffalo, New York, October 15, 1863), is the son of Michael Kenefick and Mary O'Connell, both natives of Ireland, who emigrated to this country and settled in Buffalo about the middle of the present century.

He was educated in the public schools of Buffalo, graduating from the High School in the class of 1881, and subsequently read law with Messrs. Crowley, Movius & Wilcox, of Buffalo, being admitted to the bar at Rochester in October, 1884. He commenced practice alone in Buffalo. On January 1, 1886, he was appointed law clerk in the office of the counsel to the corporation, where he remained one year, at the end of which he resigned to accept the position of 2d assistant-district attorney under George T. Quinby. He held this office from January 1,



Yours,  
Dair J. Kenrick





1887, to January 1, 1893, when he was appointed 1st district attorney. During the greater part of 1893 and all of 1894, owing to the absence of Mr. Quinby, he was practically district attorney, Mr. Quinby resigning in the fall of 1894. Mr. Kenefick, who had already been appointed by the governor to fill out the balance of the year, was nominated and elected Mr. Quinby's successor, an office which he still holds, his term not expiring until January 1, 1898.

In 1889 he formed a partnership with Joseph V. Seaver, which continued during the year, Mr. Seaver then being elected county judge. He was thereafter associated with Cuddeback & Ouchie, continuing until April, 1893, when he withdrew and with William H. Love organized the present firm of Kenefick & Love.

As district attorney Mr. Kenefick has conducted a large number of important criminal cases, and has met with a large measure of success as a public prosecutor. He has conducted his office with strict impartiality, and has insisted on speedy disposition of all criminal cases. The practice of "pigeon-holing" indictments does not obtain in his office, which may account in some measure for the extraordinarily small percentage of crime in Erie county.

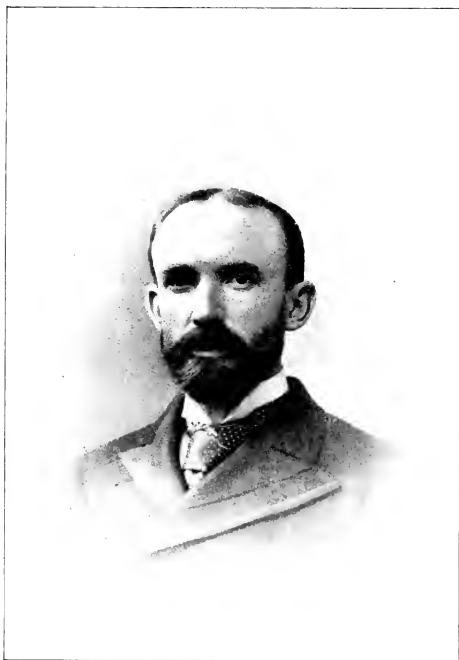
Mr. Kenefick early took an interest in politics, allying himself from conviction with the republican party. He was a delegate to the Rochester state convention at which, in an effective speech, he seconded the nomination of Philip Becker for governor. He was also elected an alternate to the Minneapolis national convention, which nominated Harrison for the presidency.

In June, 1891, Mr. Kenefick married Maysie Germain, daughter of Victor and Ella Germain, of Buffalo. They have one child, Daniel Kenefick.



**KENYON, WILLIAM HOUSTON** (born in Hartford, Connecticut, January 5, 1856), is of Scotch parentage, the son of Robert Kenyon, from Dunfries, Scotland, and Jean Houston, from Ayrshire. Both parents came to this country as children and grew up and were married in Thompsonville, Connecticut. After marriage their residence was, successively, in Hartford, Philadelphia, and New York City. Mr. Kenyon was educated in the Old South School of Hartford, the Hancock Grammar School and Central High School of Philadelphia, and the College of the City of New York, from which he was graduated in 1876, having taken prizes in mathematics, drawing, English, Latin, Greek, natural history, and law. In 1883 he received the degree of master of arts. After graduation he became tutor in Latin from 1876 to 1880, at the same time doing much private teaching, reading law, and attending Columbia College Law School, in which he not only took the required course in municipal law under Professors Theodore W. Dwight and George

Chase, but also the optional course in constitutional and international law under Professor Burgess. He was graduated in May, 1879,



*Wm. Houston Kenyon*

having taken third prize in municipal law and the only prize in international law. He was at once admitted to the bar, and, selecting the specialty of the patent law, began a special preparation under the

direction of Edward N. Dickerson, Senior, one of the earliest leaders in this specialty.

In 1880 Mr. Kenyon became associated with Causten Browne, then one of the leading patent specialists at the Boston bar and at one time president of the Boston Bar Association. In 1885 the firm became Browne, Witter & Kenyon, including William C. Witter, of New York, who for fifteen years had been associated in the practice of patent law with George Gifford, father of the specialty; in 1887 it became Witter & Kenyon. The firm now consists of William C. Witter, William H. Kenyon, Alan D. Kenyon, and Robert N. Kenyon (Mr. Kenyon's younger brothers), and is one of the leading firms in the department of patent law.

Mr. Kenyon drafted an amendment to the design patent laws of the United States, known as the act of February 5, 1887, and argued in its favor against strenuous opposition before the patent committees of both houses of congress and before the executive branch of the government. The constitutionality of the law, though hotly assailed, has been since upheld by the United States courts, and the practical benefits in the added respect paid to design patents of the United States have been great. Mr. Kenyon has been connected with many of the important patent litigations of the last fifteen years, including the telephone cases, the Brush electric arc lamp and dynamo and storage battery cases, the Eagleton and Cary furniture-spring cases, the fruit-jar litigations, the Brewster side-bar buggy and lamp cases, the Edison electric incandescent lamp litigation, the Bate refrigerator and Pohl cases in the United States Supreme Court, and important carpet and carpet-design, ice-machine, and beer-filtering cases.

He was married, April 21, 1887, to Maria Wellington Stanwood, of Cincinnati, Ohio, whose family is of the Stanwoods of Gloucester, Massachusetts, and the Wellingtons, Thorndykes, and Yateses of Arlington, Massachusetts. They have two children, Dorothy and Theodore Stanwood Kenyon.

Mr. Kenyon is a republican in politics and a member of the University, Lawyers', Colonial, and Delta Kappa Epsilon clubs, the Saint Andrew's and New England societies, and the City, State, and American Bar associations. He was a member of the 7th regiment.



EOGH, MARTIN JEROME (born in Ireland in 1853), like most young men of catholic parents in the south of Ireland in his time, had his higher education broken off by the failure of the Catholic University which had been established at Dublin under the management of Cardinal Newman. The branches of this institution established throughout the country were attended by the flower of Ireland's youth, but the failure of the university at

Dublin involved the closing of the branches, and many of the students came to the United States.

Judge Keogh was one of these, emigrating to this country while yet



*Matthew J. Keogh*

a minor, his only capital being an academic education. He supported himself by work on the press while studying law, and in 1876 was

graduated from the law school of the New York University as valedictorian of his class.

He began practice in Westchester county, where he speedily won distinction in competition with such veterans as Isaac T. Williams, Edward Wells, Calvin Frost, Judge J. O. Dykman, and W. Bourke Cockran. One of his interesting cases was the defense of a poor negro on trial for murder. The contention that the man's brain was diseased attracted the attention of alienists everywhere, and an autopsy proved his theory correct. He defended prisoners in no less than twelve capital cases and had the remarkable record of having acquitted every one of them. He acted upon the principle of not hesitating to defend the most lowly criminal, while at the same time being counsel for wealthy men and great estates in and around New York City. In less than ten years after his admission to the bar he had accumulated a fortune and purchased a charming estate on Long Island Sound.

Judge Keogh has adhered strictly to his profession, never taking part in public affairs, except that in 1892 he was one of the democratic presidential electors. At the meeting of the electoral college he distinguished himself by his fearless opposition to the passage of a resolution recommending the election by the New York legislature of the machine candidate to the United States senate, the proposed resolution being intended as an insult to President-elect Cleveland, whose opposition to the candidate in question was well known. Judge Keogh's effective protest attracted wide attention, and he was warned that it would be hopeless ever to aspire to public office. This threat did not, however, deter him from accepting the democratic nomination for justice of the Supreme Court for the 2d judicial district of New York, made at the suggestion of judges of that court; and although the state went republican by 90,000 majority in November, 1895, he was elected, being the only successful candidate on the democratic state ticket. His election was a personal tribute, the bar, irrespective of party, and the republican press supporting him.

Judge Keogh was married in 1893 to Katharine Temple Emmet, great-granddaughter of the patriot and lawyer, Thomas Addis Emmet. He is a member of the Bar Association and the Vaudeville, Metropolitan, New York Yacht, Westchester Country, and Turf and Field clubs.



**KETCHUM, ALEXANDER PHOENIX** (born in New Haven, Connecticut, May 11, 1839), is the son of Edgar Ketchum and Elizabeth Phoenix, descended through both lines from distinguished old New York families. Through his grandparents on his father's side (John Jauncey Ketchum and Susanna Jauncey, who were cousins) a double line comes down from Guleyn

Vigne and Adrianna Cavilge, as also from Cornelius Van Tienhoven, secretary of New Netherlands, "one of the largest contributors to the defenses of New Amsterdam in the list of 1665." Through his mother he is descended from Jacob Phoenix and Anna Van Vleck, who appear in Dominie Selwyn's list of the Dutch Church in 1686. His grandfather was Reverend Alexander Phoenix, and his great-grandfather Daniel Phoenix, the illustrious merchant, who as chairman of the delegation of merchants in 1789 delivered the address of welcome on the occasion of Washington's inauguration, and was the first comptroller of the City of New York, which office he held nearly a quarter of a century and a member of the first Chamber of Commerce of New York.

Colonel Ketchum was educated in New York, being graduated with honors from the College of the City of New York in 1858, after having won prizes in natural history, drawing, mathematics, and oratory. He served a year as tutor in drawing and mathematics in this college, and in 1860 was graduated from the Albany Law School and the same year admitted to the bar. The civil war then breaking out, he became connected with the department of the south, and as a staff officer of the military governor of South Carolina, General Rufus Saxton, was active in the conduct of affairs on the southern coast. Transferred to the staff of Major-General Oliver O. Howard in 1865, he served as acting-assistant-adjutant-general in Charleston, and later in Washington. In September, 1867, he resigned from the army with the rank of brevet-colonel.

In 1869 Colonel Ketchum was appointed by President Grant assessor of internal revenue for the 9th district of New York; later became collector for the same district; in 1874 was transferred to the customs service as general appraiser of the port of New York, and in 1883 was appointed by President Arthur chief appraiser of the same port, resigning in 1885 with the accession of President Cleveland. He has since devoted himself exclusively to the practice of law, building up a large and lucrative business along the lines in which his father was so successful—the charge of estates and conveyancing, important customs suits in the United States courts, and a considerable general practice.

As a resident of Harlem since 1839 Colonel Ketchum has been active in the development of upper New York. He was one of the founders of the Mount Morris Bank, and its first president. In 1890 and 1891 he was president of the Presbyterian Union of New York City, while he has been prominent in connection with the Young Men's Christian Union and various benevolent and educational projects. He has done considerable literary work and has delivered many public addresses, that on Garfield, delivered before the students of West Point, being especially notable. Colonel Ketchum was for four years president of the Alumni Association of the College of the City of New

York; is president of the City College Club, and a member of the military order of the Loyal Legion, the City and State Bar Associations, the Numismatic Society, Archaeological Society, New England Society, Phi Beta Kappa Society, and the Republican, Harlem Republican, Harlem, Quill, Merchants', Central, and Alpha Delta Phi clubs, and the New York, Atlantic, Larchmont, New Rochelle, Riverside, and Rhode Island yacht clubs.



**ETCHUM, EDGAR** (born in New York City, July 15, 1840), is the brother of Colonel Alexander Phoenix Ketchum, of the preceding sketch. He was educated in the public schools of this city, being graduated in 1860 from the College of the City of New York, subsequently receiving the degree of master of arts. In 1862 he was graduated from the Columbia College Law School, and admitted to the bar in this city. He entered the union army as 2d lieutenant of the signal corps, March 3, 1863; in August, 1864, was stationed at the signal camp of instruction at Georgetown, District of Columbia, soon after was assigned to duty at Fort Signal Hill, about six miles from Richmond, and during the operations about the confederate capital so distinguished himself as to receive special mention in the report of Captain L. B. Norton, chief signal officer of the department of Virginia and North Carolina. In January, 1865, he participated in the Fort Fisher expedition, serving on the staffs of Generals Charles J. Paine and Alfred H. Terry, taking an active part in the difficult maneuvers, including the perilous night operations, preceding the capture of that fortress. After the capture he was placed in command of the signal station on the northeast parapet of the fort, and narrowly escaped death through the explosion of an adjacent magazine. A little later he was appointed signal officer on the staff of General J. M. Schofield, and was subsequently assigned to duty as chief signal officer of the 23d corps, commanded by General Jacob D. Cox, composing the left wing of General Schofield's army in the operations against Wilmington, and in this capacity participated in the capture of Fort Anderson, the battle of Town Creek, and the capture of Wilmington. He sailed up the Cape Fear River with a gunboat expedition to open communications with General Sherman; as signal officer on General Terry's staff took part in the northward march through North Carolina, and the battles of Bentonville and Averysborough; and subsequently operated with the army of the Potomac in Virginia until the fall of Richmond, when he returned to the signal camp at Georgetown, and was honorably discharged, August 12, 1865, with the brevet of 1st lieutenant for gallant services at Fort Fisher, and the brevet of captain for his general gallantry during the war. On his return to New York he was appointed by the governor engineer, with the rank of major, in the 1st brigade, 1st division,

New York national guard, which position he held for three years, when he was honorably discharged.

After the close of the war, Major Ketchum began the practice of law in New York City, which he has continued ever since, building up a valuable clientage. He has argued cases in all the state courts, including the Court of Appeals, as well as in the United States district courts and the various supreme courts. His practice has been especially in the department of real estate law, in the examination of titles and conveyancing.

In 1869 he was married to Angelica Schuyler, daughter of Smith W. Anderson, an old New York merchant. They have two children. He is a member of the war veterans of the 7th regiment, the Society of the Army of the Potomac, the Veteran Organization of the Signal Corps, Lafayette Post, Grand Army of the Republic, and the military order of the Loyal Legion, and is treasurer of the Harlem Library.

He is an active promoter of the "Christian Endeavor" movement, was one of the organizers of the Church of the Pilgrims in Harlem, and is at present a member of the Collegiate Dutch Church, 5th avenue and 48th street.



ING, PATRICK FREEMAN (born in Towanda, Pennsylvania, July 22, 1859), is the son of John J. and Mary Brown King. His educational opportunities were extremely limited, but by industrious study he overcame these early disadvantages. He taught in the public schools of Niagara county from 1878 to 1883, when he began the study of the law. After serving his apprenticeship to the profession under John E. Pound and William C. Greene, of Lockport, he was admitted to the bar at Buffalo in June, 1886. He began practice alone in Lockport, and then became senior member of the firm of King & Morgan, which he abandoned to establish the firm of King & Leggett, now known as King, Leggett & Brown, with offices at Lockport and Niagara Falls.

Mr. King, although he has been at the bar for only eleven years, has taken rank among the brilliant and able lawyers of northwestern New York, and has been connected, both officially and as private counsel, in suits of particular importance and interest. From January 1, 1890, to January 1, 1896, he held the office of district attorney of Niagara county. In this capacity he prosecuted the wreckers of the Merchants' Bank (*People vs. Arnold* and *People vs. Helmer*). Among the other cases of special interest in which he was the prosecutor during this period may be cited: *People vs. J. Carter Sheldon* (the coal exchange case, 139 N. Y., 251);<sup>1</sup> *People vs. Lawrence* (137 N. Y., 517); *People vs. Tower* (135 N. Y., 457); *People vs. Murphy* (135 N. Y., 459);<sup>2</sup>

<sup>1</sup> It was upon the doctrines established in this case that the Tobacco Trust prosecutions of the summer of 1897 were conducted in New York City.

<sup>2</sup> This case is instanced by Abbott in his work on "Select Cases" as illustrative of the rule for the admission of handwriting as evidence.



People *vs.* Trimble (131 N. Y., 118) and People *vs.* Parker (137 N. Y., 535).

Mr. King was one of the organizers and charter members of the Niagara, Lockport & Ontario Power Company, for the construction of the Great Power Canal from Niagara river to Lake Ontario, authorized by chapter 722 of the laws of 1894.



KISSAM, BENJAMIN TREDWELL (born at 64 Beekman street, New York City, February 17, 1819), is the son of Joseph Kissam and Ann M. Embury, and is descended from John Kissam, who was born in Flushing, Long Island, in 1664. His mother was a daughter of Peter Embury, born in 1765.

Mr. Kissam received his early education at the hands of a quakeress teacher and under the tutorship of the celebrated Benjamin Mortimer and of Mr. Carpenter, all of New York City, and in June, 1826, entered Nazareth Hall, a Moravian school in Pennsylvania. In 1831 he entered Oxford Academy, at Oxford, New York. He was graduated from Columbia College in 1838 and pursued his legal studies in New York City with Tillou & Cutting and Samuel B. Romaine. He was admitted to the bar at Utica in July, 1841, and has practiced in New York City continuously since that time.

Among his more important cases are those of *Embury vs. Conner* (2 Sand. R., 98; S. C. 3 N. Y., 511), *Embury vs. Sheldon* (68 N. Y., 227), *Ludlow vs. Van Ness et al.* (8 Bos., 178), *People ex rel. Debenetti vs. Clerk of the Marine Court* (3 Ab., 309), and *Excelsior Petroleum Company vs. Lacy* and others (3 Hun, 111; 5 N. Y., S. C. (T. & C.), 305; S. C., 63 N. Y., 422).



KNAPP, SANFORD REYNOLDS (born in Peekskill, Westchester county, New York, December 8, 1832), is the son of Sanford R. Knapp and Mary Brown, and is of English descent. His father was an eminent physician of extensive practice in New York City and of repute both for medical-scientific investigation and the contribution of valuable remedies to his school of practice. On his mother's side the ancestral line traces back to the French Huguenots.

Mr. Knapp was educated at Peekskill Academy, preparing there for Princeton College, from which he was graduated in 1854, receiving the additional honorary degree of A.M. in due course. Choosing the profession of law upon leaving college, he entered the office of Edward Wells, under whose tuition he pursued his preparatory legal studies and was admitted to the bar in Newburgh, in 1856. He commenced practice in Peekskill, Westchester county, where he has since been actively engaged in his profession, giving attention to general

litigation but mainly to office business and all matters relating to real estate, the investment of money, and the settlement of estates. In connection with this, an extensive insurance business has also been established, and he is the agent for many of the largest insurance companies of the world. Mr. Knapp has won an enviable reputation



for varied information, sound judgment, and disinterested devotion to the interests of his numerous clients, and his record has been such as to entitle him to the high degree of confidence which he enjoys among the leading men of Peekskill and vicinity.

He has always been largely identified with the educational interests of Peekskill. For thirty years, from 1860 to 1890, he was the sec-

retary of the board of education of one of the school districts, and since 1873 has been the secretary of the Peekskill Military Academy. Since 1863 he has been the secretary of the Peekskill Savings Bank, and he is one of its trustees. In all matters concerning the advancement of the interests of Peekskill Mr. Knapp has always taken an active and leading position. His wide experience and sound advice professionally in everything pertaining to his business and to the public good, places him in the front rank of the solid men of the town.

In politics he is a staunch republican, but has declined all political office. Prevented by physical disability from going to the front in the war of the rebellion, he furnished a substitute without being drafted and at his own expense, and gave patriotic, moral, and liberal material support to the union cause throughout the struggle. He has been closely identified with the religious life and growth of his locality, having been for thirty years an elder in the 1st Presbyterian Church of Peekskill, and is at present the secretary and treasurer of its board of trustees.

In October, 1861, Mr. Knapp was married to Georgia Norris Knox, eldest daughter of Reverend John Prey Knox, D.D., LL.D., of Newtown, Long Island. He has one son, William W., now a senior in Princeton University, and one daughter, Aletta V. D., now Mrs. James B. Thomson, of New Britain, Connecticut.



NAUER, EDWARD JOHN (born in New York City, December 7, 1855), is the son of Oscar and Catharine Yost Knauer, both natives of Germany—the former born in Saxony and the latter in Frankfort-on-the-Main. He was educated in the public schools of New York City, being graduated from Grammar School No. 18 in 1869. In 1871 he entered the office of the late President Arthur as errand boy. The firm afterward became Arthur, Phelps, Knevals & Ransom, being composed of Chester A. Arthur, Benjamin K. Phelps (who had been district attorney), Sherman W. Knevals, and Rastus S. Ransom (afterward surrogate). It is still continued, under the name of Knevals & Perry. Judge Ransom took a special interest in young Knauer, and gave him much valuable advice and assistance in his law studies. He was admitted to the bar at Poughkeepsie, May 17, 1877. Remaining with Mr. Arthur's firm he became a partner in it in 1882, and he has retained that connection to the present time, practicing in New York City and Queens county.

Mr. Knauer has served two terms (1892 to 1896) as a member of the board of aldermen of Long Island City.



NOX, JOHN MASON (born in New York City, September 23, 1820; died January 29, 1894), was the eldest son of Reverend John Knox, S.T.D., senior minister of the Collegiate Reformed Dutch Church of New York from 1816 to 1858,

and Euphemia Prevoost, daughter of Reverend John Mitchell Mason, S.T.D., of New York, provost of Columbia College. He was educated at William Forest's School and at Columbia College, being graduated from the latter in 1838 and subsequently receiving the degree of master of arts. He received his legal education under the instruction of Judge John L. Mason of the Superior Court, and was admitted to the New York bar in 1841. His entire professional life was spent in New York City. He was associated for about two years with S. Weir Roosevelt under the name of Knox & Roosevelt, and from 1849 to 1878 with his cousin, John Mitchell Mason, as Knox & Mason.

Among the more prominent cases with which he was connected were *Burrill vs. Boardman* (the Roosevelt Hospital case), *Knox vs. Jones*, the matter of the Empire City Bank, the matter of the will of Harriet D. Cruger, and *Howland vs. Union Theological Seminary*. His practice was confined more especially to the business of estates. He was an expert in drafting wills (not a single will drawn by him has been overthrown) and in examining titles to real estate, and a recognized specialist in questions of real estate law. He was also very learned in profane and sacred history.

Mr. Knox was for many years trustee of common schools in the 15th ward, trustee and president of the Northern Dispensary, trustee and president of Roosevelt Hospital from 1864 to 1894, treasurer of Leake & Watts Orphan House from 1863 to 1894, a charter member of the New York City Bar Association, and a member of the New York State Bar Association.



**K**RUSE, FREDERICK WILLIAM, was born in Germany, June 25, 1852, and emigrated to America with his parents in 1853. They settled near Buffalo, where he resided until he was thirteen years of age. He then left his home and was employed at labor on a farm summers and attended the district school winters until 1868, when he became a student at Griffith Institute at Springville, New York. He attended this institution several terms and also taught in the district schools during that time, until 1874. He then began the study of law in the office of Cary & Jewell in Olean, and was admitted to the bar in 1877. After his admission he went to Arcade and formed a partnership with A. J. Knight, which continued two years. He then removed to Olean, where he has since resided and practiced his profession.

He was a member of the New York assembly from the 1st district of Cattaraugus county in 1884, 1885, 1886, and 1887. In 1886 the committee on ways and means in the assembly was divided and all questions relating to appropriations were referred to the new committee then created, called the "committee on appropriations." Mr. Kruse was made chairman of this committee when it was organized. The

next year he was chairman of the committee on revision. Mr. Kruse took an active part in the legislation during his service in the assembly and served on various important committees.

In 1888 a commission was created by an act of the legislature to revise the excise laws of the state, and Mr. Kruse was appointed one of its members. In 1890 he was appointed by Robert P. Porter, superintendent of census, a special agent to take charge of the census recount of the City of Minneapolis, Minnesota, and he also visited other western cities while in the performance of this duty. In 1895 he was appointed by Governor Morton a member of the committee of distinguished constitutional lawyers to prepare and recommend general legislation for third-class cities.

He has frequently been appointed referee in important legal cases, and his decisions have been usually sustained by the courts.

In May, 1897, he was appointed by Governor Black county judge of Cattaraugus county to fill the vacancy caused by the death of Judge Oliver S. Vreeland.



ACOMBE, EMILE HENRY (born in New York City, January 29, 1846), received his early education in the Columbia College Grammar School, was graduated from Columbia College as fourth honor man in 1863, and was graduated from Columbia College Law School in 1865.

He was admitted to the bar in New York City in 1867, and was engaged in the private practice of law until December, 1875. At that time he entered the law department of the corporation of the City of New York as a subordinate, and rose through the different grades until he was appointed corporation counsel June 1, 1884.

He resigned this office June 30, 1887, and on the following day took his place upon the bench as United States circuit judge for the 2d circuit. He has delivered able opinions on some of the most important cases which have appeared in the courts in recent years.



LAING, PHILIP ADAM (born in East Otto, Cattaraugus county, New York, May 14, 1856), is the son of Stephen Laing and Arvilla Pratt. He was graduated at Hamilton College in 1880, with the degree of bachelor of arts. From 1880 to 1883 he was principal of Hamburg Academy (Hamburg, Erie county). Meantime he studied law in the office of Lewis & Moot, and in 1884 he was admitted to the bar at Syracuse. In the same year he became associated with John J. Sayles in the law firm of Laing & Sayles. From 1886 to 1891 he was a member of the firm of Farrington & Laing. Since January 1, 1894, he has practiced alone. From

the beginning of his professional career he has been located at Buffalo.

Mr. Laing held the office of secretary to the mayor of Buffalo from January 1, 1890, to January 1, 1891, and that of city attorney from January 1, 1891, to January 1, 1894.



LAMONT, WILLIAM C., was born in Charlotteville, Schoharie county, New York, November 26, 1828. He received an academic education, taught school for a time, and in 1849, at the age of twenty-one, began the study of law at South Worcester, Otsego county, in the office of Abraham Becker, a distinguished and able practitioner. In June, 1852, he was admitted to the bar at Owego. After practicing for a brief period at Harpersfield Center, Delaware county, he removed to Charlotteville, continuing there until 1860. Since then he has practiced at Richmondville and Cobleskill. He still maintains his law office in the latter place, dividing his attention between his profession and agriculture.

In 1864 he was elected county judge of Schoharie county, an office which he held for two terms. He then continued his legal practice until February, 1887, when he was appointed county judge of Schoharie county by Governor Hill. He served during the remainder of the term, retiring on the 1st of January, 1893.

In 1876 and 1877 Judge Lamont was a member of the state senate from the 23d district. While in that body he was instrumental in obtaining the passage of a resolution providing for the erection of a monument over the remains of David Williams, one of the captors of Major André. This monument stands in the cemetery at the old Stone Fort, about one mile east of Schoharie village, and has engraved upon it the resolution introduced by him, pursuant to which it was erected after the remains had been removed to that spot. Another important incident of Judge Lamont's senatorial service was his successful advocacy, in conjunction with the late Honorable Isaac H. Maynard (then an assemblyman from Delaware county) of an appropriation for establishing a law library at Delhi.

He is still practicing his profession, being counsel in most of the important legal controversies in his part of the state. He is, and always has been, a democrat of the Jeffersonian stamp, although not a rabid or extreme partisan.

Judge Lamont was married to Miss Eliza C. Becker, a daughter of the late Nicholas Becker, in 1852. His only children are two sons. His wife died in 1895.



**LAROCQUE, JOSEPH** (born in New York City, April 2, 1831), is of French descent, his grandfather in the latter part of the last century having emigrated from France and settled in Savannah, Georgia, in which city Mr. Larocque's father was born in 1780. Mr. Larocque was graduated from Columbia College in 1849, having been prepared for college at the Columbia College Grammar School, then under the late Doctor Charles Anthon. After his graduation he immediately entered upon the study of law with the firm of Griffin & Larocque, which was composed of the late Francis Griffin and Jeremiah Larocque, brother of Joseph. He was admitted to practice in the spring of 1852, and at once became a member of the law firm of Bowdoin, Larocque & Barlow, which was formed on the death of Francis Griffin in January of that year. All Mr. Larocque's associates in that firm, George R. J. Bowdoin, Jeremiah Larocque, and Samuel L. M. Barlow, have since died. He is now a member of the law partnership of Shipman, Larocque & Choate. From 1852 to the present time he has been actively engaged in the practice of law, and has appeared in many of the most important cases in the courts during that time.

Mr. Larocque has always been a democrat in politics, but has not ordinarily taken a very active part in public affairs. In the summer of 1894, however, impressed with the importance of rescuing the administration of city affairs from the corrupt control of Tammany Hall and securing a non-partisan local government, he was led to unite, with other citizens entertaining similar views, in the organization of the "Committee of Seventy." Mr. Larocque was elected chairman of this committee and served in that capacity. This movement was successful in uniting, on a platform declaring for non-partisan administration of municipal affairs, citizens of all parties opposed to the rule of Tammany Hall, and in electing the candidates put in nomination on that platform, thus bringing about the administration of Mayor Strong and those associated with him in the city government.

Mr. Larocque was elected president of the Association of the Bar of the City of New York at the annual meeting held in January, 1895, and re-elected at the annual meeting of 1896. He is a member of the Century, University, Metropolitan, City, Reform, and other clubs.



**LAUGHLIN, JOHN** (born in Newstead, Erie county, New York, March 14, 1856), is the son of Bartholomew and Ellen O'Hara Laughlin. Both his parents were born in Ireland. His father, who was a farmer, removed to the Town of Wilson, Niagara county, when the son was nine years old.

John Laughlin worked on the farm and during the winter seasons attended district school until his nineteenth year. He then, in 1874, entered the Lockport Union School, and after completing the four





John Laughlin.



years' course in that institution he began the study of law at Lockport in the office of Honorable Richard Crowley, United States attorney for the northern district of New York. In December, 1880, he accompanied Mr. Crowley (who was then serving a term in congress) to Washington, and during that winter he held a position in the census bureau. Removing to Buffalo in the spring of 1881, he continued his legal studies with the newly organized firm of Crowley & Movius, and in October of the same year he was admitted to the bar upon examination before the general term at Rochester. He thereupon became managing clerk for Mr. Crowley's firm. Two years later Mr. Crowley discontinued his former relations and established with Mr. Laughlin the firm of Crowley & Laughlin. This was in turn dissolved, by the removal of Mr. Crowley to New York City. Since 1890 Mr. Laughlin has been at the head of the prominent firm of Laughlin, Ewell & Houpt, in which Joseph E. Ewell and Wilbur E. Houpt are associated with him.

From the first Mr. Laughlin was highly successful in his profession, steadily advancing to a recognized position among the most conspicuous members of the Buffalo bar. He at once attracted attention as an advocate, and his services were soon sought in important jury trials. In 1887 he defended the celebrated case of Hattie Penneyres, charged with the murder of her husband. This trial, which lasted for a month, is one of the most memorable in the criminal annals of western New York. A verdict of murder in the second degree was rendered. The judge, in sentencing the prisoner, said:

I think you may well feel that by the services of your counsel your life has been saved. A counselor of this court has defended you with a courage, with a persistency, with a determination and an ability, and with an eloquence that have excited the admiration of the whole community; and I think that his efforts have probably saved you from the gallows.

While zealously pursuing his profession Mr. Laughlin had always taken a strong interest in politics, and had made a reputation as one of the most brilliant campaign orators of the republican party. In 1884 he accompanied Mr. Blaine on his tour of the state. In the fall of 1887 he was tendered the republican nomination for state senator from the Erie district. He was elected by a majority of 4,301, running some 2,000 votes ahead of his ticket; and in 1889 he was re-nominated and re-elected, again running largely ahead of the party ticket.

During his two terms in the senate Mr. Laughlin was identified in a prominent manner with the transactions of that body. Throughout his four years of service he was a member of the judiciary committee. As chairman of the canal committee he favored liberal appropriations for the canals. He took an active interest in promoting improved legislation for the City of Buffalo, being the author of the police-exercise bill for that city and the Buffalo public school bill, measures

which, though defeated at the time, were subsequently incorporated in the revised Buffalo charter, of which Mr. Laughlin was a hearty and successful advocate when it came before the senate. He was one of the principal supporters of the policy of separating municipal from state and national elections, which was embodied in the new constitution by the convention of 1894. During his last term in the senate he prepared and introduced a proposed amendment to the state constitution with that end in view. He also strongly urged legislation to provide for uniformity in the selection of textbooks for the public schools, proposing the creation of a commission to choose books, purchase copyrights, and prepare originals where necessary. Although his school-book bill was defeated, his efforts in this direction led to the adoption of free textbooks in the City of Buffalo and elsewhere.

In 1888 he was a delegate to the republican national convention in Chicago, where he warmly supported the presidential candidacy of Chauncey M. Depew. He was again a candidate for state senator in 1891, but was defeated, although once more polling considerably more than his party vote. He has since devoted himself uninterruptedly to his law business, taking no part in politics except as a public speaker.

In his career at the bar Senator Laughlin has built up a large general practice in both the state and the United States courts. In the line of criminal practice he has steadily added to the great reputation which he gained in the Penseyres case. In 1895 he acted as counsel for Barney Murray, charged with killing his employer, William H. Bright, a prominent oil man, because the latter would not pay him his wages. In 1896 he defended Michael Sammon, a former captain of the Buffalo police department who had been reduced to the rank of patrolman, tried for shooting Sergeant Cantlin, his superior officer, because he suspended him for neglect of duty. In the latter case the defense of insanity was interposed, and the trial lasted for over three weeks. Doctor McDonald, the famous expert, who testified for the prosecution, was kept under constant cross examination by Senator Laughlin for two days. Both these cases were of the exceptionally desperate character, and Mr. Laughlin's successes in preventing imposition of the death penalty (a verdict of murder in the second degree being rendered in each instance) were regarded as great victories. The *Buffalo Evening Times* of March 2, 1895, commenting on the summing up in the Barney Murray murder trial, said: "Senator Laughlin made one of the ablest speeches ever heard in the trial of a murder case in this country."

Within the last several years Senator Laughlin, while not abandoning criminal business, has been gradually obtaining a large corporation practice.



**L**AUTERBACH, EDWARD (born in New York City, August 12, 1844), was graduated from the College of the City of New York with honors in 1864 and at once commenced the study of law in the office of Townsend, Dyett & Morrison.

After his admission to the bar he was made a member of the firm, which was re-organized as Morrison, Lauterbach & Spingarn. Upon the death of Mr. Spingarn the partnership was dissolved, Mr. Lauterbach becoming a member of the present firm of Hoadly, Lauterbach & Johnson. He early applied himself with indefatigable industry to his profession and soon acquired a recognized standing at the bar as a successful corporation lawyer. He has been engaged in many famous litigations, and has been especially successful in settling cases involving large interests outside of court. He has a wide reputation as a railroad organizer. He was concerned in the re-organization of the Philadelphia & Reading Railroad, brought about the consolidation of the Union and Brooklyn Elevated roads, thereby transforming two conflicting interests into a single powerful and prosperous property, and induced the merging of interests which created the Consolidated Telegraph and Electrical Subway. As attorney of the Pacific Mail Steamship Company he obtained a recognition of the advantages of subsidies from the United States government. He also secured the incorporation of the East River Bridge Company, whose charter empowered them to erect two bridges between New York and Brooklyn, both starting from the same point in New York and separating to reach two different points in Brooklyn, with a cross-town elevated road from the New York terminus to the Hudson river.

Mr. Lauterbach has drafted a number of important legislative bills, many of which were enacted into laws. One of these was a law for uniformly regulating surface cars throughout the State of New York, putting all the cities on a par. He was one of three delegates-at-large, representing the City of New York, in the constitutional convention of June, 1894, and was chairman of the committee of public charities. Outside his profession he is especially interested in the cause of education and holds the office of vice-president of the College of the City of New York. He also devotes much attention to philanthropic and benevolent institutions and is a generous contributor to every form of charity. He was for two years chairman of the republican county committee of New York, and was active and energetic in that capacity, bringing the organization into the most perfect condition that it ever attained. He is a member of the advisory committee of the state committee, his associates being Thomas C. Platt, Chauncey M. Depew, Frank S. Witherbee, and Frank Hiscock. He represented the State of New York as delegate-at-large to the national republican convention at Saint Louis in June, 1896, and was New York's member of the committee on resolutions and a member of the sub-committee of five which drafted the platform, being especially interested in the

adoption of the financial plank which formed the issue presented to the people at the last presidential election. He is a member of several clubs and is now director and counsel of the 3d Avenue Surface Railroad Company, the Brooklyn Elevated Railroad Company, the Consolidated Telegraph and Electrical Subway Company, and various other important corporations. The Subway Company was organized and the legislation authorizing the exercise of its functions was secured by him. It has resulted in the removal of poles and wires from the principal streets in this city and their burial underground. This legislation was unique in its character, but although attacked in more than a hundred actions, has been uniformly sustained by the state and federal courts.



**LAWRENCE, SPENCER J.** (born in Le Roy, Genesee county, New York, October 11, 1864), is the son of James and Alida J. Lawrence. He received a common school education, entered the office of William C. Watson, at Batavia, New York, and on March 29, 1889, was admitted to the bar at Rochester. After practicing for about a year in Batavia he removed to Niagara Falls, where he is still actively prosecuting his profession.



**LENT, HERBERT D.** (born in New York City, August 22, 1858), is the son of Isaac B. and Hester B. Lent. He was educated in the common schools of Yonkers and Eastchester, New York, studied law with William H. Pemberton, of Mount Vernon (former district attorney of Westchester county), and was admitted to the bar at Poughkeepsie in May, 1880. He has since practiced in Mount Vernon.

Mr. Lent has been twice elected town clerk of the Town of Eastchester (1887 and 1889), and since 1892 has served continuously as supervisor of Eastchester, having been chairman of the judiciary committee and other important committees of the board of supervisors. He has also been prominent in the affairs of the Village of Tuckahoe, where he resides.



**LESTER, CHARLES SMITH,** was born at Worcester, Massachusetts, on the 15th of March, 1824. His father, Charles Gove Lester, was a graduate of Vermont University and was subsequently engaged in mercantile pursuits in the City of Montreal. His paternal ancestors were for several generations natives of Connecticut and Vermont. He is a descendant of Andrew Lester, one of the original settlers of New London, Connecticut, and of Captain Nathaniel Gove, of revolutionary fame.

He was educated at Washington Academy in Salem, New York, and in September, 1841, became a student in the law office of Crary & Fairchilds. In October, 1843, he removed to Saratoga Springs and continued his legal studies in the office of his uncle, Honorable John Willard, then circuit judge and vice-chancellor of the 4th circuit. On his twenty-first birthday he was admitted as a solicitor in chancery by the late Chancellor Walworth, and in May, 1845, was admitted as an attorney in the Supreme Court. In 1853 he was admitted as an attorney and counselor of the Supreme Court of the United States. In 1854 he received the honorary degree of A.M. from Yale University. In early life he held at different times the offices of justice of the peace and supervisor of his town, village clerk, village trustee, and president of the board of trustees of the Village of Saratoga Springs. He has been for more than thirty years a member of the presbyterian church and a trustee of the 1st Presbyterian Church of Saratoga Springs. In 1859 he was elected district attorney, and in 1869 county judge of Saratoga county.

For more than half a century he has been engaged assiduously in the practice of his profession. The law reports of the state bear witness to his industry and ability. His name has been connected with most of the important litigation of his county, and many important legal questions have been finally settled in suits which he conducted. Since 1873 he has been a member of the law firm of C. S. & C. C. Lester, a copartnership formed in that year between himself and his eldest son, who was then admitted to the bar. This firm, to which two other sons have since been added upon the completion of their legal studies and admission to the bar, is among the oldest in the state. At the time of this publication Judge Lester, though in his seventy-fourth year, is still in active practice, with unabated physical and intellectual powers.



**LEVENTRITT, DAVID** (born in Winnsboro, South Carolina, January 31, 1845), is the son of the late George M. Leventritt and Betty Goldberg. In 1854 he removed with his father to New York, and entering the College of the City of New York was graduated in 1864 as salutatorian of his class. He was awarded the Burr Medal for proficiency in mathematics, and received various other prizes for scholarship. He was graduated from the New York University Law School in 1870, and the same year was admitted to the bar.

Mr. Leventritt has attained a prominent position at the bar, winning special repute as a trial lawyer. He has been engaged in some of the most important cases. He acted as special counsel for the city in proceedings to condemn for a public park lands located between High Bridge and Washington Bridge, running from 10th avenue to

the Harlem river. He was also chairman of a commission to estimate value and damages in the case of lands condemned by the city for a bridge across the Harlem river at 3d avenue. He is counsel



*David Seventritt*

for a large number of attorneys in the trial of cases before juries. For twenty or more years this has been a large part of his extensive practice. He is a member of Tammany Hall and is and has been for years chairman of the law committee of that organization. He is



vice-president of the Aguilar Free Library, and a patron of a number of asylums, hospitals, and charitable organizations.

On June 9, 1868, he was married to Matilda Lithauer, of New York.



LEVI, JOSEPH CHARLES (born in Cincinnati, Ohio, February 27, 1839), is the son of Charles Levi and grandson of George and Judith Levi. His father (born in Portsmouth, England, in 1807; died in Saratoga Springs in 1872) came to the United States about 1829, married in New York in 1838, and was a merchant in Cincinnati from 1832 to 1842, being a friend and neighbor of William Henry Harrison and Salmon P. Chase. His mother, also of English birth, came to this country when very young.

Mr. Levi was educated in private and public schools in New York City, being graduated in 1854 from the Columbia College Grammar School, of which Doctor Charles Anthon was then principal, and began his legal studies in the office of Joshua M. Van Cott and Howard C. Cady, April 30, 1855, continuing until April, 1860. In 1859 this firm joined with that of Buckham & Smales, Mr. Levi and Honorable George C. Barrett becoming managing clerks. Mr. Levi was admitted to the bar in New York City in May, 1860, and with the exception of a few months in 1862 has practiced continuously in New York to the present time. Between May and October, 1862, he was with his regiment, the 37th national guard, as a non-commissioned officer in the government service in Maryland.

Mr. Levi has been attorney for various trusts and associations, and for many years has been counsel for one of the principal metropolitan newspapers. One of his cases, *Simon vs. Kaliske* (6 Abb. N. S., 224), established as law in this state that a general assignment for the benefit of creditors, expressly conveying real estate and recorded in the county clerk's office under the assignment act of 1860 but not recorded in the register's office, conveys no title to the lands and creates no encumbrance upon the title, and is not constructive notice as against a subsequent bona fide grantee, and that the assignee is not a necessary party to a foreclosure of a prior mortgage on the premises. In the case of *Emanuel vs. Ennis* (48 Superior Court, 430), it was held that the "ancestor" from whom the half-blood may inherit is the immediate and proximate, not the original or remote ancestor, this decision unsettling the title to some four acres of land in the upper part of the city, known as the Susan Milledoler tract. In *Uhl vs. Loughran* (16 Civil Pro., 386; 22 State R., 459), a title acquired through partition and sale was held ineffectual to divest the estate of an infant defendant, notwithstanding the appointment of a guardian *ad litem* under section 473 of the code.

Mr. Levi is eminently an equity lawyer, having special taste and

adaptability for the law of wills, real estate, and equity jurisprudence, and is frequently employed as counsel in such cases. He has



*Joseph C. Levi*

had the good fortune during his practice of being invariably sustained by the courts in his contentions upon the law of these subjects. He takes great interest in social and political economy and in law

reform, is in favor of codification, and is a strong advocate of the abolition of the requirement of unanimity in jury trials both in civil and in criminal practice.

He has taken an active interest in the City Bar Association, with which he has been connected for twenty years. He was one of the original members and examining counsel of the Lawyers' Title Insurance Company. He is the author of a number of monographs and essays, semi-legal, some of which have appeared in the *Albany Law Journal*.

He was married, February 8, 1865, to an accomplished daughter of Doctor Manly Emanuel, of Linwood, Pennsylvania.



**L**EWIS, LORAN LODOWICK (born in Cayuga county, New York, May 9, 1825), is a son of John C. Lewis and Delecta Barbour. His early life was spent under great disadvantages, and he had practically no educational opportunities. This, however, did not deter him from educating himself in such a manner that he was soon deemed fit to teach in the district schools, and this occupation he pursued for several winters, at the same time reading law at night.

After his admission to the bar, in July, 1848, he engaged in the practice of the law at Buffalo, where he still resides.

He gradually attained prominence among the lawyers of Buffalo, and it is generally conceded by those competent to judge that when he accepted the nomination for justice of the Supreme Court in 1882 he was the best trial lawyer in western New York.

He ran on the republican ticket for justice of the Supreme Court at the same time that Grover Cleveland, as a candidate for governor, carried New York state by nearly 200,000 majority. Judge Lewis was the only person on his ticket elected. He had previously served two terms in the state senate. On January 1, 1896, having reached the constitutional age limit of retirement for justices of the Supreme Court, he ceased to be a member of that body. He has since been associated with his two sons, as counsel, under the firm name of Lewis & Lewis.

On June 1, 1852, he married Charlotte R. Pierson. They have had seven children, of whom four are now living, viz.: George L. Lewis, Louise Lewis Kahle, Elizabeth Lewis Preston, and Loran L. Lewis, Junior.



**L**EWIS, LORAN LODOWICK, Junior (born in Buffalo, October 20, 1864), is the son of Justice Loran Lodowick Lewis and Charlotte R. Pierson. His first education was received in the public schools of the city where he was born. He was prepared for college at the Buffalo High School and was grad-

nated at Williams College in 1887 and at the Buffalo Law School in 1889, being a member of the first class graduated from that institution. He also prepared himself for his profession in the office of Lewis & Moot, and was admitted to the bar at Buffalo on June 6, 1889.

On the 12th of June, 1889, he was married to Anna Maullin Browne, daughter of Irving Browne, a well-known law writer and for many years editor of the *Albany Law Journal*. Soon afterward he established with George L. Lewis and Adelbert Moot the firm of Lewis, Moot & Lewis. From January 1, 1894, to February 1, 1895, he was city attorney of Buffalo, but he resigned that office to return to his private practice. About this time Mr. Moot retired from the firm and Mr. Lewis then formed, with his brother, the partnership of Lewis & Lewis, of which he is still a member.

Mr. Lewis is a lecturer at the Buffalo Law School on liens and eminent domain.

He has two children, Loran Lodowick Lewis, 3d, and Lorraine Lewis.



LOCKWOOD, CLARK RAWSON, the nestor of the Chautauqua county bar, son of Jeremiah Lockwood, Junior, and Amanda Rawson Lockwood, was born at Schroom, Essex county, New York, June 6, 1827, being one of the family of eight surviving children, four boys and four girls. After attending the common school, with a few terms at select school, he apprenticed himself, at the age of sixteen, to Jonathan E. Stevens, of Castleton, Vermont, as a wagon-maker. His health failing, he abandoned this work and resumed his studies, first at Ticonderoga, New York, and then at the Poultney Academy (Poultney, Vermont).


After some months in Canada, where he went to study French, Mr. Lockwood, at the suggestion of a friend, A. R. Catlin, removed to the then Village of Jamestown, Chautauqua county, and began the study of law in the office of Orsell Cook. Upon entering this office he inventoried his worldly possessions and found himself with \$20, some poor clothing, and a fund of ambition and courage. With these assets he began the struggle among strangers, gaining a livelihood by teaching and practicing his profession in the justice's courts. In 1852-53, having been in Mr. Cook's office since August 24, 1849, he attended the Fowler Law School at Ballston Spa, New York, and in the spring of 1853 he was admitted to the bar at Buffalo. On the 6th day of July following he was united in marriage with Miss Eunice E. Wheeler, daughter of Nehemiah Wheeler, of Schroom.

Returning to Jamestown he entered into a partnership which was soon terminated, and the firm of Cook & Lockwood was formed, August 25, 1855, continuing without change until the spring of 1880, when by the admission of Jerome B. Fisher it became Cook, Lock-

wood & Fisher. Eighteen months later failing health caused Mr. Lockwood to retire from this association, and he soon afterward opened an office in the then new Allen Opera House. He next entered into a partnership with Lee J. Lockwood in the firm of C. R. & Lee J. Lockwood, which was successively changed to Lockwood, Lockwood & Shaw and Lockwood & Peterson. Since 1893 he has been practicing his profession alone, his practice being characterized by the same vigor and force for which he has been conspicuous throughout his entire career.


Mr. Lockwood, at a time in life when most men would have refrained from new enterprises, constructed the magnificent opera house block, giving to Jamestown its first modern playhouse, and his energies have long been exerted in organizing and developing the Jamestown street railroad, the history of which he has prepared for publication. He is a man of great public spirit, an active and conscientious republican in politics, a liberal in religious matters, and a consistent advocate of equal suffrage. He has devoted much time to the work of writing biographical and historical matter connected with Chautauqua county, and is considered an authority upon these subjects.

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OCKWOOD, DANIEL NEWTON (born in Hamburg, Erie county, New York, June 1, 1844), is the son of Harrison and Martha Lockwood. His family came from Stamford, Connecticut. He attended the public schools of Buffalo, and was graduated at Union College, Schenectady, in the class of 1865, receiving the degree of master of arts. After pursuing legal studies in the office of Honorable James M. Humphrey, of Buffalo, he was admitted to the bar in May, 1866. He has always practiced in Buffalo, where for many years he has been prominent professionally, in politics, and as a citizen.

In 1874 he was elected district attorney of Erie county for a term of three years, and in 1876 he was elected a representative in the 45th congress. He was appointed by President Cleveland, in October, 1886, United States district attorney for the northern district of New York. From 1891 to 1895 he served as a member of the 52d and 53d congresses. He was a delegate to the national democratic conventions of 1884, 1888, and 1896.

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OCKWOOD, JAMES BETTS (born in Poundridge, Westchester county, New York, July 18, 1849), is the son of Al-sop Hunt Lockwood and Mary Eliza Reynolds, and is a descendant in the eighth generation of Robert Lockwood, a freeman of Watertown, Massachusetts, who came from England in

the *Mary and John*, May 16, 1630. His family has been prominent from its first appearance in this country, and his father, grandfather, and great-grandfather are numbered among the distinguished men of Westchester county.<sup>1</sup> He attended the common schools, Bedford Academy and Betts Military Academy (Stamford, Connecticut), and was graduated at Union College in 1870. He has received from that institution the degree of master of arts. He studied law in New York City with Honorable Clarkson N. Potter and the firm of G. R. & T. D. Pelton & Hill, and was admitted to the bar in May, 1873. He has since been in continuous practice in New York City and White Plains.

Mr. Lockwood has held the offices of president of the Village of White Plains and school commissioner for the 2d district of Westchester county (1885-94).

He is a member of the Westchester County Bar Association, the Westchester County Historical Society, the Order of Founders and Patriots of America, the Society of Colonial Wars, the Sons of the Revolution, and the Society of Tammany or Columbian Order.



LOEW, FREDERICK WILLIAM (born in Alsace, now a part of Germany, December 20, 1834), is the son of Frederick J. Loew, and was brought to this country when three years of age and educated in the city schools. His father dying when he was sixteen years old, he learned the art of engraving, at which he was very proficient. Ill health forced him to abandon this occupation, however. December 7, 1855, he was shipwrecked off the Bahama Islands while on a voyage for his health aboard the *Crescent City*. Returning to New York by way of the Island of Nassau, Havana, and New Orleans, he obtained a clerkship in the sheriff's office, and studying law was admitted to the bar in 1860.

He enjoyed a successful practice in the line of examination of titles to real estate and conveyancing. In 1863 he was elected a justice of the 5th district court of New York City, and in 1867 represented the 12th assembly district in the constitutional convention. In November, 1869, Governor Hoffman appointed him a justice of the Court of Common Pleas, to succeed Honorable George C. Barrett, resigned.

<sup>1</sup> Jonathan Lockwood, <sup>2</sup> son of Robert, the original American ancestor, settled in Greenwich, Connecticut, was a prominent citizen of that place, and was a member of the Connecticut assembly. His son, Joseph, <sup>3</sup> lived in Stamford, Connecticut. The latter's son, Joseph, <sup>4</sup> removed to New York State and was one of the original settlers of Poundridge, Westchester county. The second Joseph's son, Major Ebenezer Lockwood, <sup>5</sup> was a justice of the peace prior to the Revolution, and upon the outbreak of that struggle became major of the 2d regiment of Westchester county militia. He was also a member of the committee of safety and the provincial congress, and a reward of forty guineas was offered for his capture by the British. Subsequently he was a member of the first

New York state constitutional convention, a member of the board of regents of the State University, the first judge of Westchester county, a member of the assembly for five years, and a commissioner to locate the county seat. Ebenezer's son, Horatio, <sup>6</sup> was supervisor of Poundridge for seventeen years, and member of assembly from Westchester county from 1833 to 1836, and also in 1841 and 1842. Alsoop Hunt Lockwood, <sup>7</sup> father of James B., was supervisor of the Town of Poundridge for sixteen years, sheriff of Westchester county (1853-56), member of the assembly (1864-65), and a commissioner for the erection of the Harlem bridge at 3d avenue and 130th street, New York City.

The same month he was elected to succeed himself for the full term beginning January 1, 1870. Governor Tilden appointed him in October, 1875, to hold a special term in the Supreme Court for the trial of jury cases. The democratic candidate for re-election to the Court of Common Pleas in 1875, he was defeated by the republican and independent democratic combination of that year, notwithstanding that he led the entire ticket several thousand votes. In 1877 he was elected register of the City and County of New York, and served until 1880.

Poor health leading him to travel, Judge Loew has since resided mainly in Paris. He has visited all parts of Europe and the east. He was married, December 19, 1867, to Julia Augusta, daughter of the late Jacob Vanderpoel, who was dock commissioner of New York City.

As justice of the Court of Common Pleas, Judge Loew made good his highly creditable record in former offices, and tried many notable and difficult cases with marked ability and impartiality. His decisions were very seldom reversed by the Court of Appeals.<sup>1</sup>



**L**OUNSBERY, WILLIAM (born at Stone Ridge, in the Town of Marbletown, Ulster county, New York, December 25, 1831), is the son of John Lounsbery and Sarah Peters. His great-grandfather, Edward Lounsbery, was a captain in the Revolution. William Lounsbery attended a select school and the Kingston Academy, also studying under a private tutor, and in 1851 was graduated at Rutgers College. He has since received from that institution the degree of master of arts. He attended the Albany Law School for one term, also studying in the office of Stevens, Edwards & Mead, at Albany, and in February, 1853, was admitted to the bar at the Albany general term. He began practice in Stone Ridge, his native town, but in 1854 removed to Kingston, where he is still active and prominent at the bar. At the breaking out of the war, being a member of the 20th New York militia, as commissary, he served for three months in Maryland with that regiment, and then returned to his law practice. In his professional career he has been highly successful, and has been connected with a variety of important litigations. Some of his notable cases may be found reported in 81 N. Y., 557; 74 N. Y., 310, and 114 N. Y., 439.

Mr. Lounsbery has held the offices of member of the assembly (1868), mayor of Kingston (1877), and member of the 46th congress. He was secretary of the Rondout & Oswego Railroad Company during the period of construction, in 1870 and 1871. He is the author of a "History of the Three Months' Campaign of the 20th Regiment," published by the Ulster County Historical Society, and a published ad-

<sup>1</sup> Brooks's "Common Pleas," p. 101.

dress, being a historical sketch of the County of Ulster, delivered in 1876 at the request of the common council of the City of Kingston.



LOVE, THOMAS CUTTING (born in Cambridge, New York, November 30, 1789; died in Buffalo, New York, September 17, 1853), was the son of Mary Cutting and Robert Love, a man of collegiate education. After a course of schooling under Professor Town, author of the standard "Town's Speller" and "Town's Reader" of that day, he began the study of law in the office of Phineas Tracy, Esquire, of Batavia, New York.

