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Washtenaw Co. Bar. Assoc.

Banquet to Judge Kelly

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1896.

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PROCEEDINGS AT THE BANQUET

GIVEN BY THE

BAR ASSOCIATION OF WASHTENAW COUNTY

AT

ANN ARBOR, MICHIGAN

ON THE

Evening of September 28, 1894

AT

COOK'S HOTEL

IN HONOR OF

Hon. Alpheus Felch

UPON THE ANNIVERSARY OF HIS
NINETIETH BIRTHDAY

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THE COURIER OFFICE, PRINTERS AND BINDERS,
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1804 ✸ 1894

Alpheus Felch

1804 Born at Limerick, Me., Sept. 28.
1827 Graduated at Bowdoin College, A.B.
1877 Bowdoin College, LL.D.
1830 Admitted to the Bar.
1833 Settled at Monroe, Michigan.
1834 Village Attorney.
1835 Member of the Legislature.
1836 Member of the Legislature.
1838 State Bank Commissioner.
1842 Auditor General.
1843 Justice of State Supreme Court.
1843 Removed to Ann Arbor.
1845 Governor of Michigan.
1847–1853 United States Senator for Michigan.
1853–1856 Commissioner to adjust and settle Spanish and Mexican Land Claims under Treaty of Guadalupe Hidalgo.
1879–1883 Tappan Professor of Law University of Michigan.
1888–1894 President Michigan State Historical Society.

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There Were Seated at the Table

THE FOLLOWING MEMBERS OF THE BAR:

Hon. Andrew J. Sawyer,
Hon. John F. Lawrence,
Hon. Charles R. Whitman,
Hon. Edward D. Kinne,
Judge J. Willard Babbitt,
Prof. Bradley M. Thompson,
Judge William D. Harriman,
Hon. E. M. Walsh,
John V. Sheehan, Esq.,
A. F. Freeman, Esq.,
Prof. Jerome C. Knowlton,
Hon. Thomas D. Kearney,
Arthur Brown, Esq.,
Judge Noah W. Cheever,
Densmore Cramer, Esq.,
D. C. Griffin, Esq.,
Hon. Edward P. Allen,
Prof. Thomas A. Bogle,
O. E. Butterfield, Esq.,
Hon. S. W. Beakes,
W. H. Butler, Esq.,
Michael J. Cavanaugh, Esq.,
John W. Bennett, Esq.,
H. W. Childs, Esq.,
Hon. W. G. Doty,
Eugene K. Freauauff,
Prof. E. F. Johnson,
Hon. M. J. Lehman,
P. J. Lehman, Esq.,
Hon. E. B. Norris,
Hon. Charles H. Kline,
Hon. Seth C. Randall,
John Q. A. Sessions, Esq.,
Joseph H. Vance, Esq.,
A. W. Wilkinson, Esq.,
James T. Honey, Esq.,
Frank E. Jones, Esq.,
John P. Kirk, Esq.,
T. L. Towner, Esq.,
Hon. Wm. C. Stevens,
G. W. Bullis, Esq.,
G. W. Turnbull, Esq.,
Prof. Floyd R. Mechem,
John L. Duffy,
Hon. P. McKernan,
Rev. E. P. Goodrich,
F. G. Campbell, Esq.,
A. J. Waters, Esq.,
David B. Taylor.

AND GUESTS

Hon. Alpheus Felch,
Ex. U. S. Senator, Geo. W. Jones,
Ex. Gov. David A. Jerome,
Ex. Gov. Jonah W. Begole,
Judge Claudius B. Grant,
Judge Samuel T. Douglas,
Judge August C. Baldwin,
Judge Thomas M. Cooley,
Dr. James B. Angell,
Hon. Levi L. Barbour,
Elihu B. Pond, Esq.,
Albert Crane, Esq.,
Judge Benjamin F. Graves,
Col. Ira R. Grosvenor,
Dr. Theodore A. Felch,
Dr. Charles G. Jennings,
Frank L. Felch, Esq.

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After the cloth had been removed Hon. E. D. Kinne, the Presiding Judge of the Circuit Court, arose and addressed the audience as follows:

GENTLEMEN:

The Bar Association of Washtenaw county has assembled here to-night, in its unostentatious way, to do honor and reverence to one of its most cherished members upon this, the Ninetieth Anniversary of his birth.

We extend a hearty, cordial greeting to all of our friends and guests, and especially to those who have come from a distance, and who by their presence are so materially contributing to the pleasure and enjoyment of this occasion.

