

LIFE SKETCHES ⁰⁷

OF

EMINENT LAWYERS,

AMERICAN, ENGLISH AND CANADIAN,

TO WHICH IS ADDED

THOUGHTS, FACTS AND FACETIÆ.

IN TWO VOLUMES.

BY

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JOSEPH EMERSON BROWN, GEORGIA.**(1821-1894.)**

Twice Supreme Judge of Georgia, and two years its Chief Justice. Born in Pickens District, South Carolina, April 15, 1821. Died November 30, 1894, aged seventy-three. He worked on his father's farm till nineteen, when he started out for himself with nothing but a suit of clothes and a pair of oxen, walking most of the way to Calhoun Academy, South Carolina, where he received his education, going into debt therefor. Returning to Canton, Georgia, he taught a year, and was admitted to the bar, 1845; graduating a year later from the Law Department of Yale. He settled in the practice at Canton, applied himself with assiduity and was awarded with success, gaining a large practice and a wide reputation. He was elected to the State Senate in 1849; was the youngest man of the State Electoral College in 1852; Judge of the Supreme Court of Georgia, 1855-7; Governor of the State, 1857-65, defeating Benj. H. Hill in his first canvass; suffered his only defeat in his candidacy for

the United States Senate, 1868; was appointed Chief Justice of the Supreme Court (1868-70), which he resigned to take the presidency of the Western Atlantic Railroad company; served in the United States Senate, 1880-91.

The Southern portion of the Union has furnished few men who can be placed above Mr. Brown, of Atlanta. Beginning without means or influence, a country boy, he was successful in every position, public or private: successively statesman, jurist, lawyer, railroader, financier, manufacturer, miner, business man, real estate investor, farmer, philanthropist—having given \$150,000 to churches, schools and charities. As Governor he was the most conspicuous Southern war executive, opposing the Davis policy of conscription, and urging the acceptance of reconstruction measures. As Senator he was a friend of the poor and oppressed, his speech in 1880, in favor of pensioning Mexican soldiers, being one of the most memorable ever delivered in that body. A model Christian gentleman, he has lived a life full of honor and usefulness.

Slavery and Secession Settled by War.

“I believed then, and I believe now, that the right of secession was inherent in the several States, but when we staked it upon the issue as joined, we were bound honorably and in good faith to abide the judgment of that highest of human tribunals, the *ultima ratio regum* (the last argument of kings). The result of that litigation in that high court of last resort was the arbitrament of the sword that slavery was abolished, perpetually, forever abolished, and must always remain abolished, and that ours is an indestructible union of indestructible States. And while I would have given my life then to maintain our institution of slavery, believing it was for the best interests of both races, morally, politically, socially and religiously, yet, if by turning my hand over to-day I could re-instate it, I would not do so. I accept the result, feel bound by the judgment, and shall never move for a new trial. And I say the same to the question of secession; I consider it forever settled.”
—From speech as to pensioning Mexican soldiers in U. S. Senate, June 12, 1880.

Revolution and Rebellion.

“If we had succeeded we would have been patriots and heroes, but having failed we were rebels; consequently we must accept the term, ‘The War of the Rebellion.’ ”—*Idem*.

The South Were in Union During War and Out
Afterwards.

“During the war you said we had no right to go out of the Union; that we never were out; that our ordinances of secession were nullities; that we were all the time in the Union. Well, we surrendered after we had made as gallant a fight as we could, and we came back, with our representatives, ready to acquiesce in your theory, and in good faith resume our place in the Union, and you refused to admit us. You said we were in while we were fighting you, but we found we were out when we laid down our arms.”—*Idem.*

Tribute to Brown.

“In perfect self-poise, in knowledge of men, in comprehension of the people, in intuitive perception of public opinion, in adaptation of means to ends, in many varieties of successful achievements, Joseph E. Brown has seldom had an equal.”—Walter B. Hill, of the Macon (Ga.) bar.



HENRY BILLINGS BROWN,

Associate Justice of the United States Supreme Court.

From a Photograph by Bell, Washington, D. C.