Leaving his studies to take part in the war of 1812, that year and the year following he served as a volunteer soldier on the western frontier, and in 1814 was one of the first to respond to the call upon patriotic citizens of the western counties to go to the rescue of the gallant American soldiers pent up in Fort Erie on the Canadian side of the Niagara river. On September 17, 1814, he was engaged in the memorable sortie from that fort, where he was severely wounded, taken prisoner, and carried ultimately to Quebec.

Discharged from imprisonment at the close of the war, he returned to Batavia, and after a short residence removed to Buffalo. There he formed a law partnership with Albert Haller Tracy, brother of his former preceptor. His ability and force of character soon gave him leadership at the bar and prominence in public movements, and opened before him the highest official positions of the locality.

He was one of the first five councilmen after Buffalo became a city in 1832, was first judge of the Court of Common Pleas in 1828, district attorney of Erie county in 1829, and surrogate of Erie county in 1841. He was elected to congress in 1835 on the anti-masonic ticket, and declined a second nomination. Complying with the request of his constituents, he selected his successor in that body, designating Millard Filmore, who was subsequently elected vice-president and became president. Mr. Love served in his various public positions with marked ability, a high sense of duty, and a courage commensurate with his intense convictions and sympathies in behalf of justice and humanity. These sympathies were practically manifested by his services to protect the Indians from the frauds of the white settlers and by his activity in the cause against slavery, in which he was an able assistant to what was known in those days as the "Under-ground Railroad."

He married Maria Maltby, of Hatfield, Massachusetts, granddaughter of Seth Murray, a revolutionary general. He was survived by her and one son, George M. Love, afterward a volunteer in the war of the rebellion, and by three daughters, Julia (Mrs. Walter Cary), Maria M. Love, and Mrs. Elizabeth M. L. Cary.





*Thomas O. Love*





LOVELL, HERBERT MARLOW (born in Marathon, Cortland county, New York, February 16, 1858), is the son of Ransom Marlow Lovell and Dorcas Eliza Meacham. He is descended from the Cape Cod families of Lovell and Bodfish.

Other New England families among his ancestors are the Carpenters, the Emersons, and the Hales. Matthew Hale Carpenter, the celebrated Wisconsin jurist and senator, was his cousin.

Herbert M. Lovell attended the Marathon Academy and Cortland Normal School, and in 1887 was graduated from Cornell University with the degree of bachelor of arts. At college he was elected to the Phi Beta Kappa and was president of his class during the senior year. He was also the author of a treatise on "The Constitutional Issues Involved in the English Revolution of 1688," for which he was awarded honors at commencement. After graduation he became principal of the Elmira Free Academy; and he continued in that position until his admission to the bar (April 27, 1893), for which he had qualified himself by pursuing legal studies in the office of Rockwell, McDowell & McCann. He has since practiced with success in Elmira.

Mr. Lovell is a prominent mason, and is at present (1897) master of Ivy Lodge, No. 397, at Elmira.



LYDECKER, HARRY ROSS (born in Yonkers, New York, March 4, 1869), is the son of Albert Lydecker, of Rockland county, and Martha B. Morrison, of Orange county. After studying at the 2d Ward High School of Newburgh and

at the Newburgh Academy, he entered Mount Saint Mary's Academy, from which he was graduated in 1887. Having been prepared for the bar under the direction of Honorable William D. Dickey (elected justice of the Supreme Court in 1895), he was admitted to practice at a general term held at Poughkeepsie, May 11, 1893. He has since pursued his profession in Newburgh, rapidly gaining a reputation for ability. He is at present (1897), counsel for the Newburgh Electric Railway Company, corporation counsel of New Windsor, New York, and town counsel for the Town of Blooming Grove. He is a member of the 10th separate company, N. G. N. Y.; of Newburgh Lodge, No. 309, F. and A. M.; of the Etna Boat Club (Orange Lake), of the Young Men's Christian Association, of Newburgh Council, No. 1320, Royal Arcanum, and of the Newburgh Cycle Club.



LYON, GEORGE FREDERICK (born in the Town of Barker, Broome county, New York, July 13, 1849), is the son of Harry and Pamela A. Lyon. He attended district schools and the Binghamton Academy, was graduated at Hamilton College in the class of 1872, and after pursuing legal studies in

the office of Chapman & Martin (Orlow W. Chapman, late solicitor-general of the United States, and Celora E. Martin, now a judge of the Court of Appeals), was admitted to the bar at the Albany general term in November, 1875. In January, 1876, he became a member of the firm of Chapman & Martin. After the appointment of Judge Martin to the Supreme Court bench in 1877, the firm of Chapman & Lyon was formed, continuing until the death of Solicitor-General Chapman in 1890. In November, 1895, he was elected a justice of the Supreme Court, being nominated to that office by both the republican and the democratic parties.

Justice Lyon was president of the Broome County Bar Association from 1888 to 1897. He was a member of the constitutional convention of 1894.



LYON, JOHN WESTFALL (born in Port Jervis, New York, October 16, 1849), is the son of Thomas J. Lyon (noticed below) and Jemima Westfall. He was educated in the common schools of Port Jervis and at the Waverly Institute, studied law with his father, and was admitted to the bar at a general term in Brooklyn in December, 1874. He was a member of the well-known Port Jervis firm of T. J. & J. W. Lyon, until October, 1887, when the elder Lyon retired.

Mr. Lyon throughout his professional career has been especially occupied with railway litigation in cases relating to the liability of the master to the servant. He has probably conducted more litigation of this character during the past twenty years than any other attorney in the state.

From 1874 to 1877 he was assistant-district attorney of Orange county, under Honorable Charles F. Brown. He has twice been an unsuccessful democratic candidate for the office of district attorney.



LYON, THOMAS JEFFERSON (born in Caldwell, New Jersey, June 20, 1816; died in Port Jervis, New York, April 10, 1889), was descended in the paternal line from a Scotch ancestry. His education was received in the public schools of Newark, New Jersey, and in Montclair Academy. Removing to Goshen, New York, he entered upon the study of the law with Nathan Westcott, a well-known practitioner of that period. Before he had completed his clerkship he began to practice the profession, having an office in Port Jervis. He was admitted to the bar at Brooklyn in November, 1849, and immediately entered upon regular professional business at Port Jervis, where he continued in practice until his death—a period of nearly fifty years.

Mr. Lyon was one of the earliest lawyers in Port Jervis. He was the first counsel of the Erie Railway in Orange county, and acted in

that capacity for upward of twenty years, always, however, retaining a miscellaneous practice. He was a born trial lawyer, possessing the old-time magnetism in declamation, and spoke invariably from inspiration. His oratorical faculty was derived somewhat from his experience as a methodist minister before he began reading law. He was especially strong in sensational and sentimental cases. His illustrations and arguments were novel and amusing, and his odd sayings are still quoted by the members of the bar. When old and infirm, in cases conducted by his son, John W., Mr. Lyon would be urged by the presiding judge and by his brethren of the bar to sum up, as it was considered a pleasure to hear him. He was also an eloquent political and platform orator, and devoted much time to services on the stump in behalf of the democratic party, of which he was a staunch adherent from youth. He was a candidate for state senator (1856), was postmaster at Port Jervis under President Pierce, and was member of the assembly (1868 and 1869).



**McADAM, DAVID** (born in New York City in October, 1838), is the son of Thomas and Jane McAdam. His father, a native of Glasgow, came to New York in 1836 and successfully established himself as a merchant tailor in the up-town district of the city.

Judge McAdam received his early education in the city schools, and in 1849, at the age of eleven, entered a lawyer's office as office boy. He soon applied himself to reading law, and in 1855 became the managing clerk of his employer, Mr. F. F. Marbury. In 1859 he was admitted to the bar, and beginning to practice the following year was presently in the enjoyment of a lucrative general law business.

In 1873 he received the nomination of the democratic party for justice of the Marine Court, and was elected by a large majority for the statutory term of six years. In 1879 he was re-elected, and in January, 1884, he was chosen chief-justice by his associates. Principally through his efforts the jurisdiction of this court was greatly enlarged in 1882, and its name changed to the more appropriate one of "City Court."

In 1885 he was re-elected for his third term in this court, but did not serve the full period. His term would have expired in December, 1891, but in the fall of 1890 he was elected a justice of the Superior Court for the term of fourteen years. He became a justice of the Supreme Court January 1, 1896, through the operation of the provision of the constitution of 1894 merging the Superior Court and Common Pleas of New York City with the Supreme Court.

Judge McAdam is widely known as the author of several standard works on various special departments in law. He is the author of two works on "Marine Court Practice," three on "Landlord and Ten-

ant," one on "Terms of Court," one on "The Stillwell Act," and one on "Names." He has also published a number of pamphlets on different branches of the law, and has been a frequent contributor to the general press as well as to law periodicals.

He is an eloquent speaker and an attractive lecturer. His best known lectures include the subjects, "Character," "Time and Tide," "Lawyers," "Wise and Otherwise," "Legal Chestnuts," "George Washington," "Lincoln and Grant," and "Robert Burns."

For many years Judge McAdam has taken an active interest in legislative enactments in the State of New York designed to further the ends of true equity, and he is the author of several of the most important statutes of the kind. Among these may be mentioned the statute now in force which makes it illegal for landlords in New York City to dispossess monthly tenants without having given notice at least five days previously. This just measure has placed a necessary check upon a certain class of abuses, and has proved so popular that not merely have its provisions been extended to other cities in New York, but it has become a model for similar laws in various other states.



McADAM, THOMAS (born in New York City in 1860), is the eldest son of Honorable David McAdam, of the Supreme Court bench. He was educated at Moeler's Institute, New York City, and Columbia College, from which he was graduated in 1885. He was also graduated from the Columbia College

Law School, and in 1887 was admitted to the New York bar, at once engaging in practice. He has devoted himself to general civil litigations, but making a specialty of real estate law, in which department he has built up a valuable business and established a reputation.

He takes an active interest in politics, and for some time was a member of the Tammany Hall general committee, representing the old 13th district. He is a member of the West-side Democratic and Harlem and Atlanta Boat clubs and the Arion Society. He resides in Harlem. In 1886 he was married to Sarah S., granddaughter of Reverend



THOMAS McADAM.

Hugh Henry Blair, of New York City.



**McCANN, GEORGE** (born in Elmira, New York, June 23, 1864), is the son of James McCann and Helen L. Neish. In the paternal line he is descended from original Scotch-Irish ancestors, who were among the oldest settlers of Chemung county. His mother's parents emigrated from Scotland about seventy years ago. He attended the Elmira schools, being graduated from the Elmira Free Academy in 1882, and took the four years' course in Cornell University, receiving the degree of bachelor of science in 1886. In 1888 he was graduated from the Cornell University Law School, meantime obtaining familiarity with office business with the firm of Reynolds, Stanchfield & Collin, and in November of the same year he was admitted to the bar at Syracuse. Since then he has practiced continuously in Elmira.

Mr. McCann is an active republican. He is now chairman of the Elmira republican city committee. For the past three years he has been a member of the city board of education.



**McCARTY, JAMES CANFIELD** (born in Rhinebeck, New York, May 7, 1824), is the son of Stephen and Nancy McCarty. His grandfather, Daniel McCarty, saw the tea thrown overboard in Boston harbor and was a soldier in the Revolution.

James C. McCarty attended the common schools and Rhinebeck Academy, being graduated from that institution in 1840. He studied law under Ambrose Wager, in Rhinebeck, and was admitted to practice in the Dutchess County Court in 1846 and in the state courts in 1847. He has practiced at Rhinebeck ever since—a period of half a century. He has devoted himself chiefly to office business, has had comparatively little to do with litigated suits, and has settled more cases than he has tried. Since 1872 he has been in partnership with George Esselstyn of the firm of Esselstyn & McCarty. He has held the offices of supervisor of the Town of Rhinebeck (1852, 1860, and 1861) and assistant-assessor of internal revenue (1863-65).



**McCAULEY, WILLIAM, Junior** (born in Stony Point, Rockland county, New York, August 5, 1856), is a son of William and Sarah Rose McCauley. He attended the public school of his native town until the age of thirteen, and then, for a period of eighteen months, a private school conducted by Reverend E. Gay, Junior, at West Haverstraw. Afterward he was a student in the State Normal School, at Millersville, Pennsylvania, and in the Wesleyan University. Ill health compelled him to aban-

don his collegiate course. He pursued legal studies at Haverstraw with Honorable George W. Weiant, and in May, 1881, was admitted to the bar at a general term held at Poughkeepsie. He engaged in practice at Haverstraw, where he still resides. From January 1, 1891, to January 1, 1894, he was district attorney of Rockland county. For many years he has been corporation counsel to the Village of Haverstraw.



**McCLELLAND, CHARLES PAUL** (born in Scotland, December 19, 1854), is the son of William McClelland, of the ancient Scotch clan of that name. His mother, Nicholas, daughter of Charles Paul, a resident of Morristown, New Jersey, was also of Scotch descent. Senator McClelland arrived in this city with his parents at an early age and was educated in the public schools. He entered the law offices of B. Reilly, Junior, and Frederick Hemming, was graduated from the Law School of the New York University, and in May, 1881, was admitted to the bar of New York at Poughkeepsie.

He has always practiced his profession in New York City, although his residence has been at Dobbs Ferry, Westchester county. For four years (1887-90) he was special deputy collector and acting collector in the New York custom house, and equipped by this experience with special knowledge, he has since devoted himself in his law practice to revenue cases, customs, and internal revenue complications, and general practice in the United States courts, including that line of criminal practice arising from revenue frauds. In these departments he has gained distinction.

He has also been prominent in state politics. He was a member of the assembly in 1885, 1886, and 1891, and during the latter year was chairman of the ways and means committee, and recognized as a leader of the democratic majority. In 1892 and 1893 he served as state senator from Westchester county. Since 1886 he has served as one of the managers of the State Hudson River Hospital for the Insane at Poughkeepsie.

As one of the active members of the reform contingent in the democratic party, and a so-called "Cleveland democrat," Senator McClelland enjoyed the cordial hatred of the "ring" element at Albany. In the assembly of 1891, controlling the expenditures as chairman of the ways and means committee, he directly antagonized this element. For the first time in nearly ten years, the democrats then had the power of unhindered administration of the finances. Many anticipated a reckless license, but Senator McClelland stood in the way. Resisting all appeals, he on the contrary cut down the budget so as to produce the lowest tax-rate in the state for many years. Again in the senate of 1892 and in 1893 he was of that little group of four "Cleve-



land " senators who frustrated the enactment of the flood of pernicious legislation introduced by their fellow-partisans; and as leader on the floor the senator was in constant opposition to the leadership of the presiding officer, though of the same party. With the single exception of the City of Buffalo (where republican defection carried



CHARLES PAUL McCLELLAND.

the measure), he defeated the scheme to substitute a power of ring appointment for the American principle of home-rule in the municipalities of the state. At the close of the session, when the Buffalo bill was carried through, Mr. McClelland predicted from the floor of the senate the overthrow of the democratic ring. The prophecy was verified in the fall of 1894.



**M**cCLUNG, BENJAMIN (born in Little Britain, Orange county, New York, October 29, 1867), is the son of Samuel and Margaret McClung. After attending preparatory schools he entered the University of the City of New York, from which he was graduated with the degree of bachelor of laws. While at the university he also pursued legal studies in the office of John H. Strahan, of New York City. In February, 1890, he was admitted to the bar and immediately thereafter engaged in professional business

in Newburgh, where he is still an active practitioner. He was for a time associated with George C. Smith, now one of the professors of law in the New York Law School, and thereafter formed a partnership with Honorable Russell Headley, ex-district attorney of Orange county. The firm still exists as Headley & McClung. Mr. McClung was counsel in the matter brought to establish the rights of West Point soldiers or government employees, and of inmates of almshouses, to exercise the elective franchise. He also assisted in the editing and publishing of "Headley on Assignments."



MCCLURE, DAVID (born in Dobbs Ferry, Westchester county, New York, November 4, 1848), was admitted to the bar in New York City in December, 1869, and is a member of the law firm of Turner, McClure & Rolston. His practice has brought him very prominently before the courts during the last twenty-seven years as counsel in cases which have attracted much attention.

He was counsel for the executors and Cardinal McCloskey, principal legatee, in the celebrated Merrill will case of 1881; was also successful counsel for the executors in the contest over the will of Schuyler Skaats in 1892, the trial occupying six successive weeks; and more recently has had charge of the litigation over the will of Charles B. Beck, affecting large values of real property in the City of New York. He successfully represented the defendant in the celebrated case of *De Meli vs. De Meli*, brought for separation and divorce, the trial in the Supreme Court in 1884 occupying nearly two months. In the Livingston and General Burnside litigations he was also prominent. He has appeared in many large corporation foreclosure suits, including that of the Omaha Water Works plant, involving the validity of a mortgage securing bonds amounting to \$3,600,000, in which many important questions were disposed of. The case was successfully prosecuted in the Circuit Court of the United States for the District of Nebraska, the Circuit Court of Appeals at Saint Louis, and the Supreme Court of the United States. He also successfully represented the bondholders in the suit for the foreclosure of the mortgage of the New York & Northern Railroad Company in 1893, which was argued at the special and general terms of the Supreme Court and in the Court of Appeals. With his law partners, Mr. McClure has been associated in many of the principal railroad foreclosures of the past twenty years, some of the more recent actions being in the cases of the Toledo, Ann Arbor & North Michigan, the Northern Pacific, the New York, Lake Erie & Western, the Oregon Railway and Navigation Company, the Oregon Improvement Company, the Georgia Central Railway Company, the Chicago & Northern Pacific Railroad

Company, the Bankers and Merchants' Telegraph Company, and the Memphis & Charleston Railroad.

Mr. McClure for many years has been counsel for the Farmers' Loan and Trust Company, West-side Savings Bank, Consolidated Gas Company, several insurance companies, Roman Catholic Orphan Asylum, and the trustees of Saint Patrick's Cathedral, and is a director of the Lawyers' Surety Company. He has never held public office other than as school trustee and member of the constitutional convention of 1894, in which he was distinguished for the attention which he gave to the question of the preservation of the forests of the state, the committee on forestry, of which he was chairman, procuring an amendment to the constitution preventing the state from selling or leasing the public woodlands.

In 1893 he was appointed by Mayor Gilroy a member of a commission of five to draft a new system of laws for the government of the public schools of the City of New York, which committee prepared a bill and presented the same to the legislature. He was also a member of a commission appointed by the Supreme Court in 1892 to consider the question relating to plans for rapid transit in the City of New York by means of an underground railroad, the report of this commission being approved by the court. In June, 1893, he was appointed by the comptroller of the currency of the United States receiver of the National Bank of Deposit in the City of New York, and in spite of the stringent financial condition which prevailed during the summer of that year, the widely distributed assets were so realized upon that within thirty days after his appointment he declared a dividend of 40 per cent., forty days later an additional dividend of 25 per cent., and in a short time thereafter 10 per cent., making a total of 75 per cent. declared within three months. The entire receivership was closed out within one year, and the claims against the bank having been paid in full, the remaining assets were turned over to the agent of the stockholders.

Mr. McClure is a member of the Manhattan and Democratic clubs and the Association of the Bar of the City of New York.



**M**CCROSKERY, LEWIS W. YOUNG (born in Newburgh, New York, November 8, 1860), is a son of Honorable John J. S. McCroskery and Henrietta Young. His father was several times mayor of Newburgh. His mother is a direct descendant of Colonel Lewis Dubois, who served with distinction in the revolutionary war, and is a Daughter of the American Revolution.

He was educated in the public schools and graduated from the Newburgh Free Academy in June, 1876. He studied law in the office of Cassedy & Brown (Honorable A. S. Cassedy, ex-mayor of New-

burgh, and Charles F. Brown, late chief-justice of the Appellate Court, 2d division). After his admission to the bar, May 12, 1882, he remained in the office of Mr. Cassedy for several years, when he started practice for himself, in which he has continued to the present time.

He was elected recorder of the City of Newburgh, and served from 1891 to 1895. He is at present (1897) postmaster of Newburgh, having been appointed by President Cleveland on January 30, 1896. He has served fourteen years in the national guard as a private and an officer. He was commissioned 2d lieutenant of the 10th separate company on November 9, 1891, 1st lieutenant on March 21, 1892, and captain on December 12, 1893. After serving about one year as captain he resigned.

At present he is master of Hudson River Lodge No. 607, F. and A. M., a member of Hudson River Commandery No. 35, K. of T., a member of Highland Chapter No. 52, R. A. M., a member of Lawson Hose Company No. 5, of the Veteran Association, and of the Newburgh City Club.

In the fall of 1895 he was a candidate on the democratic ticket for district attorney of Orange county, but was defeated by Honorable Michael H. Hirschberg, who is at present one of the justices of the Supreme Court. He ran 600 ahead of the regular democratic ticket in the county.

He was married, February 15, 1888, to Margaret R., daughter of Isaac L. Corwin.



**M**CDOWELL, JOHN GUY (born in Elmira, New York, January 17, 1867), is the son of Robert Morris McDowell and Arlena C. Boyd. He is a direct descendant of Daniel McDowell, of a Scotch-Irish family, who was the first settler in Chemung county and a captain in the Revolution. In the maternal line he traces his ancestry to William Pitkin, founder of the Pitkin family in America, who was born in England in 1635 and came to Connecticut in 1659.

John G. McDowell received his general education in the Elmira public schools and Free Academy, and the Smith Academy and Washington University, of Saint Louis, Missouri. In 1890 he was graduated from the law school of Cornell University with the degree of bachelor of laws, and on September 12 of the same year he was admitted to the bar at Binghamton. His office training for the profession was received under the direction of Hosea H. Rockwell, of Elmira.

Mr. McDowell has been in active and successful practice at Elmira since his admission to the bar. In 1895 he held the office of city attorney.



McGUIRE, JEREMIAH (born in the Isle of Wight, November 22, 1823; died in Elmira, New York, October 25, 1889), was for nearly a half century one of the most distinguished lawyers and most eminent citizens of the southern tier of New York. He received his early education in the public schools, and was a graduate of old Starkey Seminary, Yates county, New York. He pursued his legal studies with Honorable Hiram B. Jackson at Havana, New York, and was admitted to the bar at Ithaca in 1845. He began the practice of law at Havana, then located in the County of Chemung. Later the County of Schuyler was created from a part of Chemung county. Mr. McGuire's law practice extended through southern and central New York; and upon his demise the bar in the several counties paid tribute to his memory. In 1874 he removed from Havana to Elmira, where he resided until he was "summoned hence." With his name inseparably connected with the legal history of New York state, Mr. McGuire could not be otherwise than devoted to his profession.

He was unambitious for official position, yet in 1873 he was the assemblyman from Schuyler county, and in 1875 represented Chemung county in the state legislature, and was unanimously chosen speaker of the assembly. His public record was brilliant. In 1873 he was the democratic leader in fact, and in a single speech challenged the interest and attention of the educators of the whole country by his criticism of a gigantic land grant to Cornell University, by the State of New York. A rigid investigation followed, by a commission appointed by the governor. In 1875, while speaker, Mr. McGuire's faith in the reform professions of Governor Tilden was shaken, and an estrangement between these former political allies resulted. McGuire, the commoner, and Tilden, the politician, were never reunited.

Mr. McGuire will be reverently remembered as a great and successful lawyer of the old school—convincing before a court *en banc*, invincible before a jury.



McKOOK, DENNIS DANIEL (born in Ilion, Herkimer county, New York, October 17, 1827), is the son of Martin McKoon and Margaret Clapsaddle, and is descended from an old pioneer family of Herkimer county, of early Scotch origin with Norman antecedents. The first American ancestor, James McKoon, came from Scotland near the middle of the last century and settled in Herkimer county. His descendants were prominently identified with the history of that section of the state. Mr. McKoon, at seven years of age, removed with his parents to Oswego county. He was educated at Fulton Academy in Oswego, studied law in the office of Judge Ranson H. Tyler of that place, and was admitted to the bar in 1854. He began the practice of law at Phoenix, New York,

build up a profitable business in a short time, and served as a judge of the Oswego county courts for two terms. He resigned at the beginning of his third term upon the breaking out of the civil war, enlisting in Company D, of the 110th New York volunteers. He soon rose to the rank of 1st lieutenant, and also served as adjutant of the regiment. He was, however, prostrated with typhoid fever, which incapacitated him for further service in the army, and from which he was nearly three years in convalescing.

In 1867 he was sufficiently recovered to resume the practice of law, and removed from Oswego county to Middletown, Orange county, where he became a member of the law firm of Foote, McKoon & Stoddard. He soon built up a large clientage. In 1874, while retaining his office in Middletown, he also opened one in New York City. The arrangement continued for three years, when the increasing New York business forced the abandonment of the Middletown branch. In New York City he has confined himself almost exclusively to the practice of civil law, making the department of real estate a special feature. He has been eminently successful. In 1889 his son, D. Gilbert McKoon, and three years later David B. Luckey, were taken into partnership, the firm name becoming McKoon & Luckey.

Judge McKoon has interested himself in many business enterprises outside of his legal practice. He is a director and treasurer of the Richmond Homestead Association of New York, director and vice-president of the Frontier Bank of Niagara, and president of the Manahasset Park Association of Monmouth county, New Jersey.

In 1852 he was married to Mary, daughter of Andrus Gilbert, a prominent citizen of Oswego county.



**McMAHON, DENNIS** (born in New York City, September 24, 1824), is descended from an ancient Celtic family long seated at Thomond, West Munster, Ireland. His father, Dennis McMahon, was born in County Clare, near Limerick, and came to America in April, 1816. He became an influential citizen of New York City, where he was long established as a dry-goods merchant. His wife, Martha Lawrence, was of the old Westchester county family, descendants of which have been prominent citizens of New York.

Mr. McMahon graduated in July, 1838, from the famous Grammar School of Columbia College, and prosecuted his law studies with several of the more prominent New York law firms of that day, including Marvin & Austin, Crooke & Austin, Martin & Strong, and Griffen & Havens. He also studied with the admiralty and criminal lawyers, W. J. Hasket and Thomas Warner. He was admitted to practice in the state Supreme Court at Rochester, October 30, 1845, in the old

Court of Chancery, New York City, October 31, 1845, and in the United States Supreme Court at Washington in March, 1856.

Commencing in New York in October, 1845, Mr. McMahon has con-



*Dennis McMahon*

tinued in active practice in that city during the long period of fifty years. He has argued no less than five hundred and fifteen important cases which have been reported. Of these, fifteen were argued in the

United States Supreme Court, thirty-nine in the United States Circuit Court, ninety-seven in the United States District Court, one hundred and twenty-eight in the New York Supreme Court (general term), and fifty in special term, fifty-two in the Court of Appeals, twenty-eight in the Superior Court (general term), sixty in the New York Common Pleas (general term), and three in the New Jersey Court of Errors. His library contains no fewer than forty-five bound volumes which include the cases on appeal argued by him. Although seventy-three years of age, he is robust and actively continues his professional work in court as well as at his office. His careful briefs continue to show the result of "midnight toil."

Mr. McMahon has several times been tendered nominations for judgeships by political organizations, but has uniformly declined. He is a prominent layman of the Roman catholic church, and is the author of many articles which have appeared in reviews and the newspaper press on questions affecting that church, as well as on various miscellaneous themes. Among these are papers on "Political Bosses," "The Homestead Case," "Celibacy of the Clergy Treated Historically," "The Evangelization of the Southern Negro by the Catholic Church," "Review of the Encyclical of the Pope on the Union of Christendom," "Theological Cursing," "The Future of the Catholic Church in the United States, Based on the Prophecy of Saint John," "The Prophetic Power of Jesus," "The Miraculous Power of Jesus," "The Payment by the Southern States of Their Full Debts," "The Animal Origin of Man," and "Importance of Building Up Our Commerce."



**McMAHON, MARTIN THOMAS** (born in La Prairie, Canada, March 21, 1838), is the son of Patrick McMahon, a civil engineer and contractor, formerly of Pallas Green, Ireland, and Mary Power, of Cappoquin, Ireland. His earliest educational training he received at home. At an early age he entered Saint John's College, Fordham, New York, from which he graduated in his seventeenth year as honor-man. He later received the degrees of master of arts and doctor of laws. He entered the law office of Honorable Eli Cook, then mayor of Buffalo, and there fitted himself for the practice of law, but owing to his extreme youth was not admitted to practice at once. He received an appointment as corresponding clerk in the postoffice department at Washington. Later he was sent to California as special agent of the department of the Pacific coast, serving also as Indian agent.

He was admitted to the bar at Sacramento, California, in 1861, and began practice in the City of San Francisco, his professional work, however, being soon interrupted by the civil war. He responded to the first call for troops and was elected captain of the first company



of cavalry organized in that region. Upon learning that his company was not to go to the front immediately, he resigned, and received a commission as captain in the United States army, as an additional aide-de-camp on the staff of Major-General George B. McClellan, with whom he formed an intimate and lasting friendship. Throughout the war he served with the army of the Potomac, and a medal of honor was conferred upon him by congress for "distinguished bravery at the battle of White Oak Swamp." Promotion followed in rapid succession. From aide-de-camp, with the commission of major, he became lieutenant-colonel and assistant-adjutant-general of the left grand division, army of the Potomac. Later he was adjutant-general and chief-of-staff of the 6th corps, of the army of the Potomac, under General William B. Franklin, serving also under General John Sedgwick until the latter's death at Spottsylvania, as also under General Horatio G. Wright, until after the final operations before Petersburg. At this period he was assigned to temporary duty in New York, on the staff of Major-General Dix, commanding the department of the east. Before his resignation, in 1866, he had received the brevets of colonel, brigadier-general, and major-general of volunteers.

At the close of the war General McMahon established himself in the practice of law in New York City, and in 1866 became corporation attorney to the city. During President Johnson's administration he was appointed minister to Paraguay. Upon his return to New York he resumed the general practice of law, in which he has continued with great success to the present time. In 1872 he was appointed receiver of taxes in New York City, and he held the position until 1885, when he resigned to accept an appointment as United States marshal for the southern district of New York. In 1890 he carried the 7th district as democratic nominee for the assembly, although the district had always been strongly republican. The following year he became a member of the state senate, and upon the expiration of his term was re-elected. On November 5, 1895, he was elected as democratic candidate for judge of the Court of General Sessions of the City and County of New York.

Judge McMahon is a member of Tammany Hall, the Manhattan Club, and the United Service Club. In 1886 and 1887 he was president of the Society of the Army of the Potomac. He has been a contributor to the *Century Magazine*, *Harper's Magazine*, and the *United Service Magazine*, and has delivered lectures for charitable purposes.



**McNAMARA, WILLIAM FRANCIS** (born in Corning, New York, June 17, 1860), is the son of Martin and Bridget McNamara, who were born in Ireland and emigrated to this country in 1847. He attended the public schools of Corning and in 1875 was graduated at the Corning Free Academy, being valedictorian of his class. He read law in the office of Spencer & Mills, of Corning, and also took the course at the Albany Law School. From that institution he received his diploma in May, 1884, and was one of the four commencement orators, the highest honor conferred by the faculty. He had previously, in January, 1884, been admitted to the bar.

Mr. McNamara has always practiced in Corning, enjoying success in his profession, and also being active in politics and local affairs. He was attorney for the families of the victims of the wreck on the New York, Pennsylvania & Ohio Railroad at Ravenna, Ohio, in July, 1891, when sixteen young Corning glass cutters were killed outright. He has held the offices of village clerk of Corning (1880) and corporation counsel (1885 and 1886). He has been prominent as a stump speaker. In the presidential campaigns of 1884 and 1888 he delivered political speeches throughout New York and Pennsylvania.



**MANDEVILLE, HUBERT CARPENTER** (born in Ithaca, New York, January 29, 1867), is the son of Doctor Edgar W. and Carrie E. Mandeville. He attended schools at Plains, Pennsylvania, and at Elmira, New York, and in 1888 was graduated at Union College with honors, receiving the degree of bachelor of arts. He pursued legal studies in the office of Edward G. Herendeen, at Elmira, and was admitted to the bar at Binghamton in August, 1890. Since then he has been in practice continuously in Elmira. He is now in partnership with Mr. Herendeen, his former preceptor.

Mr. Mandeville has gained a professional reputation not often realized in so brief a period at the bar. In 1893-94 he acted as the general assignee of David C. Robinson, whose assets amounted to a million and a half of dollars. At present he has charge of the mileage book case in this state, testing the constitutionality of the mileage book law. He is attorney for the Mutual Life Insurance Company for southern New York, and with his partner is attorney for the Wells Fargo Express Company, for various Elmira banks, and for the New York State Association of Hardware Jobbers.

He is a trustee of the Elmira Savings Bank and the Elmira (Female) College, is treasurer and part owner of the Elmira Advertiser Association, and is a member of the New York State Bar Association, and of the state board of the Young Men's Christian Association.



MARCUS, LOUIS WILLIAM (born in Buffalo, New York, May 18, 1863), is the son of Leopold and Amelia E. Marcus. He was graduated from the Buffalo High School, and thereafter entered Cornell University, from which institution he graduated in 1889 with the degree of bachelor of laws. In October, 1889, he was admitted to the bar at the Rochester examinations, since which time he has successfully practiced his profession in Buffalo. In 1895 Mr. Marcus was elected surrogate of Erie county, a position that he still holds.



MARSH, LUTHER RAWSON (born at Pompey Hill, Onondaga county, New York, April 4, 1813), is the son of Luther Marsh, and lineally descended from John Marsh, of Hartford, Connecticut, whose wife was the daughter of John Webster, governor of Connecticut. He is also descended from Edward Rawson, secretary of the Colony of Massachusetts, and Reverend Charles Chauncey, second president of Harvard College.

Until the age of fourteen Mr. Marsh attended Pompey Academy, taught for a time by his step-grandfather, Reverend Joshua Leonard, a learned scholar, subsequently attending the military school of Captain Partridge at Middletown, Connecticut. A brief clerkship in a large country store at Onondaga was followed by study in the law office of Mr. Jewett at Skaeateles; in 1830 continuing with Mr. Fleming, of Manlius, and afterward with Samuel Beardsley, of Utica. He was admitted to the bar at Albany in 1836, and immediately accepted a position in the office of Henry R. Storrs, of New York City. Upon the death of Mr. Storrs he returned to Utica. In 1848 he once more came to New York, and soon formed a partnership with Oscar W. Sturtevant. Daniel Webster, on retiring from the United States senate, came to New York to engage in counsel business, and opened an office with Marsh & Sturtevant, continuing with them until his recall to the senate. After the Sturtevant partnership Mr. Marsh became associated with Honorable John T. Hoffman and Honorable William H. Leonard under the firm name of Marsh, Leonard & Hoffman. Subsequently he became head of the firm of Marsh, Coe & Wallis, and still later of that of Marsh, Wilson & Wallis. This firm, founded by John Wallis in 1810, is believed to be the oldest legal establishment but one in New York City. Including his Utica practice of six years, up to 1888 Mr. Marsh was in the active practice of his profession fifty-two years, and met nearly every lawyer of prominence who practiced at the metropolitan bar during that period. His practice covered the entire field of litigated business, all criminal practice being relinquished in 1851, however, as interfering too much with his business in civil cases. One of his notable cases was a suit brought in behalf of Colonel James L. Lamb, of Springfield, Illinois,

against the Camden & Amboy Railroad Company for not having delivered at New York a large quantity of cotton which came into their hands. It took Mr. Marsh ten years to successfully carry this suit through and collect the money for his client. In the successive stages of the litigation he was opposed by eminent lawyers at the New York bar.

In addition to his professional career, Mr. Marsh has given much labor and time to measures for the public welfare, disconnected with politics. He was active with others in connection with the construction of the great reservoir in Central Park, the postal reform of 1856, and the abolition of intramural interments in New York City. In the latter case he agitated for two years through the press and drew the bill passed by the legislature and the ordinance passed by the common council of the city prohibiting interments in the churchyards, and requiring the removal of bodies from the old burying-grounds to places outside the city. Still more untiring were his services in connection with the movement for new parks for New York City between June, 1881, and June, 1884. He addressed mass-meetings, argued before legislative committees, and in every way exercised skillful generalship to secure the enormous park acreage which raised New York almost from the lowest to the first place in this respect among the great cities of the world. The bill placing the cost upon the city instead of upon the bordering owners, passed by the legislature in April, 1883, was drawn by him, and he was made chairman of the committee appointed by the mayor to lay out the grounds. The bill growing out of the report of this committee met with determined opposition from city and state officials, property-owners, and legislators, but largely through Mr. Marsh's indefatigable efforts ultimately passed both houses by overwhelming majorities. A struggle before the governor followed, but the bill was signed. The test of the constitutionality of the act required still further labor. Mr. Marsh was made chairman of the commission of appraisal of the value of the lands appropriated, and being the only lawyer on the commission had to decide the many questions arising from defective titles, judgments, mortgages, leases, public highways, gores of land, railroads, old estates, swamp lands, forests, gardens, every variety of buildings, trusteeships, infants, and absentees.

John Mullaly, in his volume concerning the new parks (1887), says:

As to Mr. Marsh's share in the work, it is indeed doubtful if in the legal ranks of the city there could be found one who would have been willing, through six years of steady, unwavering, chivalric devotion, to give, without compensation, his talents and his lifelong professional experience to the promotion and success of this great movement for the benefit of his fellow-citizens.

Another public service of Mr. Marsh was as chairman of the committee, organized at Niagara Falls in 1884, to inspect the lands, re-

ceive testimony, hear arguments, and give decisions relative to the international reservation of grounds at Niagara Falls. The untiring labors of this commission, its decisions being upheld by the Supreme Court, made the proposed park practicable, and the requisite legislation was secured.

Mr. Marsh has always been a brilliant speaker on public occasions. His more notable addresses include the following: In honor of General Nathaniel Woodhull, in Brooklyn, 1848; before the Dramatic Fund Association, 1854; at the re-inauguration of the Crystal Palace, 1854; anniversary address of the American Institute, 1855; before the postal reform committee at University Chapel, 1856; on breaking ground at the Central Park for the new reservoir, April 17, 1858; on the completion of the reservoir, August 19, 1862; at a meeting at Cooper Institute in aid of the people of Italy, presided over by General Dix, December 17, 1860; at the complimentary banquet by the bar to the late James W. Gerard on his retirement from practice, January 14, 1869; on the organization of the New York Common Pleas under the new constitution, July 1, 1870; at the Saint Patrick's dinner, March 17, 1871; at the reunion of the Sons and Daughters of Pompey, June 29, 1871; at the dinner given by the New York Geographical Society to Henry M. Stanley, at Delmonico's, November 27, 1872; at a meeting of the descendants of Edward Rawson, at Worcester, Massachusetts, October 9, 1872; before the Pioneers of Central New York, at Syracuse, September 17, 1873; at the Stenographers' dinner, December 30, 1876; before the graduating class of the Law School of Columbia College, March 14, 1879; at the Burns dinner, January, 1880; before the Society of the Army of the Potomac, at Burlington, Vermont, June 16, 1880; on Shakespeare, at a meeting for inaugurating a national pantheon, April 23, 1881 (published in Lester's "History of the United States"); before the Union League Club on the death of President Garfield, September 21, 1881; on "The Power of the Alphabet," before the Athenæum, at Brooklyn, January, 1882; before the graduating class of the College of Physicians and Surgeons, May 16, 1882; at the Union League Club in the memorial service to Henry W. Bellows, March 9, 1882; at the Union League Club on its twentieth anniversary, February, 1883; a course of lectures on spiritualism, at Boston, 1891; an address on Daniel Webster, at Tremont Temple, Boston, 1891; an Independence and Memorial Day oration, at Middletown, New York, 1892; an address before the Oneida County Historical Society, at Utica, 1893.

He contributed many editorial articles to the New York *Times* from 1852 to 1853, and declined the editorial chair offered him in 1869 on the death of Henry J. Raymond. His "Recollections of the Bar and Sprinkles of Biography," published from 1892 to 1895 in the *Conglomerate*, a weekly publication conducted by a former law partner, would fill two large volumes.

Mr. Marsh was married September 15, 1845, to Jane E., daughter of Alvan Stewart, one of the foremost leaders of the anti-slavery movement.

A devoted student of Swedenborg, during the last seven or eight years of his life Mr. Marsh has retired from law practice, and given his time largely to the subject of spiritualism. He is a frequent speaker on the platform, and a prolific contributor to periodical literature in the interests of this religion.



**MARSHALL, LOUIS** (born in Syracuse, New York, December 14, 1856), is the son of Jacob Marshall and Zilli Strauss, the former a native of Baden, Germany, the latter of Württemberg, Germany. He was educated in the public schools of Syracuse, being graduated from the high school in June, 1874, afterward reading law with N. B. Smith until 1876. The year following was spent at Columbia College Law School, New York City, after which he entered the office of Honorable William C. Ruger, of Syracuse, until January, 1878, when he was admitted to the bar. On the day of his admission he became a member of the law firm of which Judge Ruger was the head. When Mr. Ruger was elected chief-judge of the Court of Appeals, he became a member of the firm of Jenney, Marshall & Ruger, subsequently of Jenney & Marshall, practicing at Syracuse until February, 1894, when he entered the firm of Guggenheimer, Untermeyer & Marshall, of New York.

While practicing in Syracuse he was interested as counsel in much of the important litigation of central New York. He acted as counsel for Nichols in the senatorial contest of 1891, was counsel in the recent litigation involving the constitutionality of the liquor tax, and has argued no less than one hundred and fifty cases in the Court of Appeals, involving every branch of jurisprudence. Aside from the routine of professional life he has written a number of papers for the New York State Bar Association, and is the author of various lectures and articles on legal, historical, and literary subjects.

He was appointed by Governor Hill a member of the constitutional commission of 1890 to revise the judiciary article, and served on the committee on the Court of Appeals. In 1894 he was elected from the 25th senatorial district a delegate to the constitutional convention, and served as chairman of the committee on future amendments and was second on the judiciary committee. He proposed the judiciary article, was one of the sub-committee which formulated it in its final form, drafted the report on the powers of the convention and its freedom from control by the courts on the occasion of the attempt by Trapper to procure a writ of prohibition by which it was sought to preclude the convention from passing on his right to sit in the con-

vention, and took a prominent part in drafting the various amendments adopted.

Mr. Marshall is now chairman of the committee on law reform of the New York State Bar Association as successor to William B. Hornblower. He drafted the amendments to the codes of civil and criminal procedure rendered necessary by the judiciary article, receiving the thanks of the legislature of 1895. He was selected by the Committee of Seventy to prepare an opinion on the constitutionality of the police magistrates bill, and to argue in its support before the legislative committees. He has for a long time been actively concerned in all movements relating to law reform.



MARTIN, CELORA EATON (born in Newport, Herkimer county, New York, August 23, 1834), is the son of Ellis and Lucetta Brayton Martin. As a boy he worked on his father's farm and attended district school. Later he was a student for one year in the Fairfield Academy (Herkimer county), and also for a year in the academy at Holland Patent, Oneida county. He then entered upon the study of law in the office of John C. Harris at his native place, and in 1856 he was admitted to the bar at the Oswego general term. After a year's connection with the United States district attorney's office at Providence, Rhode Island, he began practice for himself at Whitney's Point, Broome county. In 1862, in consequence of impaired health, he discontinued his professional business to accept the office of deputy provost marshal, in which he continued until the end of the war, when he resumed his practice at Whitney's Point. From 1867 until 1877 he was in partnership with O. W. Chapman at Binghamton. This firm, to which George F. Lyon (now a justice of the Supreme Court) was admitted in 1876, became one of the most conspicuous law firms of Binghamton and that part of the state.

Meantime Mr. Martin was prominent in politics, as a republican, being for ten years chairman of the Broome county republican committee. Notwithstanding this, the democratic governor, Lucius Robinson, in recognition of his high abilities and character, and pursuant to the general recommendation of both the republican and democratic members of the bar, appointed him, in May, 1877, one of the justices of the Supreme Court for the 6th judicial district, to fill a vacancy. In the ensuing fall he was elected for a full term, being nominated for the office by both the great parties, and upon the expiration of the term he was nominated by all the parties and unanimously re-elected.

In 1895 he was nominated as associate-judge of the Court of Appeals and elected. His term expires December 31, 1905.

He was married in September, 1857, to Almanza, daughter of Jonathan Barney, of Newport, Herkimer county.



**MARVIN, CHARLES MARSH** (born in Peekskill, New York, May 22, 1864), is the son of Charles M. Marvin, who was born in Connecticut in 1816, and Frances Cottrell, born in Rhode Island and descended from puritan ancestors. He was graduated from Alfred University in 1882 and Harvard College in 1884, and in 1885 received from Harvard University the degree of master of arts. After preparing for the legal profession in the offices of Jacob Schwartz and Reynolds, Stanchfield & Collin, at Elmira, he was admitted to the bar (May 5, 1890, at Syracuse). He has since been in practice in Elmira. For some years Mr. Marvin was an instructor in ethics and political economy in the New York State Reformatory.



**MARVIN, RICHARD PRATT** (born in Fairfield, Herkimer county, New York, December 23, 1803; died in Jamestown, New York, January 11, 1892), was the son of Selden Marvin and Charlotte Pratt, and was lineally descended from Reinold Marvin, who came from England about 1636-37 and was a prominent man among the founders of Hartford, Connecticut.<sup>1</sup> Mr. Marvin was reared upon a farm in Dryden, Tompkins county, New York, to which his parents had removed from Herkimer county in the winter of 1808-9. He attended the district schools until nineteen years of age, when he began to teach school, also attending the higher public schools and studying Latin with a private tutor. He began the study of law in 1826, at first with George W. Scott, of Newark, Wayne county, and subsequently with Mark H. Sibley, of Canandaigua, and Isaac Seeley, of Cherry Valley. He was admitted to the bar in New York City in May, 1829, as attorney in the Supreme Court and as solicitor in the Court of Chancery, and ten years later, upon the motion of Daniel Webster, was admitted as an attorney and counselor in the Supreme Court of the United States. In June, 1829, he began his long professional career in Jamestown, New York.

Mr. Marvin rapidly achieved distinction as an advocate in Chautauqua and Cattaraugus counties, and soon became prominent in public life. He was originally a member of the Adams party, subsequent-

<sup>1</sup> The line of descent is as follows: Reinold Marvin<sup>1</sup>, of Hartford, Farmington and Saybrook (now Lyme), Connecticut, who died in 1652; Honorable Marvin<sup>2</sup>, of Lyme, lieutenant of militia and representative in the Connecticut general court; Honorable Reinold Marvin<sup>3</sup>, of Lyme, captain of militia and representative in the general court,

Dan Marvin<sup>4</sup>, born January 2, 1731, died December 30, 1776, who married Mehitabel Selden, October 14, 1762; Selden Marvin<sup>5</sup>, born in Lyme Connecticut, November 24, 1773, married Charlotte Pratt (born in Saybrook, Connecticut) in 1798; Honorable Richard Pratt Marvin<sup>6</sup>.





1882.

Richard P. Marwin



ly becoming a national republican. In 1835 he was elected to the New York assembly, where he performed a notable service in securing a charter and state aid for the construction of the Erie Railroad. The practical scheme of such a great road originated with Mr. Marvin, and the mass-meeting in favor of the project which he organized at Jamestown, September 20, 1831, was "the first public movement made in reference to the New York & Erie Railroad." He was elected to congress from Chautauqua and Cattaraugus counties in 1836, and re-elected in 1838 by a phenomenal majority. In 1846 he was a delegate to the constitutional convention and was active in connection with the judiciary article of the new constitution, which provided for the selection of four Supreme Court justices in each of the eight judicial districts of the state. The 8th district comprised the counties of Chautauqua, Cattaraugus, Allegany, Erie, Orleans, Niagara, Genesee, and Wyoming. At the convention held in Buffalo in June, 1847, to nominate justices under the new constitution, Mr. Marvin was the first of the four justices nominated, and the only one whose nomination was made unanimously, without a contest.<sup>1</sup> Upon the organization of the court, in deciding the rotation, he drew for the full term of eight years from January 1, 1848, and he was twice re-elected. As the court was organized July 1, 1847, the original term was longer by six months than the constitutional term of eight years, so that in all Judge Marvin served continuously on the Supreme Court bench of the state for twenty-four years and six months. During two years of this period, however, his actual services were in the Court of Appeals.

Of the many interesting cases which Judge Marvin argued as a lawyer, or decided as a judge, only a few can receive bare mention here. He was counsel for Nathaniel A. Lowry and others of Jamestown in the famous litigations brought by Guy C. Irvine and others of Warren, Pennsylvania, over the lumber interests of that region. These cases were contested, with many dramatic features, being finally argued in the United States Supreme Court (14 Peters U. S. R., 293). As a judge, his decision in the "Jerry rescue" case in 1852, in maintaining the constitutionality of the fugitive slave law, created a furor throughout the north. It exhibited on his part courage and faithfulness in maintaining sound principles of law in the face of popular clamor. On the other hand, his private convictions on the

<sup>1</sup> Honorable Noah Davis was a member of this convention, and his recollection of it, as set forth in a paper written by him in June, 1894, is interesting in this connection. He writes: "The judicial convention was held at the American Hotel in the City of Buffalo. I was a delegate to that convention from the County of Orleans. There were four justices to be nominated for the 8th judicial district. A large number of candidates was presented from the eight counties composing the district. It was soon found from canvassing that Judge Marvin's name was acceptable to all the delegates. He was, I be-

lieve, nominated unanimously upon the first ballot. He had become well known as a lawyer, especially in the southern counties of the district, and had acquired much and very honorable distinction as a representative in the legislature and in congress, and as a member of the constitutional convention. The selection of candidates for justices of the new court was left at that time almost wholly to the members of the bar, and the unanimity of the selection of Judge Marvin was a high compliment to his standing as a lawyer and his merit as a citizen and his worth as a man. He was elected to the office by a large majority."

slavery question were manifested in his early and energetic support of the republican party. The most important of Judge Marvin's early opinions, in the estimation of Honorable Noah Davis, was "the celebrated case of the People *vs.* Shorter, who was tried and convicted of murder." The conviction was affirmed in the Court of Appeals. In *Palmer vs. Davis* (28 N. Y., 242) Judge Marvin sustained the right of a married woman to sue without joining the husband, and in *Burnell vs. Pierce* (28 N. Y.) upheld the right of married women to submit to arbitration touching their separate property. In the legal tender case (*Metropolitan Bank vs. Van Dyck*) his opinion ably sustained the view that legal tender of the government was non-taxable.

In 1871, at the close of his long service upon the bench, he resumed active practice at Jamestown, and was subsequently counsel in various important cases, also serving as referee in many. He saved \$275,000 of principal and interest to the tax-payers of Ellicott as leading counsel of the town in the bond case against the Buffalo & Jamestown Railroad Company. In this notable litigation Judge Marvin was opposed to Grover Cleveland at special and general term, to Judge George F. Comstock in the Court of Appeals, and to R. T. Merrick in the Supreme Court of the United States, and won in every court.

Upon his retirement from the bench he received a testimonial address signed by one hundred leading members of the bar of Erie county, and requesting him to sit for a portrait in oil to hang in the Supreme Court chambers in Buffalo. In this address they said: "We presume, sir, that you are not aware how largely the proud position occupied by the Supreme Court of this district is due to your own personal character and labors, and how well this is understood by the people not only of your district, but of the entire state." Noah Davis has credited Judge Marvin with exerting a powerful formative influence upon his own judicial career. In 1894 he said: "In my own subsequent judicial experience I must be permitted to say that the patient example of Judge Marvin in the pursuit of truth often occurred to me and led me to the exercise of similar patience in seeking to administer justice." Again: "I have myself great reason to be grateful to the Providence that placed me as a pupil, as it were, in his judicial school, where for many years his personal association and example were blessings of which the great and true value is now justly appreciated." Speaking of the "high degree of ability, clearness in comprehension of the questions involved, and directness in indication of the grounds and reasons for the judgment pronounced" which characterized Judge Marvin's opinions, Mr. Davis says: "In this regard he ranked high among the judges of the state; and his opinions, of which large numbers were published during his long judicial career, combine to place him very high in the roll of able judges of the state."

Horace Greeley, who opposed the elective system for judges, admitted that this system had given the 8th judicial district "the ablest judges in the state," and declared it was "no wonder the 8th district favored it, when it had such pure and able judges as Marvin and his associates."

A notable "Early History of the New York & Erie Railroad, Especially in Reference to the Village of Jamestown in 1831," written by Judge Marvin in 1886, is in the archives of the Chautauqua Society of History and Natural Science. His Supreme Court opinions are mainly found in Vols. 1 to 56 of "Barbour's Supreme Court Reports," in "Lansing's Reports," "Parker's Criminal Reports," and "Howard's Practice Reports," and his Court of Appeals Reports in 2, 3, 26, 27, 28, and 37 N. Y.

He was married in September, 1834, to Isabella Newland, of Albany, daughter of David Newland. This distinguished lady died in 1872. Their children are General Selden E. Marvin, of Albany; Mrs. Sarah Jane Hall, of Jamestown; the late David N. Marvin, of Jamestown; Mrs. Mary M. Goodrich, of Cambridge, Massachusetts; the late William R. Marvin, of Jamestown; Robert N. Marvin, of Jamestown, his father's representative for a quarter of a century in business matters; Richard P. Marvin, of Akron, Ohio, a lawyer, and the late Isabella Marvin.



**MAVHAM, STEPHEN L.** (born in Blenheim, Schoharie county, New York, October 8, 1826), is descended from the family of Mayhams who settled in Troy, New York, in the latter part of the last century. His father in the early boyhood of Stephen removed to Blenheim. After receiving such early education as the schools in the immediate vicinity afforded, he commenced the study of law at the age of twenty in the office of Samuel W. Jackson, afterward a justice of the Supreme Court of the 4th judicial district. A year later he entered the office of Love & Freer, of Ithaca, one of the leading firms of western New York. He was subsequently, for two years, superintendent of the Blenheim public schools, under the old school law which gave to the town school superintendent substantially the same powers later conferred upon county school commissioners.

Upon admission to the bar he commenced practice at Blenheim and was for three successive terms elected supervisor of the town. At the expiration of his third term, in 1859, he was elected district attorney of the county. Four years later he removed to Schoharie. In 1863, before his term as district attorney had expired, he was elected to the assembly, of which he was one of the youngest as well as one of the ablest members at a perilous period in the history of the country. In that capacity he championed

the cause of state aid to the construction of the Albany & Susquehanna Railroad, and made the principal speech on the floor of the house in support of a bill for that purpose, which was passed and received the sanction of Governor Seymour. The next four years were devoted to the uninterrupted practice of his profession, during which he took rank as one of the leading attorneys of his judicial district, often appearing in important cases before the Court of Appeals, his success being marked by an exceptional mental and legal equipment that gave him equal power before juries and before the highest court of the state.

In 1868 his recognized prominence again brought him into official position as representative in congress from the 14th congressional district, consisting of Albany and Schoharie counties. In 1878 he was elected to represent the 13th congressional district, comprising Schoharie, Greene, and Ulster counties. During both these terms he served on important committees, and, although in the minority, his opinions, especially on questions of law, carried great weight both in the committee-room and on the floor of the house.

In 1883 he was the unanimous choice of the democratic party for county judge and surrogate of Schoharie county. He was elected and held the position until January, 1887, when he was appointed by Governor Hill to be justice of the Supreme Court for the 3d judicial district, to fill the vacancy caused by the election of Judge Rufus W. Peckham to the Court of Appeals. In 1887 he was triumphantly elected to succeed himself. He served on trial and circuit courts for four years, and on general term until January, 1892, when he was appointed presiding-justice of the 3d department, holding the position until January, 1895, when the new constitution went into effect. He then returned to trial work, in which he continued until retired on account of having reached the age limit at the end of December, 1896.

As a trial judge Justice Mayham was courteous to the bar, ready in seeing the legal questions involved in the action, and usually correct in his rulings, so that comparatively few of his decisions were reversed on appeal. As a presiding and associate-justice of the general term he wrote numerous opinions which are to be found in the reports of the judicial decisions of the state and which fully attest his thorough equipment for the position he occupied.