We are to-night only repeating history. In all ages, I think, the nations of the earth have loved to recognize and commemorate the virtues of their heroes, and their men of distinguished character. The good and the great men of any age or of any nation are its first and chief glory. It has been said that great men constitute the State: certain it is that they are the proudest monuments of our civilization: more enduring than granite or bronze.

The circumstances which have summoned us together to-night are auspicious and memorable.

In the history of the human race, few men have sheathed the sword, and retired from the battlefield of human action richer in the lustre of good deeds than our brother, whom we now seek to honor. We look upon the long and brilliant panorama of his public career, and we behold a picture that reveals neither flaw or blemish. Whether in private life, or public or professional duty, he has ever worn upon his lapel the white rose of a pure and spotless life.

I am sure that the horoscope that impended his nativity was a happy one; for true it is, that upon this green earth, to but few men is it given, thus to sow and thus to reap.

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It is historical that Gov. Felch never sought, and often reluctantly accepted public office; yet before he had reached middle life, he was garlanded with nearly every honor that Michigan held within her grasp. Commencing with the attorneyship of the little but proud and independent State of Monroe, he became a member of the State Legislature, Bank Commissioner, Auditor General, Judge of the Supreme Court, Governor of the State, and Senator in the United States Congress at Washington. Later on, he was selected President of the California Land Commission, and Tappan Professor of Law, at the University of Michigan.

All of these came to Governor Felch, in the light of public duty; to be accepted and discharged as a public trust, fearlessly and conscientiously, with a single eye to the good of the commonwealth.

He was seen in high places, not as the result of political manipulation. He was there only in response to the call of the voice of the people. What a contrast such a career presents, when lined against the murky sky of present political conditions.

It cannot be doubted that Gov. Felch deeply appreciated all of these tokens of public confidence, and received them with his characteristic modesty; but I am sure that he experienced his highest delight and greatest satisfaction when he retired from his public life, and entered upon the work and labors of his chosen profession. His loyalty to his clientage, his indefatigable industry, and the high standard of honor which he maintained at the Bar, are matters which need no assurance or comment here.

His pathway may not always have been strewn with roses. He met with obstacles, but he loved to labor and remove them.

I fancy, my brothers, that the great secret of the happiness and prosperity of Gov. Felch was this: In all these years his heart was the source, the inspiration, the fountain whence flowed the pure stream of his life. He is with us here to-night; an exemplar to the young, and a benediction to us all.

Now that his labors for his fellow men are drawing to a close, it is cheering to us all to know, that sitting in the cool

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shade of the evening of his days, that the skies above and around him are clear and mellow; that the murmuring winds are soft and balmy and ladened with song, and that the receding horizon reflects but the matchless beauty and splendor of an ideal twilight.

We shall be glad now to hear something from our honored guest of the evening, Ex-Governor Alpheus Felch.

GOVERNOR FELCH SPOKE AS FOLLOWS:

MR. PRESIDENT AND GENTLEMEN:

No words which I can command can adequately express my feelings on this occasion. I should be less than mortal if this testimonial of the partiality of my fellow citizens and the kind words which have here been spoken did not touch my heart. They are not the words of strangers but of friends, and they will pass into my memory as a treasure never to be forgotten. I can reciprocate only by the poor return of my warmest thanks.

You have been so kind as to remember, which I of course could not forget, that ninety years of my life have already passed, and I enter to-day the last decade of the century. It is a longer period of life than is allotted to most men—long enough for the visionary anticipations of youth and the active, energetic, ambitious and useful years of middle life to have passed. At that age all that the man was to do is done. The little remnant of life is very brief, but I cannot look upon it as devoid of enjoyment or that there is any place for regret that others must do the work which it was his ambition to do. Every true man bids God speed to all workers in the good cause of truth and the prosperity of his fellow man.

Old age is most usually regarded as a gloomy period of life when decrepitude has taken the place of physical energy and every source of pleasure is dried up. And this is not a mere modern speculation. A little more than eighteen hundred years ago, just before the beginning of the Christian era, Cicero wrote his beautiful treatise on Old Age, in which he enumerates the supposed evils of that period of human life

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and discourses eloquently upon the many solaces that mitigate its evils and the unnumbered enjoyments that wait upon it. If Cicero had lived to the present day he could truthfully have enlarged the list of these solaces and enjoyments. Since that time the printed book has been given to the world and the old man in his library may hold communion with the authors of all ages, and from the periodical press he daily learns the doings and the progress of the modern world in which he lives. Since that day the arts and the sciences have developed those wonderful powers which have practically changed the condition of man and placed him in a higher sphere of social life. Whatever of improvement there has been in the moral or physical condition of society, in the forms of government or in the amenities of life, whatever of good has come in modern times from the general diffusion of knowledge and the establishment of humane and liberal institutions—all these are yielding their rich treasure to the great public, and to none in richer abundance than to him who has laid down his arms and in his old age rests willingly from his labors.

It is something to have lived in an age of this great and general progress. These long years are not barren of fruit. To me the memory of the past is a living presence. Sixty years of my life have been spent here in Michigan. I have seen its growth from an almost unbroken wilderness to a powerful and wealthy state—from the primitive organization of a territorial government, with few features of a representative republic, to its incorporation into the great Union of American states. Its primitive forests have become cultivated fields. Its rivers are busy in the use of the mechanical power which these waters afford. Cities and villages are scattered throughout its wide domain. The waters of its noble lakes are everywhere plowed by the keels of vessels laden with the rich products of the soil, the forests and the mines, and the business of navigation on her ocean-wide fresh water lakes is the wonder of the world. Everywhere its churches, its schools and its institutions for the poor and the unfortunate are established and maintained. All these are the work of no one man and none may claim the glory for himself alone. It was the combined labor of all and the more noble in that the efficient work was done by so many. But the fabric is before

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us. To the young it is of the present and not of the past; but to me and others whose memory goes back to the time when it was not and who have witnessed the progressive steps of its growth, it is much more. In my mind the past and the present meet and embrace each other, and the God-given gift of memory reviews and repeats the incidents of the past with a pleasure-giving power that never tires.

With these and other precious memories, with gratitude to a kind Providence and with thankfulness to friends without number, I enter this day upon the last decade of the century, with a cheerful heart and kindly feelings to all.

This occasion is one for the joyous greeting of old friends. It is my good fortune to take the hand and receive the congratulations here of my former associate and long-time friend, General Jones, of Iowa, the last delegate in Congress from Territorial Michigan, and one of the two first United States Senators from Iowa. There is another of our former associates in the Senate, who was invited to join us and who, I greatly regret, cannot be with us, Mr. Bradbury, of Maine, my schoolmate in the days of boyhood, my associate in college and in the Senate. More than forty years have passed since we then parted at the door of the Senate chamber at the close of the thirty-second Congress, in 1853. We three alone remain of the senators at that Congress and in the long list of noble men who constituted that tribunal previous to that Congress not one is living.

I rejoice to know that we have with us to-night some of the actors who have borne a prominent part in building up and maintaining the noble institutions of our state. All honor to the former members of the executive department who have favored us with their presence and whom all rejoice to welcome. The president of our State University, the honored head of our great institution of learning, is also with us. The charter of the University was passed and its entire course has been seen within the sixty years to which I have referred. It has a history of marvelous interest to every scholar, and its record of eminent services in literature, the arts, the sciences, and the preparatory studies for the liberal professions, is not surpassed by any in the land.

The judiciary is another of the institutions of the state

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which challenges and commands the admiration of all. This, too, had its organization within this sixty years, and it has been my good fortune, as a looker-on from the first, to know the work it has done and the record it has made. We are so fortunate as to have with us to-night some of the members of that tribunal, and one who was at an early day one of the Judges of the Supreme Court, and who, for a long term of years, was one of its most efficient and eminent members. Although now retired from official position the love and respect of his fellow citizens follow him and rest upon him in his retirement. The printed decisions of this Court are received by other tribunals throughout the country as high authority, and its members have always been held in good repute as able expounders of the law and careful administrators of justice.

But courts are not isolated tribunals. They never listen with closed doors. They never decide on the rights of a party litigant without giving ear to what may be said in his behalf from his own lips or by his attorney; and this brings before the court that class of professional men whom we know as lawyers. I am happy to be classed as one of the profession. I have stood in its ranks (though not always in active service) since 1830, and three years later became a member of the Bar of Michigan. I remember well the members of the Michigan Bar at that early period. Their number was small, but among them were men of distinguished ability and fair professional acquirements. I have taxed my memory in vain to find a single individual now living who was a member of the Bar here when I came to Michigan in 1833. But the profession has increased immensely since that time in numbers, acquirements and influence.

My associations with the members of the profession have always been of the most pleasant and cordial character and from them I have constantly received tokens of their kind consideration and regard.

This pleasant meeting, called by your kind invitation, my brothers of the legal profession, and your hearty and cordial greeting are incidents never to be forgotten by me, and I beg you to accept my warmest acknowledgment and most hearty thanks.

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JUDGE KINNE.

The governor has alluded to the period when he was a senator of the United States at Washington; pardon me if I recall a few of the names of that remarkable galaxy of eminent men. John P. Hale, Daniel Webster, John A. Dix, Wm. L. Dayton, Simon Cameron, Reverdy Johnson, James M. Mason, John C. Calhoun, Wm. R. King, Jefferson Davis, Thos. Corwin, Stephen A. Douglas, Thos. H. Benton, Wm. H. Seward, Henry Clay, Salmon P. Chase, Lewis Cass, Governor Felch, Senator Bradbury of Maine, and Senator Jones of Iowa. It was a surprise to me, perhaps not to you, to discover those names centering upon that period. Of that remarkable coterie of great men, as the governor said, but three survive. We have now heard from one, as the governor has said. Senator Bradbury was unable to be present; we are, however, delighted and grateful to have the third one present with us, and I now have the great pleasure of introducing to you Senator George W. Jones, of Iowa.

GEORGE W. JONES.

MR. PRESIDENT AND GENTLEMEN:

May I not say constituents? My heart overflows with gratitude to you for the distinguished honor which you have paid me in inviting me to become a guest with you on this occasion; to honor my noble, distinguished and excellent friend, Governor Felch, at the completion of his ninetieth birthday. I came to Michigan territory in 1827, 67 years and six months ago. I had the honor of being aid-de-camp to Gen. Dodge in the Black Hawk war. I succeeded him as general and colonel of militia. I was then made colonel by the governor of Michigan territory. After that I was made chief justice of the highest court west of Lake Michigan in the territory of Michigan. In 1835 a public meeting was held at Mineral Point, while I was holding court, and nominated me unanimously as a delegate to congress from the territory of Michigan. I accepted the nomination. My competitors were Hon. Wm. W. Woodbridge, of Detroit, then occupying a high government office under the United States; Hon. James D. Doty, judge of the United States district court west of Lake

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Michigan; and Hon. Morgan L. Martin, of Green Bay. I was elected over those distinguished men. All three of them afterwards became members of congress. W. W. Woodbridge was afterwards elected United States senator from the state of Michigan and in 1840 was elected governor. Mr. Doty was afterwards elected as a member of the house of representatives from Wisconsin, and Mr. Martin followed him.

I came to this city on your invitation to do honor to my noble friend with whom I served in the senate of the United States from 1848 to 1853, when our mutual friend, President Pierce, appointed him commissioner to settle the Spanish and Mexican claims in California. Gov. Felch was chairman of the committee on public lands in the United States senate, and the faithful and able manner in which he discharged the duties of his office, for the grant reached more than half way from the Missouri to the Mississippi river, nearly 1,500 miles, has been the cause of raising Iowa from an inferior territory to now the first agricultural state in the world. Statistics prove that Iowa has raised more corn than even Illinois which has from 20,000 to 30,000 more square miles of territory than she.

Fellow Citizens—I can call you such because you bestowed the first honors upon me as your delegate in congress —I strove with your two senators to procure the admission of your state into the Union. I at the same time used my influence to have the territory of Wisconsin established. I had the pleasure of seeing my bill to establish the territory of Wisconsin passed on July 4, 1836. Before Michigan was declared a state the southern members of congress were opposed to the admission of Michigan because they disliked to create another abolition state, as they then called it, but the bill passed, and with the addition of the large section of country west of Lake Michigan which was attached to make amends for the small piece of territory taken from the southern portion and given to the state of Ohio. Gen. Jackson was then president, while I was delegate in congress from the territory of Michigan. I had been sergeant of the body-guard of Gen. Jackson at Lexington, Ky., as he passed through with his family from Tennessee through Kentucky to take his seat in the presidential chair. The next spring I was sergeant of

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the body-guard of Lafayette, the French general, who fought for the independence of the United States of America. Gen. Jackson was president of the United States when I was introduced to him the last Sunday before the first Monday in December, 1835, by Senator Lane, of Missouri, the colleague of Col. Benton. When I was introduced to him he scrutinized me and said, "My young friend, if you are from Missouri, I would think I had seen you before; I was honored at Lexington, Ky., by a young man that looks very much like you, except that he had no mustache on." I then wore a black mustache. Says I, "Mr. President, I am the same young man." "Are you Stockley's college mate?" "Yes, I am." "Give me your hand," he said, "God Almighty bless you for what you have done. If I can ever help you here I will do so with a great deal of pleasure." My bill for the establishment of Wisconsin territory and the division of Michigan was passed. I asked my two colleagues, the delegates in congress, one of whom was one of the most distinguished lawyers who ever appeared before the Supreme Court, what I could do to get the officers created by my bill appointed by the president. Both said, "You cannot get one, no delegate is known to secure the appointment of any man to fill an office in his territory." Well, says I, "But Gen. Jackson is a friend of mine, he has said he would help me and I am sure he will do it now." Said they, "You cannot do it." Sevier White said, "It is no use to try it, you will not get those offices." I sat down and wrote to Gen. Jackson a strong letter arguing against the propriety and justice of giving officers from the states to the young territories. I said to him that we have as pure patriots and eminent, able men as are to be found in Kentucky or anywhere. I claim those offices. The next day his private secretary came to my seat and said, "The General wants to see you." "What general?" said I. "Gen. Jackson," said he, "the President of the United States." That astonished me. I said, "What does he want to see me for?" He answered, "Didn't you write him a rather saucy and threatening letter last night?" "No," I said, "I hope not." Well, he said, "By the gods, young sir, you have got Old Hickory now foming at the mouth, he says, 'Donaldson, tell that Col. Jones to come and see me, I want to see if he can

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talk to me as he writes to me.'" Donaldson said, "You had better go immediately, the president is waiting for you, make your peace with him if you expect to have any peace." I jumped into a hack and drove to the White House and asked the door-keeper if I could see the president. He went in to find out, came back and said the president was waiting for me. I went in and found the president sitting with his two feet upon the table smoking a corn-cob pipe with a stem about five feet long. He said, "Walk in and take a seat, my son." My knees were trembling like aspen leaves. I sat down and he said, "My son, I have read your letter with a great deal of pleasure, it does you credit, but no such thing has been done in the United States, no territory is allowed to fill its offices with its own citizens, they always go to the states. Have you anybody in this new territory,—what do you call it?" Says I, "Wisconsin." "Have you anybody in Wisconsin who is qualified to fill the distinguished office of governor of the territory of Wisconsin? The governor of the territory is commander-in-chief of the militia and ex-officio superintendent of affairs." "Yes, sir," says I, "Mr. President, I think I have the best man in the United States." "What is his name?" "Gen. Dodge." "Gen. Dodge?" I don't know any Gen. Dodge." "He is now colonel of the 1st U. S. Cavalry. I was his aid-de-camp in the Black Hawk war; he put an end to the Black Hawk war." "O," says he, "is that the one you want?" "Yes, sir, he is the one my constituents want." My constituents had no idea the bill had been passed yet. He says, "My son, you shall have your wish. Now make me a list of the offices created for your territory with the salaries attached to each one of them; I will give you some of them, notwithstanding such a thing never has been done before, and notwithstanding every member of my cabinet is opposed to my giving you any single appointment." I started to go out; as I got to the door he said, "Stop, my son, I cannot give you the judge, but you may go into the Department of State and ask the Secretary of State, Mr. Forsyth, and he will show you a list of all the gentlemen recommended for those positions in the territory of Wisconsin and you may select from them whomsoever you choose for justice." The next day I went into the senate chamber, and as I entered Mr.

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Buchanan, then senator from Pennsylvania, stopped me and said, "Colonel, I want to speak a word to you." I stopped, he called to one or two others and said, "I want to tell you something. This morning I went over to see Gen. Jackson to ask him to appoint a friend of mine, Mr. Fraser, a judge in this young gentleman's territory, I don't know its name, and what do you think Gen. Jackson told me? He says, 'Mr. Buchanan, if you want your friend appointed judge of the Supreme Court of the territory of Wisconsin you must go to the delegate from the territory.'" Slayton says, "No, Colonel, you and I have played together, you and I are particular friends, I have nothing to do with these damned loco focos, but Fraser whom my friend wishes to have me recommend to you is one of the distinguished members of the Bar, I have practiced law with him twenty years, he would do honor to the Supreme Court of the United States, if you recommend him he will do you honor." I said, "Write to your friend to come down here and see me so I can tell my constituents I know the man who is appointed and I can recommend him." He says, "I will go and write to him." In a few days Mr. Buchanan wrote to Mr. Fraser to call upon me at my lodgings and he was introduced to me. He was a splendid looking gentleman with a white cravat, a little gray in his hair. I was delighted with him. I said, "Mr. Buchanan, cannot you and your friend Fraser dine with me?" Mr. Buchanan could not, but Mr. Fraser said, "Colonel, I will dine with you with pleasure." I said, "We will dine at 6 o'clock." At 6 o'clock he came. There were 30 or 40 at the table including Gov. Felch and myself. After taking soup champagne was handed around and Mr. Fraser who sat next to me would not take any, or claret; he said, "I have not tasted anything like this for 20 years." That delighted me. After dinner says I, "Mr. Fraser, to-night I will recommend you to Gen. Jackson for Judge in my territory." That night I recommended him and the next day he was confirmed. I said, "You will stop at the house of the sister of Gov. Dodge when you reach Wisconsin," and a senator to whom you have been introduced to-night wrote a letter of introduction. He took my letter and departed. When he reached his destination the lady to whose house he had been sent welcomed him cordially, saying that a friend had written to her all about him. "How have you enjoyed your

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trip from Pennsylvania?" He said the journey had affected him unpleasantly and he was then suffering very much. She said she would relieve him and she prepared a strong brandy sling and put in laudanum. Mr. Fraser smelled the laudanum and did not smell the brandy, so he drank it. He said it relieved him, and he took another drink of it. Then he went to a bar room and after that he never drew another sober breath.

I had the honor of being in Congress as senator five years with your noble senator; being his colleague, we messed together and ate at the same table. The able and distinguished manner in which he performed his duties as chairman of committee on Public Lands enabled my state to have the finest grant of public lands ever given any state. We are indebted to him greatly for his work as a senator.

I thank you, Mr. President, and you fellow citizens, for this honor of being here to-night. I love that man as I do my only brother, I never loved any man better in my life. He is the purest and noblest representative that I ever saw in Congress.

Gen Jackson gave me the right and I appointed every man of the fourteen appointed to offices in Wisconsin, as your delegate to congress in 1836.

JUDGE KINNE.

We have with us a member of the Bar of whom the State of Michigan and the United States of America are very justly proud, a man who has given his entire life to the glory of the profession, a man whose exposition of the law will rank in history beside Marshall and Story, a man and a jurist whose writings are an authority in that distant land from which we derive our principles of jurisprudence, a gentleman to whom we members of the bar of this state and the entire state and nation owe a debt that can never be paid. We shall be glad to hear from Judge Cooley upon the subject of "The American Lawyer."

T. M. COOLEY.

The sentiment to which you ask a response is one that any American might be proud to speak to. It is the American Lawyer. And my attention is called to it as it particularly

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refers to-night to the American Lawyer of whom we, in Michigan, have so long been proud.

The American Lawyer is expected to be a man of learning and of good sense, and withal, modest, and who will leave boastfulness to those who perhaps in other realms might incline to separate the office itself from the beneficial results which are reasonably to be expected from it, and to make the title itself the subject of boast. You will hear nothing from me that expresses a pride in a mere name of office; but I shall take pleasure in speaking to the worth of the American Lawyer, and to the large part he bears in the administration of free institutions in the western world. Nowhere among the nations is the office of Attorney and Counsellor at Law so important as an assistant in the building up of free institutions, and in their steady and safe administration, as in the United States. But to-night I am to speak of the American Lawyer, with a particular representative, whom we all delight to honor before us, and to express, in my feeble way, my appreciation of his work and his services.

Alpheus Felch was the first judge I ever saw upon the bench, and he fairly captified my imagination. I remember to-day as vividly as the night of my first seeing him how charmed I was with his presence, with his ease of deportment, with his mastery of the English language, never excessively ornate, but always clear, always to the point, always expressing exactly what the occasion called for, and doing it in such a way as to the young practitioner could not fail to be charming. Those charges of his to juries seemed to me perfect. There was not a word too many or too few, or that was begotten of mere display; not a word that the simplest man on the jury could not perfectly comprehend, and not a statement of a legal principle that did not bear on its face full justification for its utterance and a complete presentation of the view intended to be imparted. This completeness was always manifest whether what was said concerned the law or the facts. There was to me something of an education in this. