

LIVES

OF

EMINENT LAWYERS AND STATESMEN
OF THE STATE OF NEW YORK,

WITH

NOTES OF CASES TRIED BY THEM,
SPEECHES, ANECDOTES,
AND
INCIDENTS IN THEIR LIVES.

BY
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CLIENT," ETC.

VOLUME I.

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WILLIAM G. BRYAN.

Characteristics.—Governor Seymour.—Remarks on his Character.—Birthplace.—Parents.—His Early Education.—Apprenticeship to the Printing Business.—Commences the Study of Law.—Obstacles in his Way.—Continues the Study of Law with Judge Taggart.—Admitted to the Bar.—A Partner of General Martindale.—Ogden Land Company Litigation.—Mr. Bryan's Connection with it.—Company Attempts to Remove the Indians from Their Reservation.—Jacob Thompson, Secretary of the Interior.—General Denver.—Caroline Parker, the Educated Indian Girl.—Her Influence in the Controversy.—Mr. Bryan Sustains the Indians.—With Messrs. Martindale and Follett, Visits the President.—Proceedings at Washington.—Mr. Bryan's Connection with the Legal Profession.—His Political Career.—His Character as a Writer.—As Speaker.—His Speech on the Death of Lincoln.—His Speech on Laying the Corner Stone of the New York Institution for the Blind.—Letter of George W. Clinton.—Speech Before the Genesee Agricultural Society.—Lecture on Edmund Burke.—Fennimore Cooper.—Oliver Cromwell.—Mr. Bryan's Marriage.—His Tragic Death.—Funeral Reflections.

EUROPEANS of thought and culture visiting our national capitol express great surprise and disappointment at the absence of eminent ability in our halls of Congress. Neither the Senate chamber, which once resounded with the eloquence of such intellectual giants as Clay, Webster and Calhoun, nor the popular branch of our national Legislature, which in times past was dignified by men of historic reputation, like John Quincy Adams, and John Randolph, of Roanoke, now impress the spectator with any extraordinary respect for the talents and attainments of the men who make the laws and are supposed to govern the destinies of the republic. Neither in statesmanship, nor in

ability as debaters, nor in the graces of scholarship, do those who are at the head of the nation come up to the generally accepted high position conceded to our country among the principal powers of Christendom. We know better than our visitors how to account for this apparent decadence in our nation. We know that so flagrantly corrupt has become the machinery of party politics, that with rare exceptions the best men, the really ablest men in our land are not now as of old to be found in official positions. Yet, neither in the learned professions, nor in the army, or in the navy, nor in those who adorn the mechanic arts, or in the great mass of our business and industrial classes, do we discover any signs of this falling off in the standard of patriotism, intellectual ability, development and progression which is requisite for our continued national advancement. So distasteful, however, to men of superior ability and character is the odious doctrine, that in politics the end justifies the means, that they prefer the independence of private life to that surrender of their self-respect and even honor that is too often demanded of those who seek political advancement. Too often, alas, much too often, as we read of gross corruption among those in high places, are we reminded of the truth of the old adage, that the post of honor is in a private station.

Conspicuous in the long roll of eminent names that have conferred honor upon the legal profession in Western New York, stands that of the late William G. Bryan, of Batavia. His career, and the prominent traits of his character, strikingly confirm the justice of our preliminary remarks. Deriving no dignity or consequence from official position, he, by his own unaided exertions, achieved a reputation as a lawyer, as an orator, as a scholar and a Christian gentleman, which enrolled him among the most honored and revered in our land. In the lan-

guage of ex-Governor Seymour: "He was earnest, able, and chivalric. He made himself felt in every circle in which he moved. He gathered force and power as he moved on in the pathway of life, and I looked upon him as one who was to hold still more marked positions in our State and nation. God in his wisdom took him away when he seemed most needed by his family and State. We can only bow to His decree, and pray that in His mercy He may shape all this for our good."

Mr. Bryan was the son of William and Mary Bryan, and was born in the City of Brighton, England, on the eighteenth day of January, 1822. His father, who is still living, is a man of rare intellectual faculties, and although he has attained the advanced age of seventy-two years, is still in the vigorous enjoyment of all his mental and physical powers. His mother, who died in 1836, was a woman of very superior intelligence, beauty of person, and grace of manner. She realized the ideal of the poet who wrote:

None knew her but to love her;
None named her but to praise."