Aside from professional and official labors, Judge Mayham has been connected with important interests. He was president of the Schoharie Valley Railroad during its construction, and continued as such until the re-organization of the company. For many years he was president of the Schoharie Academy and Union Free School. He has been an earnest advocate of all plans of public improvement connected with Schoharie county and a prominent factor in the enterprises undertaken to advance the interests of the county and vicinity.

While a staunch and earnest democrat, he is ever ready to subordinate party advantage to the general good. He has had many political matters to decide judicially, and in each case has been sustained by the court of last resort. He is an earnest, forcible, eloquent speaker, and his judicial career, which succeeded his prominence at the bar, is without blemish.

In 1849 Judge Mayham was married to Julia Martin, granddaughter of General Freegift Patchin, who served the patriot cause during the Revolution. Of his seven children only two, a son and daughter, are living. Two of his sons, F. Matt. and Don, both of whom were young lawyers of great promise, died early in their professional careers. His surviving son, Claude B. Mayham, is also a young lawyer of ability and promise, and occupies the office with his father at Schoharie, where both are engaged in the practice of their profession.



**MEADS, WILLIS HOWARD** (born in South Limington, York county, Maine, February 22, 1846), is the son of Simeon Pease Meads and Ann Maria Libby. He was graduated at Bowdoin College in 1870, with the degree of bachelor of arts, and has since received from his alma mater the degree of master of arts. His studies for the profession of the law were pursued in the offices of George Wing and J. H. Kennedy, and immediately after his admission to the bar (January 8, 1880) he began practice at Buffalo, where he has continued to the present time. In 1885 he became a member of the firm of Quinby & Meads, which in 1886 was changed to Quinby, Meads & Rebadow. This partnership was dissolved in 1893 through the serious illness of Mr. Quinby. Since 1880 he has been loan commissioner of Erie county, and since 1895 commissioner of jurors for that county.



**MEEKER, ROLLIN WESTON** (born in Hawleytown, Broome county, New York, December 25, 1870), is the son of Eli Samuel and Samantha Morgan Meeker. His paternal ancestors were early settlers of New England, and are mentioned in the English Domesday Book, showing that they were landowners. He was educated at the Binghamton Central High School and under private tutors. In the fall of 1888 he entered the law office of Senator Edmund O'Connor, and soon after completing his twenty-first year was admitted to the bar at Binghamton, February 5, 1892. Since then he has been in practice at Binghamton, with steadily increasing success.

Mr. Meeker has been associated with Senator O'Connor in many suits. He has made a specialty of litigation and corporation law. As attorney for the assignee of the estate of Erastus Root & Sons,

bankers, he has become connected with a variety of important suits growing out of their failure, among them an action to set aside a mortgage of \$150,000 against the Merchants' Bank of Binghamton. In January, 1895, he became police attorney of Binghamton, but he was compelled by pressing business to resign that position. He is at present the local attorney in Binghamton for the state commission in lunacy.



MERRILL, JOHN BRYANT (born in Plainville, Hartford county, Connecticut, January 7, 1857), is the son of Squire G. Merrill and Lucy Porter Merrill. His father served in the Mexican war as a boy musician in the Stevens regiment of volunteers under General Fremont, and in the civil war was lieutenant of the 5th Connecticut volunteers. His mother was the daughter of Bryant Porter, a Connecticut farmer.

John B. Merrill received his education in the public schools of the City of Washington. In his eighteenth year he enlisted in the signal corps of the United States army. With this service he was connected from November 2, 1874, to April 1, 1883, becoming a specialist in the science of meteorology. From March, 1880, to March, 1881, he was detailed as instructor of military tactics and army signaling to the West Virginia state cadet corps, University of West Virginia. Under the direction of the chief signal officer of the army he conducted an investigation concerning the tracks and causes of the severe western tornadoes of 1881, the results of which were published in a valuable government report. He is the only known specialist in tornado investigation who ever witnessed both the formation and the destructive work of one of these clouds, having been an eye-witness of the Woodhaven (New York) tornado in 1895, from its inception until its dissolution. In June, 1882, he was placed in charge of the United States weather bureau in New York City, a position which he held until his resignation from the signal service the next year.

Deciding to adopt the profession of the law, Mr. Merrill pursued studies to this end with Honorable Benjamin W. Downing, formerly district attorney of Queens county, New York. He was admitted to the bar upon examination before the general term at Brooklyn, February 13, 1890, and immediately opened a law office in Woodhaven, County of Queens, where he has since practiced continuously.

Mr. Merrill, although he has been in practice for only a little longer than seven years, has made a high reputation at the Queens county bar for both solid and brilliant qualities. He has been connected with some of the most conspicuous cases that have arisen in that part of the state during the last three years. His first memorable plea was in March, 1894, in behalf of Anna Wandalowshky, a young Polish



immigrant, charged with the killing of her babe at Glen Cove, to whose defense he had been assigned. The jury acquitted her, when followed a pathetic outburst of sympathy from the court-room of spectators and attending jurors, for the stranger prisoner, so strong that it passed beyond the power of control and compelled a recess of the court. He defended Charles A. Sharkey, of Flushing, indicted for murder in the first degree, on the charge of poisoning his mother, who died April 27, 1894. The case was tried in April, 1895, and Mr. Merrill obtained the prisoner's acquittal. He appeared in defense of Matthew Gray, of the United States engineer corps, tried for the killing of one William Gray in October, 1895, by stabbing. Gray had been indicted for murder in the first degree, but by the able efforts of his counsel he was convicted of the minor crime of manslaughter in the first degree. In 1896 he defended Mary Lalor, John Fleishhauer, and Anthony Forstell, tried on the charge of murder in the first degree for the killing of William Lalor at Long Island City, January 1, 1896, and procured their acquittal. He was the defendant's counsel in the celebrated case of Arthur Mayhew (colored), indicted for the murder of Stephen Powell, of Hempstead, on March 14, 1896. The jury rendered a verdict of guilty, whereupon Mr. Merrill carried the case to the Court of Appeals, which, however, affirmed the conviction. Two stays were afterward obtained. Mayhew was finally electrocuted, having been three times sentenced to die.

Mr. Merrill has been prominently identified with the enforcement of the fish and game laws. In September, 1895, he secured the conviction of the entire noted Wanser net-fishing crew before Justice Wartz and a jury at Canarsie. The prosecution of these parties had been undertaken by the State Fish and Game Commission. Mr. Merrill was not the attorney for the prosecution, but being in Canarsie on the day of the trial he was invited by the prosecuting attorney to sum up the case before the jury. This was the only conviction of a fishing crew ever procured in Canarsie. Violations of the net-fishing law have for years been notorious in that vicinity, and although there have been scores of prosecutions, the accused, having demanded trial before Canarsie juries, have always been acquitted except in this one instance.

In December, 1896, he successfully prosecuted the North Shore shell-fish cases in behalf of the state commissioners on game and fisheries.

Mr. Merrill has held the position of school commissioner of Queens county for three years, from 1890 to 1893, and for four years has served as a member of the Woodhaven board of education. In the office of school commissioner he made an exceptional record for energetic and intelligent work, greatly promoting efficient school management and the general educational interests of the county. State Superintendent James F. Crooker, alluding to his services in a public

address, said: "Commissioner Merrill has done a great work. The department views it with great interest and satisfaction."

In politics Mr. Merrill has always been a decided and active democrat. He has taken an earnest interest in the concerns of the Village of Woodhaven, and is among the most public-spirited citizens of that community. At the time of the disastrous Woodhaven tornado, in July, 1895, he stood on a washtub in front of the ruined schoolhouse, and for five hours appealed to the visiting people for cash contributions. The visitors, whose number was estimated at 75,000, responded so generously that before sundown \$1,400 in bills and change had been given, completely filling a keg provided for the purpose.



**ERWIN, MILTON H.** (born in Leyden, Lewis county, New York, June 16, 1832), is the son of Alanson and Amanda Kimball Merwin, both of New England descent. He was graduated at Cazenovia Seminary in 1848 and at Hamilton College in 1852, studied law at Watertown in the office of Honorable Joseph Mullin (afterward presiding judge of the Supreme Court for the 5th district), was admitted to the bar in 1853, and thereupon formed a legal copartnership with his preceptor, which continued until the latter's elevation to the bench (1857). He afterward practiced alone until October, 1874, when he was appointed by Governor Dix one of the justices of the Supreme Court. He has served without interruption in that capacity to the present time. Under the provisions of the constitution of 1894, creating the appellate division of the Supreme Court, he was appointed by Governor Morton one of the members of that division for the 3d judicial department.

Justice Merwin has also held the office of surrogate of his county. He was a delegate to the state constitutional convention of 1867. In 1858 he was married to Helen E., daughter of Ira Knapp, of Granville, Washington county.



**MESSER, LOUIS FRANKLIN** (born in Buffalo, New York, February 7, 1856), is the son of Christian and Dorothea Messer. His ancestors on both sides were of original French descent. Both his parents were among the pioneers of Buffalo, having come to that city when they were children. As a boy he attended district school and the public schools of Buffalo. After taking a preparatory course at Saint Joseph's College (Buffalo), he entered Columbia College, from which he was graduated in 1882 with the degree of bachelor of philosophy. In addition to the regular course at Columbia he attended lectures and took the junior course in the law department. Subsequently he entered the law office of Hon-

orable James A. Roberts, of Buffalo. Upon his admission to the bar, in 1885, he formed a partnership with Mr. Roberts, in which he still continues.

Mr. Messer has devoted himself exclusively to the practice of the law and to enterprises incidental to that pursuit. He was one of the organizers of the Erie County Guaranteed Search Company, the first and largest title company in Buffalo, and has been its president ever since its incorporation. He is identified with several other large corporations of that city, either as an officer or as a director.

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**METCALF, JABEZ HENRY** (born in Canandaigua, New York, June 25, 1857), is the second son of the late Jabez H. Metcalf, a life-long resident and prominent lawyer of Canandaigua. The elder Metcalf was admitted to the bar in 1843, and had a large practice and an extensive acquaintance throughout western New York. He was a law partner of Senator Lapham, and in later years was at the head of the firm of Metcalf & Field. The son was educated at Canandaigua Academy and preparatory schools, studied law in the office of Metcalf & Field, and was admitted to the bar at Buffalo June 26, 1878, having just completed his twenty-first year. He entered upon practice at Canandaigua, and continued to reside there until January, 1897, when he removed to Buffalo and formed with Mr. Herbert P. Bissell the firm of Bissell & Metcalf. This firm is engaged in a large corporation practice.

Mr. Metcalf, while in practice in Canandaigua, was appointed (January, 1890) county judge of Ontario county. In the following year he was elected to that office for a full term of six years.

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**EYER, JAMES GULICK** (born at Fishkill Landing, New York, January 17, 1864), is the son of Lewis and Mary Nelson Meyer. He was graduated from the grammar school of Rutgers College in 1880 and from Rutgers College in 1884. The degrees of bachelor of arts and master of arts have been conferred upon him by that institution. His preparation for the legal profession was received under the direction of Judge Samuel K. Phelps, and he was admitted to the bar at Brooklyn in September, 1886. He has been in active practice at Matteawan since, devoting himself exclusively to his profession, conducting numerous important litigations.

Mr. Meyer has at various times been attorney for the Town of Fishkill, and also attorney for the board of auditors and one of its mem-

bers. He organized the new general hospital of the Town of Fishkill, and he is a trustee of the Howland Library, and also a member and one of the organizers of the Willard H. Mase Hook and Ladder Company.



**MILLER, JOHN HUNTER** (born in New Rochelle, Westchester county, New York, May 11, 1850), is the son of Leonard P. Miller, who for thirty years was a prominent citizen and one of the leading lawyers of Westchester county, and grandson of Nicholas Miller, of Mamaroneck, also a leading citizen of Westchester in the early part of this century. His mother, Susan Ann Le Count, was of a New Rochelle family, of honorable lineage in France prior to their advent in this country with other Huguenot refugees about 1685. Mr. Miller was educated by private tutors and in private schools, and was graduated from Wesleyan University in 1871, and from Columbia College Law School in 1873. While attending Columbia he also read law in the office of Miller, Stoutenburgh & Peckham, of New York City, and after his admission to the New York bar in 1873 at once engaged in practice in that city.

One of his first cases, attracting wide attention, involved the construction at 110th street, New York City, of the trestle for the New York Central Railroad tracks. In 1876 he became attorney for the Hunter, Overing, and Van Cortlandt estates, and had charge of the extensive business and litigation in the Counties of Delaware, Sullivan, Ulster, and Greene in closing up the perpetual leases which had been unsettled by the famous "anti-rent" war and the legislation growing out of this agitation. This was brought to a conclusion by the notable partition suit of Hunter *vs.* Overing, continuing from 1876 to 1881, and involving "Great Lot 25," part of the "Hardenburg Patent" in Greene and Ulster counties, including a considerable portion of the Village of Tannersville. This suit laid the foundation for sound titles to all the Catskill region, opening that country to development as a summer resort. About 1881 he became engaged in a series of interesting cases involving points under construction contracts, as attorney for Smith & Ripley, successors to Sidney Dillon's firm of Dillon, Clyde & Company, the leading contractors of the country for the construction of railroads and public works. The important suits tried for this firm include one growing out of the construction of the bridge across the Genesee River at Charlotte for the Rome, Watertown & Ogdensburg Railroad; another in connection with the construction of the New York, Woodhaven & Rockaway Beach Railroad, and another in connection with the erection of the 2d avenue railroad stables. He was general adviser of J. McIntire & Company and C. J. Ryan in the construction of the extension of the Delaware & Lackawanna Railroad from Binghamton to Buffalo, out of which

grew the case of *Murchie vs. McIntire*, at Saint Paul, Minnesota, which excited great local interest because of the novel points involved. The case of the bridge at Charlotte was of legal interest as settling the question as to the measurement of piles driven. Mr. Miller successfully established that where the work is contracted for at so much per foot payment may be enforced for the entire length of each pile as swung in the ways, and not merely for the part remaining in the ground after the pile has been cut off. For several years he was general attorney and counselor for Schwartz & Dupee, of New York and Chicago, leading members of the Chicago Board of Trade, and in this connection conducted the suits in the famous controversy with Morgan, Marsh & Company and General Cutting, and against the assignee of Sutre & Company, of New York, in each case securing successful settlements for his Chicago clients.

In the case of *Ward vs. Kilpatrick* (1880-82), finally adjudicated in his favor in the Court of Appeals, he established a rule of construction as to the knowledge required by the member of a firm who verified the notice of mechanic lien as enforced by statute, and secured a decision on the new question whether the elaborate and expensive cabinet finish of mirror-frames, hatstands, and wainscoting in the modern luxurious house construction should be classed as fixtures or as subject to mechanic's lien. From 1884 to 1889, as representative of John Hunter, the late William R. Travers, the late Silas H. Witherbee, Charles L. Tiffany, and other property-owners, he became interested in the proposed new parks for New York City. His professional services were devoted almost exclusively to the legal and legislative proceedings in this connection. In 1885, 1886, and 1887 he appeared personally before the joint senate and assembly committees on cities in all contests and litigations having this public improvement in view, assisted in preparing the two leading cases to test the constitutionality of the park act of 1885, and secured the ruling that the amount of the sinking fund of New York City be credited against the gross indebtedness of the city, thus making it possible to issue bonds for the purchase of the park lands without exceeding the limit indebtedness permitted by law. The committee appointed to ascertain a proper award of damages to property-owners whose lands were condemned for parks decided the line of testimony to be received upon Mr. Miller's argument.

During this period he was also attorney for Mark N. Stanfield and Frank Risley, proprietors of the Victoria Hotel, settling the estate of Mr. Risley, and continuing as attorney and counsel of Mr. Stanfield until the latter's death. He was counsel in 1887 for Alexander Howe, special partner and assignee of the failed firm of Webster & Company, one of the largest liquor houses in San Francisco and New York. The thirty or forty actions begun against his client on the ground of his special partnership he succeeded in adjusting without liability. In

1893 he argued in the Ohio Supreme Court, in connection with the estate of S. S. Stone, of Cleveland, that the brothers and sisters mentioned in section 4162 of the Ohio revised statutes as entitled to inherit included the brothers and sisters of whole blood only. His construction was sustained. For several years past he has confined himself almost exclusively to corporation practice, and has had the settlement of important affairs as attorney of the Hydraulic Brake Company, the Electric Bleaching Company, the Electrozone Company, the New York, Elmsford & White Plains Railroad Company, the Citizens' Gas and Electric Company of White Plains, and the New York, Mamaroneck & White Plains Railroad Company. He was recently engaged in adjusting important business matters with the General Electric Company.



**M**ITCHELL, CHARLES ELLIOTT (born in Bristol, Connecticut, May 11, 1837), is the son of George H. Mitchell and Lurene, daughter of Honorable Ira Hooker, who served five terms in the Connecticut legislature. He is lineally descended from William Mitchell, born in Scotland in 1748, who was a manufacturer of cloth in Connecticut prior to the Revolution, and served in the militia during that struggle. Through his mother he is also directly descended from Thomas Hooker, the famous divine and statesman of colonial Connecticut, from his son, Reverend Samuel Hooker, and from Captain Thomas Willet, one of the "Pilgrim Fathers," a magistrate and captain of militia at Plymouth, and participant in the capture of New Amsterdam from the Dutch in 1664, and the first mayor of New York City under English rule.

Mr. Mitchell attended the Connecticut Literary Institute at Suffield, and Williston Seminary, Easthampton, Massachusetts, was graduated from Brown University in 1861, became principal of a high school, at the same time studying law, and was graduated from the Albany Law School in 1864, and the same year admitted to the bar both in New York and Connecticut. He engaged in successful practice in New Britain, Connecticut, was first prosecuting attorney after the incorporation of that city, and in 1880 and 1881 was a member of the Connecticut assembly, refusing consent to his nomination to the state senate. During his first term in the assembly, as chairman of the committee on corporations and in conjunction with Honorable John R. Buck, chairman of the corresponding senate committee, he re-drafted the corporation laws of Connecticut. During his second term he served on the judiciary committee.

Mr. Mitchell's practice has largely been in the special department of patent and trademark cases. His interesting cases include the Tucker bronze and Rogers trademark cases, and many of the Edison lamp cases. In 1889 he was appointed commissioner of patents by

President Harrison, serving until his resignation to resume practice in New York City, in 1891. His administration was one of the ablest the country has ever had, and it is believed that none of his decisions as commissioner have been overruled by the courts. The thoroughness at which he aimed is shown by his annual report to congress, January 1, 1891, in which he declares: "A patent should evidence such painstaking care in examination that upon its face it should warrant a preliminary injunction; and there can be little doubt that the continuance of the 'American' examinations system depends upon so conducting examinations into the novelty of alleged inventions as to make the seal of the patent office create a powerful if not a conclusive presumption that the patent is valid." At the centennial congress, convened at Washington April 8-10, 1891, "in celebration of the beginning of the second century of the American patent system," Mr. Mitchell made the opening address of the first day's proceedings, following the introductory address of President Harrison, who presided at this session. In this notable address on "The Birth and Growth of the American Patent Systems," Mr. Mitchell traced the patent laws of ancient England, the American colonies, and the United States.

Since 1889 his law firm of Mitchell & Hungerford, which had been in existence in Connecticut for a quarter of a century, became also established in New York City. The firm style in the last few years has been changed to Mitchell, Hungerford & Bartlett. Mr. Mitchell is counsel for many leading corporations, and a director in several. He is a member of the City Bar Association and the University Club.



MONFORT, HENRY ALONZO (born at West Hills, Suffolk county, New York, September 3, 1852), is the son of William H. Monfort and Sarah E. Whitney, of Huguenot and (on the maternal side) English ancestry. His father, a substantial farmer still living on the ancestral estate where he was born, was for many years justice of the peace of the Town of Huntington, Long Island. His mother is the sister of ex-Mayor Daniel D. Whitney, of Brooklyn. Mr. Monfort received his early education at Huntington, Long Island, where he was graduated from the high school, afterward taking a two years' course of study at Cornell University. He subsequently read law with ex-Judge Thomas Young, of Huntington, was admitted to the bar at Poughkeepsie in May, 1875, and commenced practice in Jamaica, Long Island, the following spring, where he has since continued.

He has acted as counsel in many important cases. He was counsel for Horatio N. Sanford in 1892 in his contest with Patrick J. Gleason for the office of mayor of Long Island City. It was generally predicted that Gleason could not be ousted except by writ of *quo war-*

*ranto*, but Mr. Monfort carried the case through successfully, and Sanford took his seat as mayor a few days after his term began, January 1, 1893. He was counsel for Captain William Woodrick in the de-



*Henry A. Monfort*

fense of an action for divorce brought by his wife. The case was tried twice, the jury in the first trial disagreeing. In the second trial, before Justice Dykman and a jury, Captain Woodrick secured an absolute divorce. He was counsel for defendant in the case of *People vs.*



John Alb, indicted for murder in the first degree, securing a verdict of acquittal. Another election case of prominence which he carried to a successful conclusion was in the matter of Madden (148 N. Y., 136).



**MOORE, HARRISON SHERMAN** (born in Waterford, Saratoga county, New York, April 23, 1849), is the son of Lewis K. Moore and Lucinda J. Bassett. In the paternal line he is descended from a family resident at Braintree, Massachusetts, in revolutionary times, and on his mother's side from old families of Rensselaer county, New York. He attended the public schools and Halfmoon Academy (Middletown, Saratoga county, New York), and in 1874 was graduated at the State Normal College, at Albany. After completing legal studies with Benjamin W. Downing, of Flushing, New York, he was admitted to the bar (at Poughkeepsie, in May, 1877), and opened a law office in Flushing, where he still practices.

Mr. Moore has at various times been counsel to the officials and boards of the Town of Flushing, and to the board of supervisors of Queens county. Since 1893 he has been president of the board of education at Little Neck, and since December 28, 1896, he has held the office of county judge of Queens county, by appointment of Governor Morton. He was also appointed by the governor a member of the Greater New York Commission.



**MOOT, ADELBERT** (born in Allen, Allegany county, New York), is the son of Charles D. Moot, of German descent, and Mary, daughter of Andrew Rutherford, of English descent. He received his early education in private and public schools, and attended the State Normal School at Geneseo, but did not graduate. He studied law with Richardson & Flanagan, of Angelica, and Angel & Jones, of Belmont, and also at the Albany Law School, and was admitted to the bar at Albany, November 22, 1876. After a brief country practice he removed to Buffalo, where he has since pursued his profession. He is a member of the firm of Moot, Sprague, Brownell & Marcy, one of the leading law firms of that city.

Mr. Moot since he engaged in practice at Buffalo has been constantly connected with cases of importance, especially as related to local Buffalo interests, which are reported in nearly every volume of the Court of Appeals reports from 84 N. Y. to 152 N. Y.

He has been for a number of years a lecturer on evidence in the law department of the Buffalo University, and has been active in public work like that of the Good Government Clubs and similar organi-

zations. At various times he has delivered addresses on subjects of historical interest.



MORRIS, LORENZO, for more than fifty years a prominent lawyer and citizen of western New York, was born in Smithfield, Madison county, New York, August 14, 1817. In 1829 he came with his parents, David and Abigail Blodgett Morris to reside in Chautauqua county, where he attended the common schools. After graduating from the Mayville Academy in 1836 he turned his attention to the study of law, entering the office of Honorable Thomas A. Osborne at Mayville, who was one of the judges of the Court of Common Pleas of the county. On June 23, 1841, after reading for a time with Judge Cooke, of Jamestown, he was admitted to practice in the Court of Common Pleas and became the partner of his preceptor. In 1844, at the end of three years' practice in the lower courts, having been admitted to practice also in the Supreme Court, Mr. Morris removed to Mayville, where he practiced his profession until 1852, in which year he removed to Fredonia, where he has been engaged in active and successful practice ever since. Shortly after taking up his residence in Fredonia, he formed a partnership with Stephen Snow. Later he became a partner with Honorable Emery F. Warren, later still with John S. Russell, and last of all with Honorable John S. Laubert, now a justice of the Supreme Court and a former student in the office of Morris & Russell.

His practice during all these fifty years has been of a varied character, taking him into all courts and involving all branches of the law. In his partnership relations, upon him has nearly always devolved the preparation and trial of causes; for in the management of cases he has been unusually successful and always satisfactory to his clients. His criminal practice has been considerable but local, due largely to the fact that he has often been called upon by the district attorney or by the court to act as advocate for the people. In 1872 Governor Hoffman assigned him to try the case of the murderer Marlowe, who was convicted and sentenced.

At the time when Mr. Morris came to the bar, Honorable Richard P. Marvin and Honorable James Mullett were, doubtless, the leading lawyers in Chautauqua county. When, in 1846, these men left their practice and were elected justices of the Supreme Court, no man could claim a better title to the name of leading advocate than Madison Burnell; and upon his death, as Doctor Hazeltine, in his "History of the Town of Ellicott," aptly says, "If as an advocate the mantle of Madison Burnell fell upon the shoulders of any compeer, it will be found in the possession of Lorenzo Morris."

During his long residence in his county and village Mr. Morris has been many times honored with positions of trust which he has faith-

fully and competently filled. Though in his political preferences always firmly democratic and ardent in his support of the principles of Jefferson and Jackson, yet in 1867 in a strongly republican district he was elected by a considerable majority to the senate of the state, the only time that honor has ever been conferred on a man of his partisan affiliations by the citizens of that portion of the state. His duties as senator were performed faithfully and with honor to himself and for the best interests of his constituents. In 1872 he was appointed by Governor Hoffman one of the commissioners to revise the state constitution. In the same year he was appointed to the presidency of the board of directors of the State Normal School at Fredonia, which office he still holds. In his interest in matters of educational advancement, as thus shown, and in the improvement and betterment of his beautiful town, he has always been zealous and active. Now in his eightieth year, his mental faculties remain unimpaired by the toil of a lifetime, and though not in active practice his wise counsel and sound advice are still sought by many.



**MORSE, WALDO GRANT** (born in Rochester, New York, March 13, 1859), is the son of Adolphus Morse, seventh in descent from Samuel Morse, who settled in Dedham, Massachusetts, in 1635, and of Mary E., daughter of Abraham Grant, sixth in descent from Christopher Grant, one of the founders of Watertown, Massachusetts. He was educated in Rochester and entered the University of Rochester, but owing to ill health left before completing the course, spending two years in rest and travel. He read law with Martindale & Oliver, of Rochester, New York, and was admitted to the bar in Buffalo in 1884. He commenced practice alone in Rochester, and so continued for four years, when he removed to New York City and established the firm of Morse & Haynes, now Morse & Aeer. He enjoys a successful practice, and is a sound lawyer and effective speaker.

He has taken a special interest in the movement to preserve the Palisades of the Hudson from defacement and spoliation at the hands of private interests. He drafted and secured the passage of the bill in the state legislature for the appointment of the Palisades commissioners of the State of New York in 1895, and drew the Palisades national reservation bills passed by the States of New York and New Jersey in 1896. He also drafted the act on the subject now before congress.

Upon the passage of the legislative bill he was appointed by Governor Morton one of the three Palisades commissioners to act conjointly with three appointed by Governor Werts, of New Jersey, and was made secretary and treasurer of the joint commission for the States of New York and New Jersey. The commissioners made an elaborate

joint report to the governors of both states, December 5, 1895. Since the national bill has been before congress Mr. Morse has not only agitated its merits widely through the press but has appeared before committees in Washington in its advocacy.

He is now president of the Morse Society, incorporated under the



WALDO GRANT MORSE.

laws of the State of New York, member of the American Academy of Political and Social Science, the American Bar Association, New York State Bar Association, Association of the Bar of the City of New York, Society of Colonial Wars, Sons of the Revolution, the Lawyers', Reform, Quill, and other clubs.



MOSS, FRANK (born in Cold Spring, Putnam county, New York, March 16, 1860), is the son of John R. Moss and Eliza Wood, the latter of English and Dutch descent, daughter of a soldier of the war of 1812. His father was a native of Manchester, England, a teacher of music. He came to America, and



*Frank Moss*

during the war of the rebellion was a lieutenant in Hawkins's famous zouaves (9th New York volunteers), and was captured by the confed-

erates and confined in Libby Prison. After attending the common school departments of New York City, Mr. Moss took a special course in the College of the City of New York, and later pursued systematic courses in private study, including that of the Chautauqua literary and scientific circle. He studied law in the office of Joseph Fetterich, of New York, and was admitted to the bar in the spring of 1881. Three years later he engaged in practice for himself.

Mr. Moss has been executor of several large estates, including that of the eccentric Maltby G. Lane. This estate has been involved in constant litigation, and Mr. Moss's adjustment of the contested will, involving the complicated interests of widow and infant heirs, has been sustained by the courts, serving as a model for the settlement of will contests where the interests of infants are involved. He has had large experience in real estate and testamentary law, and in the trial of civil and criminal cases. He is an expert on excise and police law, and has frequently appeared before legislative committees which have been charged with the consideration of bills on these subjects. He is professor of medical jurisprudence in the New York Medical College and Hospital for Women.

For the past ten years he has been especially prominent through his service in the interests of municipal reform in New York City. When but twenty-five years of age he attacked the corrupt administration of Police Captain Williams in the Tenderloin precinct. His fearless and able conduct of the trial of that captain before the police commissioners in 1887 attracted the notice of the Society for the Prevention of Crime, then under the presidency of Howard Crosby, and they invited him to act as their counsel. Soon after he became a director, and before Doctor Parkhurst became president of the society, he had urged that it undertake a systematic war on the corrupt police force, and had prepared the way for such a campaign. When that work was inaugurated, he was unanimously elected, with Doctor Parkhurst and Thaddens D. Kenneson, a member of the executive committee which shaped the aggressive policy of the society. He was especially active in the Lexow investigation as one of the counsel to the committee. Much of its work was planned by him. He examined many of the witnesses, and drafted a large part of the committee's report. The bills finally proposed by the Committee of Seventy were largely based upon drafts made for the Society for the Prevention of Crime by Mr. Moss and Mr. Kenneson. Said Recorder Goff:

As counsel for the Parkhurst Society and as counsel for several local property-owners' associations in various parts of the city, Mr. Moss had derived an experience and acquired a knowledge of police oppression and corruption in this city which peculiarly fitted him as an associate counsel to the senate investigating committee. He entered upon the work exceptionally well equipped, and for almost a year he kept at that work, through gloom as well as brightness, with unabated enthusiasm. He was tireless in energy, unflinching in industry; day

and night he was at his post, whether in court or out of it, and to his keenness, sagacity, perseverance, and devotion is to be attributed in a great degree the success and the results which attended that investigation. In the midst of the severest trials he was always steadfast and confident, and I learned not only to esteem him for his high intellectual qualities, but also to love him for his loyalty and goodness of heart.

In his book, "Our Fight with Tammany," Doctor Parkhurst says:

It is my pleasure as well as duty to recognize the services which have been rendered by Messrs. T. D. Kenneson and Frank Moss as members of the executive committee of the Society for the Prevention of Crime. The community has no appreciation of the amount of time and effort which have been expended by these two gentlemen in the interest of our city during the years past. There is altogether too much disposition to bestow the credit of the issue upon the president of the society, and vastly too little recognition of the fact that if he has been able to accomplish anything it is because of the wise and tireless support of these two colleagues. Our relations have been those of unbroken harmony. Our mutual confidences have been complete, and all questions of moment have been decided by our combined judgment. Neither will it be considered by Mr. Kenneson as unjust to himself if I emphasize especially the faithful service rendered by Mr. Moss. His relation as counsel to the society involved a special draft upon his time and energy. It ought to be understood by our citizens that during all the years that he has served the city, devoting to it sometimes for many days together his entire energy, he has not received a dollar of compensation; indeed, the terms of our constitution forbid that the services of any member should be remunerated except by love of our friends and the hatred of our enemies.

In the spring of 1897 Mr. Moss was appointed by Mayor Strong a member of the board of police commissioners of New York City, as successor to Honorable Theodore Roosevelt. The presidency of the board having become vacant by Mr. Roosevelt's retirement, Mr. Moss was elected by his associates to that position. He is a trustee of the City Vigilance League, and a member of Good Government Club P., the Bar Association, Law Institute, Harlem Republican Club, Twilight Club, Methodist Social Union, and Epworth League. He is trustee and Sunday-school superintendent in the Trinity Methodist Episcopal Church. The degree of doctor of laws was conferred upon him by the Taylor University of Indiana.



MOSS, ROSWELL RANDALL (born in New York City, October 6, 1845), is the son of Reuben E. Moss and Harriet Newell Randall. He is in the sixth generation of lineal descent from John Moss, one of the company of London merchants who, under Reverend John Davenport, settled New Haven in 1638.<sup>1</sup> In the maternal line he is a *Mayflower* descendant, tracing his ancestry

<sup>1</sup> John Moss was one of the prominent men of the colony. He was a signer of the original compact, and after the union of New Haven with Connecticut was fre-

quently a representative in the general court. He died at Wallingford, Connecticut, in 1707, at the age of one hundred and three.

to John Howland, who was the last survivor of the original band of puritan pilgrims that landed on Plymouth Rock in 1620, and who married Elizabeth Tillie, an adopted daughter of Governor Carver.

Roswell K. Moss attended schools in New York City and Brooklyn until 1860, when his parents removed to a farm in the Town of Southport, now Ashland, near the Village of Wellsburgh, Chenung county, New York. He was a student in the Elmira Free Academy for parts of two winters, and afterward remained at home on the farm, teaching country schools for a time, until January, 1871. He then began the study of law at Elmira in the office of Smith, Robertson & Fassett (Congressman H. Boardman Smith, District Attorney Archibald Robertson and Newton P. Fassett, father of J. Sloat Fassett). In this office he continued for three years, meantime performing farm work for two summers. He was admitted to the bar at a general term of the Supreme Court held at Albany, January 9, 1874, being among the members of the class who received special mention for attainments and abilities. He thereupon accepted an offer from his old preceptors, becoming chief clerk of the firm and having principal charge of the practice of the office, occasionally acting as counsel in trials and upon appeals, until October 1, 1879, when he engaged in practice alone. In the fall of 1880 he formed with Edward B. Youmans the law firm of Youmans & Moss, which in 1884 became Youmans, Moss & Knipp, upon the admission of Charles H. Knipp, who had been a student in the office. During President Cleveland's first term Mr. Youmans was chief clerk of the treasury department at Washington, and retired temporarily from the firm. Mr. Knipp (who is now serving a second term as district attorney of Chenung county), withdrew from it in 1891, and it has since continued under the original style of Youmans & Moss.

Mr. Moss has been connected as attorney or counsel with many cases important for the questions or interests involved. A careful and thorough practitioner, he is said to know the code by heart and is able to cite from memory the number of the appropriate section upon most questions of procedure. He has been in many important motions involving the validity and regularity of attachments, and has never lost either an attack or defense, although final decision in his favor has in some instances been deferred until the result of an appeal in which he has been more often respondent than appellant.

In 1894 he compiled a manual of the election laws of the State of New York, with instructive notes for the information of inspectors, clerks, watchers, and voters, concerning their duties and rights. For several years he has compiled an annual digest of New York laws for the information of non-resident lawyers and laymen, published in Martindale's "American Law Directory." He has been an occasional contributor to the local press, especially the *Elmira Advertiser*, of political editorials and of articles on current questions and literary



and scientific topics. He has at various times read papers on precise subjects, chiefly historical, sociological, and financial, before the Elmira Academy of Sciences, of which he is a fellow and has been vice-president and frequently the head of a division. He has always been interested in educational matters and has given them attention so far as the practice of his profession has permitted.

During the war Mr. Moss was prevented by delicate health from entering the active service. But in February, 1865, he received a commission from the United States Christian Association as delegate, in which capacity he was a teacher among the colored troops north of the James for several weeks, and later was in charge of the "small issue office" of the commission at City Point. While there he was in the hospitals during the engagements before Petersburg and Richmond, and he entered Petersburg on the day of its capture. In undertaking his work for the Christian Association he contemplated enlisting at the end of the term, but before that time arrived the war had practically closed.

From his youth Mr. Moss has been an earnest republican in politics. While he has devoted himself strictly to his profession, avoiding public life, he has frequently contributed his time and abilities for the promotion of the party cause.

In 1865 he became a member of the Park Church, then known as the 1st Congregational Church, of which Reverend Thomas K. Beecher was for so long a time the pastor. He has been a teacher in its Sunday-school since 1878.

He was married, June 7, 1876, to Anna D. Mason, daughter of the late George W. Mason, who founded the Elmira *Daily Gazette*. They have two daughters.



MOVINS, EDWARD H. (born in Ypsilanti, Michigan, October 19, 1848), is the son of Julius and Mary Leonard Vibbard Movins. He was educated at Phillips Exeter Academy and the University of Heidelberg, being graduated from the latter in 1869, receiving the degrees of doctor of philosophy and master of arts. His preparation for the legal profession was obtained in the offices of the late Honorable E. C. Sprague and the late Honorable Delavan F. Clark, both of Buffalo, and as a student at the Hamilton Law School, from which he received his degree of bachelor of laws in 1878. In the same year he was admitted to the bar, at Syracuse. Entering upon practice at Buffalo he became successively a member of the firm of Crowley & Movins (1881), Crowley, Movins & Wilcox (1882), Allen, Movins & Wilcox (1883-91), and Movins & Wilcox (1889-94). His associates in these various firms were Honorable Richard Crowley, Ansley Wilcox, and Honorable Henry F. Allen. After dissolving his partnership with Mr. Wilcox he practiced alone.

until his appointment by President Cleveland, in April, 1895, on the Board of Mineral Land Commissioners for the district of Helena, Montana. He still retains that office, being located at Helena for a part of each year, retaining, however, his law office in Buffalo, New York.

Mr. Movins has been professionally employed in connection with a variety of important interests. He was one of the attorneys for the New York, West Shore & Buffalo Railroad Company until it was leased to the New York Central & Hudson River company, and in that capacity examined all the land titles involved in Erie and Genesee counties. He was also (from 1883 to 1885) one of the attorneys for the commissioners of the New York State Reservation at Niagara, examining in behalf of the commissioners the titles to all lands acquired by the state within the reservation boundaries. From 1885 to 1888 he acted as receiver of the 1st National Bank of Buffalo.

Mr. Movius, until his appointment as mineral land commissioner, devoted himself strictly to his profession. As a young man, he took a decided interest in the state militia, in which he served from 1871 to 1876 with the rank of major, but after engaging in the legal profession he abandoned that connection.




**MURRAY, CHRISTOPHER AUGUSTINE** (born in Rondout, Ulster county, New York, April 18, 1857), is the son of William and Catherine Murray, both born in Kildare, Ireland. His father settled in Rondout in 1826, being one of the earliest catholics in that place, and died there in 1893, having become one of the most substantial citizens. The son attended common schools in the villages of Port Ewen and Rondout until 1871, and in 1873 became a student, successively, in Saint Mary's College, of Montreal, Canada, and Georgetown College (District of Columbia). Entering the law office of John E. Van Etten, of Kingston, New York, he made himself familiar with the principles and practice of the legal profession, and in due time was admitted to the bar, at Albany, January 26, 1883. He has since been engaged in successful practice at Rondout, devoting himself chiefly to office work and Surrogate Court business.

From January 1, 1884, to December 31, 1887, he held the office of justice of the peace. Since January 1, 1894, he has been recorder of the City of Kingston. In that position he is now serving his second term, which expires on the 1st of January, 1900. In politics he is a democrat. When he ran for justice of the peace he carried seven of the nine wards of the city, receiving a majority of 600. At his first election as recorder his majority was 200, although the head of the ticket was successful by only eight votes, and at his second election he had a majority of 98, notwithstanding that the city went republi-

can by 600. He has repeatedly declined nominations for various city and county offices.

Mr. Murray has always taken a strong interest in matters concerning the welfare of the City of Kingston, and to his activity in this respect his popularity is largely due.

EAR, IRVIN WILSON (born in the Town of Alexandria, Jefferson county, New York, January 26, 1835), is the son of Richard Near (sometimes written Neher) and Mary Cotter. His paternal ancestors were refugees from the Bavarian Palatinates of Germany. John Neher, his grandfather, served in the American navy in the war of 1812. Mr. Near's mother, Mary Cotter, was a granddaughter of James Cotter, who emigrated to this country from Londonderry, Ireland; and of Mary DeWitt, of Ulster county, New York.

Irvin W. Near attended district and village schools and the Orleans Academy, at La Fargeville, New York, and in 1854 was graduated from the College of Montreal. He pursued legal studies with Horace E. Morse, of Clayton, and Clarke & Calvin, of Watertown, and also at Transylvania University (Lexington, Kentucky), and on January 5, 1858, was admitted to the bar at Syracuse. After practicing at Clayton for a year and at Bath for six years, he removed, in 1865, to Hornellsville, where he is still in active practice.

During his professional career of nearly thirty years Mr. Near has been identified with a variety of litigations of a vital and interesting character. He has been counsel, among other suits, in the bonding cases in the New York Supreme Court and Court of Appeals, involving the constitutional validity of bonds issued by towns in aid of railroad construction, and in cases concerning the liability of municipal corporations for injuries caused by alleged defective streets and sidewalks, the validity of bequests for pious uses, the right of a going railroad to interfere with or prevent the construction of a proposed parallel and competing line, and the right of creditors over a dead trust. In the federal Circuit and Supreme Courts he has argued cases affecting certain mining and land grants, and in actions construing the bankrupt act. He was the commissioner appointed to determine the claims of the State of New York to 40,000 acres of the Adirondack Park, embracing Raquette Lake. The result of his services in this connection was that the claim of the state was sustained, the decision being subsequently affirmed. It anticipated the present policy of the state in that respect. He has held the elective offices of president of the Village of Hornellsville, member of the local board of education (1867-82), and district attorney of Stenben county (1884-86). In politics he has usually been identified with the democratic party, al-

though he voted for Lincoln in 1864, for Grant in 1872, and for Harrison in 1892.

Mr. Near was one of the original projectors of the Rochester, Hornellsville & Pine Creek Railroad, the Hornellsville & Cohocton Valley Railroad, the Rochester, Hornellsville & Lackawanna Railroad, and the New York & Pennsylvania Railroad. He is at present one of the officers of the last named company.

He was the organizer of the public school system and Free Academy of Hornellsville, and founded the Hornell Library, a free circulating and reference institution—one of the largest and oldest in the third-class cities of the state. He took a prominent part in drafting and procuring the enactment of the laws creating the Village and City of Hornellsville, and he devised and secured the present system for the supply of water for the city.

Mr. Near has always taken a deep interest in historical investigation. He is the author of historical addresses on the following subjects: "The First Grant, Purchase, and Settlement of That Portion of the State of New York Claimed by Massachusetts," "The Pioneers of the Northwest Branch of the Susquehanna," "The Claim of Columbus as the Original Discoverer of America," "The Life and Public Services of Baron Steuben," and "Early Jesuit Explorations in Western New York."



**NICOLL, WILLIAM GREENLY** (born in Islip, Suffolk county, New York, August 29, 1845), is the son of William and Sarah A. Nicoll. He was prepared for college in the union school of Huntington, Long Island, and in July, 1866, was graduated from Yale with the degree of bachelor of arts, the master of arts degree being conferred upon him four years later. He studied law at Columbia College Law School and in the office of Scudder & Carter, of New York City, and was admitted to the bar in that city on April 30, 1867. He was engaged in practice in the metropolis until November 1, 1880, since which date he has been a practitioner at Babylon, Suffolk county.

Mr. Nicoll has held the offices of supervisor of the Town of Babylon (April, 1893, to April, 1896) and justice of the peace of that town (April, 1891, to January, 1896).



**NILES, WILLIAM WATSON** (born at West Fairlee, Vermont, March 26, 1822), is the son of Judge William Niles and Relief, daughter of Colonel John Barron, of Bradford, Vermont, an officer of the French and Indian war, as also of the Revolution. The ancestral line of the Niles family goes back to the Norsemen of England. The first American ancestor, John Niles,

settled in Braintree, Massachusetts, in 1636. Samuel Niles, second in the line given below, was a famous colonial clergyman, and a historical and theological author. His son, third in the line, Honorable Samuel Niles (a graduate of Harvard College like his father), was an eminent jurist. Honorable Nathaniel Niles, fourth in the line, was a jurist, presidential elector, congressman, eminent manufacturer, and inventor of a method of making wire from bar-iron by water power.

His grandson, William Watson Niles, was tutored by his father, attended Bradford Academy and Newbury Seminary, and after several successive terms of teaching in schools and academies in New Hampshire, Vermont, and Massachusetts, entered Dartmouth College, and was graduated in 1845. He entered the law office of his brother, Judge Niles, of La Porte, Indiana, at the same time serving as assistant to him as professor of chemistry in the Indiana Medical College. He was admitted to practice in Indiana without examination, having already tried cases in the lower courts against most of the lawyers in the county. Coming to New York, he entered the office of General John Cochrane to familiarize himself with New York practice and was soon admitted to the New York bar. He visited Europe, traveling largely on foot over Great Britain and the continent, and returning engaged in practice in New York.

In one of his first cases James T. Brady was opposing counsel. Nevertheless he was successful. While almost unknown he was employed by Judge Price, of New Jersey, in a suit against Daniel Webster, and recovered a large sum of money in a determined contest in which United States District Attorney David P. Hall, Honorable Samuel Blatchford, Oscar W. Sturtevant, and Luther R. Marsh represented the distinguished defendant. He tried and won the first case in this state against a ship's officers and crew for goods that had been shipped, and for which a bill of lading had been signed in a foreign port, and where there was no evidence as to how the loss had occurred. In the case of *Sweet vs. Morrison* he was successful in a defense which had been deemed hopeless, after some fourteen years of active contests. He was also successful after litigations for fourteen years in defeating the "thin tin" can patent case of Masury *vs.* the Borden Condensed Milk Company, after final judgment had been recovered by the plaintiff in the case of Masury *vs.* Tiemann, tried before the late Justice Blatchford, and defended by several of the ablest patent lawyers in the country; and his victory in that case led to the dismissal of a large number of other cases on the same patent, in which he had been retained.

He also argued and won the first case on the patent for railroad

<sup>1</sup> The direct line is as follows: John Niles<sup>1</sup>; Samuel Niles<sup>2</sup>, born May 1, 1674; Samuel Niles<sup>3</sup>, born 1711; Nathaniel Niles<sup>4</sup>, born April 3, 1741; William Niles<sup>5</sup>, born at Norwich, Connecticut, July 15, 1775, died in Brooklyn, New York, September 6, 1848, was graduated

from Dartmouth, as was also his father, his grandfather being a graduate of Princeton, became a judge and member of the constitutional convention of Vermont; William Watson Niles<sup>6</sup>, of New York

axle boxes before the United States Court at Trenton, New Jersey, which led to settlements of the claims of the patentee for royalties against the New York Central, the Illinois Central, and some hundred other railroad companies in suit or in his hands for collection.

In *Ackerman vs. English*, argued before the New York Supreme Court, November 18, 1856, he established a precedent, being the first to recover in an action brought by a first indorser on a promissory note against a second indorser, notwithstanding the orders shown by the written contract. In *Stowell vs. Stowell*, also argued in Supreme Court, June 1, 1868, he was the first to establish the doctrine that an attempt to corrupt the morals of a wife is cruel and inhuman treatment, justifying a limited divorce under the statute, even when there is no pretense of a harsh word or violent action on the part of the husband. Mr. Niles became counsel for Governor Tilden's law office when the latter retired from practice, and was also his private counsel in every case he ever had in this state.

During the régime of the Tweed ring Mr. Niles conceived the plan, and organized and was the executive head of the Citizen's Association, established in all the upper wards of the city to compel both political parties to make satisfactory nominations. He was elected to the assembly, put on the judiciary committee, and procured the signature of the entire committee to a resolution of impeachment of Judges Barnard, Cardozo, and McCunn; and by the assembly was appointed one of the managers who tried Judge Barnard before the court of impeachment. During the civil war he assisted in raising several regiments, and with ten others organized the Central Loyal League under which all the leagues in the state were formed. After the war its members originated the Union League Club. In 1881 he was again elected to the assembly, and served as a member of the committees on general laws, charitable and religious societies, and federal relations. A signal public service at this time was the important part performed by him in the political and legal contests which added nearly five thousand acres to the public park area of New York City. He was appointed one of the commissioners for the location of these parks.

Outside of his professional life Mr. Niles has engaged in large business enterprises in the south, west, and east. He assisted, while a student in his brother's office, in securing the construction of the first railroad west of Lake Erie; secured the charter for the 42d street ferry, New York City, organized the Ferry and Land Improvement Company, and was its first secretary and afterward its president.



**N**OBLE, DANIEL (born in Brooklyn, December 25, 1859), is the son of Solomon B. and Agnes Nicolson Noble. He received his early education in a private school, was graduated at Columbia College, studied law with his father and also at the Columbia College Law School, and was admitted to the bar in Brooklyn in 1884. He has been actively and successfully practicing his profession in Long Island City since.

Mr. Noble has held the offices of justice of the peace of Long Island City and district attorney of Queens county.



**N**OYES, CHARLES SOMERBY (born in Brooklyn, New York, November 8, 1858), is the son of Charles Horace Noyes, a New York City merchant, of puritan descent, and Jane R., daughter of Alexander H. Dana, a lawyer of New York. He attended the Adelphi Academy, in Brooklyn, and the Montclair (New Jersey) High School, and was graduated at Amherst College in the class of 1880. He studied law at the Columbia College Law School and also with the firm of Stanley, Clarke & Smith, and was admitted to the bar in Brooklyn in 1882. He has always practiced in New York City, his business being chiefly of an office character.



**N**OYES, DANIEL WEBSTER, whose name was associated with the practice of the law in Livingston county for many years, came of good New England stock. He was born in Winchendon, Massachusetts, on the 30th day of September, 1824. His father was Samuel Noyes, an architect by profession, and a lineal descendant of Nicholas Noyes, who came from Choulderton in Wiltshire, in the brig *Elizabeth*, in 1634, and his family was originally of Norman descent. The mother of Daniel W. Noyes was Elizabeth Wales, of Roxbury, Massachusetts, a daughter of Captain Jacob Wales, a staunch patriot who served in the revolutionary war on Washington's staff. Soon after the birth of Daniel W. Noyes, their youngest child, Samuel Noyes and his wife removed to Edinburg, Saratoga county, New York, where the boy was brought up on a farm.

As a youth he was sent first to Galway Academy and then to the Amsterdam Academy, and in these two schools he received his fitting for Union College, which was then, with Doctor Nott at its head, in its prime. From this institution he graduated with honor in the year 1847, and afterward pursued his legal studies in the law offices of Judge Belding at Amsterdam and Nicholas Hill at Albany, being admitted to the bar in the year 1849. In the same year he married Miss Frances C. Baldwin, then of Owasco, New York, and shortly thereafter located in Dansville, Livingston county, as a partner of Benja-

min F. Cook, Esquire. This association lasted but a short time, and during the next dozen years he was successively in partnership with Joseph W. Smith, Esquire, and Judge Solomon Hubbard. The old firm of Hubbard & Noyes continued until Mr. Hubbard's election as county judge of Livingston county caused his removal to the Village of Geneseo, where he still resides.

Shortly after the close of the war Mr. Noyes formed a copartnership with Major Seth N. Hedges, which existed almost continuously down to the year 1878, when Mr. Noyes was appointed county judge of Livingston county by Governor Robinson, to fill the vacancy in that office caused by the death of Judge Samuel D. Faulkner. During the continuation of his copartnership with Major Hedges, and in the year 1875, he was elected to the office of district attorney of his county, running upon the democratic ticket and overcoming the usually large republican majority. His conduct of that office won for him many friends in the county and materially increased his already wide reputation as a trial lawyer.

After his retirement from the office of county judge, on the 1st day of January, 1879, he associated his son, Fred W. Noyes, as a partner with himself under the firm name of Noyes & Noyes. This firm continued to exist until the death of Daniel W. Noyes in the year 1888.

In his practice of the law, Mr. Noyes had charge of many important and complicated cases, both in his own county and in the surrounding counties, and his fame as a trial lawyer and as a faithful, industrious student of the law was far more than a local one. He held no official positions which were not in line with his own work as a lawyer, and his time and energies were always devoted to his chosen profession, and his tireless industry in his professional work was such as to impress one with the idea that his great ambition was to be a good lawyer and a safe counselor.



**B**RIVEN, DENIS (born on a farm near Ogdensburgh, New York, March 13, 1837), is the son of John and Catharine O'Brien, who emigrated to this country from the vicinity of Limerick, County of Clare, Ireland. He received his education in the common schools and the Ogdensburgh Academy, and after studying law for three years in a law office at Ogdensburgh, was admitted to the bar at Plattsburgh, May 6, 1861. He at once engaged in practice at Ogdensburgh, but in a few months removed to Watertown, where he still resides.

Mr. O'Brien rapidly advanced to distinction in his profession. He also became prominent in political life, as a supporter of the principles of the democratic party. In 1878 and 1879 he served as mayor of Watertown. In November, 1883, he was elected attorney-general of the State of New York. He occupied that office for two terms, retir-



ing on the 1st of January, 1888. As attorney-general his services were of a highly distinguished character; the cases which he conducted on behalf of the state are reported in volumes 90 to 112 of the New York Reports.

Since January, 1890, he has been one of the judges of the Court of Appeals, having been elected for a complete term in November, 1889.



**O'BRIEN, MORGAN JOSEPH** (born in New York City, April 28, 1852), is the son of Morgan O'Brien and Mary Burke, both of whom were born in Ireland, but came to this country early in life and were married in the City of New York. He received his early education in the public schools of New York, attended the institution of the Christian Brothers of the Order of De la Salle, on 2d street, and later was graduated from Saint John's College at Fordham in June, 1872. He also completed a post-graduate course at Saint Francis Xavier's College, receiving from this institution the degree of master of arts in June, 1873. In 1889 he received the degree of doctor of laws from Saint John's College.

Judge O'Brien read law in the office of John T. McGowan, of this city, also attending the Columbia College Law School. In May, 1875, he was admitted to the New York bar, and at once engaged in the active practice of law in this city, building up an extensive business. He has had much to do with questions relating to water rights, and is considered an expert in that department of law. He has been counsel for numerous ferry companies, and was counsel for the ferry company, the gas companies, and many individual property-owners in the successful litigations to prevent the change of the McClellan bulk-head line on the East River.

In 1887 and 1888 he was corporation counsel of the City of New York. In 1888 he was elected associate-justice of the New York Supreme Court, and he has distinguished himself as an able and careful jurist. He was assigned by Governor Hill in 1892 as one of the justices of the general term in the 1st district, which position he occupied until selected by Governor Morton as one of the justices of the appellate division of the Supreme Court under the new constitution of 1894, his designation being for five years, from January 1, 1896. He was selected by Governor Hill to try the contested election cases in Onondaga county in 1893, and all his decisions were subsequently affirmed in the Court of Appeals.



**O'CONNOR, CHARLES L.** (born in Stoneboro, Mercer county, Pennsylvania, January 18, 1869), is the son of D. O'Connor and Mary A. Kearney. After completing the course in the village public schools he was a clerk in a drug store and in the railway postal service, taught school, and studied during his

spare hours. In 1891 he was graduated from the Buffalo Law School, winning both the Clinton and Daniels prizes of \$100 each. He then continued his preparation for the bar in the office of Frank C. Laughlin, and in October, 1892, he was admitted to practice, at Rochester. He remained with Mr. Laughlin, as his managing clerk, until the latter's retirement from private practice to devote his entire attention to the duties of corporation counsel of the City of Buffalo. Since then he has been practicing for himself.



**RCUTT, GEORGE NATHAN** (born in North Troy, Vermont, July 13, 1856), is the son of Doctor Hiram Clark and Helen M. Orcutt. He was graduated at the University of Michigan in 1877, with the degree of bachelor of arts. He then entered the law office of Horace Bemis, at Hornellsville, and after a year's study there completed his preparation for the legal profession at the Columbia College Law School. He was admitted to the bar at Buffalo in June, 1879. Since then he has been engaged in the practice of the law at Hornellsville.



**RCUTT, WILLIAM HUNTER** (born in Boston, Massachusetts, November 15, 1847), is the son of Ira B. and Mary W. Orcutt. His ancestors on both sides for several generations were residents of Boston. He attended the primary and grammar schools of Boston, was fitted for college in the Cambridge High School, and in 1869 was graduated from Harvard with the degree of bachelor of arts. Two years later he received his A.M. degree. He also went through the Harvard Law School, being graduated there in 1873. His office training for the profession was obtained with Brooks & Ball, in Boston. After his admission to the bar (January, 1875) he began practice in Boston. From there he removed to Buffalo in October, 1889. He is now a member of the Buffalo firm of Roberts, Becker, Ashley, Messer & Orcutt.

In June, 1882, he was appointed judge of the District Court in Cambridge. This position he resigned at the time of his removal to Buffalo.

Judge Orcutt has always taken much interest in educational work, particularly in the department of manual training. For nearly twelve years he was a member of the school board in Cambridge, rendering valuable service.



**RDROXAUX, JOHN** (born in New York City, August 3, 1830), was graduated from Dartmouth College in 1850 and from the Harvard Law School in 1852, was admitted to the New York bar February 11, 1853, to the Massachusetts bar April 14, 1853, and began practice at Taunton, Massachusetts, remov-

ing in 1855 to New York City. In order to fit himself for the special department of medical jurisprudence, he was graduated in 1859 from the National Medical College, which is the medical department of the Columbian University of Washington. The degree of doctor of laws was conferred upon him by Trinity College in 1870, and by Dartmouth College in 1895. In 1861 he was appointed lecturer on medical jurisprudence in the Columbia College Law School of New York, and he has filled that position ever since.

Upon the opening of the civil war he was appointed by Governor Morgan surgeon to examine men drafted for the army in Brooklyn. President Lincoln, in April, 1863, commissioned him surgeon to the board of enrollment of the 1st congressional district of New York. In 1864 he was commissioned assistant-surgeon to the 15th New York regiment. During this period he issued three important medical-military publications. His "Hints on Health in Armies" (New York, 1861) is characterized as "the first American work on military hygiene."<sup>1</sup>

By request of the United States sanitary commission he prepared an elaborate report on the employment of disabled soldiers and the revision of our pension legislation, based upon a comparative study of European invalid and pension systems. His recommendations were made the basis of congressional legislation. Again, at the joint suggestion and request of the military committee of the senate and house of representatives and of the United States sanitary commission, he prepared his "Manual for Military Surgeons on the Examination of Recruits and Discharge of Soldiers" (New York, 1863).

In 1864 he succeeded Chief-Justice Redfield, of Vermont, as lecturer on medical jurisprudence in the medical department of Dartmouth College, and between 1865 and 1873 almost his entire time was devoted to similar work in a number of institutions, including the University of Vermont, Law School of Boston University, and the medical and law departments of the Columbian University. Upon the creation of the New York state commissionership in lunacy in 1873 he received the initial appointment from Governor Dix, and he was continued in office under Governors Tilden, Robinson, and Cornell until his voluntary retirement in 1882. By resolution of the state senate in 1874 he was appointed to revise and codify the lunacy statutes of New York (Part I, Chapter xx., Title iii.). He was similarly appointed in 1882, but retired from office before the work was completed. As commissioner in lunacy he rendered a number of important decisions (Abbott's third volume of New Cases). These decisions form a "unique group. . . not elsewhere to be found in any of our American reports," and are "exhaustive of the subjects on which they touch."<sup>2</sup>

Since 1882 Professor Ordranax has been in active practice in this

<sup>1</sup> *Columbia Law Times*, Vol. vi., No. 3, p. 67. <sup>2</sup> *Ibid.*, p. 68.

city, mainly in consultation, while carrying on his duties as lecturer in Columbia College. His published works, in addition to those already mentioned, are as follows: "The Jurisprudence of Medicine in Its Relation to the Law of Contracts, Torts, and Evidence" (Philadelphia, 1869); "The Proper Legal Status of the Insane" (New York, 1875); "Legislation in New York Relating to the Insane" (*Albany Law Journal*, Vol. xv., 1877); "Institutes of Equity as Revealed through Its Maxims" (three articles, *Albany Law Journal*, Vol. xviii., 1878); "Judicial Aspects of Insanity" (Albany, 1878); "Imbecility," "Insanity before the Law," "Medical Jurisprudence" (three articles, "Johnson's Cyclopaedia," Vol. ii., New York, 1876); "The Plea of Insanity as an Answer to an Indictment" (*Criminal Law Magazine*, July, 1880); "Judicial Problems Relating to the Disposal of Insane Criminals" (two articles, *Criminal Law Magazine*, September and November, 1881); "On Expert Testimony in Judicial Proceedings" (*American Journal of Insanity*, January, 1874); "Matter of Standermann," "People vs. Beno Ville," "Jenish's Case," "Matter of Waltz," "Ayer's Case," "Matter of Gilbert," "Brush's Case," "People ex rel. New York Hospital" (Abbott's "New Cases," Vol. iii., pp. 187-273, 1878); "Constitutional Legislation in the United States" (Philadelphia, 1891); "The Legal Status of the Medical Profession in New York" (*Transactions New York State Medical Society*, 1860); "Report on Expert Testimony" (*Ibid.*, 1862); "Medical Translation of the Regimen Sanitatis Salerni" (Philadelphia, 1870); a series in the *American Journal of Insanity*—"Hallucinations Consistent with Reason" (1862), "On Suicide" (1863), "On Moral Insanity" (January, 1873), "Is Habitual Drunkenness a Disease?" (April, 1874), "The Value of Expert Testimony" (July, 1870); "Anniversary Oration before the New York Academy of Medicine" (1866); "Commencement Oration before the National Medical College" (1865); same, 1867; same, 1870; "The First Discoverers of America" (*Putnam's Magazine*, November, 1854); "History of the Bread Plants and Their Influence upon Civilization" (*Union Quarterly Magazine*, April, 1856); "The Great Cycle" (*American Church Monthly*, January and February, 1858); "Eulogy on Reverend Z. Green, a Soldier of the Revolution" (New York, 1859); "History and Philosophy of Medical Jurisprudence" (*American Journal of Insanity*, October, 1868); "Ode for the Centenary of Dartmouth College" (1869); "On Corporations" (paper before Old Colony Historical Society of Massachusetts; *Transactions*, Vol. v., 1889).



OTTAWAY, ARTHUR B. (born in Mina, Chautauqua county, New York, May 8, 1854), is the son of John E. and Sarah Ottaway, both of original English stock. His grandfather, James Ottaway, was one of the early settlers of Chautauqua county. Arthur B. was educated in the common schools and at

the Sherman and Westfield Academies, being graduated from the latter in 1875. He became a student of the law in the office of William Russell, of Westfield, and in 1879 was admitted to the bar at Rochester. He has been located at Westfield from the beginning of his professional career.

Mr. Ottaway has for the past ten years been identified with the more prominent cases arising in Chautauqua county. He has held the office of district attorney for that county.



**PAGE, DE MERVILLE** (born in the Town of Cohocton, Steuben county, New York, October 13, 1853), is the son of Esek Page, ex-sheriff of Steuben county, and Elizabeth A. Page. After attending public schools and the Rogersville Union Academy, he entered Cornell University, from which he was graduated in the class of 1872 with the degree of bachelor of science. He studied law in the office of Hakes & Stevens, of Hornellsville, and also at the Albany Law School, receiving his bachelor of laws degree from that school in 1874. On October 14 of the same year he was admitted to the bar at Rochester. Since 1876 he has been pursuing his profession at Hornellsville, ranking prominently for both trial and appellate practice among the lawyers of that part of the state.

Mr. Page was one of the promoters and builders of the Hornellsville & Canisteo Railway, and is now its president. He has held the public office of supervisor of the Town of Fremont.



**PARKHURST, JOHN F.**, was born at Wellsboro, Pennsylvania, February 17, 1843. He is the son of Doctor Curtis Parkhurst and Jane Ann Kasson, and is a lineal descendant of George Parkhurst, of Watertown, Massachusetts, who removed to this country from England in 1635.

Mr. Parkhurst was educated at Lawrenceville, Pennsylvania, in the public schools. In 1863 he removed to Bath, New York, where he took up the study of law in the office of Judge Guy H. McMaster. He was admitted to the bar at Rochester in 1865, and at once began the practice of his profession. In 1872 he formed a partnership with Judge McMaster, which lasted until the death of the latter in 1887. The firm enjoyed a large and important practice in the state and federal courts, Mr. Parkhurst devoting his especial attention to bankruptcy and equity practice in the federal tribunals.

Among the important cases successfully carried through the state courts by him was that of Griffith Jones *against* the Bradford Oil Company, in which, after three jury trials and seven years of litigation, the client recovered three hundred acres of oil land valued at several hundred thousand dollars, by virtue of a tax title which cost

him less than fifty cents an acre. Another important case was *Silvey against Lindsay*, in which the Court of Appeals passed upon the constitutional right of the 1,200 inmates of the Soldiers' Home at Bath to acquire a voting residence there (107 N. Y., 55). In 1891 he was associate counsel for the republican senators in the famous mandamus cases (129 N. Y., 360-468).

Mr. Parkhurst has been a life-long republican, and an earnest worker for the party. Since 1889 he has been chairman of the republican county committee of Steuben, and since 1890 has represented the 29th congressional district in the republican state committee, of whose executive committee he is also a member. He was a delegate to the republican national conventions of 1888, 1892, and 1896, and in 1894 was a delegate-at-large to the constitutional convention, in which he served as a member of the judiciary and suffrage committees, and as chairman of the committee on county, town, and village officers. In March, 1897, Governor Black appointed Mr. Parkhurst to be a judge of the Court of Claims, his term of office commencing January 1, 1898.

Mr. Parkhurst is vice-president of the Farmers' & Mechanics' Bank of Bath and of the Bath & Hammondsport Railroad Company, and has edited the *Steuben Courier* since 1890. He is a member of the Sons of the American Revolution, his grandfather, John Parkhurst, having been a soldier of the Revolution. He is now in active practice of the law at Bath.



**PARSHALL, WILLIAM ANDREWS** (born in Walden, New York, December 9, 1865), is the son of Caleb and Jerusha K. Parshall. He attended the Port Jervis public schools, including the academic department, entered Yale College, and was graduated there in the class of 1888. He also had the advantage of a thorough professional education, being a graduate of the Albany Law School. His office preparation for the bar was obtained under Lewis E. Carr, of Port Jervis. He was admitted to practice at Poughkeepsie, in May, 1890, and soon afterward began his professional career at Port Jervis, where he still practices. He was a member of the law firm of Howell, Parshall & Schofield from September 1, 1890, to September 1, 1893, since which date he has been practicing alone.

Mr. Parshall has held the offices of town clerk of the Town of Deer Park (1890-91), and corporation counsel to the Village of Port Jervis (May, 1891, to July, 1895). He is at present a director in the Deer Park Electric Light Company of Port Jervis (Limited), the local Co-operative Loan and Savings Society and the National Bank of Port Jervis.



PARSONS, JOHN EDWARD (born in the City of New York, October 24, 1829), is the son of Edward Lamb Parsons and Matilda, daughter of Ebenezer Clark, of Wallingford, Connecticut. His father was a native of England, the family residing in Lancashire at the time of his birth, although for many generations they had lived at Cublington and in the adjoining parish of Stoneleigh, in Warwickshire. He came to this country when a young man and engaged in business in New York. In January, 1839, he was lost on the coast of Cheshire in the wreck of the packet ship *Pennsylvania*, while on his return from a voyage to England. Mr. Parsons received his early education in the boarding-school of Samuel U. Berrian at Rye, Westchester county, New York. In 1844 he entered the New York University, Theodore Frelinghuysen being chancellor, from which he was graduated in 1848, when eighteen years of age. He became a member of the council of this university in 1865, and has remained upon the board ever since. In the fall of 1849 he entered the office of James W. Gerard, the distinguished member of the New York bar, and in 1852 was admitted to practice. January 1, 1854, he opened an office, and May 1, 1854, formed a partnership with Lorenzo B. Shepard. In July of that year Mr. Shepard became district attorney of New York by appointment of Governor Horatio Seymour, and appointed Mr. Parsons his assistant. He held the position until the close of the year. With that exception, he has never held public office. In May, 1857 (Mr. Shepard having died in September, 1856), Mr. Parsons became associated with Albon P. Man, under the firm style of Man & Parsons. This partnership continued until 1884. In 1890 he formed the firm of Parsons, Shepard & Ogden, during the intermediate period having had no partner.

Mr. Parsons has been long recognized as a leader of the New York bar. From the beginning his practice has been important. It has embraced many departments of the law. The interesting cases with which he has been connected include *Dunham vs. Williams*, involving the title to disused roads laid out in the parts of the state settled by the Dutch; *Story vs. the Elevated Railroad Companies*, in which, after years of unsuccessful litigation, the Court of Appeals sustained the liability of the companies to abutting owners; the Merrill will case, the Burr will case, the Hammersley will case, the Tracy will case at Buffalo, the Fayerweather will case, and the Jacob Sharp case. He was counsel for the committee of the New York senate to declare vacant the seat of William M. Tweed, participated as counsel in the investigation by the committee of the assembly into frauds in Kings county, was counsel before the committee of the assembly in the case against Henry W. Genet, and participated in the successful trial of Genet, and has been engaged in many other public cases. He has been counsel since its organization of the American Sugar Refining Company, and was counsel for its predecessor, the Sugar Trust, and

took part in the various litigations and legislative and congressional proceedings which followed the formation of the trust.

He was an original member of the City Bar Association, having participated actively in the proceedings preliminary to its organization. He submitted the draft for the original constitution of the association, which, as amended by the late Judge Rapallo, was in large part adopted. He took an active part in the reform movement which preceded the proceedings against the judges at the time of the crusade against Tweed; was selected by the Bar Association as one of the counsel to take the initiatory proceedings before the judiciary committee of the assembly, of which Samuel J. Tilden and David B. Hill were members, and was retained by the managers of the impeachment of Judge Barnard as one of their counsel, participating in his trial. He also took part in the trial of Judge McCunn and in the proceedings against Judge Cardozo until his enforced resignation.

Much of Mr. Parsons's time has been given to benevolent and philanthropic work. He participated in the organization of the New York Cancer Hospital, and has been its president from the beginning. He is the president of the Woman's Hospital of the State of New York, is a member of the executive committee of the New York City Mission and Tract Society, the Board of Home Missions of the Presbyterian Church, and the American Tract Society, was president of the New York Bible Society, is a member of the board of the American Bible Society, an original member of the board of trustees of Cooper Union, being associated upon that board with Peter Cooper, his son, Edward Cooper, and his son-in-law, Abram S. Hewitt, together with Daniel F. Tieman and the late Wilson G. Hunt.

Mr. Parsons has as a country residence an estate at Rye, New York, long held in his family. In 1875 he also established a country residence at Lenox, Massachusetts, and he has continued to make his summer home at his estate of "Stonover" there, being much interested in farming and the occupation which comes from the practical care of a large country property. He is a governor of the Lenox Club, a member of the vestry of the episcopal church of Lenox, and a member in New York of the Century, University, Players', Metropolitan, Riding, City, and Turf clubs, and a member of the board of trustees and the board of elders of the Brick Presbyterian Church. He has been much interested in the poor children of the City of New York, for twenty years having been at the head of a large mission school, and maintaining at his own expense a fresh-air home at Curtisville, near his residence at Lenox, where one hundred children at a time are taken care of during the summer.





**PAYNE, ALVAN THOMAS** (born in Cutchogue, Town of Southhold, Suffolk county, New York, February 16, 1840), is the son of Thomas Payne and Martha Maria Haynes. His great-grandfather, Reverend Thomas Payne, was a native of Columbia county, New York, a graduate of Yale College and the first pastor of the presbyterian church of Cutchogue; and his grandfather, Benjamin Payne, was a captain in the Revolution. On his mother's side he is a grandson of Reverend Ezra Haynes, a presbyterian clergyman. He was a student in Brainerd Academy (Connecticut) and later became a pupil of Elizabeth Mapes, a renowned Long Island teacher. He then studied law with George B. Bradley, now a justice of the Supreme Court. After his admission to the bar, at Rochester, in May, 1862, he formed a partnership with Honorable Henry Sherwood, then a member of the assembly. Since 1867 he has resided in Long Island City. His firm, Alvan T. Payne & Son, is the leading law firm of that city.

Mr. Payne has been connected, at various times, with cases of much public interest and importance, including the Hoffman lunacy proceeding and the contest of Mrs. Hoffman's will, the Almquist poisoning and divorce case, and the two cases to oust the mayor of Long Island City from his office by reason of frauds at the election. He is counsel to the Queens County Bank of Long Island City, and has been counsel to the Long Island City Savings Bank for twenty-one years.

He has held the offices of United States commissioner for the northern district of New York (1864-67), member of the assembly (1876), and corporation counsel of Long Island City for four or five years. He is at present (1897) president of the Queens County Bar Association, and is a member of the masonic order and also of the Suffolk County Historical Society.



**PAYNE, LEWIS TABER** (born in North Tonawanda, New York, June 14, 1860), is the son of Lewis S. Payne, an old and prominent resident of Tonawanda, who is still (1897) living there, at the age of seventy-eight. The elder Payne entered the civil war as captain of Company D., 100th regiment, New York volunteers, and was promoted to the rank of lieutenant-colonel. He was a member of the assembly in 1870 and of the state senate (representing the 29th district) in 1878 and 1879.

Lewis T. Payne was graduated at Cornell University in 1883, with the degree of bachelor of science. He entered the law office of Brundage & Chipman, in Buffalo, and after the dissolution of that firm continued his legal studies with John M. Chipman until his admission to the bar. In June, 1886, he commenced the practice of law in North Tonawanda, where he has since continued, being successful and prominent in the profession.



PECK, MYRON HOLLEY, was born in Victor, Ontario county, New York, May 28, 1827, and was the only son of Elisha Peck, an early settler in that locality. The father was a native of Otsego county in this state. His mother was of New England stock, having been born and reared to womanhood in the State of Vermont. The parents, together with himself and an only sister, constituted the family. The parents and sister died several years ago, leaving Honorable Myron H. Peck the only surviving member of the family. His early boyhood was spent on his father's farm, but at the age of fourteen years he received an injury by an accidental fall from a tree, which was of a permanent character and entirely disqualified him from manual labor upon the farm. This was a severe blow to the young lad, involving as a consequence a condition of life-long physical disability and the necessity of abandoning agricultural pursuits and a life of comparative ease and independence.

In his fifteenth year he attended the State Normal School at Albany, then under the superintendence of Professor George R. Perkins. In his sixteenth and seventeenth years he taught district school in the towns of Farmington and Bloomfield, in Ontario county. In each of these schools a majority of the pupils were much older than the teacher, but his ability was such that he successfully managed the schools, to the entire satisfaction of their patrons. At the age of eighteen he entered as a student the office of Messrs. Lapham & Metcalf, then engaged in active and successful practice as attorneys and counselors at Canandaigua—the firm being composed of Honorable E. G. Lapham, since United States Senator, and J. H. Metcalf,—at the suggestion and on the advice of William C. Dryer, a life-long resident of Victor, and a prominent and influential citizen of western New York, who was a warm friend and admirer of the senior member of the firm, and much interested in the welfare of young Peck.

Very soon after the commencement of his clerkship, the young man was practically invested with the sole charge and supervision of the business details of the office. He was a close student, and directly after attaining his majority was admitted to practice as an attorney and counselor of the Supreme Court, at a general term held at the City of Rochester, after an examination personally conducted by Judges Wells, Johnson, and Mullett, holding the term. Shortly after his admission to the bar he was taken in as junior member of the firm, and thereafter, on the retirement of Mr. Metcalf, the firm was continued under the name of Lapham & Peck.

Mr. Lapham was then fast acquiring a reputation as an able trial lawyer and a brilliant and successful advocate; he was also an enthusiastic politician of the democratic school, and actively engaged, in every important campaign, in addressing public meetings in the interest of his party. Mr. Metcalf, on the contrary, was not an advo-



*Myron H. Peck*



cate, but had a well-established reputation as a safe adviser in legal matters and in the preparation of legal documents. Frequent pilgrimages made with Mr. Lapham, in fulfilling his engagements in the surrounding country, in the conduct of litigations, and in political discussions, furnished young Peck with valuable experience and information in these several departments.

In the spring of 1858, he removed to Batavia, in Genesee county, where he continued in the practice of his profession, for the most part by himself, but during a portion of the time in association with Colonel James M. Willet and afterwards with Honorable George Bowen. For many years he was clerk of the Village of Batavia and legal adviser of the board of trustees of the village. He held the office of justice of the peace for one term, without, however, discharging the ordinary duties of that office, retaining his official position for the sole purpose of acting as a member of the board of town auditors, at the request of divers interested citizens of the town. In the fall of 1882 he was the candidate of the democratic party of Genesee county for the office of county judge and surrogate, and in the face of an ordinary republican majority of 1,200 to 1,400, was elected by about 1,600. That he discharged the duties of these offices to the satisfaction of the citizens of Genesee county, is sufficiently attested by the practical acquiescence of those transacting business in either tribunal in the decisions and determinations made by him during his term.

In the spring of 1889 he removed to the City of Buffalo, where he now resides, having an office at No. 505 Ellicott Square. Upon his removal to Buffalo he decided to practically abandon active practice and confine his attention to the hearing of references and the argument of cases at bar, and to giving general advice and counsel to parties desiring the same.

During his professional career of nearly fifty years in western New York, he has frequently come in contact and communication with most of the distinguished members of the legal profession in that section, including such legal luminaries as John H. Martindale, Henry R. Selden, and Honorable George F. Danforth, of Rochester, and Honorable Sanford E. Church of Albion; and although their junior in years and experience in the profession, has always received at their hands marked and gratifying consideration and attention. He has been engaged in many important litigations of a civil and criminal nature, the ultimate determinations of which are to be found in the published reports of the higher judicial tribunals of the state.

His early reading and studies made him a great admirer of the scientific system of pleadings and practice theretofore in vogue in this state, and naturally arrayed him in opposition to what he regarded as the ultra radical changes proposed to be effected by the code of civil procedure. In his judgment it would have been much better to have eliminated certain useless verbiage which constituted the chaff,

leaving in operation the scientific portion constituting the kernel, of the old system. He was, and ever since has been, conscientiously opposed to the elective judicial system inaugurated by the constitution of 1846, believing that while it may be good democratic policy to allow the people to govern upon questions generally affecting their welfare and interest, the composition of judicial tribunals and the administration of justice thereunder were not likely to be materially improved by the proposed change in that direction.

In August, 1849, Judge Peck married Delia M., youngest daughter of Azariah Bickford, one of the pioneers and a well-known and highly respected resident of Ontario county. Of their five children—three sons and two daughters—the eldest son, Myron H. Peck, Junior, is a lawyer in active and successful practice at Batavia, New York; Charles B. is engaged as a traveling salesman for the large wholesale boot and shoe establishment of W. H. Walker & Co., of Buffalo, and William O. is employed as a clerk in the engineering department of the board of public works in that city. His two daughters, Julia M. and Ella D., both reside in Buffalo.

Judge Peck was one of the original organizers of the New York State Bar Association, and for some time thereafter was a vice-president representing the 8th judicial district. He has ever since remained a member of that organization.

During a professional career of nearly half a century he has been recognized as one of the leading lawyers of western New York. He has been more intent upon maintaining the honor and dignity of his profession than in making any effort to secure adequate compensation for services rendered. He has always had a warm place in the hearts of the younger members of the profession, in whose prosperity and advancement he has uniformly taken a deep interest, and to which he has liberally contributed by gratuitous advice and assistance.



**R**ECKHAM, RUFUS W. (born in Albany, New York, November 8, 1838), is the son of the eminent Judge Rufus W. Peckham, of the Court of Appeals,<sup>1</sup> and Isabella A., daughter of Reverend Doctor William B. Lacey, at one time rector of the episcopal parish of Saint Peter's, Albany. After attending school at the Albany Boys' Academy and in Philadelphia he spent a year in Europe and then entered upon the study of the law in the office of his father and Honorable Lyman Tremain. Being admitted to practice on January 1, 1860, he became Mr. Tremain's partner, his father having been chosen to the Supreme bench. This association continued until Mr. Tremain's death, in 1878. In 1868 he was elected district attorney of Albany county. In the conduct of this office he

<sup>1</sup> See Vol. 5, p. 412.

displayed signal ability and zeal, notably in the celebrated prosecution of Filkins, the express robber. After retiring from the position of district attorney he was constantly engaged in the conduct of cases of importance.

He was one of the counsel for the Albany & Susquehanna Railroad Company in its great legal contest with the Erie Railroad Company, controlled by Jay Gould and James Fisk, Junior, in 1868 and 1869. He appeared as counsel for the people, representing the attorney-general in many capital trials, and generally with success. Besides this, he appeared as counsel for the defense in many important criminal trials, although most of his legal business was of a civil nature. He was the counsel retained by the City of Albany, also by the County of Albany, to defend their system of taxation of the national bank shares, and argued their side of the controversy in the courts of the state and in the Supreme Court of the United States.<sup>2</sup>

In 1881 he was appointed corporation counsel of Albany. In November, 1883, he was elected a justice of the Supreme Court of the state, and while serving as such, in November, 1886, was elected one of the judges of the Court of Appeals. This distinguished position he resigned in 1895 to take a seat on the bench of the Supreme Court of the United States, by the appointment of President Cleveland.

Justice Peckham inherited from his father a strong preference for the democratic party, and from youth was active in support of the principles of that organization. He was a delegate to the national convention of 1876, and contributed to the nomination by that body of Mr. Tilden for the presidency. He was also a delegate to the national convention of 1880.

He married, in 1866, Harriette M., daughter of D. H. Arnold, a New York City merchant and president for many years of the National Mercantile Bank of that city.



**PECKHAM, WHEELER HAZARD** (born in Albany, New York, January 1, 1833), is the son of the late Honorable Rufus Wheeler Peckham, justice of the Supreme Court and of the Court of Appeals of this State, and a brother of Honorable Rufus Wheeler Peckham, justice of the United States Supreme Court.

Mr. Peckham was educated at the Albany Academy and at Union College, but owing to ill health did not graduate from the latter institution. He studied law with his father, and for some time practiced at Albany. February 9, 1864, he removed to New York City, becoming managing clerk of the law office of John A. Stoutenburg and George McCullough Miller. In the course of a few years he was admitted to partnership. The firm was later re-organized as Miller, Peckham & Dixon, a style which has been continued to the present

<sup>2</sup> Encyclopedia of Contemporary Biography of New York, Vol. ii., p. 124.

time. It is one of the most prominent legal partnerships in the City of New York.

Mr. Peckham was leading counsel in the Tweed prosecutions, and his able conduct of these cases won for him national reputation. He was also counsel in the cases establishing the exemption from taxation of legal-tender notes, as likewise in the bank tax cases, the Bell telephone patent litigations, and the Louisiana bond cases. For a short time he was district attorney of New York City.

Mr. Peckham has long been prominently identified with the cause of political reform. "For many years he has been the ablest and most effective political and municipal reformer in the state and country, and a terror to evil-doers." He was nominated by President Cleveland as a justice of the United States Supreme Court in 1893, but through the intrigue of Senator David B. Hill and other personal enemies of President Cleveland in his own party, the nomination was not confirmed. Another eminent gentleman whom Mr. Cleveland attempted to appoint to this position shared the same fate, the operations of the intriguers amounting to a national scandal.

Mr. Peckham has served two terms as president of the Bar Association of the City of New York.



PECKHAM, WILLIAM GIBBS (born in Newport, Rhode Island, February 7, 1849), is the son of William Gibbs Peckham and Mary Hull, daughter of Judge Joseph Perry. He is lineally descended from Elder William Peckham, who about 1639 was settled over the first baptist church in Rhode Island, and on his mother's side from Edmund Perry, common ancestor also of Commodore Oliver Hazard Perry, Commodore Matthew Galbraith Perry, and General Nathaniel Greene.

Mr. Peckham was graduated from Harvard College in 1867, at eighteen years of age, having been the first editor of the *Harvard Collegian* and its successor, the *Harvard Advocate*, the pioneer of college periodicals. The same year he was graduated from John Norton Pomeroy's law school, and studied with William M. Evarts and Joseph H. Choate in New York City. In 1868 and 1869 he pursued studies at Heidelberg, Germany, taking certificates in Roman law, and returning was graduated from the Law School of the University of the City of New York in 1870, being admitted to the New York bar the same year. He was for many years at the head of the firm of Peckham & Tyler, more recently organizing that of Peckham, Warner & Perkins.

Mr. Peckham enjoys a large corporation practice, having had special experience in cases involving questions of marine insurance. He has also been leading counsel in many of the suits of first importance against the New York Elevated Railway Company, and has been uni-



formly successful. He represented Rutherford Stuyvesant in a claim for damages for fifty-seven houses along the elevated roads, all being tried in one case. The recovery of \$135,000 for the American Bank-note Company is the largest recovery on a single building in any elevated road case. He was successful also in all the suits in connection with the Northampton National Bank robbery, the largest robbery in the history of the country, amounting to two million dollars. He recovered from stock brokers and others who had received the stolen securities, and defended the suits against the bank, several of these cases being carried to the Court of Appeals and United States Supreme Court, and all being won for the bank.

While in the office of Joseph H. Choate, Mr. Peckham assisted the Committee of Seventy in its campaign against the Tweed ring. He was for six years a colleague of Carl Schurz and George William Curtis on the executive committee of the independent national committee which managed the independent element in the Cleveland campaign of 1884 and since, and was chairman of the similar organization for the State of New Jersey in 1884. He became later the member from New Jersey of the executive committee of the national tariff reform league.

Interested in the work of the University of North Carolina, situated at Chapel Hill, in that state, Mr. Peckham has established the "University Inn" at that place for the convenience of college men. He is a member of the State and City Bar associations, the Lawyers', Reform, Commonwealth, and New York Harvard clubs, and the New Jersey Historical Society. He is the author of several volumes of poems, one being selections from pieces written during college days and published in the *Harvard Advocate*.



**PERRY, TIMOTHY** (born in New Ipswich, New Hampshire, November 7, 1829), is the son of Chauncey Perry, Senior, and Abigail Stearns. His father was a New Hampshire farmer of small means, who reared a large family. His mother's father, Isaac Stearns, was an officer in the American Revolution; at the battle of Bunker Hill he was aide to General Prescott, and it was he who suggested to the general that the Americans should reserve their fire until they could see the whites of the eyes of the British soldiers.

Timothy Perry was educated in the common schools and the New Ipswich Academy, at that time one of the best institutions of the kind in New England. In 1853 he began the study of the law with his brother, Chauncey Perry, Junior, in the City of Brooklyn, and in April, 1857, he was admitted to the bar at a general term held at Poughkeepsie. Immediately afterward he joined his brother in the firm of C. & T. Perry. This partnership has continued without change

ever since—a period of more than forty years,—and it is now the oldest law firm in Brooklyn whereof the original partners still survive.

The firm of C. & T. Perry has always done more or less litigating business, but its specialties have been examination of titles and the settlement of estates. It is one of the largest real estate firms in Brooklyn, has had very wide experience, and has gained much reputation in keeping people out of law suits.

From 1858 to 1863 Mr. Perry was a member of the Board of Aldermen of Brooklyn for the 17th Ward, and from 1863 to 1870, and again in 1882 and 1883, he was a member of the board of education. He resigned the latter position to accept an appointment by Mayor Seth Low as a member of the Brooklyn board of elections. Of this board he was president from 1883 to 1890.



**PETTY, NATHAN DICKERSON** (born at Good Ground, Suffolk county, New York, January 6, 1842), is the son of Charles and Harriet Petty, both of English families. He attended select schools and academic institutions, was privately instructed in Latin and Greek, and was graduated at Princeton College, June 29, 1865, with the degree of bachelor of arts. He has since received from his alma mater the degree of master of arts. He studied law at the Albany Law School, being graduated there on May 5, 1866, with the degree of bachelor of laws, and the next day he was admitted to the bar. He immediately began practice in his native town. In 1868 he removed to Riverhead, Suffolk county, where he still resides.

In 1874 and 1875 Mr. Petty represented Suffolk county in the assembly. He was for several years assistant assessor of internal revenue for the 1st district. From January 1, 1879, to December 31, 1884, he held the office of district attorney of Suffolk county. While occupying that position he prosecuted several important murder trials. Since the 1st of January, 1892, he has been surrogate of the county.



**PHILLIPS, SAMUEL KETCHAM** (born in the City of Brooklyn, February 12, 1858), is the son of Edmund S. and Rebecca Onderdonk Phillips. He was educated in the common schools and private academies in Fishkill, Dutchess county, was instructed in the principles and practice of the law by his father, and was admitted to the bar at Poughkeepsie in May, 1879. Beginning practice at Matteawan, he soon took a prominent place at the Dutchess county bar, and became identified with leading local interests. He was attorney for the State of New York in the matter of the acquisition of the site for the Matteawan State Hospital, and the

right of way for the sewer to the river. He is the attorney for the Mechanics' Savings Bank of Fishkill Landing and the Matteawan Savings Bank. He was one of the promoters and is at present one of the owners of the electric railway system of the town, is a director of the N. D. & C. Railroad Company and its legal adviser, and is the president of the Matteawan Savings Bank and a director of the Matteawan National Bank.

Since January 1, 1896, he has held the office of county judge of Dutchess county.



**PINDAR, JOHN SIXBEY** (born in Sharon, Schoharie county, New York, November 18, 1835), is the son of John and Angelica Sixbey Pindar. His great-grandparents on both sides emigrated from England and settled in Albany and Schoharie counties. He received his education in the common schools and the Richmondville Academy. For a number of years he was employed by mercantile houses. In 1862 he began the study of law with Young & Ramsay (William H. Young and Honorable Joseph H. Ramsay), at Lawyersville. He was admitted to practice in the Supreme Court of the State of New York on May 4, 1865, and in the United States Supreme Court on January 25, 1872. In 1867 he entered upon active practice in Cobleskill, where he has since been engaged continuously.

Mr. Pindar has for many years ranked as one of the ablest and best known members of the Schoharie county bar, and has also been very prominent and influential in the affairs of the Village of Cobleskill and of the county. When the village was incorporated he was its first police magistrate, and afterward he was its president for eight successive years.

An active democrat in politics, he was for a long period at the head of the party organization, serving as chairman of the Schoharie county democratic committee for thirteen or fourteen years, until he declined to hold that position longer. He represented the district in the 49th and 51st congresses. When Judge Mayham was raised to the Supreme Court bench, Mr. Pindar was tendered the appointment to the vacant office of county judge and surrogate, but he declined.

Mr. Pindar married Miss Maggie T. Hiller, daughter of John F. Hiller, of Sharon, formerly a member of the assembly. They have four children, all living.



**PITTS, EDMUND LEVI** (born in the Town of Yates, Orleans county, New York, May 23, 1839), is the son of John W. Pitts and Mary A. Clark. He received his general education at the Yates Academy, studied law with Honorable Sanford E. Church and at the State and National Law School at

Poughkeepsie, and was admitted to the bar at Newburgh in September, 1860. He began practice at Medina, New York, where he still continues. Since 1886 he has been at the head of the firm of Pitts & Sherwood.

Mr. Pitts has been very successful at the bar, and is one of the best known lawyers of his part of the state. Among the important actions in which he has appeared as counsel may be mentioned the forgery case of Wilson *vs.* Heath and the Lindsley murder case. He has also figured prominently in politics and public life. From 1864 to 1868, inclusive, he was a member of the assembly, becoming speaker of that body in 1867. In 1869 he was appointed assessor of internal revenue, an office which he held until 1873. He served in the state senate from 1880 to 1883, inclusive, and again in 1886 and 1887, acting as president *pro tempore* during a considerable part of his senatorial service.



**PLUMLEY, EDMUND JAMES** (born in Canoga, Seneca county, New York, October 7, 1845), is the son of Reverend Albert Plumley and Nancy Wheeler Cox. He took the academic course at the Genesee Wesleyan Seminary, and entered Genesee College (now Syracuse University), but did not graduate. After pursuing legal studies in the office of Hiram C. Day, of Buffalo, he was admitted to the bar at the general term in that city, June 6, 1871. Since March, 1875, he has been in active practice in Buffalo. He is now at the head of the firm of Plumley & Cole, in which Irving W. Cole is associated with him.

Mr. Plumley in his career at the bar of Buffalo has been connected with many important litigations. Among his cases to which special interest attaches the following may be instanced: Quinn *vs.* the City of Buffalo (26 Hun, 234), Schier *vs.* the City of Buffalo (35 Hun, 564), Newton *vs.* Southworth (7 N. Y. St. R., 130), Flynn *vs.* Erie Preserving Company (12 N. Y. St. R., 88), Delamater *vs.* Folz (50 Hun, 528), Probst *vs.* Delamater (100 N. Y., 266), and Pryor *vs.* Foster (130 N. Y., 171).

From February, 1872, to March, 1875, he held the office of deputy city clerk of Buffalo.



**POWELSON, ABRAM VAN NEST** (born on the old Bowelson homestead near Somerville, New Jersey, April 15, 1842), is the son of Abraham J. Powelson and Sarah Ann Van Nest. His family came originally from Sweden, emigrated to Holland, and from there, at the beginning of the eighteenth century, to America, and were among the early settlers of New Jersey. He attended the public schools and afterward took a course of study





*Chas R. Pratt*

with the Reverend Doctor Blauvelt, of Lamington, New Jersey, who prepared him for college. He entered Rutgers College and from there went to Union College, where he was graduated with the degree of bachelor of arts in 1864. The degree of master of arts was afterward conferred upon him. For two years after leaving college he taught the classical department of the Walkill Academy. He then entered the law office of the Honorable John G. Wilkin, county judge of Orange county, New York. Being admitted to the bar at Poughkeepsie in May, 1868, he engaged in practice at Middletown, where he has since successfully pursued his profession.

In 1869 he was elected justice of the peace, an office which he held for several years. He served for two years as corporation counsel of Middletown, and from 1890 to December, 1896, was assistant-district attorney of the county under Honorable Michael H. Hirschberg. Upon Mr. Hirschberg's resignation of that office, to become a justice of the Supreme Court, Mr. Powelson was appointed by Governor Morton to succeed him in the office of district attorney.

For several years Mr. Powelson has been a member of the board of education of Middletown, and he is at present (1897) chairman of its high school committee.



**P**RATT, CHARLES RANSOM (born in Elmira, Chemung county, New York, January 24, 1847), is the son of Ransom Pratt and Sarah Alvord, both descendants of Connecticut families of colonial days. He received a thorough early training, first at private schools, followed by three years at Elmira Academy, a year's college preparatory course at the Union School of Schenectady, New York, three years at Union College, Schenectady, and a year at Amherst College, Massachusetts, where he graduated in 1869, with the degree of A.B. He read law in the office of Smith & Hill, of Elmira, the firm consisting of the Honorable G. L. Smith and David B. Hill, subsequently governor of the state and United States senator.

He was admitted to the bar at Albany in 1872, locating thereafter in the practice of his profession at Elmira, and soon attained a position of prominence and influence. From September, 1879, to September, 1882, he was cashier of the 2d National Bank of Elmira, and he was vice-president of the same from 1882 to 1889. In 1892 he became for a short time assistant professor in Cornell University Law School, and in 1894 was a member of the constitutional convention. In the fall of 1896 he was elected to the office of county judge and surrogate of Chemung county, taking his seat on the bench January 1, 1897, for a term of six years.

In April, 1879, Judge Pratt was married to Jane E. Carrier. They have three children, two sons and a daughter.



PRENTICE, AUGUSTUS (born in New London county, Connecticut, September 30, 1826), is the son of Asa Prentice and Annie, daughter of William Browning, of North Stonington, Connecticut. The founder of the Prentice family came from Essex county, England, in 1631, settling in Roxbury, Massachusetts, and in 1700 the branch from which Mr. Prentice is descended located in North Stonington, Connecticut. His ancestors on the mother's side were also among the earlier settlers of New England, his great-grandfather being a wholesale merchant and extensive real estate owner in Newport, Rhode Island, and had several houses destroyed at the time the English bombarded that place during the Revolution.

Until about ten years of age Mr. Prentice attended the public schools of Springfield, Massachusetts, and Montpelier, Vermont, where his father was a merchant. His father retiring to a farm in Tolland county, Connecticut, he attended the public school there for a short time, was sent for several years to a private school, and for three or four years attended Wilbraham Academy, at Wilbraham, Massachusetts, preparing for college. Forced to reside in Florida for two years on account of ill health, he did not enter college, but upon his return to the north commenced the study of the law in the office of Honorable Thomas W. Clerke, of New York City, subsequently judge of the Supreme Court, and was admitted to the New York bar in 1851. In the spring of 1852 he commenced practice in that city. His practice has been chiefly in the department of commercial and corporation law, attending to the legal business of a large number of business men. Various corporations have come under his control as counsel, among them the Artisans' Bank, which he took charge of at the time of its failure, closing up its affairs, the Saint Louis & Saint Joseph Railroad Company, and the Saint Joseph & Denver City Railroad Company, which he formed by consolidating several smaller companies. He has been counsel of various other corporations. He has made successful investments in real estate, of which he is a large owner, both on Staten Island and in New York City. He was elected president of the Bank of Staten Island at the time of its organization, and still holds this position.

His residence has been at New Brighton, Staten Island, since 1858. At that time there were no incorporated villages on the island. Believing that village government was desirable, he drew up a charter for New Brighton in 1865, called a meeting and had it approved and a committee appointed to secure its passage by the legislature. As a result of these exertions the Village of New Brighton was organized under this charter in the spring of 1866.

In June, 1855, he was married to Catherine A., daughter of William Browning, of Gales Ferry, Connecticut. Their only child, Augustus Browning Prentice, was born January 30, 1866.





**RYOR, ROGER ATKINSON** (born in Dinwiddie county, Virginia, in 1828), derives his descent from an old Virginia family closely related to the Blounts and Randolphs. He was graduated from Hampden-Sidney College at the head of his class when seventeen years of age, subsequently receiving the degree of doctor of laws, and attended several departments of the University of Virginia, which subsequently appointed him one of her board of visitors. He studied law, was admitted to the bar, entered journalism, and was editor successively of the Petersburg *Southside Democrat*, Washington *Union*, and Richmond *Enquirer*.

He was appointed on a special diplomatic mission to Greece by President Pierce in 1855. During the following year he attracted attention through his opposition to the scheme of William L. Yancey for reviving the slave trade, and was elected to congress in 1857 and re-elected in 1859. He remained loyal to his state after her act of secession, was a member of the first regular confederate congress, and was commissioned colonel and a little later brigadier-general in the confederate army. Resigning his commission as an officer for political reasons, he at once re-enlisted as a private, and in 1864 was captured and confined in Fort Lafayette, New York.

Removing to this city after the war, he began the study of law at thirty-five years of age, and soon had an important practice. As counsel for Tilton in the famous Beecher trial, he attracted attention by his arguments in the Supreme Court and the Court of Appeals, in both of which he was opposed by William M. Evarts. He was counsel in the divorce suit of Governor Sprague of Rhode Island and in the various litigations respecting the Sprague estate, appeared in many important elevated railroad cases, represented the original stockholders in a suit against the New York & New England Railroad Company in the United States Circuit Court, and defended Governor Ames of Mississippi in the impeachment proceedings by the legislature of that state.

He was appointed to the bench of the Court of Common Pleas by Governor Hill in 1890, and elected to succeed himself in the fall of that year. By the constitution of 1894 he was transferred to the Supreme Court, January 1, 1896.



**PUTNAM, HARRINGTON** (born in Shrewsbury, Massachusetts, June 29, 1851), is a descendant in the ninth generation from Richard Harrington, who emigrated from England to Watertown, Massachusetts, early in 1640, and from John Putnam, also a native of England, who settled in Salem, Massachusetts, about the same period. He was graduated at Colby University (Waterville, Maine) in 1870, with the degree of bachelor of arts, entered the law office of E. B. Stoddard, at Worcester, Massachusetts,

and completed his preparation for the legal profession, after studies in Heidelberg, Germany, at the Columbia College Law School, from which he received his bachelor of laws degree in 1876. He was admitted to the bar in New York on May 26, 1877, since which date he has been a practitioner in that city, devoting himself mainly to admiralty suits.



PUTNAM, HARVEY, was born January 5, 1793, and was of the sixth generation from John Putnam, who emigrated from Buckinghamshire county, England, in 1634, settling in Salem (now Danvers), Massachusetts. He read his profession with Judge Freeborn G. Jewett of Skaneateles, New York. In 1817 he settled in Attica, Genesee county, the Holland Purchase being then the far west for eastern emigrants. Here he began, with few books and vast capacities of labor, his professional life. For twenty years it was wholly unvaried, except by those local trusts which are likely to fall to a good lawyer and trusted citizen.

In 1839 he was elected to the short session of the 25th congress, to fill a vacancy. In 1840 he was appointed surrogate of Genesee county, which office he held until the division of the county, when he was appointed surrogate of Wyoming county, and held the office until 1842. In 1842 he was elected to the state senate as a representative of the old 8th district, comprising the western counties of the state. The senate at that time constituted the court of final appeal in cases of law and equity. He was distinguished during his term of four years for his devotion to the practical duties of legislation and for his painstaking labor as a member of the Court for the Correction of Errors.

In 1848 he was elected from his district to congress, and was re-elected in 1850, serving through the last half of Mr. Polk's, through General Taylor's, and a part of Mr. Fillmore's administrations. He was chosen as a whig, and acted with the great body of that party in western New York on all public questions that arose during the period of his public service. He was in sympathy with the anti-slavery sentiment of his district. At the close of his congressional service he returned to the duties and labors of his profession with unabated zeal and enthusiasm.

He brought industry and unwearied devotion to his business. To the most trifling causes that arose in a country district he gave the same research and exhaustive study which he gave the gravest questions and most important controversies in courts of record. His briefs were formidable antagonists. His characteristic industry he brought to all his public trusts. To be never idle, to do with the highest skill he possessed whatever was placed in his hands to do, was with him both a principle and a passion. He never shirked any duty

imposed. He was a patient and laborious committeeman, and belonged to the practical and working class of legislators. The elements of his personal strength in the public confidence were character and adequacy. To these all the public trusts he held were spontaneous tributes.

His integrity was after the severest model of character—that is, absolute. He was a peace-maker, and often when applied to to institute litigation would persuade the parties to allow him to act as arbitrator of their dispute. This did not compensate his pocket, but it did his heart. He secured justice to the contestants and preserved good-will among his neighbors, and that satisfied him.

For about thirty years he was a professor of the Christian religion, and a member and officer of the presbyterian church. The religious element was in him a deep, rich vein, running through his moral and social being. Christianity was with him, literally, a life. It budded and blossomed, not for controversy, but with the fruits of the spirit—faith, hope, charity.

He died of an acute disease September 20, 1855, in the sixty-third year of his age.

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PUTNAM, JAMES OSBORNE (born in Attica, Wyoming county, New York, July 4, 1818), is the son of Honorable Harvey Putnam (noticed above) and Myra Osborne, granddaughter of Colonel Benjamin Simonds, of Williamstown, Massachusetts. He was prepared for college at the Middlebury Academy (Genesee county, New York), attended Hamilton College for two years and entered Yale in the junior class of 1839. After leaving college he read law under the direction of his father, and in 1841 he was admitted to the bar at a general term of the Supreme Court held at Rochester. In 1842 he removed to Buffalo, and entered upon the active practice of his profession. He is still a resident of that city, but for a number of years has been living in comparative retirement.

Mr. Putnam soon rose to prominence at the bar of Buffalo. Early in his career he entered into an association with Honorable George R. Babcock, which, however, continued for only two years. In 1844 he became secretary and treasurer, and in 1846 attorney and counselor of the Attica & Buffalo and the Buffalo & Rocheste railroad companies, positions which he held until their consolidation with the New York Central.

In 1851 he was appointed postmaster of Buffalo by President Fillmore. This office he retained until the end of Mr. Fillmore's term. He served as a member of the state senate in 1854 and 1855. In that body he joined in the protests made against the repeal of the Missouri compromise and against other aggressions of the slave power. He drafted and championed the celebrated measure known as the

“Church Property Bill,” which required that real estate consecrated to religious uses should be vested in trustees in accordance with the general policy of the state.

In politics Mr. Putnam had been identified from his youth with the conservative element of the whig party. After the reconstruction of



JAMES OSBORNE PUTNAM.

party lines he was for a time affiliated with the so-called American organization, by which he was nominated in 1857 for secretary of state of New York. Meantime he labored to bring about a union of the American with the republican party. In 1860 he was one of the

two electors-at-large on the Lincoln ticket. From 1861 to 1866 he was United States consul at Havre, France. He was the author of the address of American citizens abroad to their government upon the assassination of President Lincoln.

Returning in 1866, Mr. Putnam resumed his residence at Buffalo. During the years 1880, 1881, and 1882 he represented the United States as minister to Belgium. While serving in this capacity (1881) he was designated by the state department as the United States delegate to the international industrial congress at Paris.

Mr. Putnam, as a prominent and highly respected citizen, has held various honorary positions of importance. He was for a time trustee of the State Normal School at Buffalo.

He was appointed by Governor Dix a member of the state board of charities for the 8th judicial district, but was prevented by ill health from accepting that office. He has been a member of the council of the Buffalo University since its organization in 1846, and is at present its chancellor.

Throughout his life he has taken a hearty interest in all matters related to the welfare of the City of Buffalo, and particularly in the promotion of its public institutions.

He is the author of a volume of "Orations, Speeches, and Miscellanies," published in 1880.



PUTNAM, JOHN RISLEY (born at Saratoga Springs, New York), is the son of Benjamin Risley Putnam and Eunice, daughter of Daniel Morgan, of Saratoga. He is a descendant of John Putnam, who emigrated from England in 1634 and settled in Danvers, Massachusetts, and is of the same family as the famous General Israel Putnam of the Revolution. His grandfather, Gideon Putnam, a "man of strong nerve, comprehensive powers of invention and indomitable will, who was the virtual creator and originator of the beautiful village of Saratoga Springs," removed to New York state from New England in 1789 and engaged in farming and the manufacture of lumber at Saratoga Springs. Two years later he bought from Dirk Lefferts, one of the original purchasers of the Kayadrossera patent, three hundred acres of land, to which he subsequently added and upon which he began to erect buildings, foreseeing the great advantages that the medicinal springs would in time give to the locality. Having in 1809 discovered and tubed the Congress Spring, he erected Union Hall, and commenced work on Congress Hall, which, however, was interrupted by an accident that led to his death, December 1, 1812. He contributed generous gifts of land for the promotion of local educational and religious interests. His son, Benjamin Risley Putnam, father of the subject of this

sketch, was also a generous giver to the same ends, and active and intelligent in advancing the growth and prosperity of the community.

John R. Putnam, after completing an academic education, pursued legal studies with Judges Charles S. Lester and John C. Hurlbert. He was admitted to the bar in 1852, and, engaging in practice at his native place, steadily advanced to reputation and eminence in the profession. After twenty-five years of successful practice he was nominated, in 1887, to the office of justice of the Supreme Court for the 4th judicial district, to succeed Justice Augustus Bockes. His election was practically unanimous, both the republican and the democratic parties giving him their support.

Four years after his term of office commenced, he was designated by Governor Hill for the general term of the 3d department, and remained in that position until the adoption of the new constitution, when he was appointed by Governor Morton a member of the Appellate Division for the same department.

Justice Putnam was married, in 1867, to Mary S., daughter of R. M. Shoemaker, a well-known Ohio railway builder and operator.



**RAMSDALE, WILLIAM CRAWFORD** (born in the Town of Malta, Saratoga county, New York, March 5, 1856), is the son of William and Parthena Crawford Ramsdale. He was graduated at the University of Rochester, in 1879, with the degree of bachelor of science. After pursuing legal studies with John H. White, of Albion, he was admitted to the bar, in 1881. He has always practiced at Albion.

In November, 1895, he was elected on the democratic ticket county judge and surrogate of Orleans county, receiving 300 majority, although at the same election the republican state and county ticket carried the county by about 1,700. Judge Ramsdale has also held the office of treasurer of Orleans county, as well as various town and village offices.



**RANSOM, WASHINGTON HUNT** (born in Lockport, New York, March 9, 1842), is the son of Jerome Bonaparte Ransom and Elvira Albright. After graduating from the Lockport Union School, he studied law with Murray & Greene, of Lockport, and also at the Albany Law School, receiving from that institution his degree of bachelor of laws. He was admitted at the bar at Albany, May 6, 1867, and soon afterward began practice at Lockport with John T. Joyce in the firm of Ransom & Joyce, which continued until October 1, 1887. He then for several years continued his practice alone. Since February 1, 1894, he has been in partnership with his son, Frank A. Ransom, under the firm name of W. H. & F. A. Ransom.

Mr. Ransom's professional record embraces numerous cases of very considerable interest and importance. Some of these are: *Day vs. Day* (94 N. Y., 193), settling the construction of the law of bridges over streams crossing town lines; *People ex rel. Joyce vs. Brundage* (78 N. Y., 403), establishing that the constitutional limit of age applies to county judges; *Nicholls vs. Wentworth* (100 N. Y., 455), in which it is decided that easements may be acquired by prescription; *People ex rel. Lardner vs. Carson* (78 Hun, 544; 29 Supp., 619), laying down the principle that a successor in the office of attorney-general needs no order of substitution in a pending action, and *Campbell vs. Crompton* (8 Abb. N. C., 363), which establishes that an agreement to marry between aunt and nephew is against public policy and that the courts will not enforce it.

As one of the leaders of the Lockport bar, Mr. Ransom has taken an important part in legal matters of vital interest to that community. He performed practically all the work of the revision of the charter of that city (chapter 120 of the laws of 1886), and he prepared the charter of the Lockport Water Supply Company (chapter 106 of the laws of 1886), said to be the most comprehensive charter granted by the State of New York to a private corporation up to that time.

He has held the offices of supervisor of the 4th ward of the city of Lockport for two terms, city clerk for one term, and clerk of the board of supervisors of Niagara county for four terms.



**REDFIELD, HENRY STEPHEN** (born in Corning, Steuben county, New York, July 31, 1851), is the son of Jared A. and Mary Hayt Redfield, both of New England descent. His father was for a number of years superintendent of the Elmira and Canandaigua divisions of the Northern Central Railway Company. The son was graduated from the Elmira Academy at the age of fifteen. After following business employments for about five years he prepared for college, and entered Amherst, from which he was graduated in 1877 with the degree of bachelor of arts, having received the Greek appointment for commencement, and standing fourth in a graduating class of seventy-five members. The A. M. degree was subsequently conferred upon him by that institution.

Upon leaving college he began the study of the law at Elmira with George M. Diven, and in September, 1879, he was admitted to the bar at Saratoga Springs. The next month he formed a legal copartnership with Mr. Diven, which still continues. The practice of the firm is largely of a corporate character. Among the corporations which they represent, are the Northern Central Railway Company, for which they are attorneys for the 7th district, comprising the State of New York, and the Lehigh Valley Railroad Company, whose legal business in the southern portion of the state is committed to their charge.



EDINGTON, LYMAN WILLIAMS (born in Waddington, Saint Lawrence county, New York, March 14, 1849), is the son of Honorable George Redington and Loraine Williams Sheldon, and is lineally descended from John Redington, who located at Topsfield, Massachusetts, about 1640. One of his ancestors was killed in the French and Indian war, and his



LYMAN WILLIAMS REDINGTON.

grandfather, Jacob Redington, was a revolutionary soldier and a member in 1794 of the first common council of Vergennes, the first city government in Vermont. His father was a prominent lawyer, judge of the Court of Common Pleas of Saint Lawrence county, for several years a member of the legislature, and at the same time a



large lumber manufacturer and one of the projectors and a director of the Northern Railroad from Ogdensburg to Rouse's Point. On his mother's side he is descended from Captain Amasa Sheldon of the Revolution, and from Samuel Bass, whose wife was a daughter of the famous John Alden.

Mr. Redington was educated in the Waddington public schools, at the seminary at Castleton, Vermont, prepared for college at Williston's Seminary, in Easthampton, Massachusetts, and although entering Yale College, was obliged to leave at the end of the first year on account of the failure of his eyes. He subsequently attended the Columbia College Law School for one year, and afterward spent two years in the law office of United States Senator Matthew H. Carpenter, of Milwaukee, Wisconsin, being admitted to the Wisconsin bar May 3, 1871. After a year spent in travel in Europe, he began the practice of law at Rutland, Vermont, and while enjoying a successful practice became also prominent in politics.

In 1876, in a republican district, he was the unsuccessful democratic candidate for the legislature, but two years later was elected. In 1880 he was delegate-at-large to the national democratic convention at Cincinnati. He became the democratic leader in his section of the state, was the democratic candidate for congress in 1882, and the same year was chairman of the democratic state convention. In 1884 he was the democratic candidate for governor of Vermont, and March 17, 1884, he was elected municipal judge for Rutland, and was also prosecuting attorney and corporation counsel for that city.

In 1884 he was employed by the national committee and by the New York and New Jersey state committees to make political speeches. In 1888 he did service on the stump for the New York state committee from the commencement to the close of the campaign, and he has performed like service in every campaign since.

By appointment of President Cleveland he became postmaster of Rutland in 1885, and held that office until 1889, when he resigned and moved to New York City. He has successfully practiced law there to the present time. He is a member of the New York Society of the Sons of the Revolution, and of Kane Lodge and Cœur de Lion Commandery. He has been for several years a member of the Tammany Hall general committee, and is a member of the Sagamore and Harlem clubs. In 1894 he was the Tammany candidate for the assembly from the 27th district, and in 1896 from the 34th district.



REID, WILLARD PLACIDE (born in Babylon, Long Island, April 24, 1862), is the son of John R. Reid, a former county judge of Suffolk county, and Angie Davis, daughter of Abram Davis, of Poughkeepsie, a colonel in the state militia. He was educated by private tutors, in the public schools, and at

the Albany Academy, winning the Gannon philosophical medal, and took the complete course of study at Columbia College Law School, being graduated in 1885. In May of the same year he was admitted to the bar at Poughkeepsie. After practicing for a while at Babylon he removed to Brooklyn, where he is still engaged in his profession. He has been connected with various cases of considerable public interest, notably the Scheiwilder murder case, at Breslau, in which he successfully set up for the defense a plea of insanity. At the time of the cholera scare he appeared for the board of health of the Town of Islip in the matter of the proposed conversion of Fire Island to quarantine uses.

Mr. Reid has been active in politics and is at present (1897) a member of the democratic state committee for the 1st district. He has taken much interest in the local affairs of Babylon, and has given especial attention to promoting the success of the Babylon Library, of which he is the treasurer.



**REYNOLDS, EDWIN R.** (born in Fort Ann, Washington county, New York, in the year 1816), is the son of Reverend Linus J. and Alice Baker Reynolds. His father was an editor and a baptist minister. The son was a member of the class of 1839 in Brown University, and in 1844 received the honorary degree of master of arts from Hobart College. He read law at Albion with Honorable A. Hyde Cole (afterward state senator), and in 1843 was admitted to the bar at Rochester before the Supreme Court, Chief-Judge Samuel Nelson presiding. Meantime he was engaged in educational work, having been principal of the Albion Academy since 1838, a position which he retained until 1846. He was also, in 1842 and 1843, superintendent of common schools of Orleans county. In 1842 he founded, in connection with the Albion Academy, the first normal school in the state.

Discontinuing his pedagogic pursuits, Mr. Reynolds devoted himself to the practice of the law, continuing his residence in Albion. From 1848 to 1854 he held the office of justice of the peace, and for three years he served as clerk of the county board of supervisors. In 1860 he was elected a member of the 36th congress. In that body he voted for the admission of Kansas as a free state. He also voted with Roscoe Conkling, Washburne, Wade, and others of the old guard of sixty-five members who stood out against every project for extending slavery to the Pacific on the line of 36-30 or any other line whatever. He was an active supporter of the Morrill tariff of 1861.

After his retirement from congress he was elected county judge and surrogate, in which office he served from 1864 to 1867, inclusive.

An earnest republican from the foundation of the party, Judge Reynolds was prominently connected with its organization. For about thirteen years he was chairman of the Orleans county commit-

tee, and he also served as a member of the state committee and as a delegate to several state conventions. In 1868 he was a Grant presidential elector. In 1872, however, he supported the candidacy of Horace Greeley—having been a lifelong friend and admirer of the famous editor, and ran as an elector on the Greeley ticket.

Judge Reynolds is to-day the oldest living representative of the Orleans county bar, but has recently discontinued active practice. During his long professional career he conducted a general country practice, conveyancing, etc., with some important equity cases. He has always resided and practiced in Albion. From 1867 to 1880 he was associated in the firm of Reynolds & Crandall, with Albert W. Crandall, now of San Francisco.

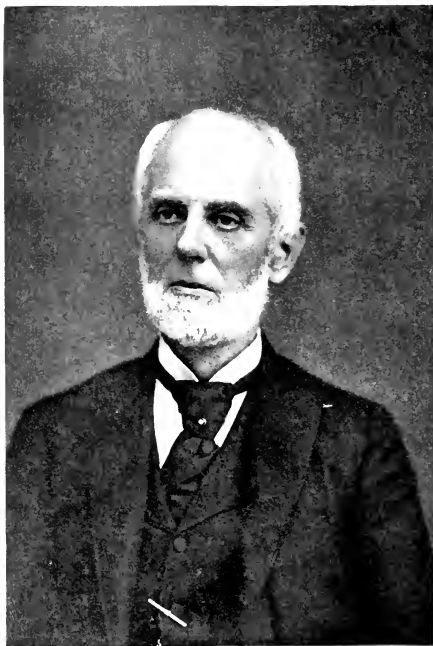
On November 25, 1847, he was married to Elizabeth Ann Gale, of Albion.



**REYNOLDS, GEORGE GREENWOOD** (born February 7, 1821, in Amenia, Dutchess county, New York), is the son of George Reynolds and Abigail Penoyer. He prepared for college at Amenia Seminary, and entering Wesleyan University at Middletown, Connecticut, was graduated in 1841. In 1844 he received the degree of master of arts and in 1871 that of doctor of laws.

His legal studies were pursued in the law office of Street & Wilkinson, at Poughkeepsie, New York, and subsequently with Honorable John Dykeman in Brooklyn. He was admitted to the bar at Rochester in October, 1844, and first commenced practice in Brooklyn, but at the expiration of a year removed to Ulster county, and subsequently to Poughkeepsie, Dutchess county, where he remained until 1854. He returned to Brooklyn in the latter year, and has from that time been identified with the Brooklyn bar, standing in the front rank of his profession.

He has appeared in many prominent cases, the most recent one which is of great public interest being that of Brooklyn *against* the Long Island Water Works to acquire title to the same. He also served two terms as judge of the City Court, from 1861 to 1867, and from 1873 to 1887. He was distinguished upon the bench for his able decisions, exhibiting in a remarkable degree the legal acumen and judicial temperament required in the jurist. He has been president of the board of trustees of Wesleyan University from 1887 to the present time, was a member of the commission appointed by Governor Hill to revise the judiciary article of the constitution in 1890, and a member of the general conference of the Methodist Episcopal Church at its sessions in 1872, 1876, 1880, and 1884. He has written articles quite frequently for prominent magazines, and a number of papers on legal subjects for "The New People's Cyclopædia."



*Richardson, II, Gardiner*



**RICHARDSON, II, GARDINER** (born in Lockport, New York, May 11, 1869), is the son of M. M. Richardson and Ellen O. Witcher. He was graduated from the academic department of the Lockport Union School in 1890, studied law with Joshua Gaskill, and was admitted to the bar at Rochester, Octo-

ber 6, 1893. Since then he has been in active and successful practice in Lockport.



**R**IKER, SAMUEL (born in Newtown, Queens county, New York, April 10, 1832), is the son of John L. Riker and Lavinia Smith. His father was lineally descended in the fourth generation from Abraham Rycken, a native of Holland who emigrated to New Amsterdam in 1638. His mother's ancestors came from England. Mr. Riker received a common school education, which he supplemented by extensive reading, especially in history and poetry. He studied law in the office of J. H. & H. L. Riker, of New York City, and was admitted to the New York bar in May, 1853. He practiced his profession in that city continuously until January 1, 1893, a period of nearly forty years, when he retired from business.

He enjoys a high standing among members of the New York bar. He devoted much time to the study of the law of real property, the investigation of titles to land and the drawing of wills, marriage settlements, and trust deeds. In this department of law he has no superior, and he was frequently called upon to give opinions on the meaning and construction of such instruments. He rarely appeared in court, except in cases involving the title to real property, the construction of trust deeds and wills, or the settlement and distribution of estates, but was largely engaged in advising executors and trustees, and in the settlement of estates in the Surrogate's Court. He has perfected many questionable titles either by taking judicial proceedings or procuring legislative action, as the case required.

He acted as attorney and counsel of the Sailors' Snug Harbor for upward of thirty years, preparing all instruments relating to their large landed estate in the City of New York and on Staten Island. He acted as executor of the wills of Sarah Burr and her sisters, and in that capacity distributed several millions of dollars among a large number of charitable institutions in New York City. Among his clients were a large number of wealthy and prominent citizens of New York.

The family to which Mr. Riker belongs is notable in view of its many members who have been lawyers. His uncle, Richard Riker, was for ten years district attorney and for twenty years recorder of New York. His father was also a lawyer, as were his cousins, D. Phoenix Riker and John H. Riker, and his brother, Henry L. Riker. All occupied honorable positions in the profession.

Mr. Riker is domestic in his habits, of a retiring disposition, fond of books, familiar with general literature, cultivated in his tastes, and has devoted much time to foreign travel.



ITCH, THOMAS GARDINER (born in North Salem, New York, September 18, 1833), is the son of Wells R. Ritch and Sarah A. Barnum. His father was a merchant in New York City, and subsequently resided in Stamford, Connee-



ticut, where he was connected as president or director with various financial institutions.





James A. Roberts



Mr. Ritch was educated in the private schools of Stamford, and in 1854 was graduated from Yale College, subsequently receiving the degree of master of arts. He attended the law school connected with Yale College and also studied in the office of Honorable James R. Whiting, of New York City, being admitted to the bar in New York City in 1857. He has continuously practiced in New York City since that date. He has been in partnership with Stewart L. Woodford since 1858 and with William H. Arnoux since 1870, having been a member of the firm of Arnoux, Ritch & Woodford from 1870 until its dissolution by the retirement of Mr. William H. Arnoux, January 1, 1896. The present firm style is Ritch, Woodford, Boree & Wallace.



**ROBERTS, JAMES ARTHUR** (born in Waterboro, York county, Maine, March 8, 1847), is the son of Jeremiah and Alma Roberts, and is the eighth in lineal descent from Governor Thomas Roberts, the last colonial governor of New Hampshire. He was educated at common schools, Edward Little Institute (Auburn, Maine), and was graduated from Bowdoin College in 1870 with the degree of A.B., subsequently taking the honorary degree of A.M. After his graduation he came to Buffalo and taught in the public schools of that city, at the same time pursuing his legal studies in the office of Edgar B. Perkins and George S. Wardwell, with whom he remained until his admission to the bar at Rochester, in 1875. He commenced practice in Buffalo, and early became identified with the development of various enterprises of that city, including banking, electric lighting and power, and real estate interests. He was one of the founders of Depew, a suburb of Buffalo, and secretary of the Depew Improvement Company, vice-president of the Buffalo Loan, Trust & Safe Deposit Company; vice-president of the Buffalo, Bellevue & Lancaster Railway Company, the electric railroad that runs from Buffalo to Depew, and secretary of the Bellevue Land Company. He resigned these various offices when elected state comptroller.

In 1879 and 1880 he was a member of the New York state assembly declining re-election for a third term, and he was park commissioner of Buffalo from 1889 to 1893. In the fall of 1893, although absent from the state convention held at Syracuse, he was nominated on the republican ticket for comptroller. He was elected, and was re-elected to the same office in 1895.

When the rebellion broke out Mr. Roberts was a mere boy attending school. At the age of seventeen he enlisted as a private in the 7th Maine battery, and he was in the series of battles before Appomattox during the last year of the war, and participated in the final engagements before Petersburg, including its capture, and in the pursuit and capture of Lee.



ROBERTS, TIMOTHY HART (born in Dimock, Susquehanna county, Pennsylvania, March 21, 1847), is the son of Timothy Pickering Roberts and Eliza Warren. His great-grandfather Roberts was a colonel in Washington's army and a cousin of Timothy Pickering. On his mother's side he is a great-grandson of Colonel Seth Warren, of the Revolution. He was prepared for college at the Cincinnati and Deposit Academies and the Cortland Normal School. In 1863, at the age of sixteen, he enlisted in the 22d New York volunteer cavalry, Company I. He was wounded during the Wilderness campaign, and was sergeant of the guard that had charge of Lincoln's body as it lay in state in the rotunda of the capitol on the night of April 19, 1865. His brother, Alpha F. Roberts, an officer in the 127th Illinois infantry, was shot under Grant at Vicksburg, May 22, 1863, his eighteenth birthday.

After his discharge from the army, August 12, 1865, Mr. Roberts continued his studies, and, having qualified himself for educational work, engaged in that profession. From 1868 to 1889 he was principal of public high schools and academies in Lyons, Rome, and Brooklyn, New York. Meantime he studied law, privately and in the office of Honorable Clarke Mason, of Lyons, and Honorable Watson T. Dunmore, of Utica. On April 22, 1886, he was admitted to the bar upon examination before the Supreme Court at Utica. In that city he practiced for a time, continuing in New York City and Brooklyn. He is now an active practitioner at the Brooklyn bar. In his professional career he has made a record for energetic and persevering qualities. One of his cases was prosecuted for eight successive years against parties who were accused by Mr. Roberts's client, a Brooklyn woman, of swindling her out of her property and of breach of contract. The suit was finally won before Judge Bartlett and a jury, the value of the property was recovered, and the parties—one a state official of high rank—were indicted by the grand jury for felonies.

Mr. Roberts was for three years employed as a specialist in formulating the plans and in the preparation of the "Standard Dictionary." He has long been a popular lecturer on economic questions and miscellaneous historical subjects. In every presidential campaign, beginning with 1860 when he was a boy in Illinois, he has worked for and made public speeches in behalf of the principles of the republican party, in 1896 addressing seventy audiences for McKinley and sound money.

In 1877 he received from Colgate (Madison) University, at Hamilton, New York, the degree of master of arts.

He was clerk of the census committee of the 47th congress, and his duty required him to formulate the congressional and electoral college apportionment bill, signed by President Arthur in February, 1882. From December, 1882, to June, 1885, he held the office of special examiner of the interior department, traveling through the eastern and middle states for the government.

Mr. Roberts is a member of Anglo-Saxon Lodge, F. and A. M.; the Brooklyn Masonic-Veterans' Association, Wetumpka Lodge, K. of H.; Holton Council, Junior, O. U. A. M.; Erastus T. Tefft Post, G. A. R., and of the baptist church.



ROBERTSON, WILLIAM H. (born in Bedford, Westchester county, New York, October 10, 1823), is the son of Henry Robertson and Huldah Fanton, his ancestors being of Scotch origin and among the early settlers of Fairfield county, Connecticut. John Robertson is mentioned in the records of Greenwich in 1667. William Robertson removed from that town to Bedford in 1744, buying a farm, which is yet in the possession of the family. The father of Judge Robertson (grandson of this William) was for fifteen years supervisor of Bedford, and died at the age of ninety on the place where he was born and in the house in which he had lived for over three-quarters of a century.

Judge Robertson was educated at the district schools and at Union Academy in Bedford. He taught school for a few years, then entered the law office of Robert S. Hart, of Bedford, and was admitted to the bar in 1847. In 1854 he formed a partnership with Odle Close in White Plains, under the firm name of Close & Robertson, a connection which continued until the death of Mr. Close in 1895.

Judge Robertson took an active interest in the Harrison and Tyler campaign of 1840. In 1845 he was elected town superintendent of schools, holding the position several years. He was four times elected supervisor of Bedford and twice chairman of the board of supervisors. In 1848, and again the following year, he was elected to the assembly. In 1853 he was returned to the senate and at once took a prominent position. Among other public acts, he introduced the bill for establishing the department of public instruction, which has proved one of the most important measures in the educational history of the state. In 1855 he was elected county judge of Westchester, and was twice re-elected, making a continuous service of twelve years. He served six years as inspector of the 7th brigade, state militia, was chairman of the military committee appointed by Governor Morgan in 1862 to raise and organize state troops in the 8th senate district, and was commissioned to superintend the draft in Westchester county. As a member of the electoral college he voted for Abraham Lincoln in 1860, and supported him again in 1864. In 1866 he was elected to the 40th congress, voted for the impeachment of President Johnson, and took an active part in the legislation which led to the restoration of the southern states to the union. In 1872 he was again elected to the state senate, commencing a term of service which continued without interruption for ten years, the last eight of which he was president *pro tem.* of that body. He served as chairman of the

committee on commerce and navigation, rules, literature, and judiciary. He was head of the judiciary committee for eight years.

During his senatorial service he participated in the trials of Judges Barnard, McCunn, Curtis, and Prindle, superintendent De Witt C. Ellis, of the bank department, and superintendent John F. Smythe, of the insurance department. In the excitement of the presidential contest of 1876, he was one of three gentlemen from New York selected by the president to visit Florida and supervise the counting of the votes. For fifteen years he was a member of the republican state committee. In June, 1880, he was a delegate to the national republican convention at Chicago. His repudiation of the unit rule and declaration for Blaine, followed by his leadership and organizing ability at the convention, concededly defeated the "third-term movement" for Grant.

In 1881 his nomination by President Garfield for collector of the port of New York was bitterly opposed by the senators from this state, who demanded the withdrawal of his nomination. The contest resulted in the resignation of the senators and the confirmation of Judge Robertson as collector.

Judge Robertson is of literary tastes and studious habits. The degree of doctor of laws was conferred on him by Williams College in 1876. In 1865 he was married to Mary E., daughter of Honorable Horatio Ballard, who was a prominent lawyer of Cortland county, New York. Since 1869 he has resided at Katonah.



ROBINSON, FRANK HURD (born in Cuba, Allegany county, New York, May 23, 1855), is the son of Charles Prescott and Elizabeth Hurd Robinson, and is a lineal descendant of Reverend John Robinson, the English clergyman (1620).

He attended the common schools and academy of his native town, and was graduated from the Albany Law School in 1876 with the degree of bachelor of laws. His office training for the profession was received with Champlain, Armstrong & Russell, of Cuba, and Sickels & Miller, of Albany. He was admitted to the bar at Albany in May, 1876, and began practice in the oil country (Cattaraugus county). After three years there he removed to Hornellsville, where he still lives. He soon became prominent in the profession, being employed in many suits of importance. From January 1, 1887, to January 1, 1893, he was district attorney of Steuben county. In this capacity he prosecuted six murder cases. On January 1, 1894, he became county judge of Steuben county, an office which he still holds. Each time that he has been a candidate for office he has obtained a very large vote, running ahead of his ticket.

Judge Robinson continues to conduct a large civil practice in the Supreme and Appellate Courts, and also acts as counsel for attorneys

of record. He is connected with various business and moneyed interests.



**ROCKWELL, HOSEA HUNT** (born in Lawrenceville, Tioga county, Pennsylvania, May 31, 1840), is the son of Samuel and Joanna Hunt Rockwell. He is a direct descendant of Deacon William Rockwell, who landed at Plymouth in 1629, coming over on the same vessel which brought Matthew Grant, the ancestor of General U. S. Grant. The party organized as a church, of which William Rockwell was made deacon. Mr. Rockwell's paternal great-grandfather, Lieutenant John Rockwell, and also one of his great-grandfathers in the maternal line, Captain Gideon Cowles, were patriot soldiers in the Revolution.

Hosea H. Rockwell received an elementary education. Soon after the breaking out of the war he enlisted in the 23d regiment, New York volunteers. He was at the second battle of Bull Run, Antietam, Fredericksburg and other important engagements of the rebellion. After his discharge from the army he studied law in the office of Tomlinson & Ransom (late surrogate of New York City), in Elmira, and in December, 1869, he was admitted to the bar at the general term held at Rochester. Beginning practice at Elmira he soon became prominent at the bar of that city, of which he is now one of the leaders. For twelve years he was associated with C. A. Collin, now of the firm of Sheehan & Collin, of New York City. He has for some time been in partnership with George McCann in the firm of Rockwell & McCann.

Mr. Rockwell has taken an active part in politics, as a democrat, and has held various positions of importance. He was for three years city attorney of Elmira. In 1877 he served in the assembly, and as a member of the judiciary committee of that body drew and reported the present general assignment law of New York. He was elected to the 52d congress, in which he served as a member of the committee on military and Indian affairs. A firm believer in the free coinage of silver, he was the only one of the New York delegation in that congress who voted for the silver bill. He has spoken and written extensively on this subject. He was chairman of the New York state democratic convention of 1896.

Mr. Rockwell has held various commissions in the national guard of New York—among them those of major and judge advocate. He has been a frequent contributor to the press and periodicals on political topics. At different times he has been in charge of the editorial columns of the *Elmira Daily Gazette*.



**RODERICK, GEORGE WASHINGTON**, one of the leaders of the Brooklyn bar, was born December 14, 1852, in the City of Brooklyn. Both his parents were natives of Ireland. His father, John Kirby Roderick, was a physician and a nephew of Graham Torbuck, for many years surgeon-general of the port of Dublin. His mother's maiden name was Anna Walsh.

Mr. Roderick's early education was obtained in the public schools of his native city, and after graduation there he entered the High School of the City of New York, where he continued his studies until 1870. In that year he entered the office of Morris & Pearsall, a well-known Brooklyn law firm, and he pursued his legal studies there until February, 1874, when he was admitted to practice. He remained with this firm however until May, 1882, when he formed a copartnership with Alexander T. Carpenter, under the firm name of Carpenter & Roderick. They conducted one of the largest and most lucrative practices in the city, their business being in the nature of general litigation. In 1892 the partnership was dissolved and Mr. Roderick has since continued alone.

Among the important cases successfully conducted by Mr. Roderick was that of Ellen Wilson, who sued to recover a dower right in the estate of Jacob Wilson, who died worth \$250,000. After a tedious and exacting trial of several weeks before a jury, a common-law marriage was established to have occurred before the birth of her child, and Mr. Roderick secured a verdict for a handsome sum. In this suit the leading counsel for the defense was General Benjamin F. Tracy. In 1883 he successfully defended Samuel Sommers, tried in Brooklyn for murder. Probably no case in the Brooklyn courts attracted more attention at the time than that of the child Bessie Cummings, who was run over by a 3d avenue car and lost a leg. Mr. Roderick gained a verdict of \$10,000 for the child and \$5,000 for the mother for loss of the child's services.

Of the many prominent cases, however, in which Mr. Roderick has been engaged, the most famous and the one that excited more public interest than probably any similar trial ever conducted in this state, was that of John Y. McKane, of Gravesend, for crimes against the elective franchise and contempt of court, who was convicted in 1894 and sentenced to Sing Sing. Mr. Roderick was one of his counsel, his associates being James Troy, Foster L. Backus, and James W. Glendenning. The prosecution was represented by General Benjamin F. Tracy, Edward M. Shepard, Albert E. Lamb, and Jerry Wernberg, and the trial lasted over a month. From the time of McKane's indictment until the final argument before the Court of Appeals, Mr. Roderick spared no effort in behalf of his client, and fought a hopeless battle with wonderful ability and indefatigable energy. The grand jury was challenged, the first time in twenty-five years. Nothing that might by any possibility help his client was overlooked, and

Mr. Roderick's work in the case was enormous. The details of this trial, in which the people took an absorbing interest, are fresh in the memory of most persons, and the press far and near contained the fullest reports of the proceedings.

Mr. Roderick has been particularly successful in the prosecution of negligence damage cases.

For a number of years he was the attorney for the Brooklyn, Bath & Coney Island Railroad Company.

In politics he is a democrat, and he has frequently acted as delegate to democratic state, judiciary, and local nominating conventions.

He was a member of the New York state constitutional convention of 1894.

Among his clubs are the Montauk and Aurora Grata, of Brooklyn, the Long Island Wheelmen, and the Albany Club, of Albany, New York. Taking an active interest in a number of fraternal orders, he enjoys membership in Central Lodge of F. and A. M., Constellation Chapter, Royal Arch Masons, Clinton Commandery of Knights Templars, Kismet Temple, Mystic Shrine, and Aurora Grata Lodge of Scottish Rite Masons, also the Commonwealth Council of the Royal Arcanum, and is a member of the Knights of Honor. He is an enthusiastic sportsman and is fond of shooting, fishing, and outdoor athletics.

In 1877 he married Miss Hilda B. Harris, a daughter of Philip P. Harris, formerly a colonel in the British army. Miss Harris's maternal uncle was the Honorable Philip Van Koughnet, a celebrated Canadian jurist who for many years was chancellor of Canada and a member of the Dominion cabinet of Sir John A. McDonald, the distinguished premier.



ROE, CLINTON TOWNSEND (born in Whitestone, Long Island, June 9, 1870), is the son of Samuel D. Roe and Mary E., daughter of Edwin Powell, both descended from old Long Island families. He was graduated at the Flushing High School, studied law with Black & King, of New York, and also at the Columbia College Law School, and was admitted to the bar at Poughkeepsie, July 2, 1891. He has since been practicing with success in New York City.



ROGERS, SHERMAN SKINNER (born in Bath, Steuben county, New York, April 16, 1830), is the son of Doctor Gustavus Adolphus Rogers and Susan Ann Campbell. He is a descendant in the eighth generation from Thomas Rogers, one of the pilgrims on the first voyage of the *Mayflower*, and through his grandmother, Sarah Skinner, is descended from one of the early settlers of Hartford, Connecticut. Mr. Rogers's mother,

Susan Ann Campbell, was the daughter of Robert Campbell, a native of Ayrshire, Scotland, who was among the first settlers of Bath, New York, and whose wife, Martha McCalla, was of Scotch-Irish ancestry resident in Bucks county, Pennsylvania, before the Revolution.

Sherman S. Rogers was educated in public and private schools in his native town. He was a law student, successively, in the offices of McMaster & Read (Honorable David McMaster and Lazarus H. Read), of Bath; Haven & Smith (Honorable Solomon G. Haven and Honorable James M. Smith), of Buffalo, and Honorable John Gausson, of Buffalo. After his admission to the bar at Buffalo in May, 1851, he began practice at Bath in partnership with his uncles, Honorable Robert Campbell and Charles W. Campbell. In 1854 he removed to Buffalo and became a member of the firm of Rogers, Bowen & Rogers, in which he was associated with Henry W. Rogers and Dennis Bowen. This original firm was changed, successively, to Bowen & Rogers, Bowen, Rogers & Locke, and Rogers, Locke & Milburn. The last mentioned still continues, Mr. Rogers's partners in it being Franklin D. Locke and John G. Milburn. It is one of the leading law firms of Buffalo.

Mr. Rogers was a member of the constitutional commission of 1873, and one of the first commissioners of the Niagara Falls Reservation. In 1876 he represented the 31st district in the state senate. He has been prominently connected with the civil service reform movement from its beginning, being a member of the national league and of its executive committee. He is president, and has been for many years, of the civil service reform association of Buffalo.



**ROLLINS, DANIEL G.** (born at Great Falls, New Hampshire, October 18, 1842; died August 30, 1897), was the son of Honorable Daniel G. Rollins, judge of the Court of Probate of Strafford county, New Hampshire, his mother being the daughter of Captain Simon Jackson, of Newton, Massachusetts, and granddaughter of General Michael Jackson of the Revolution. The first American ancestor of the Rollins family, James Rollins, of Devonshire, England, came to Newington, near Portsmouth, New Hampshire, in 1637 and purchased a farm on the banks of the Piscataqua River. This property has remained in the possession of his descendants for more than two hundred and fifty years. Mr. Rollins's great-grandfather, Honorable Ichabod Rollins, was New Hampshire's first probate judge and the first delegate to represent the town in the provincial congress in 1775.

Mr. Rollins received an academic training at Hanover, New Hampshire, and in 1860, at the age of eighteen, was graduated from Dartmouth College as salutatorian. Immediately after graduation he began the study of law in his native town with the firm of Jordan &



Rollins, and later spent a year in the Harvard Law School. He was admitted to the bar, and in 1863 settled in Portland, Maine, practicing there until 1866, and serving for a year as assistant-assessor of internal revenue.

Removing to New York City, he became assistant-United States attorney under Dickinson, Courtney, and Pierrepont from 1866 to 1869. Retiring from public duties for a time he confined himself entirely to private practice until 1873, when District Attorney Benjamin K. Phelps appointed him his 1st assistant, a post he occupied until the death of Mr. Phelps, when Governor Cornell appointed him Mr. Phelps's successor. A year later he was elected surrogate by a majority of 15,000. This office he held until 1887, when he was nominated for judge of the Supreme Court in the 1st judicial district, and, although defeated, ran 15,000 ahead of the ticket. In January, 1888, Mr. Rollins became a partner of James C. Carter, under the firm name of Carter, Rollins & Ledyard. A year later he opened an office by himself.

The business done by Surrogate Rollins during his term of six years presents an exceptional record. He heard 32,115 motions, made 2,726 written decisions, signed and settled 28,637 miscellaneous orders and decrees, made 5,405 decrees in settlement of accounts, and 6,998 decrees admitting wills. Some 505 foreign wills were filed, there were 384 contested wills, 50 wills were rejected, and there were issued 7,000 letters testamentary, 881 ancillary letters testamentary and letters of administration, and 5,847 decrees of guardianship. Referring to the work of his office, the *New York Tribune* said:

During Mr. Rollins's term as surrogate more decisions were made in one year than by all the other surrogates in the state together, and as many, on an average, as are written by the Court of Appeals. . . . Since Surrogate Bradford's day, forty years ago, no man sitting on the bench has laid down and established such a volume of surrogate's law as he, and certainly no one has had cases of greater importance to decide.

Notable among the will contests decided by him were the Jesse Hoyt case, the Louis C. Hammersly case, the James Stokes case, and the Payne and Darling cases. All of these cases involved the disposition of large fortunes, were argued at great length, and decided in written opinions which were regarded as models of judicial reasoning.

Mr. Rollins was president of the Alumni Association of Dartmouth from 1880 to 1884, and in 1885 received the degree of doctor of laws from that institution. He was president of the special commission for the revision of the excise laws in 1888, member of the state commission for the revision of the constitution in 1890, and president of the New England Society from 1892 to 1893.



ROOT, ELIAS (born in Pekin, Niagara county, New York, July 11, 1848), is the son of Thomas Root and Martha B. (Orton) Root. He was graduated at the Lockport Union School in 1873, studied law in the offices of L. F. & G. W. Bowen and Holmes, Fitts & Chipman, and was admitted to the bar at the Buffalo general term in June, 1877. He immediately began practice in Tonawanda, forming a partnership with Frederick L. Clark, which was terminated by Mr. Clark's death in 1887.

In January, 1891, he and Charles S. Orton formed the firm of Root & Orton. Afterward Leonard D. and Arthur J. Baldwin became associated with them under the existing firm name of Root, Orton, Baldwin & Baldwin. The firm is in active practice.

Mr. Root advocates civil service reform, municipal reform, tax reform, the prohibition of the liquor traffic, and the ownership and operation by the public of franchises public in their nature, and opposes monopolies.



ROOT, ELIHU (born in Clinton, Oneida county, New York, February 15, 1845), is descended from an old New England family. His father, Oren Root, was professor of mathematics in Hamilton College for thirty-six years, from 1849 to 1885. Elihu Root was graduated from Hamilton College in 1864. He studied law at Hamilton College and the University Law School.

He began the practice of law in New York City in 1867, and in a few years became prominent both as a lawyer and as a leader of the reform element of the republican party. He rapidly acquired a large corporation practice, and has been counsel in many famous litigations. Few lawyers have made a more remarkable record in winning the majority of cases undertaken. In the famous Stewart will case he was leading counsel for Judge Hilton, and he defended the suit of Branagh *vs.* Smith, disposing of the claim of the alleged Irish heirs against the Stewart estate. He was leading counsel in the Hoyt will case, as also in the Fayerweather contest. He appeared in the Broadway surface railroad litigation, the Sugar Trust contest, the suit (growing out of the Bedell forgeries) of Shipman, Barlow, Laroque & Choate *vs.* the Bank of the State of New York, and defended the proceedings before Mayor Grant for the removal of Dock Commissioners Matthews and Post. In the aqueduct litigation (O'Brien *vs.* the Mayor of the City of New York), as counsel for the city, he won against the opposing counsel, Joseph H. Choate, saving to the city several millions of dollars. He successfully resisted the removal of Charles A. Dana to Washington under indictment in the District of Columbia for publication of a libel in the *New York Sun*. In one of the most sensational cases of recent times he defended Robert Ray Hamilton from the machinations of the notorious Eva Mann.



*John Root*



In 1879 he polled a large vote as republican candidate for judge of the Court of Common Pleas. From 1883 to 1885, by appointment of President Arthur, he served with distinction as United States district attorney for the southern district of New York, and tried and convicted James D. Fish, president of the Marine Bank, for criminal acts connected with the Grant & Ward frauds.

He resigned with the advent of a democratic administration. For many years he represented the 21st assembly district on the executive committee of the republican county committee of New York, and in 1886 was chairman of the county committee. In 1893-94 he was one of the most active members of the committee of thirty in organizing the revolt against machine methods in the republican party of New York county. He was also one of the delegates-at-large to the constitutional convention of 1894, and while Joseph H. Choate officiated as president, Mr. Root was chairman of the judiciary committee and leader on the floor of the republican majority.

Mr. Root's legal practice is characterized by exhaustive work in the preparation of his cases, and a keen intellectuality which penetrates to the marrow of things. He is also a ready speaker, but with the same characteristic of intellectuality appeals with forceful logic to the understanding, rather than merely to the more ephemeral emotions. He is one of the most powerful political speakers in the republican party and is active in all campaigns. Especially notable was the analysis and exposure of municipal corruption in his famous address at Cooper Union during the presidential campaign of 1892. Preceding the Parkhurst agitation, this arraignment astonished all by the boldness of the assault; while its anticipation of the Lexow exposures seems now almost prophetic, and exhibits the keenest penetration on the part of its author.

Mr. Root is president of the New England Society, vice-president of the Union League Club, at its election in January, 1895, was made president of the Republican Club of the City of New York, and is a member of the Century, Metropolitan, University, and Players' clubs.



**ROUDEBUSII, ALMON HAWTHORNE** (born in Blooming Valley, Pennsylvania, October 1, 1849), is the son of John and Lucy Jane Roubush. He was graduated at Allegheny College (Meadville, Pennsylvania) in 1870, and has since received from that institution the degree of master of arts. He began the study of law in the office of Roosevelt, Henry & Olin, of New York City, and also attended lectures in the Columbia College Law School. After being admitted to the bar (1874) he entered upon practice in New York, being successful from the start.

From 1875 to 1877, inclusive, he was attorney for the Mercantile Trust Company, of New York. In the latter year he was admitted to

the bar in Colorado, where he practiced for five years, representing a New York mining syndicate. Since 1887 he has been in professional business in Buffalo. For three years of this period, however, he acted as attorney for an English syndicate in the United States, and his duties in that connection caused him to be absent from Buffalo most of the time. Since 1875 he has had little to do with court practice, exercising mainly the function of counselor and making a speciality of corporation and mining law cases.

He organized the first corporation in Colorado after it became a state, and also organized the Leadville Abstract Company, which was the second abstract company established in the United States. He was one of the pioneers in the introduction of hydraulic passenger elevators, being the organizer of the first company identified with that industry in this country. Under his superintendence the first modern hydraulic passenger elevator was built. It was placed in a private house in New York City, and, so far as is known, was the first passenger elevator used in a private house.

Mr. Roudebush has held the public offices of deputy county treasurer and deputy district court clerk of San Juan county, Colorado, (1877), and secretary of the fish commission of the State of New York (1871 to 1875). In 1872 he was chairman of the 22d ward committee (New York City) under the famous reform committee of seventy. In 1874 he served as secretary and cashier of the Citizens' Association of New York City. He is a member of the Association of the Bar of the City of New York.



**ROUND, SEWARD UNDERHILL** (born in Florida, Orange county, New York, November 16, 1856), is the son of John W. and Elizabeth P. Round. His father was principal of the Seward Institute, at Florida, and at that academy the son was educated. After reading law with Darwin W. Esmoud, of Newburg, and attending lectures at the Albany Law School, he was admitted to the bar (1880, at Poughkeepsie). He has since been in practice in Newburg.



**ROYCE, WILLIAM BLAKELY** (born in the Town of Thomson, Sullivan county, New York, December 9, 1841), is the son of Alpheus B. Royce, a prominent citizen of Sullivan county. His family is of New England origin, five generations of his ancestors having lived at or near the Town of Mansfield, Connecticut. His grandfather, Solomon Royce, removed to Sullivan county in 1804, superintended the survey of a large part of the county and was instrumental in promoting its settlement by a substantial class of German immigrants. The father of Mr. Royce, Alpheus B., also followed the profession of surveying, being connected with the

original government survey of the State of Michigan and also a member of the corps of engineers of the Croton aqueduct. He resided for many years in the Town of Callicoon, was a justice of the peace and a supervisor, and left a considerable landed property.

William B. Royce received a public school education, also attending the Monticello Academy. He then taught school for a while, afterward entering the United States provost marshal's office at Goshen, of which he became chief clerk. Meantime he began the study of the law, and in January, 1866, he resigned his clerkship and placed himself under the professional tuition of James N. Pronk, of Middletown. Being admitted to the bar at the February term of the Supreme Court in Brooklyn, 1867, he engaged in practice at Middletown. For about eight years he devoted himself actively and very successfully to his profession. Since April, 1875, he has held the position of president of the 1st National Bank of Middletown.

Mr. Royce is one of the leading citizens of Middletown, and has always been actively and influentially identified with its welfare. He has held the offices of village clerk and attorney (1869-70) for many years, has been supervisor of the Town of Wallkill, and has also been connected for a long period with the Middletown board of education, contributing much by his energy and ability to the excellence of the public school system. He is one of the prominent members of the 1st Presbyterian church, and for a long term of years has been a worker in its Sunday-school. He has taken a hearty interest in the Orange County Agricultural Society, and has served efficiently as its treasurer.

On June 12, 1867, he was married to Mary E., daughter of William O. and Catherine Sly Roe, of Goshen.



**RUSSELL, HORACE** (born in Bombay, Franklin county, New York, June 19, 1843), is the son of Charles Russell and Hannah Wright, and is descended from early puritan stock. He was prepared for college at Franklin Academy, Malone, New York, and Kimball Union Academy, Meriden, New Hampshire, and entered Dartmouth College, from which he was graduated in 1865. In 1892 he received the degree of doctor of laws.

He studied law in the office of Honorable William C. Brown, of Ogdensburg, New York, attended the law school of Harvard University, and was admitted to the bar at Canton, Saint Lawrence county, New York, in October, 1866. He practiced law in Ogdensburg until March, 1869, when he removed to New York City, where he has practiced continuously since when not holding public office. He was assistant-district attorney from 1873 to 1880, judge advocate-general of the State of New York from 1879 to 1882, and a justice of the Superior Court from 1880 to 1883.

He has appeared in many famous cases. One of these was the prosecution of E. D. Stokes for the murder of James Fisk. Another was the trial of Sheriff James A. Flack, under indictment for malfeasance in office. He was also counsel for the defense in the celebrated litigations contesting the will of the late A. T. Stewart. He was receiver of the West Shore Railroad in 1884 and 1885, and has conducted a large business in connection with corporation practice.



**RUSSELL, LESLIE WEAD** (born in Canton, Saint Lawrence county, New York, April 15, 1840), is the son of John Leslie Russell and Mary Wead. He is a descendant of Samuel Russell, who came to America about 1650, and who was a member of the ancient English Russell family of which the present head is the Duke of Bedford. His father was a lawyer and prominent citizen of Saint Lawrence county, serving as county treasurer, member of the assembly, and delegate to the constitutional convention of 1846, was active in the democratic party, and was a personal friend of Silas Wright and other eminent party leaders.

Leslie W. Russell was educated in the common schools and the Canton Academy, taught school for two years, and at the age of eighteen entered the law office of Hill, Cagger & Porter, at Albany. After Mr. Hill's death, in 1859, he went to Milwaukee, where he continued his legal studies. At the breaking out of the war he purposed enlisting in the army, but was prevented by the death of his father, which caused him to return to his native place. After being admitted to the bar, May 7, 1861, he practiced alone for a few months and then, in January, 1862, entered into a co-partnership with William H. Sawyer. This continued until 1876, when Mr. Sawyer was appointed one of the justices of the Supreme Court. He thereupon formed an association with William A. Poste and Nelson L. Robinson.

In 1867 he was a delegate from Saint Lawrence county to the state constitutional convention. He was elected district attorney of the county in 1869 and served one term, declining a renomination. For three years, from 1869 to 1872, he occupied the chair of professor of law in Saint Lawrence University. He served as a republican presidential elector in 1876 and again in 1880. In 1877 he was elected county judge for a term of six years, and in 1878 he was chosen by the legislature one of the regents of the State University. From 1882 to 1884 he was attorney-general of the state. Since January, 1892, he has been one of the justices of the Supreme Court for the 4th judicial district, to which office he was elected for a full term in the preceding year.

Justice Russell, while a practitioner, ranked with the most prominent men of the state bar. Connected as counsel with the most important civil and criminal suits tried in the county and circuit courts,







Ambrose Ryder

he was almost uniformly successful. In his high public employments, as attorney-general of the state and as a judge, he has made an equally distinguished reputation.

He was married, October 19, 1864, to Harriet, daughter of Reverend R. F. Lawrence, "one of the collateral descendants of the Lawrence family of which Ames, Abbott, and the heroic Captain James Lawrence were distinguished members and representatives."



**RYDER, AMBROSE** (born in Southeast, Putnam county, New York, March 5, 1826; died in Carmel, New York, April 9, 1892), was the son of Colonel Stephen Ryder<sup>1</sup> and Betsey, daughter of Gould Nichols, of Weston, Connecticut. His father was a man of strongly marked character. Immersed in the practical affairs of life, he was yet a close student and attained a considerable knowledge of mathematics, astronomy, and philosophy. He was prominent in local affairs, a candidate for the New York assembly in 1848 and for other offices, but during a period when his party was in a hopeless minority. He was originally a whig, becoming a republican on the formation of that party. Becoming interested in the state militia, he rose through every grade to the colonelcy of the 35th regiment. Perhaps his rarest and most striking characteristic was his devotion and untiring energy in the personal supervision of the education and training of his children. The inspiration received through his happy faculty of awakening and developing the mind, bore fruit in the successful careers of his sons. Besides Judge Ambrose Ryder, of Carmel, New York, these were General James Ryder, of Danbury, Connecticut; Henry C. Ryder, treasurer of the Savings Bank of Danbury; Benjamin F. Ryder, the inventor, of Chicago, and Reverend Edward Ryder.

Judge Ambrose Ryder, in addition to his father's careful instruction, attended the common schools, and the academy at North Salem, Westchester county, New York, then under Professor John F. Jenkins, and was graduated from Williams College, September 14, 1846. He studied law with Charles Ga Nun and Henry B. Cowles, well-known lawyers of Putnam county, and was admitted to the bar at Brooklyn, March 15, 1849. He established himself in active practice at Carmel, and soon gained a leading place at the bar of Putnam county. He was counsel in many interesting cases, counsel for estates, and enjoyed the universal confidence of the community. He was of a judicial temperament, and had a deep understanding of the law.

<sup>1</sup> Colonel Stephen Ryder, born in Southeast, Putnam county, New York, February 21, 1724, was the son of Eleazer Ryder and Mary Coe, and was lineally descended from Thomas Ryder, who settled at Southold, Long Island, as early as 1659, as well as from the Coes, Fields, Bownes, Palmers, Fekes, Farringtons, and other old Long Island families. His grandfather, John Ryder, was a

revolutionary soldier. His wife was descended from Sergeant Francis Nichols, of Stratford, Connecticut, in 1639, and from the Burrs, Golds (or Goulds), Bradleys, and other leading families of colonial Connecticut. Besides the sons mentioned in the text, he had two daughters, Mary Amelia and Annette Elizabeth.

He served three terms, from 1852 to 1863, inclusive, as county judge and surrogate of Putnam county. In February, 1873, he was appointed county treasurer to fill the unexpired term of John F. Cornish, deceased. He was a republican candidate for presidential elector in 1868, and in 1882 was elected supervisor of the Town of Carmel.

Judge Ryder was interested in various public enterprises. He was one of the founders of the Putnam County National Bank, of Carmel, and was at different times one of its directors, and its cashier, vice-president, and president, holding the latter position at the time of his death.

Judge Ryder was married, October 22, 1849, to Mary M., daughter of Reverend Shaler J. Hillyer and Catherine Tichenor. She was born July 22, 1827, and died April 23, 1870. Through her father she was descended from John Hillyer, of Windsor, Connecticut, in 1639, and from the families of Grant, Hayes, Eno, Humphrey, Wakefield, and Holcomb. Through her mother she was descended from Francis Tichenor, of New Haven in 1644, and from the Lindsley, Harrison, Charles, and Williams families, which were among those who removed from Connecticut and founded Newark, New Jersey.

Judge Ryder had four children, all of whom are still living,—Hillyer Ryder, cashier of the Putnam County National Bank, and for eighteen years treasurer of Putnam county; Clayton Ryder, a lawyer (a sketch of whom follows), Stephen Ryder, a professor of physics at Tacoma, Washington, and a daughter, Mary Grace Ryder.



**RYDER, CLAYTON** (born in Carmel, New York, February 8, 1860), is the son of Judge Ambrose Ryder (noticed above). He attended public and private schools in Carmel, spent a year at Claverack Institute, and was graduated from Cornell University June 19, 1879. He studied law with his father, also attending Columbia College Law School, and was admitted to the bar at Brooklyn as attorney in December, 1881, and as counselor September 14, 1882.

He entered upon the successful practice of law at Carmel, New York, in association with his father until the latter's death, afterward carrying on his father's large practice. He also succeeded Judge Ryder as president of the Putnam County National Bank, being elected to that position April 28, 1892.

He was married July 31, 1888, to Carrie Holcombe, widow of Doctor Henry G. Cornwell, of Columbus, Ohio, and daughter of Alexis E. Holcombe, of Ravenna, Ohio, and Jane Breckenridge. She is descended from Thomas Holcombe, who settled in Windsor, Connecticut, about 1638, and from the families of Buel, Buttolph, Wanzer, and Olmstead. She is also descended from James Breckenridge, a Scotch

emigrant who came to Palmer, Massachusetts, in 1726, and from George Morton, Stephen Hopkins, and John Lothrop, who were prominent among the early puritan and pilgrim immigrants.



**SANDERS, ARTHUR MARTIN** (born in the Town of Aurelius, Cayuga county, New York, October 3, 1854), is the son of Andrew Jackson and Sarah Baird Sanders. His grandfather, Captain Abner Sanders, born on Long Island, removed at an early age to Cayuga county, then a wilderness, and took up an extensive tract of land.

Arthur M. Sanders received a district school and high school education, studied law with Honorable John T. M. Davie, surrogate of Cayuga county, and was admitted to the bar at Rochester in April, 1879. After a brief practice in Auburn, New York, he removed to New York City (1881), where he has since prosecuted his profession. He resides in Richmond Hill, Queens county, and has been prominent and active in securing the incorporation of that village and in establishing a union free school system for the district. In 1895 and 1896 he was counsel to the village.



**ANDERSON, JOHN** (born in Athens, New York, January 21, 1834), is the son of John and Margaret Sanderson, who emigrated to this country from the north of Ireland. He received his preparatory education in select schools in his native town and in Hudson Academy and Williams Academy (Stockbridge, Massachusetts), and in 1853 was graduated at Brown University with the degree of bachelor of arts. He studied for the legal profession under John C. Newkirk and Darius Peck, of Hudson, and also at the Albany Law School, and was admitted to the bar in Albany in 1855. After practicing at Hudson and in New York City he returned to Athens, his early home, where he gradually took a leading place at the bar.

In 1888 he was elected county judge of Greene county. He still occupies that position, having been re-elected in 1894.



**SANFORD, FERDINAND VAN DERVEER** (born in Warwick, New York, April 19, 1856), is the son of George W. Sanford and Frances A. Baird. He was prepared for college at the Warwick Academy and was graduated at Cornell University in 1877 with the degree of bachelor of science. His legal education was received at the Columbia College Law School, from which he was graduated in May, 1881. Soon after his admission to the bar, at Poughkeepsie, May 21, 1881, he began practice at Warwick, where he still resides, being one of the recognized leaders of

the Orange county bar. He was the successful counsel in the Court of Appeals in the matter of Denton (103 N. Y., 607), decided in 1886. In 1887 he was elected special county judge of Orange county for a term of three years.

Judge Sanford has for the past seven years been a member of the board of education of the Warwick High School.



**SAPERSTON, WILLARD W.** (born in Leeds, England, in March, 1863), is the son of Joseph and Jeanette Wolf Saperston. He received his preparation for the legal profession in the offices of Quinby, Meads & Rebadow and Honorable George W. Cothran, also attending lectures at the Buffalo Law School, and was admitted to the bar at Buffalo in January, 1893. He has since established a lucrative commercial law practice in that city. He has defended various important murder cases—those of Max Milon, Chris Weinholtz, Frank Biehler, Clarence and Sadie Robinson, and of the three stranglers, Joseph Ledwon, Anna Ledwon, and Joseph Zawatski. He was instrumental in obtaining the release from a Siberian prison of Stanislaus Sczuzinski, an American citizen arrested while sojourning abroad.

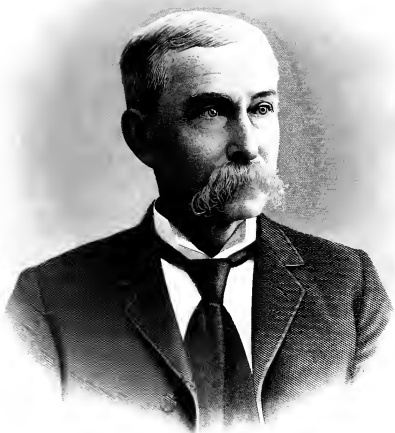


**SCHREIBER, JULIUS AUGUSTUS** (born in Buffalo, New York, August 15, 1868), is the son of Valentine J. Schreiber and Caroline Bittman. He attended the Buffalo Grammar and High Schools, became a law student in the office of Roberts, Alexander & Messer and subsequently that of Quinby, Meads & Rebadow, was graduated from the Buffalo Law School, and was admitted to the bar at Buffalo, June 6, 1890. He soon afterward began practice in Buffalo, where he has continued to the present time. From November 1, 1890, to February 1, 1895, he was in partnership with C. L. Feldman, present corporation counsel of Buffalo. Since the latter date he has practiced alone.



**SCOTT, RUFUS**, was born in Friendship, Allegany county, New York, October 8, 1838, and died in Hornellsville, New York, October 16, 1896. He was brought up on a farm, attended district school in the winter seasons, and for brief periods was a student at the Friendship Academy and Alfred University. At the age of sixteen he began teaching school, and in this occupation he continued until his enlistment in the army.

In the stirring political events which preceded the breaking out of the civil war young Scott took a keen interest, his sympathies being strongly engaged in behalf of the republican party. In the presidential campaign of 1860 he took the stump for Abraham Lincoln, rendering effective services as an eloquent and convincing speaker.



Rufus Scott





Early in May, 1861, he was enrolled as a private in the 23d regiment of New York volunteer infantry. He was promoted in August, 1862, to the rank of major of the 130th New York infantry. This regiment was changed in May, 1863, to cavalry, being named first the 19th New York cavalry and then the 1st New York dragoons. In December, 1864, he was commissioned lieutenant-colonel, and in March, 1865, colonel and brigadier-general of the United States volunteers. He was in active field service throughout the war and was six times wounded, four times in the Shenandoah valley campaign of 1864. He received an honorable discharge in May, 1865. In 1866 he was tendered an appointment as captain in the regular army, but declined.

On November 12, 1864, while at his home in Friendship for a brief time in consequence of his wounds, he was married to Mary M., daughter of John A. and Mary A. Axtell. Upon leaving the army he took up his residence with his wife in the Village of Belmont. Here he engaged industriously in the study of the law, which he had undertaken before going to the war, and in May, 1866, he was admitted to the bar. He immediately began practice in Belmont, where he continued until April, 1883. From May 20, 1871, to May 14, 1873, he was in partnership with Hamilton Ward in the firm of Scott & Ward. From 1883 until his death he was in active practice at Wellsville.

About the year 1881, General Scott became financially interested in the development of the oil resources of Allegany county. He was fortunate in his investments and operations, and soon took a prominent place among the energetic men of the oil regions. Through his enterprise the abandoned Waugh and Porter field was transformed into a valuable property, and he was one of the chief promoters of the Producers' Oil Company and the Pure Oil Company. He was active in the Producers' Protective Association, being its vice-president and a member of its executive board. He took a leading part in the celebrated "shut in" movement, which culminated in the division of three to four millions of profits equitably shared between capital and labor.

Another industry in which General Scott became much interested was that of the production of carbon black from natural gas. This industry had very much languished. In 1884 he engaged in the manufacture of carbon black from the products of wells at Allentown, New York, and Ludlow, Pennsylvania. The result was eminently successful, an article being put upon the market which was practically without competition.

Throughout his life General Scott was an earnest republican. Beginning his political career at the age of twenty-one as a stump speaker in the Lincoln campaign, he continued this party work after the war, delivering speeches in New York and Pennsylvania in every canvass until 1878, when he retired from the stump. He had little

personal ambition, however, for a strictly political career, and was content to serve his fellow-citizens in local and county positions. He held the offices of supervisor of the Town of Wirt (1861), district attorney of Allegany county for two terms (1869-75), and supervisor of the Town of Amity (1876, 1877, and 1878). He uniformly declined nominations for other public offices.

His wife, Mary M. Scott, and son, Claude R. Scott, survive him.



**SCRIBNER, JOHN MARSTON** (born in Middleburgh, Schoharie county, New York, October 4, 1839), is the son of Reverend John M. and Ann Eliza Scribner. His father was the author of several mathematical works, and was principal of young ladies' seminaries at Auburn and Rochester, New York. Mr. Scribner was prepared for college by four years' attendance at the Delaware Literary Institute of Franklin, Delaware county, New York, and entering the junior class of Union College in 1857 was graduated two years later. He commenced the study of law in the office of Sanford & Danforth, of Middleburgh, New York. Coming to New York City, in November, 1860, he entered the office of the late Honorable Hamilton W. Robinson as clerk and student, and in May, 1861, was admitted to the New York bar. He remained with Mr. Robinson as a clerk until September, 1863, when he became the partner of his employer, under the firm name of Robinson & Scribner. This association continued until July, 1870, when Mr. Robinson having become a judge of the Court of Common Pleas in New York City the business of the firm, including all of George Law's railroads and complications, rested on the shoulders of Mr. Scribner. Later, in January, 1876, he formed a partnership with E. Randolph Robinson, thus reviving the firm name of Robinson & Scribner, this style becoming Robinson, Scribner & Bright with the admission of Osborn E. Bright as partner in 1882. Mr. Scribner withdrew from the firm to resume practice on his own account May 1, 1890, and has continued to practice alone to the present time.

He enjoys an extensive practice, in the course of which he has represented a large number of important corporations and appeared in various interesting cases. For more than twenty years he was sole counsel of the Broadway & 7th Avenue Railroad Company, and during that time defended or prosecuted all the litigations of that corporation. For more than thirty years he performed the same service as counsel of the Dry Dock, East Broadway & Battery Railroad Company. He is also counsel of the 8th Avenue Railroad Company and of the 9th Avenue Railroad Company, and was counsel for some of the stage lines before they were superseded by the railroad on Broadway, and for several years was one of the counsel in New York and Brooklyn for the Pennsylvania Railroad Company.

Mr. Scribner is a democrat in national politics, but thoroughly independent. He has never been a candidate for public office. He is a



*Thomas Tully*  
*Robert M. Scribner*

member of the Bar Association of New York City, and of the Lawyers' and University clubs.



**SEABURY, ROBERT** (born in Hempstead, Queens county, New York, December 10, 1844), is the son of Robert S. and Elizabeth Hentz Seabury. He is a descendant of Doctor Adam Seabury, who was a brother of Bishop Samuel S. Seabury. His father was born in the Town of Hempstead, followed mercantile pursuits, and served as sheriff of Queens county. His mother's family have been residents of the same town for the past hundred years. He received a good elementary education and was prepared for college at Union Hall Institute (Jamaica, New York), but never entered. In the summer of 1864 he enlisted in the 56th regiment. He performed garrison duty until his discharge. After reading law with Honorable William H. Onderdonk, surrogate of Queens county, and Alden J. Spooner, of Brooklyn, he was admitted to the bar (at Brooklyn, in December, 1867). For about two years he was managing clerk for John W. C. Leveridge, of New York City, and in 1868 he formed a copartnership with Mr. Spooner, his former preceptor. In 1870 he married and returned to Hempstead, where he has since practiced alone. He has devoted himself almost exclusively to surrogate's practice and the management of estates.

He has held the offices of town clerk of Hempstead (1873, 1874, and 1875) and clerk of the board of supervisors of Queens county (annually appointed since 1876).



**SEAMAN, ALFRED PURDY WELCH** (born in West Winsted, Connecticut, September 7, 1856), is the son of Samuel Augustus Seaman and Anna Alicia Byrne. He was graduated at Columbia College in 1879 with the degree of bachelor of arts, studied law with Crosby & Kent, of New York City, also taking the course of the Columbia College Law School, and was admitted to the bar at Poughkeepsie, May 14, 1880. He has since been in constant practice of his profession in Queens county and New York City. Mr. Seaman has been an occasional contributor of articles to periodicals, and has published one or two books.



**SEEGER, ALBERT H. F.** (born in the City of Stuttgart, Württemberg, Germany, July 20, 1859), is the son of John and Louise Hammer Seeger. Both his parents were natives of the Kingdom of Württemberg. He was graduated at Newburgh Free Academy in 1875, became a law student in the office of Honorable William D. Dickey, since chosen justice of the Supreme Court, and was admitted to the bar at Poughkeepsie, May 14, 1880. He has since practiced at Newburgh, being in enjoyment of a large practice in all the courts of the county, both civil and criminal. In 1886 he was admitted to practice in the United States District and

Circuit Courts. He at present holds the office of assistant-district attorney of Orange county, under District Attorney A. V. N. Powelson.



**SESSIONS, FRANK EDGAR** (born in the Town of Chautauqua, Chautauqua county, New York, May 22, 1847), is the son of Columbus Sessions and Cordelia French. His father, who was born in Rutland, Vermont, was one of the early settlers of western New York, and his mother's family came from eastern Massachusetts. He was educated in district and select schools in Fon du Lac county, Wisconsin. At the age of sixteen he commenced teaching school. In this vocation he continued until 1869, when he began the study of the law with Walter L. Sessions, of Panama, New York, meantime teaching in the winter seasons until 1874, when he was admitted to the bar. He then entered upon the practice of his profession in Jamestown. He soon won a reputation for ability. From 1880 to 1884 he served as special county judge of Chautauqua county, one year by appointment from Governor Cornell and three years by election. In 1895 and 1896 he held the office of alderman of the City of Jamestown, in the latter year being president of the council.



**SESSIONS, GILMAN L.**, now among the oldest of the practicing lawyers of Broome county, was born at Woodstock, Connecticut, on the 14th day of February, 1833. His studies preparatory for college were at Monson Academy and Williston Seminary, Massachusetts, and he was graduated at Dartmouth College, after the usual four years' course, in 1855. He studied his profession as a clerk in the office of Honorable Daniel S. Dickinson at Binghamton, was admitted as an attorney and counselor in July, 1858, and soon thereafter commenced the practice of his profession at Binghamton.

In 1862 severe and long-continued illness compelled a cessation of practice, which, after years of change and travel, was again resumed in 1869, and since then he has been busily engaged as a practicing attorney, interrupted by occasional short intervals of ill health. During this period, his entire time has been devoted to the duties of his profession, except such attention as he has given to literary matters. He has uniformly lived the independent, quiet life of a private citizen, seeking no public position or political preferment, and declining all such when offered.

During the later years, partly from the necessity of delicate health, and very much from choice, he has largely retired from active litigated practice, and has been occupied with the lighter and more congenial work of consultations, examinations of titles, looking after the

interests of estates, the investments of clients, the loans and securities of one of the leading city savings banks, with which he has been long connected as attorney and as one of its executive officers, and with the many varying duties of an office practice.



**S**EWARD, CLARENCE ARMSTRONG (born in New York City, October 7, 1828; died in July, 1897), was the nephew of the well-known statesman, William H. Seward, in whose family he was brought up, his parents having died when he was a child. He was descended from an ancient and honorable English family, the name Seward, before surnames were common (according to Arthur) having been given to distinguish the admiral whose special duty it was to ward off or keep the sea in the vicinity of the English coast free from pirates. As was frequently the case, the name given to the individual in virtue of his office or pursuit became the family surname, the office being then frequently inherited or continued long in the same family. In this case the name was compounded of the two words "sea" and "ward," making "Seward," an office at that time of importance, the island of Great Britain being then greatly infested by sea marauders.

Three brothers Seward came to New York. One settled in Ohio and is said to have leveled the first tree on the site of the City of Cincinnati, another settled on Long Island, and the third fixed his abode in New Jersey; from him the subject of the present sketch was descended.

Mr. Clarence A. Seward was carefully educated, being graduated in 1848 from Hobart College, at Geneva, New York. He studied law, was admitted to the bar in 1850, and passed the first four years of his professional life in Auburn, New York, the residence of his uncle. In 1854, however, he came to New York City and associated himself with his relative, the late Honorable Samuel Blatchford of the United States Supreme Court, and Burr W. Griswold, under the firm name of Blatchford, Seward & Griswold.

He first came into prominence in connection with the India-rubber cases between Day and Goodyear, which were distinguished by the importance of the questions raised and the magnitude of the amounts involved. He was engaged as one of the associate-counsel on the side of Day, although in the changes and different suits to which it gave rise he appeared toward the close of the litigation as a leading counsel on behalf of Goodyear. In 1856, two years after he came to New York, one printed volume embraced his briefs and cases. The collection now contains more than one hundred and thirty volumes, Volume cxxx. containing his brief and argument in the income tax cases, in which he was one of the counsel who successfully argued the unconstitutionality of the law.



*Clarence A. Seward*





To follow such a career, attended by all that professional distinction can confer, would exceed the limits usually allotted to a biographical sketch of this description. A former biographer<sup>1</sup> has pointed out the characteristics by which he was distinguished, such as his comprehensiveness, concentration, discrimination, omitting nothing essential and rejecting everything superfluous or the exact point of bearing of which was not obvious; the readiness, skill, and conclusiveness with which he disposed of seeming obstacles, the astuteness, the ability with which he deduced from a reported case the rule or principle it warranted and made it applicable in a way previously unthought of, and finally the logical and convincing way in which he presented the whole case that he was arguing to the court; to which it may be added that all this was done without acerbity or anything to irritate or provoke his opponent, but with that bland courtesy of manner which is as smooth as it is incisive.

The wide scope of his professional labors has been indicated, but it may serve to show its character to refer to the Bank of England forgery case, the Broadway Railroad investigating committee, and the Lauderdale peerage case in the House of Lords. He gave much attention to the investigation of the validity of patents, involving most intricate questions, scientific and otherwise, while a large part of his labors was devoted to what are generally known as express cases, connected with the transportation of merchandise and involving widespread litigation and intricate questions. He was also well known as a lawyer in Europe, having been heard as an authority on American law before the English House of Lords, for some time was the legal adviser and representative in this country of the Bank of England, and was employed professionally in important matters in France, Switzerland, and Austria.

While accepting public office, he kept within the limits of his profession, or yielded only when it seemed an imperative duty. He was judge advocate-general of the State of New York under Governors King and Morgan, and after the attempted assassination of his uncle was called to Washington and when necessary discharged the duties of assistant-secretary of state. A vacancy having occurred on the United States Supreme Court bench while his party was in power, he was prominently named to fill it, but gave no encouragement to the plan.

He was long president of the Union Club, the oldest and most desirable social club in the City of New York. In those fields into which many-sided professional men are drawn, such as the delivery of public addresses and what appertains to literature or general culture, he was a liberal contributor. His college conferred upon him the degree of doctor of laws, and he was president of its alumni association and also president of the Alpha Delta Phi Society. He took

<sup>1</sup> The late James T. Brady.

an active part in matters of a municipal character, and was president of the 5th Avenue Protective Association. He was vice-president of the Adams Express Company. From its formation he was an active and influential member of the republican party, representing it in state and national conventions, and was a presidential elector in the contest resulting in the election of Garfield and Arthur. He was a regular member of the Episcopal Church.



**SEWELL, ROBERT** (born in Castlebar, Ireland, October 2, 1831; died May 2, 1897), was the son of Thomas Sewell of Carlisle, England, a collector of internal revenue, and Isabella Eleanor, daughter of William Butler Joyce, captain of his majesty's 5th dragoon guards. His brother, Honorable William Joyce Sewell, of Camden, New Jersey, has long represented that commonwealth in the United States senate.

His education was received in a local school at Ballina, Ireland. He also took a course in modern languages at Queens College, Belfast. Coming to this country in 1849, he studied law with Henry Brace, of New York City, and was admitted to the bar in Poughkeepsie, New York, May 17, 1860.

From the time of his admission he was constantly engaged in the practice of his profession in the metropolis, for many years as partner of James F. Pierce (afterward superintendent of the insurance department of the State of New York). As an insurance lawyer Mr. Sewell had few equals and no superiors, while he also distinguished himself in the province of municipal and corporation law. He was successful in cross-examination and effective before court or jury.

The cases of more than ordinary public interest in which he was retained as leading counsel include *Waterbury vs. The Merchants' Union*, *Gilenny vs. Stedwell*, *People vs. The Security Life*, *Astor vs. Arcade Railway*, *Williams vs. The Western Union Telegraph Company*, *Metropolitan Railroad vs. Manhattan*, *Frothingham vs. Broadway & 7th Avenue Railroad*, *Roeber vs. The Diamond Match Company*, the Lasaak will case, the Traynor will case, and many others.

He contributed to the leading magazines, including articles which attracted attention on "The Status of the American Woman Married Abroad" and the "Income Tax, Is It Constitutional?" published in the *American Law Review*. He was for many years counsel for the Stock Exchange and was counsel and one of the directors of the Mutual Life Insurance Company. He was also one of the original founders of the Association of the Bar of the City of New York. He served in Tarrytown, New York, as lieutenant-colonel and aide-de-camp to Governor Olden of New Jersey, detailed to take charge of the state hospitals from 1862 to 1864. He was a member of the Century Association, Association of the Bar of the City of New York, State

Bar Association, American Bar Association, of such clubs as the Union League, Lawyers', Downtown, New York Yacht, and Prince-



*faithfully yours*  
*Robert Sewell*

ton, and of the Society of the Friendly Sons of Saint Patrick. In 1885 he received the degree of master of arts from Princeton College.

In 1861 Mr. Sewell was married to Sarah Van Vorst, daughter of

Cornelius Van Vorst of Van Vorst, New Jersey, eighth in lineal descent from Cornelius Van Vorst, who settled in New Jersey in 1630. He had two sons, Robert Van Vorst Sewell, an artist of international reputation, and Cornelius Van Vorst Sewell.



SHAFFER, IRA (born in Berne, Albany county, New York, March 4, 1831; died in Oakes, Ulster county, New York, November 30, 1896), was the son of Reverend Thomas Shafer, formerly of Albany, and Eva Werner.

Mr. Shafer came to Albany as a young practicing lawyer, and very soon became noted for his familiarity with the general principles of law and his indefatigable activity in his profession. Like all young lawyers, he found ample opportunity for rough and tumble contests, which were then frequent at the Albany bar in the Justices' Courts. His ability very early brought him into prominence. He was a forcible speaker, an untiring worker, and never knew what defeat meant.

Under such circumstances, politics naturally attracted his attention, and after a short career at the bar he was elected to the important position of district attorney of Albany county. In that office he gained distinction by his successful prosecution of the criminals of the county. Among the notable cases with which he was connected as district attorney was the celebrated "husband poisoning case," known in the annals of the criminal law as the Hartung case. The fact that the prisoner on trial was a woman, and that she was charged with the grave crime of murdering her husband, of course excited unusual interest. After the defendant had been convicted and her conviction had been confirmed by the general term, the legislature passed an act the effect of which was practically to abolish punishment for the crime of murder theretofore committed. The act defined what was murder in the first degree, and specified the punishment which should be inflicted for the crimes subsequently committed. The Court of Appeals, when the case came before it, was called upon to construe this statute, and held that the repeal of the law which defined the punishment at the time the crime was committed, left the crime without punishment and so reversed the conviction, and accordingly ordered a new trial. When the case came up for a second trial, the prisoner pleaded the former conviction and the reversal of the judgment by the court, and this plea was held by the Court of Appeals to be correct and the prisoner was acquitted.

After leaving the office of district attorney, Mr. Shafer was elected to the state senate from Albany county. While a member of that body he took a prominent part in the impeachment proceedings against Judge Clute, one of the county judges, against whom grave charges of malfeasance in office had been brought before the bar of the senate.



*Ira Skaper*



Shortly before 1870 he came to the City of New York and formed a partnership with James H. Coleman, of the New York bar, who had himself left Albany a few years previously. Soon after his arrival in New York he was retained in the legal contests which arose over the constitutionality of the act creating the Metropolitan Board of Health of the City and County of New York.

One of the early cases in which Mr. Shafer was engaged was the celebrated suit brought against the owners and proprietors of the People's line of steamers, growing out of the accident on the steamer *Saint John* caused by the explosion of her boilers. The plaintiff was represented in that case by Mr. E. N. Dickerson, who was the designer of the engines of the famous steamer *Algonquin*. Mr. Dickerson was regarded as a great legal expert in all matters relating to the construction and operation of engines and boilers. The trial lasted several weeks, and called into play all of Mr. Shafer's peculiar abilities.

Among the more recent cases with which he was identified was the trial of Alderman Carey, in what were known as the "Boodle Aldermen" prosecutions. These prosecutions were viewed with almost unprecedented interest by the New York public. Popular sentiment was arrayed against the defendants, and Judge Barrett, who tried the Carey case, was particularly severe in his charge. Never before had Mr. Shafer been concerned in any action which brought out so conspicuously his courage as an advocate, his utter and complete devotion to the cause of his client. His sturdy independence of character almost brought him several times into collision with the presiding judge. When the judge's charge was finished, Mr. Shafer, with the fearlessness which so constantly characterized him in the trial of cases, asked the judge to charge that, if the jury had formed a prejudice against the defendant by reason of the manner of the judge, either in the conduct of the trial or in his charge to the jury—that if, not simply from what the judge said, but from the manner in which he had said it, an impression had been created in their mind which was hostile to the prisoner, it was their duty to set it aside. The judge at first objected to so instructing the jury. He said it was a remarkable request; to which Mr. Shafer very coolly replied that it was a remarkable trial, that it was the right of the prisoner to have an impartial trial, and that it was the duty of the court to instruct the jury that they were not to be guided or swayed or influenced by anything the court had said or done, to his prejudice; and the judge so ruled.

During the latter years of Mr. Shafer's life, he was not engaged in the general practice of the profession. He was willing to accept retainers only in special cases, and his advice was sought by people who had desperate suits to try, because he was a man whom no dangers appalled, to whom no difficulties seemed insurmountable. His

thorough mastery of legal principles enabled him to meet sudden emergencies arising in the course of a trial. His qualifications as a lawyer may well be summed up in the words of a distinguished jurist, the late Judge Besworth, who said that Mr. Slafer was, in his opinion, one of the greatest lawyers the State of New York ever produced.

During the latter years of his life he purchased an estate on the Hudson River, opposite Poughkeepsie, where he resided, coming to the city only when occasion required. It was there he passed his last days.



**HEARMAN, THOMAS GASKELL** (born in Birmingham, England, November 25, 1834), is the son of John H. Shearman and Sarah Price. He was educated at home and by private tutors, studied law at the New York Law Institute, was admitted to the bar in Brooklyn in December, 1859, and has practiced continuously in New York City since.

Mr. Shearman is in the enjoyment of a large practice and has been counsel in many notable cases. He was counsel in defense of Henry Ward Beecher, both in court and in the church councils, and was also counsel in the Erie Railway litigations extending from 1868 to 1872.

He has been for many years active in the movement for free trade, as well as in the movement for the abolition of taxes on personal property and their transference to land values. He devised a plan of optimum tax methods for local purposes. He is author of part of the civil code, of two volumes on "Practice," of a "Book of Forms," "Shearman and Redfield on Negligence," "National Taxation," and many pamphlets, articles, and lectures on economic questions, and the particular question of national ownership of land.



**SILLIMAN, BENJAMIN DOUGLAS** (born at Newport, Rhode Island, September 14, 1795), is the son of the late Gold S. Silliman, of Brooklyn, who died in his ninety-first year, and a grandson of General Gold Selleck Silliman, who was a notable and prominent lawyer of colonial Connecticut, attorney for the crown in Fairfield county, and brigadier-general in the patriot army during the Revolution. He was a man of large industry, an early promoter of the Revolution, and conspicuous in the battles of Long Island, Harlem, White Plains, Danbury, and others. Three days after the battle of Long Island, in which he commanded a regiment, Washington promoted him to the command of a brigade of five regiments. General Silliman was the son of Judge Ebenezer Silliman, who was for seven years speaker of the house, and for twenty-eight years a member of the council or upper house of the Connecticut legislature, and was annually elected as judge of the Super-



rior Court of the colony for twenty-three successive years. He died in 1775.

Mr. Silliman's mother was the daughter of Reverend David Ely, of Huntington, Connecticut. Her rare intellectual endowments, culture, and attainments were only excelled by the loveliness and great excellence of her domestic character and life. His father's mother



BENJAMIN DOUGLAS SILLIMAN.

was a daughter of the Reverend Joseph Fish, of Stonington (who was graduated at Harvard in 1728), and through her was directly descended from John Alden and Priscilla Moulins, both of whom came over in the *Mayflower* in 1621.

Mr. Silliman was graduated in 1824 from Yale College, at which university his race on both sides were educated. His father and his

uncle, the distinguished Professor Benjamin Silliman, were graduated there in 1796, their father, General Gold S. Silliman, in 1752, and the father of the latter, Judge Silliman, in 1727. His mother's family were also educated at the same seat of learning. Her great-grandfather was graduated there in 1722, her father in 1769. He was a trustee of the college for twenty-one years. He died in 1816. Her brothers took their degrees in the classes of 1801, 1803, and 1806. Among Mr. Silliman's classmates who became distinguished in public life were the late Chief-Justice Origen S. Seymour, of Connecticut; Reverend Richard F. Cleveland, father of ex-President Cleveland; Honorable Willis Hall, attorney-general of this state; General Elias W. Leavenworth, secretary of state of New York and member of congress from the Onondaga district, and Honorable Ashbel Smith, who was minister to France and to England from Texas before its admission as a state into the union, and afterward president of its university.

On leaving college Mr. Silliman pursued the study of law in the office of the distinguished Chancellor Kent and his hardly less distinguished son, William Kent, who afterward became a judge of the Supreme Court of the state, and succeeded Judge Story as professor of law in Harvard University. The closest friendship continued between him and them during their lives. He was admitted to the bar at the May term, 1829, of the Supreme Court in New York, and from that day to this, with the exception of a visit to Europe in 1848, has been busily and steadily engaged (almost "threescore and ten" years) in the practice of the profession, in which he has been energetic and prominent. He is now, by seniority, the nestor of the bar. He has always had a valuable clientage, including many important corporations, and has been steadily engaged in cases of all kinds, at common law, in equity, and admiralty, alike in the state and federal courts, including the United States Supreme Court.

At a notable dinner at Delmonico's given to Mr. Silliman by leading members of the bar of New York and Brooklyn, May 29, 1889, to celebrate the sixtieth anniversary of his admission to practice, he gave an interesting sketch of the courts, the judges, the bar and its business, and of much of the law and practice at that early date and of the great changes and progress to the present time.<sup>1</sup> Very interesting addresses were delivered on the same occasion by Joseph H. Choate, who presided at the dinner, and by David D. Field, James C. Carter, Judge Pratt, Frederic R. Conder, William C. De Witt, and Channey M. Depew.

Mr. Silliman's professional career has been thus singular in its length as well as its activity. Within the long span of his legal practice the most important scientific and political events of the age have

<sup>1</sup> Through the courtesy of Mr. Silliman this address, so full of interesting reminiscence, appears as a chapter in the preceding volume.—EDITOR.

occurred. His early reminiscences relate to the time when New York was a comparatively small town and Brooklyn a mere village, and the circle of his personal association and friendships embraces men of a former and of the present generation who have attained the highest professional, political, literary, and social distinction at home and abroad. "There were giants in those days." Such men as Chancellor Kent, David B. Ogden, Josiah Ogden Hoffmann, George Wood, John Duer, Samuel Jones, William Kent, Marshall S. Bidwell, Thomas J. Oakley, Samuel Nelson, Peter A. Jay, Reuben H. Walworth, Henry R. Storrs, Ogden Hoffman, Hugh Maxwell, Gulian C. Verplanck, Samuel B. Ruggles, Charles O'Connor, Edgar S. Van Winkle, Francis B. Cutting, James W. Gerard, Benjamin F. Butler, Joshua A. Spencer, Jasper W. Gilbert, William H. Seward, William C. Noyes, John H. Reynolds, the Sanfords, the Emmets, Murray Hoffman, Greene C. Bronson, Nicholas Hill, Charles P. Kirkland, Hiram Denio, Joseph S. Bosworth, George R. J. Bowdoin, Lewis B. Woodruff, Jonathan Miller, Alexander S. Johnson, James T. Brady, John A. Lott, Samuel Beardsley, William Mitchell, and the great number of their distinguished compeers who have passed away, to say nothing of the very eminent living members of the profession, have rendered the bar of New York indeed an illustrious fraternity. In the same period no part of the world could produce a more attractive society than that of New York. Her statesmen, scholars, poets, wits, her "merchant princes," her men of strength and wide general culture have made their day and generation of rarest interest. It is no small boon to have lived at such a time and in such a sphere.

While yielding to none in devotion to his clients' interests, Mr. Silliman has always regarded allegiance to right and justice as the paramount duty of every lawyer. In an address to the graduating class of Columbia College Law School, delivered in 1867, he said:

No man can consistently with personal honor or professional reputation misstate a fact or a principle to the court or jury. The man who would cheat a court or a jury would cheat anybody else. Measured by the lowest standard, that of expediency, no lawyer can in any case afford to act meanly or speak untruly. He owes no such duty to his client; an honest client would not be safe in the hands of a lawyer who would do either.

He also reminded the young men about to enter on the practice of law that it would be their province

to dissuade more suits than they would bring, to promote peaceful and reasonable compromises in all cases where proper and practicable, and to shelter their clients from litigation as the physician would shelter his patient from continued sickness.

In politics Mr. Silliman was, in early life, a whig. On the dissolution of that party he became an energetic republican. During the rebellion he was an uncompromising supporter of the federal govern-

ment. Adhering firmly to his political convictions and to the tenets of his party, he has ever been influential in his advocacy of them. He has often been a delegate to local, state, and national conventions. As far back as 1839 he was a member of the Harrisburg convention which nominated General Harrison for the presidency and John Tyler for the vice-presidency. This was one of the first of national conventions for nominating presidential candidates, such nominations having been previously made by caucuses of members of congress at Washington, or in some cases by one or more of the state legislatures, or by other local meetings. Its members were few in number compared with the later conventions.

While active in political work, Mr. Silliman has generally, though not wholly, abstained from public office, as inconsistent with his plan and purpose of professional life and labor. In 1843 he was selected by the whigs of the 2d district as their candidate for the 28th congress, but, although he led the whole ticket at the polls, the democrats carried the election by a small majority. He was nominated by the same party in 1853 for the state senate, but declined the nomination. He had previously represented Kings county in the state legislature. On the organization of the eastern district of New York he was appointed by President Lincoln to the office of United States attorney. Finding that his official duties interfered with his private practice, he resigned the office in 1866. In 1872 he was appointed by the governor and senate a member of the commission (which held its sessions at Albany) for proposing its amendments to the constitution of the state. In the deliberations of the commission he bore an active and prominent part. He was the chairman of one and a member of other important committees, and efficient in advocating the amendments which were adopted. Although the commission consisted of sixteen republicans and sixteen democrats, its debates were absolutely free from party politics, and its action was in no respect influenced by party interests or purposes. Its discussions were conducted with entire harmony and dignity. Each member acted not as a politician, but as a statesman, and the leading parts of the revision of the constitution which was the result of their labors were ratified with great unanimity by the people.

In 1873 Mr. Silliman was nominated by the republican party as their candidate for the office of attorney-general of the state, and received a flattering and gratifying support at the polls, though the ticket (with the exception of two of the candidates who had also been nominated by a third party) did not prevail.

In 1873 the honorary degree of doctor of laws was conferred on him by Columbia College. In 1874 his alma mater, Yale College, also conferred on him the degree of doctor of laws. While a member of the legislature in 1838, he introduced and procured the passage of the bill incorporating the Greenwood cemetery, that great and beautiful

city of the dead, already (in 1896) numbering more than 290,000 in its silent population. He has been prominently identified with the social, political, and benevolent institutions of the day. He was for more than twenty years the president of the Brooklyn Club, president of the Yale Alumni Association of Long Island, is a director of the Long Island Historical Society, a trustee of Greenwood cemetery, and was the president of the New England Society in the City of Brooklyn, from its organization until 1886, when he declined a re-election. For nearly twenty years he was one of the managers of the "House of Refuge for Juvenile Delinquents" in New York. He was a vice-president and one of the founders of the Bar Association of New York City, and a director in other benevolent and literary institutions. While his life has been devoted mainly to the law, he has found time for continued literary study and recreation.



**SIMIS, ADOLPH, Junior** (born in Hamburg, Germany, December 2, 1846), is the son of Adolph and Johanna Simis. He received a public school education, was a student in the Columbia College Law School, and was admitted to the bar in May, 1876. He has always practiced in Brooklyn.

In 1862, at the age of sixteen, he enlisted in the United States navy, in which he served until after the close of the war. For several years he resided in Kansas, and during this period, when only twenty-four years old, received the democratic nomination for the state senate. But as the constituency was strongly republican he failed of election.

In his profession Mr. Simis has been highly successful, ranking prominently at the Brooklyn bar. He has been connected with numerous important litigations, among which may be especially mentioned the cases of *People vs. Rosenberg* (138 N. Y., 410), *Willey vs. Mulledy* (78 N. Y., 310), and *Gall vs. Gall* (114 N. Y., 109). From 1884 to 1888 he was counsel to the commissioners of charities of Kings county. Since 1893 he has held the office of president of the commissioners of charities and correction of Kings county. His term expires December 31, 1897.

He is a member of U. S. Grant Post, No. 327, G. A. R.



**KINNER, BENJAMIN F.** (born in the Town of Pomfret, Chautauqua county, New York, July 23, 1837), is the son of Alfred and Huldah White Skinner, both descended from New England ancestors. He received his education in the

common schools and the Fredonia Academy, and read law, successively, with Honorable F. S. Edwards, Honorable Lorenzo Morris, Honorable E. F. Warren and Honorable George Barker, ex-justice of the Supreme Court. After admission to the bar he opened a law

office in Fredonia, Chautauqua county, where he still continues to practice.

For six years Mr. Skinner was assistant-district attorney of Chautauqua county, and for three years district attorney. He has also served as supervisor of his town for four years and as justice of the peace for twenty years, and is now actively engaged in the practice of his profession and has a large general business.



**SMITH, CHARLES RILEY**, was born in Bayport, Suffolk county, June 22, 1821. He was educated in the county schools and the academy at Bellport, and in his early life followed business pursuits. While thus engaged he was elected commissioner of highways and afterward trustee and justice of the peace of the Town of Brookhaven. The latter office he held for sixteen consecutive years, rendering valuable services and enjoying the respect and high opinion of his fellow-citizens. In 1870 he commenced to study law in the office of Timothy M. Griffing, at the same time continuing to discharge his duties as justice of the peace. He was admitted to the bar as attorney and counselor on December 1, 1880, and since that date he has been an active practitioner at Patchogue. Although now at the advanced age of seventy-six he continues to attend regularly to his professional duties.

Mr. Smith was counsel for William J. Weeks in the libel suit for \$5,000 brought against him by J. Madison Wells, one of the county superintendents of the poor. In behalf of his client he contended that the action was really an undertaking by the republican party to silence and get rid of Mr. Weeks because he knew too much about certain official transactions. The jury brought in a verdict for \$5 damages, which was a victory for the editor and his lawyer. The opposing counsel in this case were T. M. Griffing and N. D. Petty.

Mr. Smith has three sons living, who are engaged in business.



**SMITH, C. BAINBRIDGE**, is the son of the late John Taylor Smith, and is the descendant of an old family of Newport-Pagnel, Buckinghamshire, England, which since the reign of Queen Anne has been illustrious in the history of the Colony and State of New York. His ancestor, William Smith, ruined by the great Port Royal earthquake, removed from Jamaica to New York during the reign of Queen Anne, and having repaired his fortunes induced several branches of the family, including his brother, Thomas Smith, with three sons, William, John, and Thomas, to remove to New York. Of these sons, William, a graduate of Yale College, became the leader of the colonial bar and was the first of a line of distinguished lawyers. Biographical sketches of this eminent

jurist, of his equally distinguished son, the chief-justice and historian, and of others of the line, will be found in the preceding volume.<sup>1</sup> Through his father, Mr. Smith is also nearly related to Commodore William Bainbridge, whose portrait adorns City Hall, New York, and who, in command of the *Constitution* ("Old Ironsides"), captured the British frigate *Java*.

Mr. C. Bainbridge Smith was born at the old family seat in Haverstraw, Rockland county, New York. His father was cut off early in life by a stroke of paralysis in the midst of a brilliant career. Though greatly impeded by the untimely death of his father, and in spite of a marked predilection for the army or navy, Mr. Smith embraced the family profession, becoming a student in the law office of William Curtis Noyes. He was an untiring student, and was admitted to practice when twenty-one years of age. He early attained distinction at the bar. The reports contain many important cases in which, at an early age, he met the foremost lawyers of the day, and they attest the ability which characterized his practice. His success before juries has always been remarkable, while in the cross-examination of witnesses he displays consummate skill. His briefs are models of concise legal presentment, and there is scarcely a modern textbook upon any legal subject which has not been enriched with valuable precedents drawn from the labors of the two score years of his active practice in cases of importance.

Mr. Smith is an omnivorous reader, preserving the habits of a student to the present time. He is author of poems contributed to magazines and journals. He has never actively entered the field of politics, but was a staunch supporter of the government during the civil war, materially aiding in the organization and outfitting of New York troops.



**S**MITH, ELLIOTT JUDSON (born in Brooklyn, New York, June 17, 1860), is the son of Charles C. Smith and Adelia, daughter of Ebenezer Hawkins. He was educated in the common school of Islip and the Huntington High School, studied law with Honorable J. Lawrence Smith, of Smithtown Branch, Suffolk county, and was admitted to the bar at Poughkeepsie in May, 1882. For three years he was in partnership with J. Lawrence Smith, at Smithtown Branch. He then continued his practice alone at Islip, later becoming associated with his brother, Herbert W. Smith.

<sup>1</sup> The direct line of descent to Mr. C. Bainbridge Smith is as follows: Thomas Smith<sup>1</sup>, of Newport-Pagnell, Buckinghamshire, England, who arrived in America, August 17, 1715; Honorable William Smith<sup>2</sup>, who was recorder of New York City, member of the council, attorney-general, and Supreme Court justice of the colony, and refused the appointment as chief-justice; Honorable Thomas Smith<sup>3</sup>, an able lawyer, member of the provincial con-

gress of 1774 and one of the committee of one hundred; Thomas Smith<sup>4</sup>, also an able New York lawyer; Honorable John Taylor Smith<sup>5</sup>, a graduate of Columbia College and able lawyer, district attorney of Rockland county, judge advocate-general, and editor and proprietor of the *Rockland Register*, the only newspaper at that time in Rockland county; C. Bainbridge Smith<sup>6</sup>.



**SMITH, FREDERICK NEWTON** (born in Portland, Maine, December 25, 1861), is the son of M. C. Smith, of East Hampton, Connecticut, and Mary E. Cobb, of Portland, Maine. He received a public school education, attended lectures at Columbia College Law School, also studying law with Foster & Stephens, of New York City, and was admitted to the bar at a general term held at Poughkeepsie May 16, 1884. He has since been a successful practitioner in Long Island City. He has held the office of assistant-corporation counsel of that city.



**SMITH, FRELING H.** (born at Chatham, Columbia county, New York, January 31, 1844), is the son of Joseph William Smith and Ruth Benjamin, of Scotch descent on both sides. His great-grandfather served in the revolutionary war and his grandfather in the war of 1812. His father, a prominent citizen of Chatham, is still living at the age of eighty-seven. His mother was a cousin of the late Judge Welcome R. Beebe, of New York.

Mr. Smith attended the district schools of his native place and Stephentown, Rensselaer county, whither the family removed in 1855; a boarding-school in an adjoining town, and in 1860 the seminary at Amenia, Dutchess county, completing his preparation for college at the Hudson River Institute, Claverack, New York. He was graduated from Union College with first honors in 1865, and from the Columbia College Law School in 1867, having been admitted to the New York bar two weeks before graduation.

Through Professor Dwight of the Law School he was offered the position of private secretary by Honorable Edwin D. Morgan, then United States senator, but refused to be diverted from his purpose to enter at once upon the practice of the law. The following October he entered the law office of Van Vorst & Beardsley, of New York City, as managing clerk. Owing to the elevation of Mr. Van Vorst to the bench of the Court of Common Pleas, and the absorption of Mr. Beardsley in real estate practice, the charge of litigated business devolved mainly upon Mr. Smith, affording a large and varied experience. In 1868 he became managing clerk in the office of Moses Ely, and one year later partner, under the firm name of Ely & Smith, the partnership continuing until 1883, when Mr. Ely retired from practice. Mr. Smith has since continued in business alone. His interesting cases include: *Collins vs. Ralli*, growing out of the fraudulent acts of the cotton brokers, H. M. Cutter & Company, and the stock certificate forgeries of Eben S. Allen. In the former case Cutter & Company had procured large quantities of cotton from New York dealers ostensibly to deliver to purchasers, but which they stored in warehouses, taking out negotiable warehouse receipts and selling them on the Cotton Exchange to innocent parties. Suits were







G. J. Smith

brought to recover from the innocent purchasers, mainly Ralli & Company, by the owners of the cotton. The questions arising were novel and first settled in this case. The cases growing out of Allen's crimes first presented to the courts of this state the question of liability of corporations for forged certificates of stock issued by one of its officers. This question was settled in the actions brought by the 5th Avenue Bank, the Manhattan Life Insurance Company, the Mutual Life Insurance Company, and other cases in which Mr. Smith appeared.

He has never held nor sought a political position or engaged in outside business ventures. In the spring of 1887 he traveled extensively in all parts of Europe, and in 1895 visited Egypt, the Holy Land, and other eastern countries.



SMITH, GABRIEL LEWIS, was born in Minisink, Orange county, New York, August 4, 1824. At nine years of age he removed with his father's family to Tioga county, where he availed himself of the ordinary educational opportunities of that early day. In 1847 he entered the law office of Diven, Hathaway & Woods, in the Village of Elmira, and the year following, while yet a student, formed a legal partnership with Judge Theodore North. Being admitted to the bar in 1849, he commenced practice under the firm name of North & Smith, in Millport, then the most thriving village in Chemung county. His reputation and clientage widening, he followed the changing center of population and in 1854 removed to Elmira, where he has since remained, occupying the same office continuously for over forty years, during which he has been engaged in an extensive practice in all the courts of the state and frequently in the courts of the United States, interrupted only by the periods of his service in the army and on the bench. A unique case among the many with which he has been connected was that of *Sayre vs. The State* (123 N. Y. Rep., 291), in which, on appeal, the Court of Appeals increased a judgment for \$3,000 in his favor to \$8,136, and, thus modified, affirmed it.

In 1863 he was admitted to practice in the Supreme Court of the United States and the Court of Claims, and afterward in the United State Circuit and District Courts. In 1864 he was elected county judge and surrogate of Chemung county, serving one term. In 1865 he took in as his partner David B. Hill, afterward governor of the state and United States senator. This partnership continued as Smith & Hill until June, 1874, in the same offices now occupied by Judge Smith.

The civil war breaking out in the midst of his earlier practice, Mr. Smith responded to the call of his country. In 1858 he had been commissioned by Governor King as brigade inspector, and, still holding

that office, in 1861 and 1862 he examined and inspected every officer commissioned at the military post at Elmira, acting as chief of staff to General Van Valkenburg, its commander. Early in 1862 he was appointed by Governor Morgan a member of the committee to raise troops in the senatorial district, and in July following was appointed adjutant and raised the first regiment organized in the nation under the president's call for 300,000 men. He at once organized the famous 107th New York volunteers, and personally mustered in most of its members. This regiment, the first to enter the United States service under the president's call, and carrying the silk embroidered banner offered by Governor Morgan to such regiment, left Elmira on August 13, 1862, was received and reviewed in Washington by President Lincoln and Secretary Seward, and afterward marched into Virginia, where, previously to its being brigaded, it was frequently visited by the president and secretary. It was known at the time as the "Congressional Regiment," both its colonel and lieutenant-colonel being members of congress. In the following September it took its march for the Maryland campaign. On September 6, 1862, Mr. Smith was commissioned major, and on October 21 lieutenant-colonel of the regiment, both commissions issuing to him while in actual service in the field. For most of the time during the next two months, Lieutenant-Colonel Smith was in command of this regiment and the 3d Wisconsin, guarding Antietam ford across the Potomac, only a couple of miles from the place where the battle of Antietam was fought. After the disastrous battle of Fredericksburg, Lieutenant-Colonel Smith was sent into hospital at Washington, and the next spring was honorably discharged from the service for physical disability.

In 1867 he was commissioned by Governor Fenton as judge advocate of the 7th division, with the rank of colonel, and in 1876 by Governor Tilden as commander of the 110th battalion, N. G. S. N. Y., a command which he held for several years.

In 1890 he was appointed by Governor Hill one of the constitutional commission to propose amendments to the judiciary article of the constitution. In that capacity he rendered efficient service during the existence of the commission.



SMITH, JAMES COSSLETT (born in Phelps, New York, August 14, 1817), is the son of Thomas Smith and Rachel Cosslett. He attended Geneva College for three years, and then entered the senior class of Union College, being graduated from that institution in July, 1835. After reading law with Walter Hubbell, of Canandaigua, he was admitted to the bar at Albany in October, 1839. He began practice at Lyons and from there removed to Canandaigua, where he still resides. He was successful





James Smith

from the beginning of his professional career, and gradually obtained a recognized position among the eminent men of the state bar.

From 1842 to 1847 he held the office of surrogate of Wayne county. He was one of the delegates from New York to the peace congress in Washington, in 1861. From May, 1862, to December 31, 1877, he was one of the justices of the Supreme Court of the state, and as such sat in the Court of Appeals in 1866. He was a delegate from the 7th judicial district to the commission which was appointed in 1890 to propose amendments to the judiciary article of the constitution.

Justice Smith has received the honorary degree of doctor of laws from Union, Hamilton, and Hobart Colleges.



**S**MITH, JAMES MURDOCK, ex-judge of the Superior Court of Buffalo (born in East Poultney, Rutland county, Vermont, August 23, 1816), is the only son of Honorable Harvey D. Smith<sup>1</sup> and Harriet Murdock,<sup>2</sup> and is a lineal descendant of the Reverend Henry Smith, an English clergyman who came to America in 1634, settled in Wethersfield, Connecticut, in 1636, and was the first minister in that place.

Mr. Smith's father was a merchant prominent in business and official life in East Poultney, and represented the town several times in the Vermont legislature. In 1824 he removed to Gouverneur, Saint Lawrence county, New York, where he filled successively the offices of supervisor, justice of the peace, surrogate and special county judge, and where he died in 1864 full of years and universally lamented.

Mr. Smith was educated in the village school and in the Gouverneur Academy. Upon graduation from the latter, he began the study of law in the office of Bishop & Thompson, of Granville, Washington county, New York. In 1836 he entered the office of Honorable Edward Livingston in Albany, New York, then district attorney of Albany county, where he remained two years as managing clerk, during which time he was admitted to the bar as an attorney in the Supreme Court and solicitor in chancery.

In 1838 he located in Buffalo, then a city of small proportions, struggling to recover from the financial disaster of 1836, which had fallen with especial severity upon it. He first formed a partnership with Henry W. Rogers and John J. Leonard, but Mr. Rogers speedily retiring, Mr. Smith continued for a brief period with Mr. Leonard, and upon the latter's removal to Detroit, Michigan, entered into an asso-

<sup>1</sup> The line of descent on the paternal side is as follows: Reverend Henry Smith<sup>1</sup>, of Wethersfield, Connecticut; his son, Samuel Smith<sup>2</sup>, of Northampton, Massachusetts; his son, Ebenezer Smith<sup>3</sup>, of Suffield, Connecticut; his son, Nathaniel Smith<sup>4</sup>, of Suffield, Connecticut; his son, Nathaniel Smith<sup>5</sup>, of Pawlet, Vermont; his son, Harvey D. Smith<sup>6</sup>, of Gouverneur, New York; his son, Honorable James M. Smith<sup>7</sup>, the subject of this sketch.

<sup>2</sup> On his mother's side the line is from John Murdock<sup>1</sup>, a merchant of Limerick, Ireland, who being a staunch Jacobite was impoverished by the civil war of 1688-90, through Peter<sup>2</sup>, Major John<sup>3</sup>, and Reverend James<sup>4</sup>, the father of Harriet<sup>5</sup>. Peter came to this country in 1696 and settled in East Hampton, Long Island. Major John Murdock was of Saybrook, Connecticut, and was one of the leading men of that state, and his son, Reverend James Murdock, was the maternal grandfather of Judge Smith.

ciation with James Smith, Esquire, which lasted until 1840, when he again went into partnership with Henry W. Rogers, the then district attorney of Erie county. This firm became noted and prosperous and brought Mr. Smith prominently before the business men of the growing city, not only in matters of law but notably in concerns of business and finance. In 1848, Mr. Rogers having been appointed collector of the port of Buffalo, the firm was dissolved and Mr. Smith became the law partner of Solomon G. Haven, who until that time had been a partner of Millard Fillmore. A large and lucrative practice followed, Mr. Smith's services being more and more sought by the leading business and banking men of Buffalo. He developed so pronounced an adaptability for banking that his active co-operation was invited by certain men of capital, and in 1856 he was persuaded to abandon the law and take charge of White's Bank as its cashier. A year later, in conjunction with some of the ablest and soundest citizens of Buffalo, he founded the Clinton Bank, taking the position of cashier. This institution was among the few that withstood the panic of 1857. Four years subsequently, owing to the financial uncertainties attending the breaking out of the civil war, the bank paid up its stockholders and depositors in full and wound up its affairs.

In 1862 Mr. Smith, free from outside business connections, formed a partnership with Honorable John Ganson and resumed the practice of his profession. The firm at once attained, and during its existence held, a wide reputation in the state and national courts. Its advice was sought by individuals and corporations, and the calendars of all the courts were filled with its cases, while matters of vast importance were conducted by it to favorable and judicious settlement without the intervention of the courts. In all matters of contracts of trusts, of real estate, and of wills, Mr. Smith was an authority, and his guiding hand is still seen in the disposition of large estates left by generous testators.

In 1873 he was appointed by the governor and senate to fill the vacancy in the Superior Court of Buffalo occasioned by the death of Judge Isaac A. Verplanck, and in November following he was elected his own successor for the term of fourteen years. His elevation to the bench met with universal approval. He brought to the position an energetic mind, a clear perception, and a happy faculty of charging the jury in terse, strong language, which, while it vigorously laid bare the real points and presented his own views of justice involved in the case, was coupled with a fairness that never trespassed upon the juror's rights. He was also distinguished on the bench by a large experience and an untiring industry that made him an exceedingly strong member of the court, of which the great number of cases tried before him, and his written opinions, gave permanent record.

On January 1, 1887, having reached the constitutional limit of years and for some time having been chief-judge of the court, he was



retired from his judicial office. His retirement was made the occasion of a complimentary banquet given him by the members of the bar and distinguished citizens of Buffalo as a testimonial to the high qualities that had marked his professional and judicial career.

Although engrossed by professional cares, augmented by an unusual number of private trusts, Judge Smith has always been identified with matters of public interest to the citizens of Buffalo. Until he went on the bench he was chairman of the board of commissioners who built the City and County Hall—a monument to-day of honest work and economical expenditure. He was chairman also of the citizens' committee for the erection of the Soldiers' and Sailors' Monument in Lafayette Park, and he was in 1871 counsel for the executor of the will of Jesse Ketchum, and prepared the deed of trust which conveyed to the City of Buffalo the fund of \$10,000 designated as "The Jesse Ketchum Memorial Fund," from the income of which gold and silver medals are annually awarded to meritorious pupils of the public schools.

In 1873 Hobart College conferred on Judge Smith the honorary degree of LL.D.

From his earliest residence in Buffalo he has been a member of Trinity Church, and he has long been identified with that church as vestryman and warden and as a liberal contributor to its work. In 1871 he was appointed chancellor of the diocese of western New York, a position he still holds. He has represented the diocese as lay delegate to each of the triennial general conventions of the protestant episcopal church since and including that of 1874.

Judge Smith has been twice married—in 1840 to Martha Washington, daughter of Elias Bradley of Buffalo, who died in 1841, leaving an infant son who survived her but a few months; and in June, 1845, to Margaret, daughter of John P. Sherwood, Esquire, of Vernon, Oneida county, New York. The children of this marriage are: Margaret L., who married Robert P. Wilson, Esquire, a member of the Erie county bar, and Philip Sherwood Smith, who is also a member of that bar.

Judge Smith has long been recognized as a good financier and an excellent judge of values and securities. His foresight and his faith in the growth and prosperity of Buffalo have enabled him to accumulate a handsome fortune for his declining years, and for the gratification of those generous and liberal impulses in connection with public, charitable, educational, and religious objects which have ever characterized him.

He is a man of marked literary tastes and habits, possesses a large and valuable library, and, still in the possession of sound physical, moral, and mental health, inherited from stanch old New England stock, genial, kind, and affable, he spends much of his time surrounded by scholars and men of letters.



**SMITH, JARVIS E.** (born in Moriches, Suffolk county, New York, January 15, 1866), is the son of Egbert and Josephine H. Smith. He is a lineal descendant of Richard Smith, the founder of Smithtown, who is generally referred to as "the bull-rider," and is a great-great-grandson of Colonel Josiah Smith, who fought in the battle of Long Island and many of whose official and private documents, or copies of them, are preserved by the Long Island Historical Society. Jarvis E. Smith received a good preliminary education, at the public schools and under private tuition, and in 1885 was graduated at the Huntington High School. After reading law with Edward R. Ackerly, of Huntington, he was admitted to the bar at Brooklyn, September 20, 1888. He remained with Mr. Ackerly until July, 1889, when he became connected with the Title Guarantee and Trust Company of New York and Brooklyn. Since January, 1895, he has been in partnership at Jamaica with George Wallace in the firm of Wallace & Smith. The firm does a successful law business.



**SMITH, NELSON** (born in Middletown, Delaware county, New York, September 29, 1832), is the son of Samuel Smith, his ancestry being English on his father's side and Dutch through his mother. His great-grandfather, Abel Smith, born on Long Island in 1702, married Ruth, daughter of Samuel Jackson, granddaughter of Colonel John Jackson, member of the colonial assembly, lieutenant-colonel of militia, and judge of the Court of Common Pleas, and great-granddaughter of Robert Jackson, one of the original settlers of Hempstead, Long Island, and a member of Governor Nicolls's convention, 1665. Through another great-grandfather, Harmonus Dumond, Mr. Smith is descended from Katrina Schuyler Dumond, daughter of David Schuyler, mayor of Albany.

He was educated at the Delaware Academy, afterward taking special courses in New York City, and studied law with Honorable Samuel Gordon and Honorable William Murray. He was admitted to the bar and commenced practice in New York City in 1855, and was soon after admitted to practice in the Supreme Court of the United States. He has devoted himself closely to his profession, enjoying a wide practice, his reported cases embracing nearly the entire range of the law. At the same time he has kept up his interest in the study of the sciences, natural rights, government, political economy, and kindred subjects.

He took an active part in support of the democratic cause in the national campaigns of 1884, 1888, and 1892, and throughout the campaign of education to promote the reform of the tariff. He contributed many articles and made numerous speeches which were printed

and circulated as educational documents. In 1892 he was a presidential elector. He was a delegate from New York City to the constitutional convention of 1894, and was an active and influential member. He was credited with many of the reforms effected by the judiciary article of the revised constitution, notably the creation of the new court known as the appellate division of the Supreme Court, which took the place of the old general term.

For four years, from 1890 to 1894, he was chairman of the general committee of Tammany Hall, which position he resigned in January, 1894. He has always been a warm sympathizer with the cause of Ireland, and at one time was chairman of the central branch of the Irish Land League of America, which position he held for about four years. He is a member of the American Bar Association, State Bar Association, Association of the Bar of the City of New York, the Law Institute, and the Press, Manhattan, Reform, and Democratic clubs.



**SPANN, ALBERT CARL** (born in Attica, Wyoming county, New York, January 18, 1863), is the son of Henry and Matilda Beitter Spann. He was graduated at the Attica Academy in January, 1880, studied law in the offices of Crowley, Movius & Wilcox, and Allen, Movius & Wilcox, and in March, 1884, was admitted to the bar at Rochester. He was employed as managing clerk for Allen, Movius & Wilcox until February, 1888, since which time he has been practicing alone in Buffalo, except for a period of about a year and a half, when he was associated with C. M. Harrington in the firm of Spann & Harrington.

Mr. Spann has built up a large practice as counsel for private corporations, persons interested in real estate and commercial and mercantile houses. He also represents various important estates, and transacts an extensive collection business. He is the local Buffalo counsel for two prominent life insurance companies.



**SPaulding, ELBRIDGE GERRY** (born in Summer Hill, Cayuga county, New York, February 24, 1809; died in Buffalo, May 4, 1897), was the son of Edward Spaulding, of an old and prominent American family,<sup>1</sup> and Mehitabel Goodrich, daughter of a presbyterian clergyman. He was named for the celebrated Elbridge Gerry, one of the signers of the Declaration of Independence and the Articles of Confederation, and a member

<sup>1</sup> The American ancestor was Edward Spaulding, who came from England and settled at Hingham, Massachusetts, about 1630.

"The Spauldings have been a family noted for the very best of common sense, good judgment, and intelligence, and many of them have risen high in the walks of life and made their impression on and in the localities and communities where they lived, while some of them have been

of widespread influence and of national reputation. Edward Spaulding (father of Honorable E. G. Spaulding) was a brave and reliable soldier in the war of the Revolution, and Levi, his father, shared in the dangers and privations of the memorable battle of Bunker Hill, and partook likewise of its glory and renown."—D. W. Manchester, in the *Magazine of Western History*, Vol. v., pp. 205-6.

of the convention that framed the constitution of the United States.

His early years were spent at the Auburn Academy, where he made the most of the opportunities afforded him for an education. At the age of twenty, deciding upon a professional life, and with a fixed purpose to achieve a recognized position in the world, he became a student in the law office of Fitch & Dibble, at Batavia, New York. Depending upon his own resources for his support, he taught school winters and also acted as assistant to the county clerk. Two years later, in 1832, removing to Attica, New York, he entered there the law office of Honorable Harvey Putnam, where for another two years he continued to apply himself closely to professional study. He was then admitted to practice in the Court of Common Pleas of Genesee county. He thereupon removed to Buffalo. After spending some time in the law office of Potter & Babcock, still pursuing legal studies, he commenced practice. In 1836 he was admitted as a practitioner of the Supreme Court of the State of New York and solicitor in the Court of Chancery, and in 1839 as counselor of the Supreme Court and the Court of Chancery.

From his admission to the Supreme Court his rise was rapid and continuous. He first formed a partnership with George R. Babcock, and afterward with Herman B. Potter. This latter connection lasted until 1844, when he became associated in partnership with Honorable John Ganson, a relationship that continued until 1848, their business reaching extensive proportions.

In the mean time he had been called more and more prominently to public service. In 1836 he was appointed city clerk of Buffalo, in 1841 he was elected an alderman, and in 1847 mayor of Buffalo. He discharged the duties and responsibilities of these several offices with universal approval. As alderman he served as chairman of the finance committee. While mayor many measures of great importance and utility were enacted through his recommendation and influence. Under his administration the state adopted the Erie and Ohio basins for enlarging the facilities of lake and canal commerce at Buffalo. An extensive system of sewerage was inaugurated, and the Buffalo Gaslight Company for lighting the city was chartered. In 1848 he was sent to the state assembly, and the year following his district chose him as its representative in the 31st congress. He was also elected to the 36th and 37th congresses.

In the national legislature he at once took front rank. During his first term he was conspicuous in the memorable Cobb-Winthrop contest for the speakership, voting steadfastly for Mr. Winthrop. In the 36th and 37th congresses, when the government was crippled by the financial necessities of the civil war, his qualities as a statesman and financier were most brilliantly displayed. Mr. Spaulding, in an address before the Bankers' Association in Philadelphia in 1876, thus referred to this juncture:

At the breaking out of the rebellion in 1861, the government of the United States had no national institution to resort to like the Bank of England or the Bank of France for aid to sustain the union army and navy. It had only a barren sub-treasury, which in every effort of the government to make loans was known to be antagonistic to the customary commercial operations of the state banks. The sub-treasury was in no way connected with the clearing-house operations, and could not check on the banks for government disbursements; and if the government borrowed money on its bonds from the banks, the money had to be paid into the sub-treasury in gold and silver coin or treasury notes, which at once weakened the bank reserves, and tended to disturb the whole financial business of the country. The sub-treasury law was a positive obstacle to a successful management of the finances in the great war then in progress to maintain the union.

In the events which succeeded, Mr. Spaulding occupied the important position of chairman of the sub-committee on ways and means. At the request of Secretary Chase he prepared a bill to carry into effect the plan of a national bank. As this measure encountered dilatory opposition, disastrous at a time when the treasury was empty and the government overwhelmed with increasingly enormous war expenses, Mr. Spaulding at once introduced into the house of representatives the legal tender act. Its title, "An act to authorize the issue of United States notes and for the redemption and funding thereof, and for funding the floating debt of the United States," fully expressed its objects. In his opening remarks Mr. Spaulding said:

The demand notes put in circulation would meet the present exigencies of the government in the discharge of its existing liabilities to the army, navy, and contractors, and for supplies, materials, and munitions of war. These notes would find their way into all the channels of trade among the people, and as they accumulate in the hands of capitalists they would exchange them for the 6 per cent. twenty-year bonds.

The act was brought forward and advocated solely as a temporary "war measure," its object being to fund the debt incurred for war expenses. The currency issued under it being convertible into 6 per cent. gold bonds, the act thereby provided for practical redemption, assuring an easy and natural mode of withdrawing a purely war currency. The opening speech of Mr. Spaulding in support of the legal tender act was very able and exhaustive, and had great influence in carrying the bill through congress. It was the first official exposition of the necessity of the legal tender notes as a war measure and of the constitutionality of that measure, and also was the first complete statement of the grounds on which the plan should be supported in order to provide the necessary means. Charles Sumner, in a letter to Mr. Spaulding in 1869, referring to this service of the latter, said:

In all our early financial trials while the war was most menacing, you held a position of great trust, giving you opportunity and knowledge. The first you

used at the time most patriotically, and the second you use now in preparing a financial history<sup>1</sup> of the war for the instruction of the country.

The first legal tender act, for \$150,000,000, was approved by President Lincoln, February 25, 1862; the second, for \$150,000,000, July 11, 1862. In February, 1863, the national currency bank bill, prepared by Mr. Spaulding in 1861, was reported, with some alterations and amendments, from the finance committee to the senate by John Sherman. Upon its passage and reception from the senate Mr. Spaulding opened the debate in the house with an exhaustive speech, and its passage there was secured the following day by a substantial majority.

While in congress Mr. Spaulding served on the most important committees, in association with such men as Sherman, Thaddeus Stevens, Morrill, and Grow. He opposed the Missouri Compromise in 1854, took an active part in the organization of the republican party, for several years was a member of the republican state central committee, and in 1860 was an active member of the republican congressional committee in the campaign which resulted in the election of Abraham Lincoln to the presidency.

Soon after he came to Buffalo he was made president of the Farmers' and Mechanics' National Bank, which was first organized as a state bank in the Village of Batavia in 1840, but was by special act of the legislature removed to Buffalo in 1850. He remained at its head until his death. One of the most useful and eminent citizens of Buffalo, he was ever identified with the public improvements, charitable and benevolent enterprises of the city. He was a life member of the Young Men's Association; a member of the Buffalo Historical Society, the Society of Natural Sciences and the Buffalo Club; president of the International Bridge Company; director in the street railroads, and a stockholder in a number of banks.

He published a history of "Legal Tender Paper Money Used During the Great Rebellion" (Buffalo, 1869), which is the standard authority upon the subject, and also an address on "One Hundred Years of Progress in the Business of Banking," delivered before the Banking Association at the centennial exposition of 1876.



SPRING, ALFRED (born in Franklinville, New York, February 19, 1851), is the son of Samuel Stowell and Ellen Hogg Spring. He was graduated at the Ten Broeck Free Academy (Franklinville) in 1870, and then for two years was a student in the literary department of Michigan University. After studying law with his father he was admitted to the bar at Rochester, in October, 1875. He has always practiced at Franklinville. In 1878

<sup>1</sup> Mr. Spaulding's important historical work on the legal tender issues.

and 1879 he was in partnership with C. D. Van Aernam in the firm of Spring & Van Aernam, and from 1885 to January 1, 1895, with his brother, George E. Spring, who is now a practicing lawyer in Franklinville.

In 1876 Mr. Spring served as supervisor of Franklinville. He held the office of surrogate of Cattaraugus county for two terms (from 1880 to 1892, inclusive). He is now one of the justices of the Supreme Court of the state, having been appointed to that office on January 10, 1895, by Governor Morton, and elected in the fall of that year.

Justice Spring's father, Samuel S. Spring, was district attorney of Cattaraugus county, and, at the time of his death (July, 1875), county judge.



**STACKPOLE, GEORGE FRANKLIN** (born in Lebanon, York county, Maine, November 29, 1843), is the son of Isaac and Syrena Stackpole, and is a descendant of James Stackpole, who emigrated from England about 1650. He received a common, high, and normal school education in his native state, and then entered Dartmouth College, where he was graduated in the class of 1872. After teaching seven years he studied law with Miller & Tuthill, of Riverhead, Suffolk county, New York, was admitted to the bar in Brooklyn in February, 1880, and since that date has been in successful practice in Riverhead. He has held the office of justice of the peace continuously since 1880, with the exception of the years 1893 and 1894.



**STEPHAN, FREDERICK, Junior** (born in Rondout, now a part of the City of Kingston, May 20, 1859), is the son of Honorable Frederick Stephan, ex-member of assembly and an old resident of Rondout, and Magdalena von Beck, eldest daughter of Major George F. von Beck, of Kingston. He attended a private school and the Ulster Academy, and in February, 1886, was graduated from the law department of Union University (Albany) with the degree of bachelor of laws. His office preparation for the profession was received with Honorable William Lawton, ex-judge of Ulster county, Seymour L. Stebbins and Edmund S. Wood, all of Kingston. He was admitted to the bar at Albany in May, 1886, and began practice at Kingston, where he still resides.

Early in his professional career Mr. Stephan served as a justice of the peace for Kingston. In 1895 he was appointed counsel to the board of supervisors. Since January 1, 1897, he has been judge of the City Court of Kingston, to which office he was elected in November, 1896.



STERNE, SIMON (born in Philadelphia, Pennsylvania, July 23, 1839), is the son of Henry and Regina Sterne. He was educated in the Philadelphia public schools, at the University of Pennsylvania, and at the University of Heidelberg



*Simon Sterne*

and other European universities. He studied law in the law depart-



ment of the University of Pennsylvania, from which he was graduated June 6, 1859, and also in the offices of John H. Markland and Judge Sharswood, of Philadelphia. He began practice at Philadelphia in 1859, but shortly afterward removed to New York City, where he was admitted to the bar in June, 1860, and where he has practiced since.

Mr. Sterne was the counsel for the bondholders in the Louisiana bond case before the United States Supreme Court; was counsel for New York City in various suits arising out of the Tweed ring frauds to recover interest moneys from various banks; was counsel for the plaintiffs in the litigation known as the New York City sinking fund case; was appointed in 1879 counsel for the assembly committee of New York to investigate the alleged abuses in the management of the railroads of the state; was counsel of the interstate commerce commission in its suits against the Lehigh Valley Railroad Company, and against the Texas & Pacific Railroad Company; was formerly counsel of the Central Crosstown Railroad of the City of New York, and for many years has been general counsel of the Missouri, Kansas & Texas Railway Company and its affiliated lines. The assembly investigation in 1879, referred to above, was conducted by him for a period of over eight months, five volumes of testimony being taken. This investigation resulted in the appointment of the board of railroad commissioners, and in many other reforms in connection with railroad management in this state. He was also consulted by the Cullom senate committee on commerce in 1886 and 1887, and drafted some of the important provisions of the interstate commerce act passed on the recommendation of that committee.

He was the secretary of the reform Committee of Seventy in 1870 and 1871, and a member of the Committee of Seventy appointed in 1894. He was a member of the commission appointed by Governor Tilden in 1875 to devise a plan of government for the cities of the State of New York, and was appointed in 1887 by President Cleveland to investigate and report on the railroads of Europe. In 1895 he was appointed by Governor Morton a member of a commission to recommend changes in the method of legislation in this state. He is the author of a book on "Representative Government," a work on the "Constitution of the United States," and of the articles on "Administration of American Cities," "Legislation," "Monopolies," "Railways," and "Representation" in Lalor's "Cyclopædia of Political Science and United States History."



STEVENS, FRANK WALKER (born in Leon, Cattaraugus county, New York, December 16, 1847), is the son of Daniel S. and Catharine E. Hurty Stevens. He was educated at Randolph Academy and was prepared for the bar at the Harvard Law School (from which he was graduated in 1870) and in

the office of Jenkins & Goodwill, of East Randolph, New York. He was admitted to practice at a general term of the Supreme Court held at Rochester in September, 1871. The next year he began his professional career at East Randolph as a member of the firm of Goodwill & Stevens. From there he removed in October, 1882, to Jamestown, where he entered the firm of Sheldon, Green, Stevens & Benedict. From 1890 to 1893 he practiced alone. He is now at the head of the firm of Stevens & Peterson.

He served for two terms as district attorney of Cattaraugus county (1878 to 1883, inclusive). Since 1891 he has been a member of the board of education of Jamestown.



STEVENS, JAMES HUMPHREY, Junior (born in Dansville, Steuben county, New York, July 11, 1827), is the son of James Humphrey and Sallie Wilson Stevens. His father was of English and Scotch descent, and removed in early life to New York state from Warwick, Massachusetts, the place of his birth. The mother of James Humphrey Stevens, Senior, was a daughter of Reverend James Humphries, a Scotch presbyterian divine. The mother of James Humphrey Stevens, Junior, born at Shoreham, Vermont, was a daughter of William Wilson, a "Green Mountain Boy." One of William Wilson's grandsons was Lieutenant-Governor (afterward Governor) Ormsbee, of Vermont, whose mother was a sister of the subject of this sketch.

James H. Stevens, the younger, was educated at common and select schools, the Rogersville Union Seminary and Alfred University. During his educational course he taught in country and village schools for eight winter terms. He began the study of law while living at home on his father's farm, borrowing books for that purpose from L. B. Proctor, who later became secretary of the State Bar Association, and also from ex-Judge Hawley. In 1851-52 he took the course of study at the State and National Law School at Ballston Spa, Saratoga county, under professors Fowler, Hayden, and others; and he also pursued legal studies for a brief time with William T. Odell, then district attorney of Saratoga county. After his admission to the bar (January 5, 1852) he was for some months a clerk in the office of Honorable David Rumsey, of Bath—afterward justice of the Supreme Court. Being elected superintendent of common schools of the Town of Dansville, he discharged the duties of that position for a few years, when he resigned to devote himself to his profession. He had previously begun practice in Rogersville, in the Town of Dansville, but he removed to the Village (now City) of Hornellsville, where, on the 13th day of April, 1854, he formed a copartnership with the late Horace Bemis, which continued for upward of ten years. He was then for fifteen years in partnership with the late Judge Harlo Hakes, who



*James H. Stevens Jr*



during this period was appointed a register in bankruptcy. After the dissolution of this latter relation he established with his brother the well known firm of J. H. & C. W. Stevens.

Mr. Stevens, during the forty-three years of his practice, has conducted a general civil business, avoiding criminal cases, and has gained a recognized place not only as one of the most conspicuous leaders of the Steuben bar but also as one of the representative practitioners of western New York. Since March, 1885, he has been attorney for the Erie Railroad Company in the counties of the southern tier and of western New York through which the road runs, except in Erie and Monroe counties.

A democrat in politics, he has adhered faithfully to his principles, notwithstanding the hopelessness of the democratic cause in his part of the state. He has consequently held no elective offices of general importance; but, being devoted to his profession, he has been satisfied with its pursuits and has not sought political honors. He has, however, though against his protest, been the candidate of his party on four occasions for county judge of Steuben county, once for member of the assembly and once for district attorney. He has held the position of president of the Village of Hornellsville, and has served as a member and as chairman of the county board of supervisors. He has also been a vice-president of the New York State Bar Association, and for many years was one of its executive committee. Having been raised on a farm and being the owner of several farms, he has always been interested in farms and farmers; and he was the first president (retaining the position for two years) of the Hornellsville Farmers' Club, now somewhat well known, and located at Hornellsville.

Although so long an adherent of the democratic party, in the fall of 1896, believing that the heresies of free silver, free riot, and free trade had dominated the convention at Chicago which nominated a young man of very excellent qualities for president, he felt that his duty to the country was above that of party, and voted for Mr. McKinley.

Throughout his long and very active career at the bar Mr. Stevens has been an "all-round" lawyer and has dealt with a great variety of suits involving highly interesting and important principles. While yet a young practitioner he found that the Pulteney estate, so-called, owning large parcels of land in Steuben and other counties, was not paying taxes which the people believed should be paid; and after a protracted and hard-fought contest the courts decided that these land-owners should pay their just share of taxes along with the resident owners of land. This case (*People vs. Halsey*) is reported in 37 N. Y., 344. Mr. Stevens has been counsel in various railway suits presenting notable legal questions, among which may be mentioned the following: *Berrigan vs. the N. Y., L. E. & W. R. R. Co.* (131 N. Y., 582); *Lacroy vs. the N. Y., L. E. & W. R. R. Co.* (132 N. Y., 570), and

*Frace vs. the N. Y., L. E. & W. R. R. Co.* (143 N. Y., 182). In the last-mentioned case a very important principle touching the liabilities of a railway company for damages caused by fire from locomotive sparks was established and sharply defined. According to the decision in this action, courts are bound to take judicial notice that the system of spark arresters now in general use by the railway companies is a correct system, and it is not in the province of jurors to decide otherwise—the verdict against the defendant rendered by a jury at circuit on the ground that the system was defective, having been reversed on appeal. In the *Lacroy and Berrigan* cases the court of last resort sustained the contention of the railway company that the rules of the Erie company were as good as any in use among the great railway corporations; that they were well promulgated and furnished to the employees, and that in cases of accident resulting from the failure of employees to observe and obey such reasonable rules, such employees could not recover for injuries sustained in the circumstances. Other cases tried by Mr. Stevens which involve matters of peculiar public interest are *Ayres vs. Hammondsport* (130 N. Y., 665) and *Thatcher vs. Hope Cemetery Association* (126 N. Y., 530).

He has also acted extensively in hearing cases as referee in the Counties of Allegany, Steuben, Livingston, Wyoming, and Chemung, several of which have been decided finally in the Court of Appeals. As referee in *Rice vs. Manley* (66 N. Y., 82) he found from the evidence and decided two propositions of novel character, which were declared by the general term to be unsound; but upon appeal to the Court of Appeals the judgment of the general term was reversed and that of the referee was sustained. Also as referee in the case of *West vs. Van Tuyl* (17 N. Y. S. Rep., 273; affirmed in 119 N. Y., 620) he more clearly defined and established an important rule of evidence in regard to the use of books kept by parties as records of their transactions.



TICKNEY, ALBERT (born in Boston, February 1, 1839), was graduated from Harvard College in 1859 and from the Harvard Law School in 1862. He served in the civil war as lieutenant-colonel of the 47th Massachusetts volunteers, campaigning in Louisiana on the staff of Major-General Banks, and as inspector-general on the staff of Major-General William H. Emory. He was in command of the United States forces on the Opelousas Railroad, between New Orleans and Brashear City, in May and June, 1863, and of the United States forces engaged at Lafourche Crossing against the confederates under Colonel Major on June 19, 20, and 21, 1863. After the war he came to New York, and was clerk in the office of Evarts, Southmayd & Choate. Since 1866 he has been engaged in the practice of the law in that city.

He was counsel in the prosecution of the claims against the United States government for the proceeds of the cotton seized by General Sherman's army at Savannah at the close of the march to the sea-coast; one of the counsel for the prosecution of Judges Barnard, Cardozo, and McCunn in 1871 and 1872; with Mr. O'Connor and Mr. Carter one of the counsel in the Jumel litigation; counsel for the Erie investigating committee in 1873; counsel for General Gouverneur K. Warren in the years 1880 and 1881 before a military court of inquiry composed of Generals Hancock, Newton, and Augur, in the matter of the removal of General Warren by General Sheridan from the command of the 5th army corps at the battle of Five Forks, resulting in General Warren's vindication; with Mr. Choate was counsel for General Cesnola and the Metropolitan Museum of Art in the litigation as to the genuineness of the Cesnola Cyprus collection in 1883; was counsel in the litigations as to the Broadway surface railroad in 1886 and 1887; was counsel for Jacob Sharp in his trial for bribery in 1887, where his conviction was reversed by the Court of Appeals, and was a member of the Bar Association committee which investigated and reported on the acts of Judge Maynard as to the Dutchess county election returns in 1891.

He is a member of the Harvard, Commonwealth, University, and Downtown clubs, the Metropolitan Museum of Art, American Geographical Society, and was one of the Committee of Seventy of 1894.



STONE, THOMAS ROBLEY (born at Princess Anne, Somerset county, Maryland, September 1, 1857), is the son of Thomas Waters Stone and Leah Holbrooke Jones. His great-grandfather, Thomas Stone, was one of the Maryland signers of the Declaration of Independence. He attended Washington College in Maryland, completing the junior year, studied law with John W. Cristfield at his native town, and was admitted to the bar at Fredericktown, Missouri, October 3, 1878. He began practice in the City of Saint Louis, in the law department of the St. L., I. M. & S. Railway company. In March, 1880, he organized with his brother, William S. Stone, the firm of Stone & Stone, which still continues, being now located in Buffalo. He has practiced, successively, in Alpine, Colorado (March, 1880 to November, 1882), Albuquerque, New Mexico (November, 1882, to 1887), Kansas City, Missouri (1887 to 1892), and Buffalo (since 1892).

Mr. Stone is a democrat in politics, and has been active in the support of the principles of his party.



**STONE, WILLIAM SAVAGE** (born in Baltimore, Maryland, February 16, 1855), is the elder brother of the preceding. He was educated at Saint John's College (Maryland) and the University Law School of Maryland, also pursuing legal studies with John W. Cristfield. He was admitted to practice law in Baltimore in 1875. Removing to the west he was appointed assistant attorney to the Saint Louis, Iron Mountain & Southern Railway Company. In this capacity he continued until the formation of the partnership of Stone & Stone. (See the preceding sketch.) He still remains at the head of that firm, which is well known at the Buffalo bar.

While in the southwest he was one of the builders of the W., M. & W. Railroad of Texas, and was its vice-president. He served as county attorney of Bernalillo county, New Mexico.



**STORMS, WILLIAM TEN BROECK** (born in Clarkstown, Rockland county, New York, February 17, 1841), is the son of Abraham J. Storms and Sarah Smith Ten Broeck. His father carried on a cedar cooperage business at Nyack, and was the first to introduce water power, and afterwards steam power, in manufacturing cedar ware. His grandfather, John Storms, and great-grandfather, Abraham Storms, were soldiers, respectively, in the war of 1812 and the Revolution, Abraham being confined by the British for about a year in the old Sugar House in New York City. The first county clerk of Rockland county was an ancestor of Mr. Storms. On his mother's side he is connected with the prominent Ten Broeck family of New Jersey.

He received a common school education, afterward taking an academic course at Nyack, studied law with Thomas Lawrence, of New York City, and Edward Wells, of Peekskill, and was admitted to the bar at a special term at Poughkeepsie, May 16, 1866. After practicing for a time in New York City he removed to Nyack, preferring country business. He has since been a leading practitioner there, although a considerable part of his practice has been in New York City, in connection with the Surrogate's Court. He has obtained a large clientage in equity causes and surrogate's business, and also devotes much of his professional attention to the interests of several large estates.

He was the first clerk of the Village of Nyack, and has at various times been a republican candidate for district attorney, the assembly, and county treasurer, his election having been uniformly prevented, however, by the large democratic majority in Rockland county. He has been and still is prominently identified with the Nyack Building Co-operative Savings and Loan Association, and is a member of the State Bar Association.







Chas F. Jabon



WAN, CYRUS (born in Sharon, Litchfield county, Connecticut, March 15, 1820), is the son of Cyrus Swan and Rachael, daughter of David Gould. His father was a lawyer and farmer, and held the office of judge of Litchfield county, Connecticut. The son received a thorough academic education, and was for two years a student in Yale College. He was trained for the bar in the office of Johnston & Cole, in Poughkeepsie, New York, and was licensed to practice at a general term of the Supreme Court at Rochester, October 28, 1842, Chief-Justice Samuel Nelson presiding. He was subsequently admitted as a solicitor in chancery before Chancellor Reuben H. Walworth, November 3, 1843. He has always practiced in Poughkeepsie, and still resides there, being one of the oldest and most esteemed representatives of the Dutchess bar.

Mr. Swan was the confidential friend and legal adviser of Matthew Vassar, founder of Vassar College, from the time of his admission to the bar until Mr. Vassar's death. He drafted the charter of that institution and procured its passage by the legislature, was counsel and secretary to the trustees during the early years, and drew the contracts for its construction and equipment, also exercising general superintendence until the completion of the buildings and the successful opening of the college and for some years thereafter. He is still one of the trustees of the college.



ABOR, CHARLES FRANKLIN (born in Saint Joseph county, Michigan, June 28, 1841), is the son of Silas and Betsey E. Russell Tabor. In the paternal line he comes from an original Welsh ancestry, and in the maternal he is of Dutch descent. When he was two years old his parents removed from Michigan to Erie county, New York. He attended public schools, the Clarence and Williamsville Academies (Erie county) and the Lima Seminary (Livingston county). Although prepared to receive a collegiate education he did not enter college.

Upon leaving school he became a student in the law office of Honorable James M. Humphrey, of Buffalo. He was admitted to the bar in November, 1863, at Buffalo, and immediately entered upon his profession in that city. He has been in continuous practice there since, except during the period of his service in the attorney-general's office. His present firm, Tabor & Wilkie, in which Lafay C. Wilkie is associated with him, is one of the best known law firms at the bar of Buffalo and Western New York.

Mr. Tabor has had a very prominent public career, which, in the main, has been in the line of his profession. In politics he has from his youth been devoted to the principles of the democratic party. He served in the assembly in 1876 and 1877 as a representative from Erie county, making a highly creditable record in that body, and in 1880,

1881, and 1882 was a member of the county board of supervisors for the Town of Lancaster. In 1883 he was the candidate of the democratic party for county judge, and although the normal republican majority in Erie county is quite large he was defeated by only seventy-eight votes. He acted for some time as attorney for the board of supervisors. In June, 1885, he became 1st deputy attorney-general of the state under Attorney-General Denis O'Brien. In the fall of 1887 he was elected to the office of attorney-general, and in 1889 he was re-elected. He retired from that position on the 1st of January, 1892.

Mr. Tabor's legal services to the people in his official character have been of very unusual significance, interest, and value. As attorney to the board of supervisors of Erie county, he successfully conducted the important case of Board of Supervisors *vs.* Jones (119 N. Y., 339), which involved the question of county treasurers' fees, and also tried other cases of considerable noteworthiness. As attorney-general of the State of New York for four years he had charge of a variety of suits of fundamental importance, in some of which the decisions are landmarks of New York state jurisprudence.

While serving as attorney-general he carried to a successful issue the celebrated "Sugar Trust Case" (121 N. Y., 582). In *People vs. Cook* (110 N. Y., 443) he succeeded in establishing the principle that where railroad franchises are sold under foreclosure proceedings companies reorganizing must pay the state tax upon such reorganization. In the cases of *People ex rel. Brush E. M. Co. vs. Wemple* (129 N. Y., 543) and *People ex rel. American C. & D. Co. vs. Wemple* (129 N. Y., 558) he obtained a decision settling the law as to the liability for taxes of domestic corporations doing business within the state. Among the other important cases argued by Attorney-General Tabor affecting vital issues of taxation may be mentioned: *People ex rel. S. C. Oil Co. vs. Wemple* (113 N. Y., 64), in which foreign corporations doing business in this state are declared to be liable for taxation; *People ex rel. Platt vs. Wemple* (117 N. Y., 136), establishing that "joint stock associations" are liable for taxes the same as corporations; *Central Trust Company vs. N. Y. C. & H. R. R. Co.* (110 N. Y., 250), affirming that the claim for taxes against a railroad company is paramount to any other claim, and *Home Insurance Company vs. New York* (134 U. S., 594), setting forth the doctrine that a corporation is liable for a tax upon its franchises and is not exempted therefrom because its capital stock is invested in United States securities. Concerning matters of the limitations of state powers, etc., some of the leading points of law determined in suits decided during his term of office are the following: that a citizen cannot maintain an action against the state except when the state has assumed liability by legislative enactment (*Speltz vs. the State*, 108 N. Y., 205); that the legislature has no power to authorize the board of claims to hear

cases which as between citizens would be outlawed (*Gates vs. the State*, 128 N. Y., 221), and that the governor, as commander-in-chief, can disband a company of the national guard (*People ex rel. Leo vs. Hill*, 126 N. Y., 497). It was under Mr. Tabor's administration of the attorney-general's office that the constitutionality of the "electrocution law" was determined, in the case of *People vs. Kemmler* (119 N. Y., 569), the decision of the Court of Appeals being affirmed by the Supreme Court of the United States.

Mr. Tabor since 1892 has devoted himself actively and without interruption to the practice of his profession.

In 1893 he was appointed a trustee of the Buffalo Law Library, an honorable office which he still holds.

On December 24, 1863, he married Phebe S. Andrews.



**TAYLOR, EDWARD JAMES** (born in Lockport, New York, January 2, 1856), is the son of James D. Taylor and Ursula M. Moore. He received a common school education, was prepared for the profession of the law under the direction of William S. Farnell, and was admitted to the bar at Rochester in April, 1880. He has since been in constant practice in Lockport. He is the senior member of the firm of Taylor & Nichols, in which Charles L. Nichols is associated with him.



**TOMPKINS, ARTHUR SIDNEY** (born in Schoharie county, New York, August 26, 1865), is the son of Sidney B. Tompkins and Mary H., daughter of Reverend Isaac Yocum, a prominent baptist clergyman. His grandfather, Elias Q. Tompkins, of Yorktown, Westchester county, was for years a justice of the peace and supervisor of that town, and was prominent in the republican politics of the county. He died at the age of ninety-four.

Arthur S. Tompkins was educated in the public schools of Clarkstown and Nyack, Rockland county, leaving school at the age of fourteen. He read law, successively, with Honorable Seth B. Cole, of Nyack, Henry C. Griffin, of Tarrytown, and Abram A. Demarest, of Nyack, and in 1886 was admitted to the bar at Poughkeepsie. He soon afterward entered upon his profession at Nyack, where he still resides and practices.

Although a comparatively young member of the bar, Mr. Tompkins has obtained a recognized position as one of the leaders of the Rockland county bar. In 1894 he was elected county judge and surrogate, an office which he still holds. For several years prior to his election to that position he was concerned in the trial of almost every important case, both civil and criminal, arising in the county. With Honorable Clarence Lexow he defended Honorable Frank P. Demarest, a former

assemblyman, who was tried on the charge of forgery, and obtained his acquittal. He secured several large verdicts in personal injury cases, one of them resulting in the payment of more than \$12,000 by the Erie Railroad Company, after affirmance by the Court of Appeals. In the celebrated suit brought by William R. Thompson, editor of the *Nyack Evening Star*, against George A. Blauvelt, for alienation of Mrs. Thompson's affections, he was the plaintiff's attorney and obtained for his client a verdict of \$10,000.

Besides his present position of county judge and surrogate he has held the offices of police justice of Nyack (1887), and member of the assembly from Rockland county (1890).

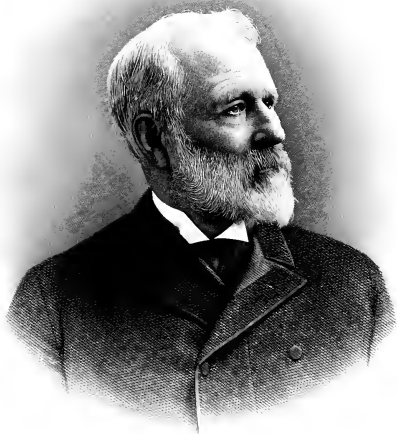
He has from youth taken an active interest in politics as a republican, and has been a delegate to almost every congressional and senatorial convention since he became of age. In 1888 he was chairman of the republican county committee. For several years he has been a delegate to judiciary conventions in and for the 2d judicial department, and in 1896 he was temporary and permanent chairman of the judiciary convention held in Brooklyn.

Judge Tompkins is also prominent in the local affairs of Nyack and in social and other organizations. He is a member and director of the Nyack Board of Trade, and for ten years has been president of the Mazeppa Steam Fire Company No. 2, a volunteer fire company. He is a member and trustee of the 1st Baptist Church of Nyack. He is a director of the local Young Men's Christian Association, and is a member of the Oddfellows, the Improved Order of Red Men, the Foresters, and the Royal Arcanum, and is master of Rockland Lodge No. 723, F. and A. M., in all of which orders he is active and prominent.



**TRACY, BENJAMIN FRANKLIN** (born in Owego, Tioga county, New York, April 26, 1830), is the son of Benjamin Tracy, a farmer, whose family came originally from Ireland, settled in Vermont, removing later to Massachusetts, and finally to New York. He was brought up on the farm until sixteen years old, attending the common schools and Owego Academy. At the age of nineteen he began the study of the law in the office of Davis & Warner at Owego, and was admitted to the bar in May, 1851. He was in active practice in Owego for ten years, being successfully pitted against the veteran lawyers of the county. In November, 1853, he was elected district attorney of Tioga county, being the only candidate on the whig ticket elected. Three years later he was re-elected for a second term. He was active in connection with the formation of the republican party in that part of the state, and became one of its local leaders.

In 1861 he was elected to the assembly, was instrumental in the



*A. F. Lucey*





election of Henry J. Raymond as speaker, and was made chairman of several of the most important committees. With George Dawson, of the Albany *Evening Journal*, he was active in bringing about an alliance between the war democrats and the republicans. Authorized July 22, 1862, to raise a regiment in his district, in less than two weeks he reported his regiment full and was appointed colonel. Receiving authority, he also raised another regiment within a month, and would have raised a third, but was not authorized. His regiment was assigned to duty in connection with the defense of Washington, and later in Northern Virginia. It afterward formed part of the 9th army corps, and was actively engaged in the Virginia campaign of 1864. At the battle of the Wilderness the brigade was on the extreme right, and took part in some of the heaviest fighting of the day. Under the heavy fire a portion of the line gave way. At this critical moment Colonel Tracy seized the colors and carried his men forward with a charge. This movement resulted in the capture of the works, and for his gallantry he was awarded a medal of honor. Soon after, being prostrated by sickness and sent home, he tendered his resignation, but in the fall re-entered the service as colonel in command of the important post at Elmira, New York, where there were a large number of confederate prisoners and a camp and draft rendezvous. At the close of the war he resigned, having been commissioned brigadier-general.

July 1, 1865, General Tracy entered the law firm of Benedict, Burr & Benedict, of New York. Six months later he removed with his family to Brooklyn, where he continued to reside for many years. October 1, 1866, he was appointed United States attorney for the eastern district of New York, and at once declared war against illicit distilling carried on through official connivance. He convicted and sent to prison violators of the law in office and out of office, and stamped out the business. In 1868 he was frequently consulted on the subject of revenue legislation, and drafted for the congressional committee the law relating to distilled spirits, which became the foundation of our present internal revenue system.

Absorbed in his practice during the eight years following, General Tracy rapidly attained a recognized place among the leaders of the bar. His attention was given both to civil and criminal cases. He was associated with William M. Evarts, Thomas G. Shearman, and John K. Porter in defense of the famous suit brought against Henry Ward Beecher by Theodore Tilton, delivering the opening address on his side, and with Mr. Evarts conducting the cross-examination of the two principal witnesses, Tilton and Moulton. He was also counsel for Judge Charles L. Benedict in the interesting suit of Lange *vs.* Benedict (73 N. Y., 12) to recover damages for a sentence imposed by Judge Benedict in a trial in the United States Circuit Court, the United States Supreme Court having declared that the judge had exceeded

his power. It was held, however, that, being a judge of a court of general jurisdiction, he was not liable for a judicial act in a matter within his jurisdiction, although the act was excessive. Other interesting cases were the contest between Daly and Livingston for the surrogate's office in Brooklyn; the *People vs. the Commissioners of Public Works of Brooklyn*, in which he convicted the board and turned them out of office; the *People vs. the Commissioners of Charities*, securing a reversal for the commissioners in the Court of Appeals after their conviction in the Supreme Court, and the suit of Kingsley and Keaney, contractors, *against* the City of Brooklyn, for whom he recovered a hundred thousand dollars. During this period he also appeared for the defense in five murder trials, in four of which he secured an acquittal.

On December 8, 1881, he was appointed by Governor Cornell to the seat on the bench of the Court of Appeals made vacant by the resignation of Judge Folger and the assignment of Judge Andrews as chief-judge. He occupied this position until succeeded through the election of Chief-Judge Ruger, January 1, 1883. His opinions appear in Volumes 88, 89, and 98 of the New York Reports. The important cases in which he wrote the opinion of the court include *Story vs. the New York Elevated Railroad Company* (90 N. Y., 122), establishing the fundamental principles of law applying to damages to abutting property, which have been regarded as controlling in these cases ever since; *Stewart vs. the Brooklyn Crosstown Railroad Company* (90 N. Y., 588), maintaining the liability of a common carrier, under his contract, for injury to passengers arising from the willful misconduct of his employee; *Goodale vs. Lawrence* (88 N. Y., 513); *Thorp vs. Thorp* (90 N. Y., 603), deciding that a marriage contracted in another state, if valid there, is valid here, even though the parties remove for the purpose of evading the laws of this state; *Conger vs. Duryea* (90 N. Y., 595), involving the principle that an acceptance of rent by a lessor, after knowledge of a breach of the covenant on the lessee's part, was a waiver of the forfeiture and an affirmance of the lease; *Ellis vs. Hoorman* (90 N. Y., 467), an important case in mortgage law; *Smedis vs. the Brooklyn & Rockaway Beach Railroad Company* (88 N. Y., 13), involving the question of the duty of a traveler approaching a railway crossing to look and listen for an approaching train; *Sheldon H. B. Company vs. Eick Meter H. B. M. Company* (90 N. Y., 607), involving the doctrine of equitable estoppel, and *Trustees of the Academy vs. Kechnic*, the last case in which he wrote an opinion, involving an interesting point in mortgage law. Upon leaving the Court of Appeals he resumed the practice of law, appearing as counsel in many important cases. These included a reversal in the Court of Appeals on the ground of error in the case of Alderman McQuade, convicted of bribery.

For many years General Tracy had been active in republican poli-

tics in the City of Brooklyn. In 1880 he was a delegate to the Chicago convention which nominated Garfield for the presidency, being one of the famous "306" who held out to the end for the nomination of General Grant. In 1881 he was the republican candidate for mayor of Brooklyn, and by his withdrawal in favor of Seth Low insured the inauguration of a reform government. In 1882 he was a candidate for judge of the Supreme Court, 2d department, on the Folger ticket, and shared in that overwhelming defeat, though receiving 23,000 more votes than the rest of the ticket. In 1889 he was chosen as secretary of the navy in the cabinet of President Harrison, his name having been found on both lists of acceptable persons submitted by the rival republican factions in this state. His success in the administration of the navy department is universally recognized. Taking up the work of naval reconstruction where Secretary Whitney had left it and striking out in new paths, he succeeded in giving the United States the nucleus of a navy second to no other in the world in the character of its ships. The three types of ship projected and constructed during his administration, represented by the battleship *Indiana*, the armored cruiser *New York*, and the protected cruiser *Columbia*, are recognized the world over as the most successful types of war vessels at the present day. His administration also witnessed the creation and development of the naval militia, and was characterized by reforms both in the methods of employing labor at navy yards, which had previously been the seat of political corruption, and in the purchase of supplies and the methods of account and disbursement of the public funds. As a member of the cabinet he also boldly enunciated the principles of international law governing the right of asylum in foreign ports in the *Barrundia* case, and drew up a definition of neutral duties as applied to the commanders of vessels of war during the Chilian revolution. The position finally adopted by this government in reference to the Behring Sea question was first suggested and outlined by him. He contributed a notable article to the *North American Review* during the pendency of the discussion, in which he took the ground that the right of protection of the seals is a consequence of the right of property of the United States in the seals themselves. Ex-Secretary of State John W. Foster, in an article in the *North American Review* for December, 1895, said:

The right of protection or property in the seals, which in the judgment of the counsel of the United States became the leading if not the only defense of the seizures, was not advanced in the legal proceedings of 1887, and was not mooted until a late stage of Mr. Blaine's controversy with Lord Salisbury. The chief credit for the development of this point is due to Mr. Tracy, secretary of the navy, who submitted a paper of rare legal ability on the subject to the president.

At the end of the Harrison administration General Tracy resumed

the practice of the law, and he has since been counsel in a number of important cases. He took the leading part in the prosecution of John Y. McKane, who was convicted and sent to prison, the attempt to reverse this judgment on appeal proving unsuccessful. He defended Erastus Wiman, indicted for forgery, and finally obtained a triumphant victory in the Court of Appeals (146 N. Y., 29). He also defended the sheriff of New York, indicted for criminal negligence in permitting the escape of certain federal prisoners from Ludlow street jail, securing a disagreement and substantial victory for the defense.

General Tracy was appointed by Governor Morton one of the nine commissioners to draft a charter for the Greater New York, and by his colleagues was unanimously chosen as president of that commission.



**RAPP, JOHN JACOB** (born in Bayside, Queens county, New York, May 16, 1866), is the son of George and Margarett Trapp. He was graduated at the Flushing High School as the valedictorian of his class, entered Columbia College Law Schol, and was graduated at that institution in 1888 with the degree of bachelor of laws. He also pursued legal studies with Benjamin W. Downing, ex-district attorney of Queens county. He was admitted to the bar in Brooklyn, September 20, 1888, and soon afterward entered upon his professional career at Flushing, where he still practices.

Mr. Trapp has attained prominence among the younger members of the bar of Queens county. In 1892 he defended James L. Hamilton, a colored minister charged with the murder of his wife. He was counsel to the Flushing board of excise for five years previously to 1896. He is at present attorney for the Business Men's Mutual Protective Association of Flushing, and also for the Fidelity and Deposit Company of Maryland.

He has held the office of town clerk of Flushing for two years (1889-90).



**RAVIS, DAVID WILEY** (born in Cortlandt Town, Westchester county, New York, January 15, 1824), is the son of David E. Travis and Alchy Tice. His father was a farmer by occupation and was of English descent, and his mother was of German ancestry. His youth was spent in working on the farm and attending the district school during the winter, until he was sixteen years of age. He then attended the Peekskill Academy, and continued there nearly four years. His ardent desire, at this time, was to enter the Military Academy at West Point, but owing to the objections urged by his parents he abandoned the idea and commenced the

study of law in the office of William & T. Nelson, at Peekskill. He was admitted to practice as attorney in 1846, and as solicitor in chancery, under the old constitution, the following winter. He commenced practice in Peekskill in April, 1847, and by unflinching industry, notwithstanding the competition of old established lawyers, soon built up a successful business.

Mr. Travis was originally a whig. Though not ambitious for office, in 1853 he was nominated for the assembly, but a third candidate running he was defeated by his democratic opponent, by a small majority. The legislature of 1854 having passed an act authorizing the election of a police justice for the Village of Peekskill, Mr. Travis was nominated for that office by the whigs and indorsed by the "Americans," who had not yet become a distinct party. He was elected by a flattering majority, and held the office for a period of five years. In 1855 he was a delegate from his district to the whig convention held at Syracuse, and was present at the formation of the republican party. He acted with the majority of the whigs in joining the republicans, and has since continued true to the organization throughout its successes and its defeats. In the fall of 1866 he was again nominated for the assembly, and although Westchester county had just been re-districted, as it was thought unfavorable for his party, he was elected to represent it by over 600 majority. He served during the session of 1867 on the committee on commerce and navigation.

Resuming practice upon his return from the legislature, he declined further candidacy for office until the spring of 1878, when, under urgent pressure from his party, he took the nomination for supervisor against Coffin S. Brown, democrat, who had held the office for a long time, and was successful by a majority of over 600. In the fall of the same year he was again elected to the assembly from the 3d assembly district of Westchester county, and served on the committees on judiciary, printing, and contested elections. He was returned the following year and served on the committees on judiciary and contested elections. When, in 1867, Mr. Travis voted for the first appropriation for the new capitol, he promised himself that if he lived he would be among the first entitled to a seat in that building as a member. To carry out this promise, by a friendly arrangement with Mr. Travis, General Husted, who had represented the 3d district for a number of years, went over to Rockland county, and Mr. Travis took the nomination from Westchester.

In later years Mr. Travis has confined himself closely to professional duties, giving attention to a wide and busy practice. He has been appointed on two commissions to appraise lands taken by New York City for water purposes, and is still serving on one of them. He has been master of a Masonic lodge in Peekskill, and is a member of all the political clubs of his party in the town.

He was always a zealous worker in the field of politics. He is al-

most invariably present at conventions of his party, and has a measure of influence in them which is much regarded.

In November, 1847, he married Catharine M. Hunt, daughter of Stephanas and Phebe Hunt, of Cortlandt Town. They have one daughter, the wife of William L. Craig, of the health department, New York City.



**RUAX, CHARLES HENRY** (born in Durhamville, Oneida county, New York, October 31, 1846), is the son of Henry Philip Truax and Sarah Ann, daughter of Gilbert Shaffer, of Columbia county, New York, and sister of the well-known lawyer of New York City, the late Chauncey Shaffer. He is lineally descended from Philippe du Trieux, one of the French Walloons who were the first settlers in New Amsterdam. He came over in 1623 and was court messenger under Governor Peter Minuet.

Judge Truax attended public schools, Vernon Academy, Oneida Seminary, and Hamilton College, leaving the latter the first term of the junior year. He subsequently received the degrees of master of arts and doctor of laws from Hamilton College. In 1868 he came to New York and studied law with his uncle, Chauncey Shaffer, and before a year had elapsed was admitted to the bar and entered into active practice with his uncle. He enjoyed a successful business, exhibiting marked ability in litigated cases, while at the same time developing the judicial temperament which has characterized him on the bench.

In 1880 he was elected a judge of the Superior Court of the City of New York for the term of fourteen years, expiring in 1894. His more notable decisions include the cases of *Williams vs. the Western Union Telegraph Company*, confirming the right of corporations to consolidate and issue new stocks, and *Abendroth vs. New York Elevated Railway Company*, involving important questions affecting the rights of owners of real estate to recover damages. After his retirement from the bench in 1894 Judge Truax resumed the practice of law in association with his brother, Chauncey S. Truax.

In the fall of 1895 he was elected to the Supreme Court of the 1st judicial district for the term of fourteen years, beginning with January 1, 1896. He was a delegate to the constitutional convention of the state in 1894.

He is a member of the Manhattan and New York Athletic clubs and the Holland and Saint Nicholas societies. He is a trustee of the Mott Memorial Library. He gave a library of 1,250 volumes to Hamilton College, and is the possessor of a choice private library, containing about ten thousand volumes.



**TULLY, WILLIAM JOHN** (born in Corning, New York, October 1, 1870), is the son of Joseph J. and Sarah Tully, both born in New York City. His father has been engaged in glass manufacture since 1858, and since 1868 has been connected with the Corning Glass Works. He attended the public schools and academic institutions in Corning and Brooklyn, and the Brooklyn Polytechnic Institute, and then took the course of legal study at the Columbia College Law School (1890-91), subsequently being a student in the New York Law School, from which he received his diploma of bachelor of laws in 1892 as a member of the first class graduated from that institution. In addition to his law school studies he read law with Honorable George B. Bradley, of Corning, justice of the Supreme Court, and with Glover, Sweezy & Glover, of New York City. He was admitted to the bar at Buffalo, January 5, 1893, and the next month began practice at Corning, where he still resides. On January 1, 1896, upon the retirement from practice of Honorable George T. Spencer, of the prominent old law firm of Spencer & Mills, he formed a copartnership with its junior member, Ellsworth D. Mills, under the name of Mills & Tully. Mr. Mills died May 1, 1896, and since then Mr. Tully has continued the business of the office alone.

From 1894 to 1896 he held the office of recorder of the City of Corning.

Before engaging in the profession of the law Mr. Tully contemplated becoming a journalist. He did considerable work in this connection, especially in Steuben county, being identified with local papers and a frequent contributor to them, and also a representative of several New York journals.



**TUTTLE, DUANE BYRON** (born in the Town of Irwin, Steuben county, New York, February 25, 1864), is the son of Charles and Mary N. Clark Tuttle. He was graduated at the Cazenovia Seminary in 1888. He served his legal clerkship in the offices of Lewis, Moot & Lewis and Macomber & Wende, meantime attending lectures at the Buffalo Law School. In January, 1892, he was admitted to the bar at Buffalo. He soon afterward engaged actively in his profession in that city, where he is still in successful practice.



**UNTERMAYER, SAMUEL** (born in Lynchburgh, Virginia, March 2, 1858), is the son of Isidor and Therese Untermyer. His father was a Virginia settler and tobacco planter who lost everything through loyalty to the confederacy, and died upon the receipt of the news of Lee's surrender. His

mother converted the remnants of her property and came with her six children in 1868 to New York, where she supported and educated her family by her unaided efforts. Mr. Untermeyer was educated in the public schools of the city, attended a single year at the College of the City of New York, and entering his brother's law office and attending the Columbia College Law School was graduated from that institution in 1878, and admitted to the bar the following year.

He at once commenced the practice of law by himself, and at twenty-six years of age had been engaged in some of the most important litigations. In the Bauer and Betz case the principle was established that a lawyer who advises a partner to issue partnership paper in violation of the partnership obligations, with a view of converting the proceeds to his own use, is guilty of conspiracy and liable for all the damages suffered by the aggrieved party. In this case the lawyer was held liable for upward of \$52,000 for conspiracy. He was also counsel for the English syndicates that were for many years engaged in the purchase of our largest breweries, steel works, and other industrial enterprises. It was through his energies that these investments were inaugurated and have been continued. He also organized many of the largest home trusts and trade combinations throughout the United States, and has been for many years the counsel of such corporations. As counsel for the National Wall Paper Company, a consolidation of the wall paper manufacturers of the United States, he successfully defended that corporation from the attacks made upon its legality under the anti-trust laws.

Other important litigations under the anti-trust laws with which he has been connected include the whisky trust case, and the action against the Central Stamping Company, a combination of manufacturers of tinware, in which he succeeded in maintaining a suit in the name of the attorney-general enjoining the further continuation of the business of this corporation. He also represented the brewers' associations throughout the State of New York in the attack on the constitutionality of the Raines liquor tax law.



**VANAMEE, WILLIAM** (born in Albany, New York, January 9, 1847), is the son of Doctor Simon Vanamee and Anna Graham. His father was of Dutch and his mother of Scotch descent. Although he is not a college graduate, the degree of master of arts was conferred upon him in 1886 by Hamilton College. He studied law in Middletown, Orange county, with Judge William J. Groo, and was admitted to the bar at Poughkeepsie in May, 1868, in the same class with Judge C. F. Brown and Judge M. H. Hirschberg. He practiced law in Middletown from that time until 1896, when he removed to Newburgh.

Mr. Vanamee was for many years a member of the board of trustees



of the Middletown State Homœopathic Hospital, and also served for a long period as a member of the Middletown board of education. He has never been a candidate for public office except in 1888, when he ran on the democratic ticket for the position of county judge. In 1894 he was appointed one of the commissioners of appraisal to determine and award the damages sustained by property owners in Putnam county in the proceeding taken by the City of New York to acquire land for a pure water supply.

He has been for several years the attorney for the New York, Ontario & Western Railway Company in Orange county. In 1894 Mr. Vanamee obtained a verdict in favor of Gabriel Tuthill *against* the Long Island Railroad Company for \$18,500, in an action for negligence.



**VAN BRUNT, CHARLES H.** (born in Bay Ridge, Long Island, in 1836), is descended from an old Holland family. He was graduated from the University of the City of New York in 1856, and studying law in the office of Judge Leonard and Governor John T. Hoffman was admitted to the bar in 1860. He continued with this firm as confidential clerk, and later as a partner. He was at one time counsel to the city chamberlain.

In 1869 he was appointed a judge of the Court of Common Pleas to succeed Judge Brady, who had been elected to the Supreme Court. In 1870 he was elected to succeed himself for the term of fourteen years. In 1883 he was elected to the Supreme Court, and he is now presiding justice of the appellate division of the Supreme Court for the 1st judicial district, created by the constitution of 1894.

Judge Van Brunt is a member of the Manhattan and Lotus clubs and the Saint Nicholas Society, and one of the council of the University of the City of New York. He has been twice married. His only son, Arthur H. Van Brunt, is a lawyer engaged in practice in New York City.

"Judge Van Brunt has been conspicuous for promptitude, energy, industry, and extraordinary facility in dispatching business with rapidity."<sup>1</sup>



**VAN DUSEN, ALMON AUGUSTUS** (born in Jamestown, Chautauqua county, New York, January 3, 1845), is the son of Benjamin F. and Melitabel Van Dusen, and is a descendant of Abraham Van Dusen, one of the pioneer settlers of Salisbury, Connecticut.<sup>2</sup> He attended the common schools of James-

<sup>1</sup> Brooka's "Common Pleas, p. 104

<sup>2</sup> The line of descent is as follows: Abraham Van Dusen<sup>1</sup>; Hendrick Van Dusen<sup>2</sup>; Ahran Van Dusen<sup>3</sup>, married a Miss Chipman; John Van Dusen<sup>4</sup>, married Rachel

Belden; John Van Dusen<sup>5</sup>, married Mary Forbes; Benjamin F. Van Dusen<sup>6</sup>, of Jamestown, New York, married Melitabel Lovell; Almon Augustus Van Dusen<sup>7</sup>.

town, the Jamestown Academy, and the Chamberlain Institute at Randolph. Upon leaving school he became a student of the law under Alexander and Porter Sheldon, of Jamestown, and in November, 1866, was admitted to the bar. He began the practice of his profession in the Village of Sherman, Chautauqua county. From that place he removed, in 1871, to Mayville, where he continued in active practice until his elevation to the bench, and where he still resides.

On January 2, 1890, he was appointed county judge of Chautauqua county, and in November of the same year he was elected to succeed himself for a term of six years.

Mr. Van Dusen was a model judge. When he was promoted to the bench he took with him the experience of a large and varied practice, an innate judicial balance, and the confidence of the profession and the people of the county in which he lived. His record as county judge was most excellent from every point of view, and very properly commended him to his associates; and in 1895 he was nominated by the democratic party for judge of the Supreme Court.

Judge Van Dusen has always taken a warm interest in public education. While living at Sherman he was president of the board of education of that village, and he has for many years held the same position in Mayville. He was also for a long period president of Mayville village. As the incumbent of that office he was largely instrumental in establishing a fine system of water-works under municipal ownership.



**VAN ETTEN, JOHN E.** (born in the Township of Kingston, now Woodstock, Ulster county, New York, April 2, 1830), is the son of John Aaron Van Etten<sup>1</sup> (born in Ulster county, May 19, 1801, died in Kingston, May 3, 1888), and Rebecca Vredenburg. His father, distinguished for his giant strength,<sup>2</sup> in 1869 sold his farm in the township, retired from business, and removed to the City of Kingston, where he lived until his death.

John E. Van Etten was educated at Albany under the famous author and educator, George R. Perkins. He graduated in 1850, devoting a subsequent year to the classics, after which he studied law in the City of Kingston with Erastus Cooke, late justice of the Supreme Court. He was admitted to the bar of the state in 1856, and of the United States in 1867.

<sup>1</sup> The family takes its name from the City of Etten, in North Brabant, Holland, the surname Etten having been adopted in place of Jansen in 1665 by the first emigrant to this country, Jacob Jansen Van Etten—the prefix Van, originally Von, meaning from. A descendant, John, born May 31, 1759, was in Morgan's regiment of sharpshooters, and may have been the man who mortally wounded Colonel Frasier. The gun he used in battle is now in the possession of his grandson, John E. Van Etten. A son of this John, Jonas, served in the war of 1812.

The line from the American ancestor is as follows

Jacob Jansen<sup>1</sup>; John<sup>2</sup>; Peter<sup>3</sup>; Aaron<sup>4</sup>; John<sup>5</sup>; John Aaron<sup>6</sup>; John E<sup>7</sup>.

<sup>2</sup> It is recorded of him that while yet a mere lad he and his father were attacked by a pack of wolves at night in a dense forest. They defended themselves with clubs and killed several, and finally built a fire with flint and steel. The wolves thereupon dispersed.

The Van Ettens were all men of prodigious strength and famous athletes. Aaron and his three sons and John and his three sons each stood six feet in his stockings and weighed two hundred pounds.



*John E. Sawlitt*



Mr. Van Etten rose rapidly as a distinguished and able lawyer, and in his extensive practice has been successfully engaged in the most intricate and noted cases brought before the Ulster county bar. He was counsel in the important litigation of *Whittaker vs. Burhaus*, involving the title to lands under tidewater in the Hudson river, which arose under a patent of King George III. of Great Britain. Beaten in the case at circuit and at general term upon two previous decisions of the same point, Mr. Van Etten, through an exceedingly learned and exhaustive opinion written by Professor Dwight (65 N. Y., 559), secured a reversal in the Commission of Appeals. When the new trial was held he was successful on every point. In *Wyman vs. Smead* he was beaten at the circuit by the court applying the rules of commercial paper to the assignee of a mortgage, but at the general term (31 How. Pr. R., 1) secured a reversal upon the contention that an assignee of a mortgage, though a purchaser in good faith and for a valuable consideration, stands in no better position than his assignor. Other leading cases were those of *Tillson vs. Terwilliger* (50 N. Y., 273) and *Donovan vs. Van Demark* (78 N. Y., 244). The latter involved the question of active and passive trusts. At the circuit and general term the courts ruled against Mr. Van Etten, holding that the trust in the case was passive and void; but in the Court of Appeals, through the keen analysis, attended with the conclusive array of minute circumstances and distinctions, with which the case was presented, the decision of the lower tribunals was reversed. Judge Nelson, who at the time had a somewhat similar suit following, in open court rested it entirely upon Mr. Van Etten's argument and won. Judge Ingalls, referring to the brief, remarked that during his twenty-five years on the bench he had never seen one so able. Although the case went a second time to the Court of Appeals (88 N. Y., 668), Mr. Van Etten succeeded upon every point. Two previous sheriff's sales, a mortgage and judgment of foreclosure and the deeds under it, were overturned by this case.

Mr. Van Etten has been uninterruptedly devoted to his profession. He has an immense library, at both his residence and his office. With an unblemished private and public character, he stands as not only one of the oldest, but as one of the most able members of the Ulster county, state, and United States bars.

He owns a beautiful home on an elevation within the city limits of Kingston, which is of gradual and easy approach, but five hundred feet above the tidewaters of the Hudson. From its heavenly situation and view it has been named Mount Cælum. It is nearly midway between the Berkshire mountains on the east and the Catskill mountains on the west, and the view is unlimited in every direction as far as the mountains will permit. It overlooks the valley of the Hudson as well as the converging valleys of the Esopus, the Rondout and the Wallkill. The sun rises over the Berkshires and sets over the Cat-

skills, but each day seemingly ten or fifteen feet farther north or south, until he has made a distance along the crests of those mountains apparently of over one hundred miles in his semi-annual journeys. It is not often that such grand operations of nature can be daily seen with the naked eye from one's residence.



**VAN ETTEN, AMOS** (born in Hainesville, Town of Sandyston, Sussex county, New Jersey, August 31, 1852), is a son of the late Amos Van Etten of Port Jervis, New York, and Lydia C., daughter of Captain S. S. Thrall, late of Milford, Pennsylvania. The Van Etten family was prominent in the settlement of the upper Delaware river valley.

Amos Van Etten attended the public schools in Port Jervis, was prepared for college at the Mountain Home Institute of that place, and was graduated from Rutgers College in 1874 with the degree of bachelor of arts. In 1877 he received the honorary degree of A. M. He read law with Carr & Howell, of Port Jervis, and also took the course of study at the Albany Law School, obtaining his diploma in 1876. Being admitted to the bar in May of that year he began practice in Port Jervis. In 1892 he removed to Rondout, where he still resides and practices. While in Port Jervis he served for three years (1884-87) as special county judge of Orange county.

Judge Van Etten is now prominent at the Ulster county bar. He is connected as attorney with the Cornell Steamboat Company, the Ulster & Delaware Railroad Company, the Kingston City Electric Railway Company, and other corporations.



**VAN HOESEN, GEORGE M.** (born in New York City), is of an old Holland family. He was graduated from the University of the City of New York, and studied law in the State and National Law School at Poughkeepsie, New York, becoming also instructor on pleadings and evidence in that institution. He engaged in the practice of law at Davenport, Iowa, until the civil war, when he was commissioned captain of an Iowa company. He was promoted to major for gallantry at Shiloh, and served as provost-marshal for the department of the Mississippi, participating in the siege of Vicksburg.

After the war he engaged in the successful practice of law in New York City. In 1886 he drew up the original legislative bill for an elevated railway, gave the name "elevated" to the proposed structure in place of "aerial," suggested by others. He was elected to the bench of the Court of Common Pleas and served out his term, retiring in 1889. After his retirement he resumed the practice of law, which he has followed since.

He was a trustee of the Holland Trust Company, was a founder and one of the presidents of the Holland Society, was first president of the Beta Psi Club upon its organization in 1882, and is a member of the Manhattan Club and the Saint Nicholas, New York Historical, and American Geographical societies.



**VAN NOSTRAND, CHARLES A. S.**, was born in the Village of Flushing, Queens county, New York, January 7, 1836. His early education was obtained at private schools. On the 22d of February, 1857, he commenced the study of law in the office of John G. Lamberson, Esquire, at Jamaica, Queens county. He afterward attended the law department of the University of Albany, from which he was graduated on May 20, 1859, with the degree of bachelor of laws. He was admitted to the bar the same year in the City of Albany. He then opened a law office in his native village, subsequently removing to Brooklyn. He has confined himself strictly to his legal business, and has built up a large and lucrative practice. His advice and services have been sought in many important legal matters, especially those relating to wills and real estate. He has held no official position save that of town clerk of the Town of Flushing (1861).



**VAN SIELEN, JAMES CORNELL** (born in Jamaica, Queens county, New York, October 15, 1869), is the son of the late Ditmars Van Sielen and Cornelia Remsen, both descended from original settlers of Flatbush, Long Island. He was graduated at the Brooklyn Polytechnic School in 1889 and at Columbia College Law School in 1892, also preparing himself for the legal profession in the office of Roger Foster, Esquire, and was admitted to the bar in Brooklyn at the December term, 1891. Since May 1, 1895, he has been in active and successful practice in New York City. Mr. Van Sielen has assisted in the preparation of several legal works.



**VAN WYCK, ROBERT ANDERSON** (born in New York City, July 20, 1849), is the son of the late William Van Wyck and Lydia Anderson Maverick, and is a lineal descendant in the seventh generation from Cornelius Barents Van Wyck, who came to New Netherland from the Town of Wyck, Holland, in 1650, and was married to Ann, daughter of Reverend Johannes Theodorus Polhemus, the first Dutch Reformed minister in Kings county. The Van Wycks have been connected by intermarriage with nearly all the notable old families of New York, including those of Van Rensselaer, Van Cortlandt, Beekman, Livingston, Gardiner,

Hamilton, Seymour, and Van Vechten. A Netherland branch of the family has flourished contemporaneously with the stem transplanted to New Netherland, bearing to this day the coat of arms brought over by the original emigrant and used by his American descendants. Judge Van Wyck was named for his great-grandfather, General Robert Anderson, of South Carolina, a distinguished army officer in the Revolution. He is also a descendant in the seventh generation from John Maverick, who settled in Charleston, South Carolina, in 1620, and whose brother, Samuel Maverick, settled near Boston ten years later. He is a brother of Judge Augustus Van Wyck, of Brooklyn, and his father was a lawyer of distinction and prominent man of affairs in New York City about sixty years ago.

He received his early education in the public schools of New York City, and in 1872 was graduated from the Columbia College Law School as valedictorian of a class of one hundred and twenty-four students. After his admission to the bar the same year he commenced the successful practice of law. Subsequently he was elected a judge of the City Court of New York, was made its chief-justice, and has been successively re-elected since. Over ninety per cent. of his opinions, rendered in General Term, have been reproduced in the various volumes of published reports.



**IELE, SHELDON THOMPSON** (born in Buffalo, New York, January 4, 1847), is a son of Henry Knickerbacker Viele<sup>1</sup> and Letitia Porter Thompson, and a grandson of the distinguished John Ludovicus Viele.<sup>2</sup> He was prepared for college at Walnut Hill School, Geneva, New York, and was graduated

<sup>1</sup> Henry Knickerbacker Viele, the father of Sheldon T. Viele, was born in Waterford, New York, April 29, 1819, and died in Saint Paul, Minnesota, August 8, 1881. He was graduated in the collegiate course at the Albany Academy, and went to Buffalo when he was about eighteen years of age. He was admitted to the bar at an early age and practiced his profession until 1853, when he retired. He was a counselor-at-law and a master in chancery. In 1850 he was superintendent of schools. During the civil war he was colonel of the 94th New York Volunteers. His wife, Letitia Porter Thompson, was the daughter of Sheldon Thompson, one of the early settlers of Buffalo, and a pioneer in the development of the commerce of the lakes. He was for many years one of the prominent business men and citizens, and was the first mayor of Buffalo elected by the people (1840). He was a descendant of Jabez Thompson, of Derby, Connecticut, an officer in the French war of 1755-63, who was in command of the first troops sent from Derby after the fight at Lexington, and as colonel of his regiment was killed in the retreat from New York, September 15, 1776. He was descended from Anthony Thompson, who embarked at London in 1637 on board the *Hector* with Governor Eaton, Rev. Mr. Davenport, and others of the New Haven colony. They arrived at Boston, June 26, 1637. He signed the New Haven compact, June 4, 1639.

<sup>2</sup> John Ludovicus Viele, grandfather of Sheldon T. Viele,

was born at Pittstown, June 6, 1788, and died at Albany October 29, 1832. He entered Union College in the class of 1811 and remained one year, when he retired with an honorable dismissal at his own request. He then pursued a course of classical studies for fourteen months under a private tutor at New Paltz. He was admitted as attorney and counselor-at-law in the Court of Common Pleas of the County of Rensselaer, October 2, 1812. He went through all the other steps in the profession, being admitted as counselor-at-law in the Supreme Court, August 13, 1817, and counselor in the Court of Chancery, January 22, 1822. Under the first constitution of the state he was a state senator from the middle district in 1822. Under the second constitution he was state senator from the fourth district from 1826 to 1829. As senator he sat in the Court for the Correction of Errors, and his opinions are found in the reports of those years and show judicial ability. He was one of the leading advocates of his section, and when Lafayette re-visited this country he was chosen the orator to receive the distinguished guest on the battlefield of Saratoga. He was elected regent of the University of the State of New York, February 6, 1832. He was a descendant of Cornelius Cornelison Viele, who came to this country from Holland soon after 1630 and settled at Fort Orange (now Albany).

John L. Viele was married in 1810. His wife, Catalina



at Yale in the class of 1868. The degree of master of arts was conferred upon him by the Yale faculty in 1871. He studied law in the office of E. Carlton Sprague, of Buffalo, and was admitted to the bar on November 17, 1869. He remained in Mr. Sprague's office until May, 1874, when he engaged in professional business for himself. His practice has been principally of an office and confidential nature. He is now (1897) the senior member of the well-known Buffalo firm of Viele & Chapin.

In February, 1880, he was awarded the prize (\$250) of the New York State Bar Association for the best essay on the subject, "Is the Common Law a Proper Subject for Codification?" He has published several pamphlets and public addresses. He was one of the historians of the visit of the Holland Society to Holland in 1888, and wrote the first half of the narrative which was published in the transactions of the society.

Mr. Viele has been active and prominent in various philanthropic and reform movements. He was secretary of the first district committee of the original Charity Organization Society of the United States, and has been a member of its board of trustees from its incorporation. There are now about one hundred of these societies in the country. He was one of the members of the first executive committee of the Civil Service Reform Association of Buffalo, was one of a sub-committee of three that obtained the signature of the mayor to the first set of rules promulgated in Buffalo, and was one of a sub-committee of two that persuaded the police commissioners to promulgate their first set of regulations based upon the merit system.

From 1886 to 1889 Mr. Viele held the office of curator of the Buffalo Library. He was for six years a director of the Buffalo Club, was dean of the Saturn Club in 1889, was president of the University Club of Buffalo for three years from its organization in 1894, was president of the D. K. E. Association of Western New York in 1888 and again in 1896, and was president of the Yale Alumni Association of Western New York in 1895-96. He is a member of the New York State Bar Association, of the Holland Society of New York (being its vice-president for Buffalo), the Society of Colonial Wars, the Society of the Sons of the Revolution (having served for two years as president of the Buffalo branch of this society), the Society of the War of 1812, and the Military Order of the Loyal Legion of the United States. He is one of the trustees of Saint Margaret's School, and a vestryman of Saint Paul's Church (Buffalo).

Knickerbacker, was a granddaughter of Colonel John Knickerbacker, of Schaghticoke, who served in the French war and was commissioned as colonel of New York militia October 20, 1775, and was present at the battle of Saratoga. He was a member of the legislature in 1792. He was descended from John van Berghen, called Knickerbacker,

who was the third son of Godfrey van Berghen, Count van Grunberghen. John van Berghen was a captain in the Netherland navy, and after the death of William, the second Prince of Orange, came to New Netherlands and there died in 1656.



AGER, AMBROSE (born in Hillsdale, Dutchess county, New York, November 15, 1815; died in Rhinebeck, New York, June 16, 1883), was the son of Barnet and Lucy Collin Wager. He was graduated at Union College in the class of 1839, studied law with Judge Sanders, of Schenectady, and was admitted to the bar at Schenectady in 1841. He soon afterward entered upon his profession at Rhinebeck, where for forty years he was a successful and prominent practitioner. In 1855 and 1858 he represented Dutchess county in the assembly.



AGER, AMBROSE LEE (born in Rhinebeck, New York, May 5, 1858), is the son of Ambrose Wager (noticed above) and Eliza Farless. He was prepared for college at the De Garmo Institute (Rhinebeck), entered Yale, and was graduated from that institution in 1878. After pursuing legal studies under the direction of his father, he was admitted to the bar, at Poughkeepsie, in May, 1880. He has since been in practice at Rhinebeck.



ALLACE, WILLIAM JAMES (born in Syracuse, New York, April 14, 1837), is the son of E. Fuller Wallace, lawyer and graduate from Dartmouth College, and Lydia Wheelwright. He was prepared for college by private tutors, studied law with the late Honorable Thomas Barlow, was graduated from the Law School of Hamilton College in July, 1857, and admitted to the bar at Syracuse in April of the following year. He subsequently received the degree of doctor of laws from Syracuse University and also from Hamilton College.

He was for many years engaged in the successful practice of law at Syracuse, and in 1873 was mayor of that city. From 1874 to 1882 he was United States district judge for the northern district of New York. Since 1882 he has been United States circuit judge for New York, Vermont, and Connecticut. He has delivered able opinions in a great number of the most interesting cases which have been tried in the United States courts in recent years.



ARD, JOHN ELLIOTT (born in Sunbury, Liberty county, Georgia, October 2, 1814), is the son of William Ward and Annie, daughter of Major Lochlan McIntosh. He was educated in academies in Sunbury and Waltonville, Georgia, and a well-known school in New Haven, Connecticut, and entered Amherst College in 1831, but did not graduate. In 1891 he received the degree of doctor of laws. He studied law in the Harvard Law School and in the office of Hall McAllister, of Savannah, Georgia,

being admitted to the Georgia bar in January, 1835, before reaching the age of twenty-one, by special act of the legislature.

He practiced law in Savannah, Georgia, until 1866, with the excep-



*Very Truly Yours*

*John E. Ward*

tion of time spent in the public service, and since that date has been in active practice in New York City. He was a member of the Georgia assembly, and in 1852 its speaker; in 1854 was mayor of the City of

Savannah; in 1856 was president of the national democratic convention at Cincinnati; was president of the Georgia senate in 1857 and 1858, and was minister to China from 1858 to 1860. In 1859 he witnessed the battle of the Chinese forts, when the English were expelled and slaughtered, and he was present when the forts were retaken the following year.

In 1854 and 1855 Mr. Ward was captain of the Chatham Artillery, the oldest military organization in the United States, organized in 1786, as also of the Irish Jasper Greens, organized in 1842.



WARDWELL, GEORGE SMITH, eminent at the Erie county bar and for many years one of the judges of the Municipal Court of Buffalo (born in Providence, Rhode Island, August 22, 1829; died in Buffalo, New York, October 18, 1895), was the son of William Taylor Wardwell and Mary Hawes, daughter of John Hawes<sup>1</sup>, of Fair Haven, Massachusetts. The Wardwell family was one of the oldest in New England, dating from 1633.<sup>2</sup> A member of a collateral branch of the family was one of the nineteen victims of the Salem witchcraft mania.<sup>3</sup>

George Smith Wardwell, after a preparatory course, entered in 1848 Allegheny College at Meadville, Pennsylvania. Continuing his studies there for three years, he entered Harvard as a junior, graduating in the class of 1853. This famous class included, among others, Charles Eliot, now president of Harvard College, and Justin Winsor, the historian. On his graduation he entered Dane Law School at Cambridge, receiving the degree of LL. B. in 1855. In the following year he was admitted to the bar in Buffalo, and shortly afterward opened an office in that city and began a practice which rapidly increased and which for thirty-five years he conducted without a partner. Within a few years he numbered among his clientage many influential citizens. In 1866 and 1867 he filled the office of city attorney of Buffalo, corresponding to the present office of corporation counsel. In 1869 and 1870 he was city clerk. In 1872 he was appointed a member of the commission empowered to build a new city and county hall and jail. In 1873 he was made chairman of the commission, and he continued in that capacity until the completion of the work. He had the satisfaction of knowing that the Buffalo City and County Hall was one of the few

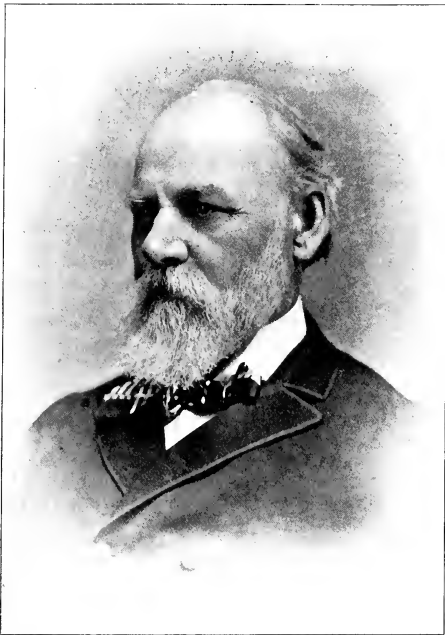
<sup>1</sup> Members of the Hawes family were great whaling captains, and their descendants are still well known about Fair Haven and Bristol, Massachusetts.

<sup>2</sup> William Wardwell, the American ancestor (born in England in 1604), emigrated with his brother Thomas to Boston, and united with the congregational church in 1633. George Smith Wardwell is of the seventh generation in direct line from this William Wardwell.

<sup>3</sup> Samuel Wardwell, son of the Thomas mentioned in the preceding note.

<sup>4</sup> There were taken from the estate of Samuel Wardwell, who was executed (September 22, 1692), a heifer and yearling, a horse, nine hogs, eight loads of hay, six acres of standing corn, and a set of carpenter's tools.—Upham's History of Salem, Vol. i., p. 324. Subsequently Governor Dudley, December 11, 1711, issued his warrant to carry out the vote of the "General Assembly" to pay £578, 12s. to "such persons as are living" and "to those that legally represent them that are dead," of which £36, 15s. was allotted to Samuel Wardwell's wife.—*Ibid.*, p. 480.

public buildings erected in the United States within the amount of the original appropriation and without the suspicion of jobbery of any kind.



*Geo. S. Wardwell*

When in 1880 the old justices' courts were displaced by the municipal courts, civil and criminal, the mayor was empowered by the act of legislature creating the civil Municipal Court to appoint, with the

approval of the common council, two judges, the term of one to be six and one-half years and of the other five and one-half years. At the expiration of each respective term the office was to be filled by popular election. The two judges appointed were George S. Wardwell and George A. Lewis. At the conclusion of his appointive term, Judge Wardwell stood for election and was chosen for another six years of service.

Upon his retirement from the bench in 1892 he became senior member of the law firm of Wardwell, Volger & Wardwell, the other members being Otto W. Volger and the judge's eldest son, George Townsend Wardwell.

Besides his judicial duties and private practice, Judge Wardwell was one of the faculty of the Buffalo Law School from its beginning, being professor of torts. He was for years an active supporter of the Young Men's Association, now merged in the Buffalo Library, and was its president in 1871. At the time of his death he was a member of the republican league and of the University Club, and was the oldest member of the Harvard Association of Buffalo.

Among his intimate friends were ex-President Grover Cleveland, Mr. Oscar Folsom, and the Honorable Lyman K. Bass.

One of the principal cases in which he was engaged was that of Marks & Saint John *vs.* the City of Buffalo, involving a balance of \$75,000 claimed to be due on stone supplied for the City and County Hall. The suit was defended by Judge Wardwell and A. P. Laning. Before the case was brought into court an offer of \$14,000 in settlement was made to the plaintiffs and rejected. The plaintiffs obtained judgment for \$10,000.

As a lawyer he was deeply read, bringing to the preparation of his cases a ripe and charming culture. He was a lawyer of the old school, and when he appeared before the bar represented in his person all the traditions of the dignity of the profession of law. He was always courteous in his demeanor, keen in his handling of witnesses, and forcible and polished in his presentation of argument. His associate for eleven years on the bench, ex-Judge George A. Lewis, lately said of him:

In all his relations with his colleagues and with the employees of the court, he showed a never failing geniality and consideration. He was a man who thought far more of the things of the mind than of accumulating material wealth. There was not a streak of greed for money in his whole make-up. His taste in literature was fine, history, perhaps, finding most favor with him, and he was one of the most charming men in conversation.

David F. Day, one of the leading lawyers and citizens of Buffalo, referring to his long acquaintance with Judge Wardwell, said:

My acquaintance with the late Judge Wardwell began very soon after he came to Buffalo to reside: and until his death our friendship, early formed, suffered no abatement. He was only a few weeks younger than I, and as we entered





*J. A. Manning.*



upon the practice of the law in this city at about the same time, I had the opportunity to witness all his struggles and his triumphs.

That he became a safe and excellent counselor must be admitted by all who knew him; and that there was accorded to him a most enviable place in the confidence and favor of the public was demonstrated by the many trusts which he was called upon to bear, and which he discharged to the complete satisfaction of every one. But he had more than popularity—more than public confidence and favor. He obtained in an unusual degree the affectionate regard of all who became well acquainted with him. His friends, and they were many, were fastened to his heart with “hooks of steel.”

In 1863 Judge Wardwell married Mary E. Townsend, daughter of the late Hosea W. Townsend, of Buffalo, by whom he had six children. Five of them survive him: George T., Mary M., Frank C., William H., and Charles U., all of whom reside in Buffalo.



**WARDWELL, GEORGE TOWNSEND** (born in Buffalo, New York, August 28, 1864), is a son of Honorable George S. Wardwell (noticed above) and his wife, Mary E. Townsend. He was graduated at the Buffalo High School in the class of 1880, studied law with his father and F. M. Inglehart, and was admitted to the bar at Rochester, October 8, 1885. He has always lived and practiced in Buffalo.



**WARING, JAMES HENRY** (born in the Town of Farmersville, Cattaraugus county, New York, February 3, 1848), is the son of John and Catharine Hogg Waring. His father's family removed from New York City to Cattaraugus county in 1819, and his mother's family came from Scotland in 1830. He was brought up on a farm, attended common schools and took the complete course at the Ten Broeck Free Academy, being a member of the class of 1870, the first class graduated from that institution. From the fall of 1871 until the spring of 1872 he was a student in the law school of the Michigan University, but he did not graduate. His office apprenticeship for the legal profession was served with Honorable S. S. Spring, of Franklinville (at the time county judge of Cattaraugus county), and with Scott, Laidlaw & McVey, of Ellicottville. In June, 1875, he was admitted to the bar at Buffalo, and in the same year he opened a law office in Franklinville. After practicing alone for a time he formed a partnership with his brother, under the firm style of J. H. & W. W. Waring. Removing to Olean in 1884 he organized with Honorable D. H. Bolles the firm of Bolles & Waring. This association continued until 1894, when Mr. Bolles went to New York City. Since then Mr. Waring has pursued his practice alone.

Throughout his career he has devoted himself exclusively to the profession of the law, accepting no public office except that of district attorney of Cattaraugus county, to which he was elected in the fall of 1889 and re-elected in the fall of 1892, holding the office for two terms of three years each.

During the past fifteen years he has been connected with many of the most important cases arising in Cattaraugus county, ranking as one of the foremost leaders of the bar of that portion of the state.



**ARNER, JAMES HAROLD** (born in Minneapolis, Minnesota, July 28, 1862), is the son of George Freeman Warner, of Warnersville, New York, and his wife, Julia Frances Wilgus, of Buffalo. He was for four years a student in a private military academy, completing his education under private instructors. In 1892 he was graduated at the Columbia College Law School, having also fitted himself for the legal profession in the offices of Carter, Hughes & Cravath and Cravath & Houston. He was admitted to the bar in New York City on July 26, 1891 (several months before his graduation from the law school).

Mr. Warner is a practitioner at the metropolitan bar.



**ASHBURN, CYRUS V.** (born in Oxford, Chenango county, New York, September 27, 1860), is the son of John Y. Washburn, of the Hudson river Washburn family, and Sarah A. Spencer. He received his preparatory education at Oxford Academy, and in 1886 was graduated from Hamilton College, which has since conferred upon him the degree of master of arts. He also took the full course at the law school of the University of the City of New York, and received a thorough office training for his profession. He was admitted to the bar in Brooklyn in 1889, and has since practiced successfully in that city, devoting himself mainly to litigated cases growing out of disputed titles to real estate. He now has in preparation a work on the partition of real estate and on determining titles.



**WEED, SMITH MEAD** (born at Belmont, Franklin county, New York, July 26, 1833), is the son of Roswell Alcott Weed, the family having settled at Portsmouth, New Hampshire, early in the history of the colonies. His mother was born at Plattsburgh, New York, and was descended from the Mayhews of Rhode Island and from General Roberts of revolutionary fame on her mother's side, and from the Meads of eastern-central New York on her father's side. Her father, Smith Mead, was for many years a distinguished and honored citizen of northern New York. Mr. Weed's parents returned to Plattsburgh, their former home, in 1839,

and there at public and private schools and at the Plattsburgh Academy he received his early education. He was a clerk in a store in Plattsburgh, and also in Boston, for several years prior to 1853, in which year he entered upon the study of the law in the office of Beckwith & Johnson, a prominent firm in Plattsburgh. He was admitted to the bar January 1, 1856, and at once entered upon a course of study at the law school of Harvard University, from which he was graduated the following year. He at once became a member of the firm above mentioned, and practiced actively for three years. The firm was then dissolved, and he continued in practice alone. Later he came to New York City and continued practice at Plattsburgh and in New York until about 1885, when he retired from the active pursuit of his profession and devoted himself to the management of large interests in manufacturing, railroad, and other business enterprises.

For many years he was the leading practitioner at the Clinton county bar, being engaged at circuit after circuit in every case tried, on one side or the other. Outside of Clinton county he was engaged in a large number of important litigations. He was senior counsel for the state in the impeachment trial of Canal Commissioner Darn before the senate and the Court of Appeals, in 1867. He also very successfully represented the City of New York in the Tilley Foster iron mine case growing out of the condemnation of lands for the water supply of the city.

For thirty years he has been prominent in large business enterprises in northern New York. He developed the Chateaugay iron mines, established the works, and organized the present companies operating there, building the Chateaugay Railroad, which traverses the most important part of the Adirondacks. He was also largely instrumental in bringing about the construction of the Delaware & Hudson Railroad, which opened up to railroad communication the entire Champlain valley on the western side of the lake. He has devoted a great deal of attention to the furtherance of the Nicaragua canal enterprise, and is largely interested in business undertakings in the West Indies, and in interests in nearly every state.

His political career began as president of the Village of Plattsburgh. Afterward for six terms, in the years 1865, 1866, 1867, 1871, 1873, and 1874, he was a member of the state legislature. He was a member-at-large of the constitutional convention of 1867. In 1887 he was the caucus candidate of the democratic party in the New York legislature for United States senator.



WEEDEN, JOSEPH ELBRIDGE (born in Norwich, Connecticut, July 27, 1809), is the son of Caleb and Civil Lathrop Weedon. He attended the common schools, and at the age of eighteen entered a select school taught by Reverend Anson Tuthill. Here he obtained the rudiments of a classical education,

including some of the higher branches of mathematics and the Greek and Latin languages. Leaving school, he became a student of the law under Honorable Luther C. Peck, of Pike, Wyoming county. He was admitted to the bar in New York City, May 30, 1836, and in the summer of the same year he commenced to practice law at Randolph. He has lived there ever since, continuing to pursue his profession until within a few years, when he was compelled by deafness and old age to give up his practice. Since then he has attended only to his personal business. He is the oldest living lawyer in the county.

Mr. Weeden was appointed by Governor Seward in 1840 a Supreme Court commissioner for the County of Cattaraugus. In 1847 he was elected a member of the assembly. In 1848 Governor Young appointed him loan commissioner for Cattaraugus county. He has been a justice of the peace, and has held other minor offices.

He was one of the founders of the Randolph Academy, and for many years was a member of its board of trustees.



EEKS, JAMES LEONARD (born in Cherry Creek, New York, June 21, 1862), is the son of Charles E. and Eunice Weeks. He was educated at the Jamestown Union School and Collegiate Institute, studied law at the Albany Law School and also in the office of Bootey & Fowler, was admitted to the bar in 1884, and has since been a general practitioner in Jamestown.



ELLER, AUGUSTUS NOBLE (born in Chatauqua county, New York, Decemer 5, 1836), received his early education in the Fredonia Academy, Chatauqua county. Upon the completion of his academic course he began the study of law in the office of Snow & Morris, of Fredonia. He was admitted to the bar in New York City in 1860, and in 1863 began active practice there. In 1873 he removed to Queens county, Long Island, where he was soon recognized as a leading member of the bar.

Among notable cases in which he has been engaged against eminent lawyers may be mentioned those of Bolleman *vs.* Blake *et al.*, in which he was opposed to F. R. Coudert, and Wright *vs.* Bennett, of the New York *Herald*, a libel case in which he recovered a verdict for \$25,000, the largest verdict for libel recorded in America up to that time. Among the opposing counsel were Joseph H. Choate, Judge Strong, and John Townshend.

In 1885 Mr. Weller was elected surrogate of Queens county, but the Court of Appeals deciding that the term of the then acting surrogate

held over to 1887 he did not take office. In 1886 he was again elected surrogate without opposition, and took office January 1, 1887, bringing to the bench a wide experience in litigation and in all branches of the law.

In 1873 he was married to the daughter of ex-Senator Henry M. Onderdonk, of Ohio, niece of William H. Onderdonk, county judge and surrogate of Queens county, and granddaughter of the famous Bishop Onderdonk of the protestant episcopal church.



**WELLS, EDWARD** (born in Durham, Greene county, New York, December 2, 1818; died in Peekskill, New York, October 9, 1896) was the son of Noah Wells, formerly of Colchester, Connecticut, and his wife, Dimmis Kilbourne, both of whom were descendants of English puritan families that came to America in 1635. He was prepared for college at Mount Pleasant Academy, in Sing Sing, and was graduated at Yale with honor in the class of 1839, taking the degree of bachelor of arts at that time and of master of arts in 1842. He studied law with Aaron Ward and Albert Lockwood in Sing Sing, Mr. Ward being at the time congressman and Mr. Lockwood county judge. He afterward studied with Minott C. Mitchell in White Plains, and was admitted as an attorney October 28, 1842, as solicitor in the Court of Chancery November 3, 1842, as counselor May 15, 1846, and as attorney and counselor of the Supreme Court of the United States February 17, 1852.

On December 9, 1842, he removed to Peekskill, New York, and formed a partnership with John Curry, who was afterward judge of the Supreme Court of California. Mr. Wells continued his office at Peekskill to the time of his death, his practice extending, however, over most of the state. In 1887 he formed with Honorable Hiram Barney and Edward Wells, Junior, the firm of Barney & Wells, with offices in New York City. This partnership lasted until the fall of 1891, when it was dissolved. The business was then continued by the firm of Wells & Andrews (his associates being his son, Edward Wells, Junior, and A. D. Andrews, now police commissioner of New York City), with which he remained connected as counsel till his death.

Mr. Wells's practice was varied and extensive, and he was constantly sought as counsel from all parts of the state. Representing various property-owners before a committee of the legislature he was largely instrumental in securing the passage of the bill which obtained for New York City the series of parks at Pelham Bay, Bronx, and Crotona.

He was the possessor of a large and valuable library, particularly rich in works on international and civil law. His learning was accurate and profound. He was an eloquent speaker and delivered many

lectures on a great variety of subjects, and many public speeches, particularly on questions relating to temperance and abolition.

He was a prominent member of the presbyterian church, a ruling elder, frequently a delegate to its judicial assemblies, and a member of and counsel to its Board of Foreign Missions. He was regarded as a high authority on questions of ecclesiastical and religious corporation law.

He was a republican in politics, and twice held the office of district attorney of Westchester county (1851 to 1857). He was one of the founders of the Peekskill Savings Bank, and was one of its trustees and its vice-president.

Nearly fifty young men studied law in his office, many of whom have since become prominent at the bar and in national political life.

He married on October 21, 1856, Hannah Hamill, daughter of Reverend Charles W. Nassau, D.D. (formerly president of Lafayette College), and his wife, Hannah Hamill. He had three children—Edward Wells, Junior, a counselor-at-law, practicing in New York; Charles Nassau Wells, also a lawyer, practicing in Peekskill, and Anna Hamill Wells.



**WENTWORTH, ALEXANDER**, was born in Aurora, Erie county, New York, July 26, 1837. When he was four years old his parents removed to Ellicottville, and soon after to a farm in the Town of Randolph, Cattaraugus county. As a boy he attended the district school in the winter seasons, working on the farm in the summers. At the age of seventeen he engaged in teaching, meantime studying in the Randolph Academy during the spring terms. At nineteen he began to read law in the office of Weeden & Henderson, of Randolph, but he continued to teach school until his admission to the bar at Buffalo in May, 1859. One of the young men admitted to practice at this general term was Grover Cleveland.

Mr. Wentworth at once entered upon his profession at Randolph, in partnership with William H. Henderson, the old firm of Weeden & Henderson having been dissolved. This association, under the style of Henderson & Wentworth, continued until Judge Henderson's death, December 5, 1896, a period of more than thirty-seven years. The firm of Henderson & Wentworth gradually acquired a very extensive practice, especially in litigation business, ranking as one of the leading law firms not only of Cattaraugus county but of that entire section of the state. After the death of Judge Henderson, Mr. Wentworth established the firm of Wentworth & Wentworth, with his son, Crowley Wentworth, who, since the 1st of January, 1896, had been a member of the former firm.

He was the chief counsel in the litigation with the 1st National Bank of Corry, Pennsylvania, obtaining a judgment of \$44,400 against it in 1886 in the United States District Court for the western district

of Pennsylvania, which resulted in its failure soon afterward; in the



ALEXANDER WENTWORTH.

O'Neil Wagon Company litigation at Springville, Erie county; the litigations growing out of the J. W. Humphrey & Company assignment of Bradford, Pennsylvania, which brought about the setting aside of the assignment; the Job Moses litigations with Harsh & Schreiber, and their trustees; the contests between Charles, Van Housen & Company, of Albany, and Messrs. Hall & Wetmore, of Warren, Pennsylvania; the litigations between Harmon, Gibbs & Company, of Corry, Pennsylvania, and Struthers, Wells & Company, of Warren, Pennsylvania, and other manufacturers, over infringements

of the reverse gear of oil well engines; the contests growing out of the Alexander M. Lowry failure at Jamestown, New York, in which the State Bank of Randolph, represented by him, was the largest creditor. The foregoing are a few of the cases—all of them notable ones in western New York and the neighboring parts of Pennsylvania—in which he has been the leading spirit, winning a complete victory in each instance.

During the operation of the bankrupt law the largest part of the important business arising under that statute in Cattaraugus, Chautauqua, and Allegany counties came to his hands—especially the litigated portion of it. At one time he had more than one hundred and twenty of such cases pending.

From 1883 to 1895 he was a director of the State Bank of Randolph. He has been its attorney since its organization in 1872.

Mr. Wentworth throughout his career has devoted himself strictly to his profession. Although he has been president of the Village of Randolph, and has served his fellow-citizens in other positions of local character, he has never had any inclination for politics and has uniformly declined to be a candidate for political office. He has always taken an active interest in the masonic order, of which he is a prominent member. For the larger part of the time during the past twenty years he has been master of Randolph Lodge, No. 359, F. and A. M., and he was district deputy grand master of the 26th masonic district from 1874 to 1880, when he was obliged by his professional engagements to decline a re-appointment.

On October 10, 1859, he was married to Ellen C. Crowley, of Randolph.



**WHEATON, CHARLES** (born in Lithgow, New York, May 21, 1834; died May 11, 1886), was a son of Homer Wheaton and Louisa Smith. His father was graduated at Hamilton College in 1822, studied law and practiced in Syracuse, and afterward entered the episcopalian ministry, serving in different parishes until 1855, when he became a Roman catholic and retired to private life. He was accidentally killed by the cars, November 12, 1894, having nearly reached the age of ninety. His wife, Louisa Smith, was a daughter of Judge Isaac Smith, a jurist and large land-owner of Dutchess county.

Charles Wheaton received his early education in Poughkeepsie, and was graduated at the College of Saint James, Hagerstown, Maryland. He studied law in the office of Thompson & Weeks, of Poughkeepsie, and was admitted to the bar about 1856. Soon afterward he began the practice of his profession in Poughkeepsie, where he con-



tinued until his death, becoming one of the leading lawyers of that part of the state, and also taking a prominent place in political life.

In 1863 he was elected county judge of Dutchess county, and in addition to his term in that office he was appointed to fill the unexpired term of Judge Homer A. Nelson, who had been chosen to congress.

Judge Wheaton was an ardent democrat, and worked energetically for his party against the heavy republican majority of his district without reference to or thought of his own personal advancement. In 1873 he was a candidate for the United States senate against Roscoe Conkling. He was the nominee of his party for the state senate in 1877, but was defeated. He was frequently a delegate to democratic state conventions. At various times he held minor positions of trust, faithfully discharging their duties. He was a member of the board of education of Poughkeepsie and also of the board of managers of the Hudson River State Hospital, for many years.

He was genuinely indifferent to official honors for himself, which his high abilities and agreeable personal character might have procured for him had he possessed greater ambition. Turning from the contests of political life, he found contentment in his love of books and travel and home. He died, after a brief illness, May 11, 1886, and was buried from Saint Paul's church. The members of the Dutchess county bar, who attended the funeral, adopted the following commemorative resolution:

WHEREAS, The members of the bar of the County of Dutchess have learned with great sorrow of the death of the Honorable Charles Wheaton, and have met in council to publicly express their appreciation of the man and their sympathy with his family,

*Resolved*, That in the loss of our well-beloved associate and friend, ever upright, courteous, and generous, pure of character, honest of purpose, filling every position with sagacity and courage, never faltering or hesitating in following his convictions of duty, a profound lawyer and learned man, an impartial and clear-minded judge, and a wise counselor, always ready to aid the younger and less experienced of his associates, and a firm and steady friend, we desire to place on record an expression of our common loss, and to his family our condolence and our sympathy in their bereavement.

Judge Wheaton was married in Poughkeepsie, October 26, 1859, to Caroline T. Barculo, daughter of Judge Seward Barculo, of the Supreme Court of New York, who survives him. They had five children, of whom three are living—two daughters, sisters in the convent of the S. H. C. J. at Sharon Hill, near Philadelphia, and one son, Isaac Smith Wheaton (noticed below).



HEATON, ISAAC SMITH (born in Poughkeepsie, New York, December 13, 1864), is the son of Honorable Charles Wheaton, former county judge of Dutchess county, and Caroline Talman Barculo, a daughter of Judge Barculo, of the Supreme Court. He was prepared for college at Colonel Richard Malcomb Johnston's school near Baltimore, and was graduated at Seton Hall College (South Orange, New Jersey) in 1883. In 1885 he received from his alma mater the degree of master of arts. He took the complete professional course at the Georgetown (District of Columbia) Law School, from which he was graduated in 1885, meantime being a student in the office of Morris & Merrick, of the City of Washington. Afterward he read law for another year with Thompson & Weeks, of Poughkeepsie, and in 1887 he was admitted to the bar.

Mr. Wheaton at present is not in active practice, having discontinued regular professional business on account of delicate health.



HEELER, EVERETT PEPPERELL (born in New York City, March 10, 1840), is the son of David Everett Wheeler and Elizabeth, daughter of William Jarvis, of Vermont, and great-granddaughter of the British general, Sir William Pepperell, the captor of Louisburg. Mr. Wheeler was educated in the public schools of New York and in the College of the City of New York. He was graduated from the latter in 1856, subsequently receiving the degree of master of arts. He read law in the office of his father in New York City, also spending two years at Harvard Law School, from which he was graduated in 1859. He was admitted to the New York bar in May, 1861, and immediately commenced the practice of law in that city, where he has continued since.

His interesting cases include the litigation growing out of the collision between the *Harvest Queen* and the *Arabic*, the quadruplex case involving the title to Edison's quadruplex telegraph, the Western Union consolidation cases, the cable railway litigation, and the *Normannia* litigation, growing out of the quarantine of this steamer during the cholera epidemic of 1892.

He is the author of "The Modern Law of Carriers," "Wages and the Tariff," and of numerous pamphlets and addresses on the tariff and civil service reform. He assisted in framing the Pendleton civil service bill and the New York civil service acts. He was a member of the New York board of education from 1877 to 1879, chairman of the supervisory civil service board of New York City from 1884 to 1889, and commissioner on the 3d and 9th avenue elevated railways in 1875. He was one of the founders of the New York City Bar Association, was president of the Free Trade Club from 1882 to 1888, and of the Reform Club in 1889 and 1890. He took an active part in founding the

East Side House, a social settlement in East 76th street, New York City, and the Webster Free Library connected therewith.



**W**HITAKER, EDWARD GASCOIGNE (born in New York City, April 13, 1853), is the son of George W. Whitaker and Catharine Alcock, of English parentage, his father being born in Bampton, Oxfordshire, and his mother in Burslem,



*Ed Whitaker*

England. His grandfather was Sir Frederick Whitaker. He inherited a legal taste, his father being a lawyer practicing in England before coming to this country, and from 1851 to 1879 in New York City. His early education was received in an ordinary district school, which he attended winters at Southampton, Long Island, working on the farm during the summer. He afterward attended the academy at Southampton. Later he visited Germany, and entering the university at Bremen was graduated in 1872. Returning to New York City he read law in the office of Charles Crary, and was admitted to the bar in Poughkeepsie in May, 1876, and immediately thereafter commenced practice in New York City.

He soon established a successful legal business. He has been counsel in many important cases—notably those of the *People vs. North River Sugar Refining Company* and the *People ex rel. Killeen vs. Angle* (109 N. Y., 564). While not appearing as the attorney of record, he wrote the original opinions upon which they were founded and which were approved by the court. He has given deep study to special legal subjects. He is the author of "Whitaker's Game Code," containing the game law complete, with its history and copious notes upon its interpretation, as well as general information upon the subject. He also codified, revised, and drew entire the game and fish law of this state, under appointment of the legislature in 1890. From 1884 to 1891 he was deputy attorney-general of the State of New York. In 1883 he was democratic candidate for the assembly from the 23d district, but was not elected. Together with the late David Dudley Field and Newton Fiero, he was the author of the present reformed system of reporting the court decisions and enabling lawyers to get the combined official series, including statutes, with advanced sheets; and also of the present system of examining students for admission to the bar. He has held the position of president of the New York State Bar Association.



**WIGGINS, HENRY WYCKOFF** (born in Monticello, Sullivan county, New York, May 31, 1844), is the son of George and Sarah A. De Voc Wiggins. The Wiggins family came to Massachusetts in 1700 from Wigan, Lancashire, England, being of the same descent as the present earl of Balcarris. His mother was of French Huguenot extraction, was descended from the De Voc family which came to America in 1650, and was a cousin of Governor Daniel D. Tompkins. He was graduated in 1859 from the Monticello Academy, studied law with Honorable John G. Wilkin, county judge of Orange county, and was admitted to the bar in Brooklyn in May, 1872. He has always practiced in Middletown.

For the past nine years he has been a member of the board of education of Middletown, and for the past eight years president of

the board. He has served for fifteen years as corporation counsel of Middletown. He was a delegate from Orange county to the constitutional convention of 1894, having been elected by a large majority.



**WIGGINS, JOHN LEWIS** (born in the town of Mount Hope, Orange county, New York, March 21, 1855), is the son of John Wiggins and Antoinette Mulock. He is a member of the old Wiggins family mentioned in the preceding sketch. He was educated at public and private schools, studied law with Judge William Jay Groo and W. H. Stoddard, at Middletown, and was admitted to the bar at Brooklyn, September 12, 1879.

Mr. Wiggins in early life was connected with the firm of McClintock & Smith, general counsel for the Baltimore & Ohio Southwestern Railroad Company, at Chillicothe, Ohio. Two years after his admission to practice in this state he formed a partnership at Middletown with his former preceptor, Judge Groo (whose daughter Katharine he married). This was dissolved upon Judge Groo's removal to New York City in 1886.

Since 1893 Mr. Wiggins has held the office of corporation counsel of the City of Middletown. He has gained a reputation as a careful, conscientious practitioner, a close student of principles involved in litigations and a forcible speaker, and has been very successful in the conduct of his cases.



**WILCOX, ANSLEY** (born near Augusta, Georgia, January 27, 1856), is the son of Daniel Hand Wilcox and Frances Louisa Ansley. He was graduated at the Hopkins Grammar School (New Haven, Connecticut) in 1870, and at Yale College in 1874, and continued his studies for a year at Oxford University (England). He read law in Buffalo in the office of Sprague, Gorham & Bacon, and later with John G. Milburn, also attending lectures for a brief time at the Hamilton College Law School, and was admitted to the bar in Buffalo, in July, 1878. He has always practiced in that city, at first alone, and then as a member, successively, of the firms of Crowley, Movius & Wilcox, Allen, Movius & Wilcox, Movius & Wilcox, and the present firm of Wilcox & Miner.

Mr. Wilcox throughout his career has devoted himself strictly to his profession. He has been counsel, among other important suits, in the West Shore Railroad litigations, the 1st National Bank of Buffalo cases, the Studer-Bleistein cases, the Civil Service Reform cases and the proceedings concerning the state reservation at Niagara.

He has taken an active interest in municipal, charitable and educational matters in the City of Buffalo, and has been prominent espe-

cially in the civil service reform, municipal reform, and charity organization movements. He has for some years been connected with the University of Buffalo, as professor of medical jurisprudence.



WILKINSON, ROBERT F. (born June 10, 1843, at Poughkeepsie, New York), is a son of William Wilkinson and a grandson of Robert Wilkinson. One of his great-uncles was Judge Thomas J. Oakley, of the Superior Court of New York, and another was Senator Abraham Bockee. These men all practiced at the Poughkeepsie bar, where his grandfather succeeded Judge Oakley in 1828.

Mr. Wilkinson was prepared for college at the Dutchess County Academy and with private tutors, and was graduated at Williams College in 1861. Subsequently he received the honorary degree of M.A. from Williams College. In 1859, before entering college, he studied law for part of a year in the State and National Law School, in Poughkeepsie, conducted by John W. Fowler. He pursued his legal studies in the office of his father from July, 1861, until August, 1862. Thereafter and until July, 1865, he was in the army. Returning to Poughkeepsie, he resumed the study of law and in May, 1866, was admitted to practice. He has continued the practice of law at Poughkeepsie ever since.

He raised a company for the 128th regiment, New York volunteers, and became its captain. His services were principally as staff officer of Generals Godfrey Weitzel, William H. Emory, Cuvier Grover, and Henry W. Birge, commanding either the 19th army corps or its different divisions. He acted as judge advocate, inspector-general, and adjutant-general. He served in Louisiana under General Banks from 1862 to 1864; in the Shenandoah Valley under Sheridan from 1864 to the spring of 1865, and thereafter at Savannah, Georgia, until the close of the war. In the spring of 1865 he was promoted to be major of volunteers and was subsequently promoted for distinguished gallantry in the battle of Winchester to be lieutenant-colonel, and for distinguished gallantry in the battle of Cedar Creek to be colonel, by brevet. He was wounded severely at the battle of Cedar Creek.

Mr. Wilkinson married, June 18, 1867, Miss Julia Gifford, daughter of Elisha Gifford, Esquire, of Hudson, New York, and has two sons and two daughters. His son Gifford is now a lawyer and his partner, and his younger son Robert is a student of law in the Harvard Law School.



**WILLIAMS, BENJAMIN ELIJAH** (born in Carlton, Orleans county, New York, March 21, 1855), is the son of Benjamin E. and Mariette Barber Williams. On his father's side he is of Welsh-American and on his mother's of French-American descent. He attended the common schools, Yates Academy, and Albion High School, and began the study of law with John H. White, of Albion, New York. He then entered the law school of the University of Michigan, from which he was graduated in 1882. He received from that institution the degree of doctor of laws. In 1893 he pursued a post-graduate course.

In 1882 he was admitted to practice at Lansing, in the courts of the State of Michigan, and in October, 1884, at Rochester, in those of New York state. He entered upon the practice of his profession in this state at Albion, where he has since continued to practice without intermission. He has devoted himself exclusively to his law business, enjoying a large and successful country practice.



**WILLIAMS, FRANCIS ASBURY** (born in Prattsburgh, Steuben county, New York, March 25, 1834), is the son of Ira C. Williams and Ann Maria, daughter of Nathan Gregory Benedict, of Danbury, Connecticut. He is a descendant of Robert Williams, of Roxbury, Massachusetts. He was prepared for college at the Franklin Academy, of his native place, and was graduated from the University of Rochester in 1860 with the degree of bachelor of arts. After reading law with Honorable David Rumsey, of Bath, he was admitted to the bar at Rochester, December 8, 1863. He has since been in constant practice at Corning, Steuben county, ranking with the leading members of the bar of that section of the state.



**WILLIS, CLARENCE** (born in Howard, Steuben county, New York, July 31, 1852), is the son of William H. and Nancy Whiting Willis. His paternal ancestors came from Connecticut and his maternal from Massachusetts and New Hampshire. His great-great-grandfather, Timothy Whiting, was a patriot soldier at the battle of Concord. He was graduated at the Haverling Free Academy, of Bath, in 1871, and has since received from Hobart College the honorary degree of bachelor of arts. He received a thorough preparation for the law as a student, successively, under Honorable William B. Ruggles, Honorable John F. Little, and Charles F. Kingsley, all of Bath, and was admitted to the bar as an attorney at Buffalo, June 14, 1878, and as a counselor at Rochester, October 9, 1879. He has been a successful practitioner at Bath since his admission.

Mr. Willis has held the offices of police justice of the Village of Bath (March, 1890, to March, 1896), justice of the peace of the Town of Bath (January, 1892, to May, 1895), member of the local board of education since June, 1888, clerk of the Village of Bath (March, 1889, to March, 1890) and sheriff's clerk (1883 to 1888, inclusive).



ING, GEORGE (born in Plattsburgh, Clinton county, New York, September 29, 1835), is the son of Stephen Wing and Ruth K. Smith, and a descendant of John Wing,<sup>1</sup> who came from England in 1632 and settled in Sandwich, Massachusetts, in 1637. His father settled in the Town of Plattsburgh in 1834, where he remained until 1846. He then removed with his family to Collins, Erie county, New York, living there on a farm until 1871. Young George's opportunities for an education were those common to farmers' boys. He attended district school in the winter, remaining on the farm the rest of the year. With but two terms additional in the Gowanda Union School, he commenced his legal studies, in 1861, in the law office of Honorable Loran L. Lewis, George Wadsworth, and Edward Stevens, at Buffalo. He was admitted to the bar in Buffalo in 1864, at a general term of the Supreme Court held by Noah Davis (presiding justice), and justices Martin Grover, Charles Daniels, and Richard P. Marvin. He commenced practice in Tonawanda, New York, remaining there until May, 1870, when he removed to the City of Buffalo. He has continued to reside in that city to the present time.

Mr. Wing's present successful clientage and position at the bar have been achieved by thorough and steadfast devotion to his profession, uninterrupted by private outside enterprises or political ambitions. His legal practice is general and wide, including important cases in all the courts of the state. He is thoroughly identified with the local interests of Buffalo, is an ardent supporter of civil-service reform, of the good government clubs, and of the charitable organizations of the city.

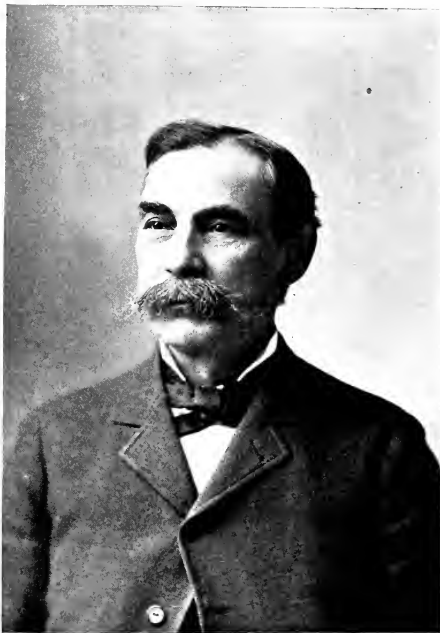
Although never aspiring to official position, he consented in the fall of 1896, at the solicitation of leading national democrats, to run for congress in the 33d congressional district.

In 1865 he married Ellen R. Healy, daughter of Samuel Healy, of Collins, New York. He has five children. His three sons, Herbert H., Fred K., and Louis F., are graduates of Cornell University.

<sup>1</sup> John Wing, whose wife Deborah, daughter of Reverend Stephen Bachelder, had previously died, came from England with his wife's parents and four sons, in the ship

*William Francis*, arriving in Boston June 5, 1632. He lived for a while in Lynn and removed to Sandwich, Massachusetts, in 1637.—*Amer. Ancest.*, Vol. iii, p. 119.





GEORGE WING.



WOOD, FRANK SCOTT (born in Detroit, Michigan, September 14, 1856), is the son of Edward F. Wood, of an old Massachusetts family, and Mary J. Humphrey, whose ancestors came from Connecticut. He received a public school education, studied law at Batavia, New York, with William C. Watson and Honorable L. N. Bangs, and was admitted to the bar at Rochester, October 3, 1878. Opening a law office at Batavia he advanced rapidly to a conspicuous place among the practitioners of that locality and section.

From September 14, 1877, to January 1, 1883, he held the office of

clerk of the surrogate's court of Genesee county, and from January 1, 1887, to January 1, 1893, he served as district attorney of the county. On January 20, 1895, he was appointed a trustee of the New York State School for the Blind, a position which he still holds (1897).



**WOOD, WILLIAM H.** (born in Stanford, Dutchess county, New York, December 31, 1855), is the son of Robert and Caroline Gorton Wood. He was educated at the common schools, and after pursuing law studies with William Brewer, F. G. Rikert, and John F. Schlosser, was admitted to the bar in Brooklyn, December 12, 1879. He practiced at Fishkill Village and at Fishkill Landing until 1890, and since then has been located at Poughkeepsie. He has held the offices of supervisor of Fishkill (1888), clerk of the Dutchess county board of supervisors (1884), and state assessor (June, 1892, to January 1, 1896).

Mr. Wood has lectured successfully on literary and educational topics.



**WOODWARD, JOHN** (born in Charlotte Center, Chautauqua county, New York, August 19, 1859), is a son of Daniel S. and Cornelia Lake Woodward. He is a great-grandson of John Woodward, a soldier in the French and Indian war and the Revolution, who early in the century removed to Genesee county, New York, and from there to Chautauqua county. Justice Woodward's grandfather was a representative in the assembly from Chautauqua county in 1835. His maternal grandmother, Sarah Mather, was lineally descended from Cotton Mather.

John Woodward in his boyhood attended district school and worked in village stores and on farms. He took the full course at the Fredonia Normal School, and after his graduation became a student in the law office of Morris & Lambert, of Fredonia, later attending the law school of the University of the City of New York, from which he was graduated in May, 1881. In the same month he was admitted to the bar at Poughkeepsie. After two years of practice at Fredonia he removed to Jamestown, where he still resides.

Mr. Woodward became the first city attorney of Jamestown upon its incorporation in 1886, and held that office for two years. From 1887 to 1891 he served as supervisor, and from 1893 to 1896 he was district attorney of Chautauqua county. In January, 1896, he was appointed justice of the Supreme Court to fill a vacancy, and in November of the same year he was elected for a full term of fourteen years, being nominated by both the republican and democratic parties.

On May 26, 1886, he married Mary Eliza, only daughter of Honor-

able George Barker, of Fredonia, ex-justice of the Supreme Court. They have two daughters, Mary Elizabeth and Frances.



*Edward Wright.*



RIGHT, EDWARD (born in Carmel, Putnam county, New York, May 15, 1826), is the son of John and Sarah Ann Wright, and received his education in the village schools and the State Normal School, at Albany, New York, being graduated from the latter in March, 1848. For several years after graduation Mr. Wright taught school.

On April 2, 1850, he was elected town superintendent of schools of Carmel, and he held this office by successive elections until it was abolished. He was elected a justice of the peace in 1851 and so continued until his resignation in March, 1861, having been elected county clerk of Putnam county the previous November. This office he retained for three years.

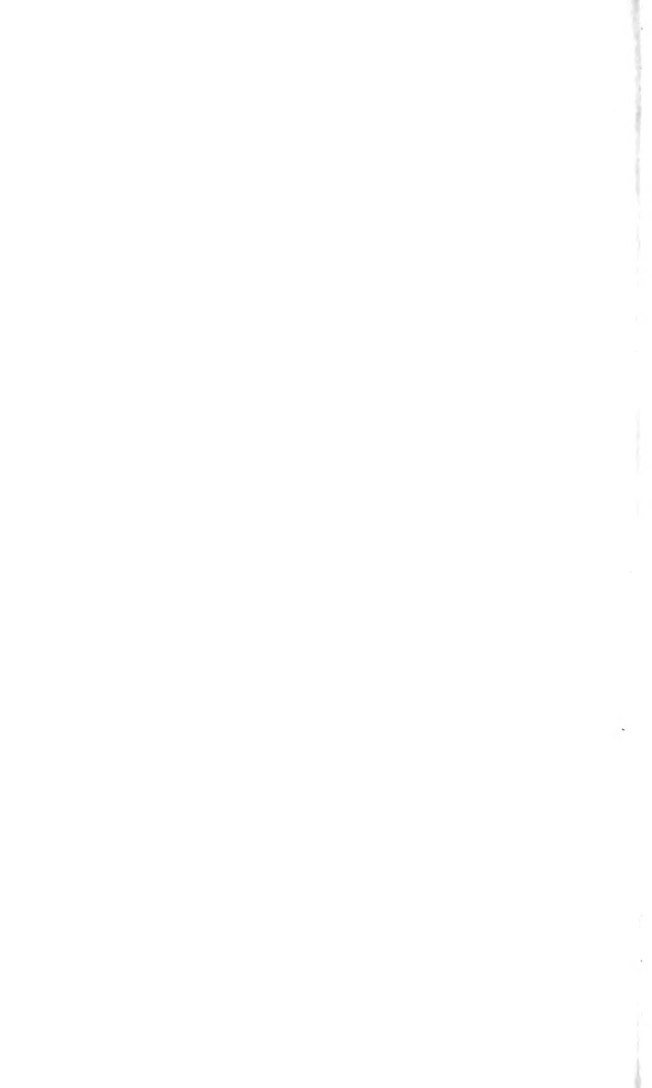
Mr. Wright had also served in other official capacities during this period. He was clerk of the board of supervisors from 1853 to 1856, and again from 1858 to 1861. He was elected an inspector of elections April 3, 1855, and town clerk April 7, 1857, and was appointed census marshal and took the United States census for Putnam county in 1860.

While serving as county clerk he began the study of law. He was admitted to the bar at Poughkeepsie, May 16, 1866. Meantime, prior to his admission, he had been elected county judge of Putnam county, taking his seat on the bench in January, 1864. He remained in that office continuously for twenty years, retiring in January, 1884, having acquired a reputation as an able jurist. Since leaving the bench he has successfully practiced law in Carmel and Mahopac, Putnam county, being engaged in many important cases.















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