Mr. Bryan's father, believing that there were greater opportunities for the advancement of his children in the United States than in their native land, came to this country with his family in 1830, and after a brief residence in New York and Utica, settled finally in Le Roy, Genesee County, where he embarked in business as a cabinet maker. Appreciating fully the incalculable advantages of education, he afforded to his children the important aids to be derived from the best private schools and academies. Consequently, the early advantages of young Bryan were excellent. They were fully improved, and largely promoted his success in after life. Owing, however, to the financial and general business depression and disasters of 1836

and 1837, his father was unable to continue him any longer at the academy at Le Roy, which he had been attending. And so, with a stout heart and a determination to make his way in the world, at the tender age of fifteen, in 1837, he commenced an apprenticeship to the printing business with D. D. Waites, Esq., then and at present proprietor of *The Republican Advocate*, published at Batavia. It soon became apparent that the profession of the law was the one best suited to his tastes and rapidly developing powers of mind, and he began to shape his studies and reading accordingly. In 1838, at the age of sixteen, he entered the office of Hon. Albert Smith, of Batavia, as a student of law. Never in the days of old, or in the present time, did student enter upon his studies with more enthusiasm, or with a nobler and firmer resolve, or with more hopefulness. His industry was untiring. He allowed no obstacles to discourage him. Teaching a district school by day reading law, history, biography and classical literature in the long, quiet hours of the night, attending lectures, and seeking the society of the learned, refined and pure minded, he soon began to make rapid and encouraging progression. He overcame the want of a collegiate education by his wonderful application, and attained a mastery not only of the English, but of the Latin and French languages. He also obtained a command of eloquence and logic, which ultimately placed him in the front rank of his profession. He entered the office of Hon. Moses Taggart in 1840. The personal kindnesses of the judge so impressed the mind and heart of the youthful aspirant for professional honors, that he became, and continued until his death, one of Judge Taggart's most devoted friends. Quickly and pleasantly glided away Mr. Bryan's student life, and he was admitted to practice when employed in the office of Messrs. Redfield & Pringle, at the land office in Batavia. He retained an interest in the business of

the office from 1847 to 1850, at which time he formed a copartnership with Gen. John H. Martindale, and opened an office under the firm name of Martindale & Bryan. Upon the removal of Gen. Martindale to Rochester, Mr. Bryan, with Hon. Seth Wakeman, established the law firm of Wakeman & Bryan; which partnership, together with the most intimate and cordial relations of friendship, continued until death rudely severed their mutually delightful intercourse.

In the spring of 1851, during Mr. Bryan's professional connection with Gen. Martindale, an exceedingly important litigation was in progress between the Ogden Land Company and the Tonawanda band of Seneca Indians, involving the rights of the Indians to their reservation in the County of Genesee. This reservation comprised twelve thousand eight hundred acres of valuable land. From that time forward, until the final determination of the controversy, Mr. Bryan took an active and important part in the proceedings. In the winter of 1857 one of the actions (that of *Blacksmith v. Fellows*), which had arisen in the controversy, was argued in the Supreme Court of the United States. The Court adjudged that the Ogden Company had no right to enter and settle on the reservation, and could not maintain an action of ejectment to enforce their claims under the treaty with the Indians, but must await the action of the political department of the government, and the actual removal of the Indians by the political power. This decision was announced about the time of the accession of the late President Buchanan to the presidency. Soon after the commencement of his administration, with Hon. Jacob Thompson as Secretary of the Interior, and Gen. Denver as Commissioner of Indian Affairs, the Ogden Land Company applied to these officers to remove the Indians from their reservation. Some years before, during the administration of President Taylor, an attempt had been made to enlist the political de-

partment of the government in measures designed to effect such removal; but those measures were unsuccessful, and the then Secretary of the Interior, Thomas Ewing, had declined to take any steps in aid of the land company. In 1857 their attempt was renewed on the assumed ground that the decision of the Supreme Court had made it the duty of the executive department of the government to interpose and put the company in possession. They were so far successful that Gen. Denver himself went to the reservation, accompanied by a number of the gentlemen who belonged to the land company. Their approach was the first intimation which the Indians and Messrs. Martindale & Bryan had of the new and hostile proceedings contemplated by the government. They immediately repaired to the reservation, and there met the commissioner, Gen. Denver, in a council of the Indians. The interpreter on the occasion was Caroline Parker, an educated Indian girl, and sister of Gen. Ely Parker, the present Commissioner of Indian Affairs. The presiding Chief and Speech-maker of the Indians was William Parker, her father. The proceedings of the Council were intensely interesting. The Indians were alarmed. It seemed as though their long struggle to maintain their hold on the lands where they had been born—which their ancestors had held from time immemorial—which were now claimed under the provisions of a treaty never assented to by a single Tonawanda chief or warrior, as though all their efforts and hopes had been in vain. The Commissioner told them that they must leave; that the Supreme Court had decided against them; and he called on them to declare whether they would go.

The Chief, Parker, replied with composure, that they wished to hear from their counsel before giving him an answer. Therefore, their counsel told them that the decision of the Supreme Court had not been correctly understood by the Commissioner, and that

it was not the duty of the government to remove them. When this declaration was made, the Commissioner said with emphasis that he must have their answer distinctly, would they go or not?

The interpreter, Caroline, who was standing near the counsel of the Indians, spoke hurriedly and apart:

“What shall we do? we cannot go now!”

The counsel replied:

“Caroline, you can but die.”

Immediately she turned, and in a few words addressed the Indians in her native language. It was a scene not to be forgotten. The old Sachem, Parker, rose, without the slightest perturbation, and with perfect dignity and determination (he was a large and handsome man), and said to the Commissioner:

“We will not go.”

Thereupon, after another short address by Caroline, the Indians immediately arose and left the council-house.

After such a termination of the “talk,” of course prompt and judicious action became necessary. And here the energy and peculiar ability of Mr. Bryan were immediately and signally displayed. He knew that the popular heart was in sympathy with the Indians; that justice was on their side; that forcible expulsion would be a hard and repulsive proceeding for the new Democratic administration, of which he had been an earnest and eloquent supporter. At once the newspapers began to give expression to the public feeling. His pen was at work. He procured letters of introduction to the President and Secretary of the Interior, from prominent men of his own party; and when fully prepared, in company with Mr. Martindale, Hon. Frederick Follett, and the Chief, Ely S. Parker, he proceeded to Washington.

An interview was immediately had with the Secretary of the Interior. The Secretary began it with strong impressions that his executive duty required him to

remove the Indians. The discussion was earnest and prolonged during three hours; but it resulted in enlisting the powerful sympathies of the Secretary, and disposed him to co-operate with the Indians in securing by another treaty, the extinction of the claims of the land company. During the whole litigation, it had not been possible for the Indians to controvert the fact, that the land company had acquired the ultimate title to the reservation, which would become absolute whenever in the course of events the Indian occupancy should terminate. The Indians were entitled, when they should remove, to the possession of a large quantity of land in the Indian territory in the southeastern part of Kansas. But they repudiated all claims to this Kansas domain, asserting that they were not virtual parties to the treaty assigning it to them. In these circumstances, the solution considered by the Secretary, was, the resumption of these Kansas lands by the government and the purchase for the Indians, of the title of the land company to the Tonawanda reservation instead. The only danger to be apprehended was, that the land company would refuse to sell, except at exorbitant prices. However, Messrs. Bryan and Martindale were willing to relieve the Secretary from all trouble in that regard, and to assume the difficulties of the negotiation, which they foresaw would be insurmountable, if the executive department of the government, resuming the ground taken by the former Secretary of the Interior, Mr. Ewing, should decline to expel the Indians by force.

The Secretary recommended that an interview be had with the President the following day. By his procurement, an appointment was made by the President to receive the "Tonawanda delegation" at 12 M., and to confer with them thirty minutes. The delegation got ready. Mr. Martindale, with the co-operation of his assistants, prepared a condensed statement of their case. Shortly before twelve, as they supposed; on the next day; they repaired to the White House.

Being ushered into the executive chamber and introduced to the President, he looked at his watch and admonished them that they were five minutes behind the time appointed. Mr. Follett apologized, and placed the delay to the fault of the clock at Willard's Hotel. Mr. Martindale then said that they appreciated the importance of condensing what they had to present, that they had accordingly put their case in writing, and would proceed to read it, making such explanations, as would enable the President immediately to comprehend it.

"That is right, Mr. Martindale; that is the way such business should be done," replied the President.

The reading proceeded; the President became interested, and when it was concluded, he said:

"Gentlemen, tell me what you want?"

The reply was prompt.

"Either let us alone until we have finished our struggle in the courts, or, take the Kansas lands, and give us the government price in money, and we will buy our place."

The President rejoined:

"Why not, Mr. Commissioner" (addressing General Denver, who was present), "why shouldn't we give them the money and cut this Gordian knot?"

After a little hesitation, the Commissioner answered, "I don't know why not."

The delegation were very naturally quite jubilant. The thirty minutes were up. They rose to leave.

"No, no," said the President, "you will please remain," and he went to the door and told the usher that he was engaged.

The president entered heartily—warmly—considerately into the case. A stranger to it up to that time, he comprehended it at once, and by his prompt and judicious action, secured a band of seven hundred men, women and children, who had no claims on him except his sense of justice and compassion, in the possession of their ancient homes. Events, since then,

have had their influence on the estimation in which the character of President Buchanan will be considered; but he will be kindly remembered in that band of Tonawandas—to them, he was the “Good” as well as the “Great Father.” During the interview, one of the counsel of the Indians, having professional engagements away from Washington, proposed to leave the settlement of details to his associates and the Commissioner of Indian affairs.

“No,” interposed the President; “never take a second love until the first one is disposed of.”

This was a pertinent and appreciative illustration for a bachelor like the President. He then added very kindly and truthfully:

“You will never have a more important litigation than this.”

The President then went through with an estimate of the money necessary, in the case; indicated that a treaty should be had to consummate it, and finally dismissed the delegation with the assurance of success.

Messrs. Bryan and Martindale then went to work with renewed zeal. It was necessary to get propositions from the members of the land company to sell out their prospective title, so as to show that a treaty would be operative. This duty occupied their time and thoughts during the summer. They were so far successful that in the following autumn, a treaty was made between the United States and the government by which the Kansas lands were valued at two hundred and fifty-six thousand dollars, and that sum was placed at the disposal of the Indians to secure their reservation. After protracted delays in the Senate, the treaty was at length ratified in the session of 1859, and the negotiations for the purchase of the claims of the company were actively prosecuted. The President and Secretary of the Interior had determined that the price to be paid should not exceed twenty dollars per acre. Many members of the land company were reluctant to accept that price, and prob-

ably never would have accepted it, but for the attitude taken by the government. Finally, the Indians concluded to reduce their reservation to seventy-five thousand acres, and to secure the investment of the portion of two hundred and fifty-six thousand dollars not used in the purchase of lands, so that annuities might be derived from it. The whole scheme was accordingly consummated during the year 1860, and Mr. Bryan and his associates had the satisfaction of meeting the Tonawandas in council and hearing the exultant and descriptive congratulations of one of the chiefs, as he pronounced the Indian idea of a title in fee simple:

“Now we own our lands from the centre of the earth to the heavens.”

The death of Mr. Bryan was a positive loss to the legal profession of the western portion of the State of New York. His age, acquirements and temperament placed him in the front rank of lawyers, while his personal integrity and immovable fidelity to the duties of his professional employment rendered him an invaluable assistant to his clients. Whatever the interests were which were entrusted to him, they were always sure to receive all the faithful, earnest attention they deserved. In fact, the zeal manifested by him in the discharge of his engagements rarely allowed him to stop at that point; for it often induced him to continue and protract his investigation and reflection beyond what was required for the purpose of securing simply a practical conclusion upon the subject which for the time might occupy his attention. He feared to be wrong, and therefore endeavored to fortify his convictions after he had become satisfied that they were right. This perhaps is not an uncommon trait in intelligent, active members of the legal profession, but with him it was of a marked and emphatic nature—so much so as to render him eminently well adapted to care for and protect the important rights that

are necessarily so often committed to the charge of counsel.

While he possessed all the acquirements requisite for the advocate, and all the ability for the clear and forcible presentation of matters of fact, he did not appear in that capacity before a jury without evident indications of diffidence. He did not confidently measure the full extent of the intellectual powers he possessed for the discharge of the duties of the advocate. If he had, the knowledge he never failed to have of his cause, combined with the ease and candor with which his arguments and views were always presented, would have been certain to have secured him very great success in that department of professional practice. This is a failing often found in men of intellect and talent; and it is unfortunate for the public that it is so, for it permits persons of inferior ability to take the positions and enjoy the advantages for which they are too often not qualified, because those who by their acquirements are fitted for them, lack the boldness and assurance necessary to attain them.

Before the court none of this constitutional timidity was manifested. There he always appeared to feel at ease; and for that reason his cases were well presented, the points in them clearly stated, and the arguments properly elaborated. He never failed to see and comprehend all there was of the case he had at the time in hand, and was consequently prepared to enforce his own views and promptly answer those maintained by his opponent.

He was an accomplished, affable, and dignified member of the profession, and his early death has left a vacant space which it will be difficult to supply by any one having so general an adaptation to the discharge of all the duties of the position.

Mr. Bryan took a prominent and important part in political affairs. From his very boyhood, he espoused the principles and advocated the measures of the Democratic party. He believed the principles of

American Democracy were the corner stone of our civil and religious freedom. He was thoroughly conversant with the writings and teachings of those grand old chieftains who were equally an honor to their party and the nation. The works and productions of the fathers of Democracy, Jefferson, Madison, and Monroe, of the illustrious Thomas Hart Benton, of Missouri, of Silas Wright and Martin Van Buren, were as familiar to him as household words. He threw his whole energies into the advocacy of his political principles. He was a most effective campaigner. He was as true as steel, whether fortune frowned or smiled upon the party. Whether the Democratic banner trailed in the dust as in 1840, 1848, 1860, and 1864, or when the Democracy carried the presidential elections in 1844, in 1852, and 1856, he was equally zealous, uncompromising, and reliable in the support of what he regarded as the true principles upon which the government of the country should be administered. His voice was heard trumpet-tongued, cheering on the Democratic hosts at mass meetings in towns and in cities, and the productions of his pen animated the Democratic columns through the newspapers of the party in various portions of the State. He was at the urgent request of his Democratic friends once a candidate for the Assembly, and just before his death, in 1867, he respectfully declined the nomination unanimously tendered him by the Democratic Senatorial Convention for the twenty-ninth district, composed of the Counties of Niagara, Orleans, and Genesee. He was over and over again a delegate to State conventions, several times to national conventions, and in those positions he invariably exhibited ability, tact, and zeal. His manly and effective oratory, matured judgment, ever genial manner and spotless character, combined to make him a power in the Democratic ranks, and he shared in the councils of those who like Horatio Seymour, Dean Richmond, Edwin Crosswell, Heman J. Redfield and Sandford E.

Church, were its acknowledged leaders. Had he not loved honor and principle more than personal aggrandizement or office—had he been a time-server or trimmer, he could, by turning recreant to his political principles, largely have advanced his pecuniary interests, and obtained in addition the so-much-coveted dignities and emoluments of office. But he cared not that Genesee County, and indeed nearly the entire western portion of the State, were politically strongly antagonistic to his party. The guiding star of his life was principle, and neither as a lawyer nor as a politician, nor as a citizen, did he ever swerve from it. Such men give character to a party. Such men attract their fellow men to its standard. Such men make a party strong in the right. Fortunate would it be for both parties and the country if we had more like him.

As a writer, Mr. Bryan was able, vigorous, painstaking, and as occasions demanded and presented themselves, elegant and brilliant. The columns of the principal daily papers in the State as well as the local papers in Genesee and the adjoining counties were through a long series of years enriched by contributions from his pen. How versatile were his gifts. How much of research and investigation his articles exhibited. What an affluence of diction was at his command! What a wealth of language! How he threw his whole soul, as it were into the advancement of all measures and improvements calculated to promote the general welfare. How invaluable he was to the public interests of his section of the State. How often was his charming eloquence heard in the halls of justice, in the lecture room, before county agricultural societies, on patriotic occasions and at public festivities. Now eulogizing the illustrious departed—then again encouraging the living. What a bright, what a hopeful spirit was his. How rare were his conversational powers. How he interested, charmed, instructed. How brilliant were his sallies of wit and humor. How he loved the beautiful in art.

How he attracted one towards him by his unaffected dignity and true manhood. How nobly he strove to make the world better for his existence. He scorned those who crook the pregnant hinges of the knee that thrift may follow fawning. What a host in and of himself. How self-sufficient.

It is not consistent with the limits of this memorial that we should publish Mr. Bryan's speeches in full, or even give extracts from any great portion of them. Many of them were models of eloquence, and classic in their style. He was always up to the requirements of the occasion. Whether before a court, or addressing an enthusiastic political meeting, or lecturing in the presence of select and discriminating audiences on literary subjects, he was equally happy. We cannot refrain from recalling to mind a few prominent illustrations of his oratorical power. When the whole country was in mourning by reason of the fiendish assassination of the patriotic and revered President, Abraham Lincoln, public meetings were everywhere held to give expression to the sense of the people upon the awful national calamity. One was held at Batavia, and Mr. Bryan was invited to deliver the address. Few who heard him on that occasion will forget the effort or the orator. From the plaintive opening of the address with "My sorrowing fellow-citizens," to the impressively eloquent close, he was listened to with the most profound interest and unwearied attention. Mr. Bryan, in a masterly manner, portrayed the enormity of the crime of the assassin. The foul murder of our beloved Chief Magistrate was a blow aimed at the sovereignty of the people, who had chosen him at the ballot-box. It was the darkest day in our history as a nation, when its constitutional head was brutally murdered by the pistol-shot of Booth. The speaker alike charmed and soothed all present by the exceeding appropriateness of his language and the kindness and sincerity of the feeling he exhibited. In discussing the character and public

acts of the martyred President, he displayed so much magnanimity, delicacy and independence of criticism, that he won the admiration and approval of men of all political parties.

Upon the important occasion of laying the cornerstone of the New York State Institution for the Blind at Batavia, on the 6th day of September, 1866, Mr. Bryan was selected as one of the orators. He had been especially active and instrumental in effecting the location of the institution at Batavia; and subsequently he materially promoted the progress of the noble charity. The address is such a fine specimen of condensed eloquence, that we give it entire:

“Fellow-citizens:—You are this day to witness an interesting ceremony. Our great State has decreed that an edifice of her own shall rise upon this fair eminence, consecrated to the instruction and care of the blind. Its name, ‘THE NEW YORK STATE INSTITUTION FOR THE BLIND,’ declares that it is to be the child of the State, and the faith and honor of the State are pledged to its completion and support. Genesee may be proud that its beautiful county seat was designated as its site, and that her sons presented to the State these ample grounds. One sad recollection only obtrudes. The eminent citizen, who was foremost and largest in his offering to this and so many other beneficent objects, was not spared to rejoice with us to-day.

“We come to add another to the roll of the great charitable institutions of the world. We come in that spirit which is ‘thrice blessed,’ to lay the foundation of a structure to relieve and soothe the smitten and afflicted—not in the interest of war, or cruelty, or violence, but swayed by the high and advancing civilization of the nineteenth century—for *mercy* ‘hath now her victories not less renowned than war.’ New York commanded this structure to come forth. May its walls ascend in strength and grace; may it rank with the first and best in any land, and may its career be

long and glorious! Thus hopeful and trusting, let us listen to the voice of prayer and the word of God."

The Honorable George W. Clinton, of Buffalo, in a letter addressed to a member of Mr. Bryan's family, thus beautifully alludes to the literary power and tastes of the subject of this memoir:

"Mr. Bryan's addresses were permeated by that goodness which exalts mediocrity, and without which genius is baleful. He was emphatically an honest man, and worshiped truth and the Author of all Truth in the humble, loving spirit of Christianity. In his literary and historical productions he exhibited nice discrimination of character, a power of meting exact justice and more laborious research than could reasonably have been expected from one having so many demands upon his time. His style was a model of clearness, with all due polish, and was ornate, without excess.

"From what I have seen of his written efforts, they prove that with an undivided devotion to literature he would have become eminent."

Can anything be more chaste and graphic than the following peroration of an address delivered by Mr. B. several years ago, before a county agricultural fair in "old Genesee?"

"The pale denizens of city and village, tiring of life on the pavements, are clamorous for more room, and bits of pasture, and fresher air, and hence purchase and improve farms or lots formerly considered outside of and beyond any financial market, and all proper village limits. The extreme outer lots are now prized as most eligible and valuable. If such is the tendency *now*, how accelerated will be the movement towards the farm—country-ward—when each highway is dotted with the most beautiful of our native shade trees—when the last ugly patch of bushes and weeds has vanished from the fields—and even clumps of forest or woodland are trimmed and cleaned and underbrushed—like so many picnic groves—when far-

mers' gardens and flower plots shall broaden and beautify—and over the farmer's porch the ivy, or woodbine, or honeysuckle shall creep and twine, and fountains shall spout in the farmer's door yard.

“I am not mad, Mr. President, in venturing the prediction that in the perfection of agricultural tillage—in able and artistic management and rotation of crops, in the wealth of orchards and nurseries, and in the number and quality of live stock, ‘Old Genesee’—less than a quarter of a century onward, will not be eclipse^d by the landscape gardeners of Belgium, or even by the rich and indomitable farmers and cattle breeders of England herself.

“Those will be halcyon days for the true farmers of Genesee—her soil a garden—its tillers noble by nature's own heraldry—her daughters ladies even in their own might and right—and all her sons, industrial or professional, from office and shop and forge—prospered and blessed in the bounty and richness of her agricultural products and the success of a farmer's life.

“In ancient times the sacred plow employed
The kings and awful fathers of mankind,
And some, with whom compared your insect tribes
Are but the beings of a summer day,
Have held the scale of empire, ruled the storm
Of mighty war, then, with unwearied hand,
Disdaining little delicacies, seized
The plow, and greatly independent lived.”

Perhaps the most classical as well as the most successful of Mr. Bryan's many written literary performances, was the lecture which he pronounced upon Edmund Burke. From the exordium to the close, it fairly sparkled with gems. We quote a few sentences: “The reign of George III. presents some of the most striking features in English history. Stretching through a period of fifty-nine years, it gave to the world a series of public men the most brilliant and extraordinary; and it closed, leaving the British em-

pire in the full march of grandeur and prosperity. In the midst of the conquests and convulsions which desolated Europe, no invader had polluted her soil, no danger had shaken her institutions. The armies of France, led by the greatest captain of the age, had been vanquished—her colonies captured—her fleets driven from the ocean. The eyes of the intelligent and stubborn old king, darkened alike by the infirmities of age and the mists of disease, were closed by the fourth Guelph, in 1820, and his remains borne to the royal vaults at Windsor.”

“Industrious to a proverb—frugal to a farthing—irreproachable in private life—versed in the detail of politics beyond any ruler of his day; devoted to the wants of his people—but unflinching in his adherence to prerogative, he outlived all the greater lights which had revolved about his throne. Prominent among the illustrious men of that period stood Edmund Burke.”

. . . . “I have in my mind the grand form of an American statesman now deceased, whose political opinions I did not fully share, but whose great powers none could more ardently admire, who stands towards this generation like Burke and Bolingbroke towards the last—as a man of *full* mind whose *words* were *thoughts*—and who, with prodigious resources of idea and language, combined like them the marvel and the miracle of speaking and writing well—whose grave and pungent sentences are destined to the reverence of future ages. There are many points of resemblance between the statesman of Marshfield and the statesman of Beaconsfield. . . . It was the friend of their latter days—the orator, the dramatist, and the minstrel Sheridan—who said of Mr. Burke, ‘To whom I look up with homage, whose genius is commensurate to his philanthropy, whose memory will stretch itself beyond the bounds of any little temporary shuffling through the whole range of human knowledge and of honorable aspirations after human good, as large as the system which forms life, as lasting as those objects

which adorn it. A gentleman, whose abilities, happily for the glory of the age in which we live, are not intrusted to the perishable eloquence of the day, but will live to be the admiration of that hour when all of us shall be mute, and most of us forgotten.' ”

His appreciation of the writings and style of the illustrious literary men of our day and generation, may be inferred from the following extracts from the lecture which Mr. Bayan delivered before the Batavia Lyceum, on the fourth of January, 1860.

“In the loss of statesmen and orators following each other in the dread path, in rapid succession, the country has mourned its Calhoun and Clay and Webster—a matchless trio—who had become as it were so many powers in the State, self-existent, self-sustaining, and independent of the caprices of political fancy. They expired when their intellects were still in full vigor and their forces still waxing stronger—they all met death with the robes of office about them, and with official duties still undischarged. On the fifth day of September, 1851, at his residence in Cooperstown, near the banks of that beautiful lake and amidst scenery which his pen has so vividly illustrated, yet in the prime of advanced manhood, with faculties unimpaired, and with the strongest assurances of comfort from faith in that religion which he had believed and practiced from infancy—died the great American novelist, James Fennimore Cooper. One of the most brilliant and original of our literary lights was extinguished by the inevitable messenger, and he who had so often depicted with thrilling accuracy the last hours of the soldier and civilian—the flight of the spirit into the unknown world, from camp or wilderness, or war-path amid the tiger strife of battle, was himself introduced into its awful precincts. . . .

“He founded two new schools of literature, and made them exclusively his own. He was among the first who enabled us, in reply to the question, who reads an American book, to answer—‘the world.’ He has

illustrated with matchless energy and beauty, all that is sublime and interesting in the scenery of his country. He has exalted the position of that country among reading and thinking classes of every country. On the Rhine, the Volga, the Ganges, at Ispahan, wherever a book stall can be reached, he is the companion of prince and of peasant, and the fire of his blazing imagery loses but little force in translation. While others imitated in tame mediocrity the leading writers of the old world, he invented a style and subjects of his own. While others copied, he produced originals. While others were content with an approach to the European standard, like a true American, he sought to make a higher standard for himself. Where even the name of Washington is scarcely known, the fame of the great American novelist has extended, and in climes where the speeches of our statesmen are never read, the beauties of Cooper are as household words. . . .

“Sir :—His works will bloom in perennial beauty when the colors of the painter shall have faded and the arch of the sculptor be broken. The efforts of true genius are immortal and cannot but by annihilating die.”

How much thought, how much grandeur of expression, are contained in the above sentences! What a pure, what an ennobling imagination was his! In a lecture upon Oliver Cromwell, Mr. Bryan displayed extraordinary descriptive power, as is exhibited by the following extract :

“Wherever the English language is spoken or the English common law adopted, the name of Chief Justice Hale is a synonym for whatever is sagacious in legal judgment or unpurchasable in judicial integrity. Milton was the Latin or Foreign Secretary of Cromwell, and the fast friend of his administration. That administration he defended in a series of papers of transcendent ability and elegance. He conducted several of its negotiations, and wrote some of its most

finished correspondence. Not even in his *Paradise Lost* does he stand upon a pedestal of higher or more unapproachable excellence than in those voluminous essays in defense of civil and religious liberty and the freedom of the press. His stately pen, that never, never for a moment laid aside its costly lore or its austere majesty, was frequently employed by the Parliament to answer and to silence the attacks of its unrelenting and accomplished opponents. The best and finest parts of each contending faction seemed to be embodied in his life and opinions. Now, and centuries hence, his name will never be mentioned by the scholar or the student without emotions of the most wonderful admiration and the most profound reverence. Before his brilliant fancy were ranged spirits too bright for earth. Angels clad in celestial armor and the sapphire fount; the crystal walls; brooks that rolled on orient pearl; Hesperian fruit; flowers worthy of Paradise; stones of costliest emblem. To his ear intent were wafted the chorus of the cherubim and the sounds of their golden harps."

Mr. Bryan was married on the 24th of February, 1848, to Miss Ruth Beardsley, daughter of Dr. Theodore Beardsley, of York, Livingston County. This union was of unalloyed happiness, and their home at Ballston has ever been the seat of refinement and hospitality. Mrs. Bryan, who survives her beloved partner in life, is a lady whose accomplishments and attainments, as illustrated for upwards of twenty years, have won for the educational institution of which she is principal, a reputation second to none in the State. One child only, a daughter of seventeen, survives her father. One brother, Mr. George J. Bryan, now and for many years editorially connected with the daily press of Buffalo, and Mr. Bryan's father, are all that the ravages of time have spared of a family of eight persons.

But this honorable and useful career was soon to close. On the 25th day of October, 1867, at Burling-

ton, Iowa, near a town miles away from his home—far away from his devoted and sorrow-stricken wife and beloved daughter—far away from the scene of his labors and triumphs in life's battle—far away, too, from the hills and valleys of old Genesee—despite the untiring and heroic efforts to avert his inevitable fate, which were put forth by those who cared for him, and watched his last moments, William G. Bryan's spirit ascended to the God who gave it.

It appears that Mr. Bryan, then on a visit to Mr. and Mrs. Carper, at Burlington, Iowa, was taking a ride in a buggy with Mrs. Carper, and when in the vicinity of Olmstead's Mills, near that city, they halted for a passing train of cars. On starting up the horse, Mr. Bryan accidentally dropped one of the lines, and was in the act of reaching over the dash to recover it, when the animal made a sudden start, throwing Mr. Bryan with great violence across the buggy, striking the back of his neck on the wheel; he still clutching the line, the horse was drawn round, upsetting the vehicle and throwing them both out. Those who witnessed the accident state that the first fall was the fatal one, as he was evidently insensible after that. The physicians are of the opinion that the spinal cord was so injured as to paralyze the brain, causing immediate insensibility, from which he never recovered.

The feeling of regret inspired by his untimely decease was universal. It was not confined to formal notices from courts, nor to eulogies from his professional brethren, who felt that one eminent in their ranks had fallen. The merchant in his counting house, the mechanic in his shop, the laborer leaning over his hod, and the sturdy yeomanry in their quiet homes, heard the announcement with heartfelt sorrow. A committee, exceptionally large in numbers, composed of the representative men of Genesee County, proceeded to Buffalo, where they met the remains of their late beloved friend and escorted them to that home at Batavia, which but a few days before he had

left in the full vigor of his noble faculties. Too full for utterance were the hearts of those friends of his boyhood and of his maturer years, as they marched silently and respectfully behind the now inanimate form of one, who when living, was so near and dear to them.

The honors paid to the memory of Mr. Bryan were of the most impressive character. The members of the bar of Genesee County, the citizens of Batavia, without distinction of party, and vestry of St. James' (Episcopal) Church of Batavia, in which Mr. Bryan was an honored associate met in due time, and gave expression in touching and appropriate language to their profound sense of the great and almost irreparable loss, not only to Genesee County, but the State had sustained. Many daily and weekly papers in western New York contained glowing and heartfelt eulogies of deceased. *The Batavia Spirit of the Times* came out with all the inside columns draped in mourning, a tribute, so far as our knowledge extends, never before paid to a private citizen.

The funeral of Mr. Bryan took place on Thursday, October 31, 1867. The services were held at St. James' (Episcopal) Church, and a very large concourse of the inhabitants of Batavia and vicinity, as well as from the neighboring cities and villages, assembled to pay the last tribute of respect to the honored dead. The merchants closed their stores, and business generally was suspended in town. The services were conducted by the Rev. M. Fowler, the Pastor of the Church, and were listened to with the most profound attention. The remains were then conveyed to the cemetery; being followed to their final resting place by a long line of mourning friends. Never was more heartfelt sorrow more unaffectedly and impressively demonstrated.

Such accumulated testimonials of respect encourage us. They assure us that the popular heart is sound to the core. They convince us that true worth

and character and real ability are appreciated, even in days when there is so much counterfeit, so much pretension, so much of the unreal. We cannot but deeply deplore the loss of one who led so blameless a life, and accomplished so much in comparatively a short time. What a brilliant future was in store for him! Verily, there is a "Divinity that shapes our ends, rough hew them as we will." In his almost tragically sudden demise, we are again impressed with the truth and sublimity of that ever memorable utterance of one of Britain's noblest orators (and one which Mr. Bryan. dearly loved to quote), "What shadows we are, and what shadows we pursue!"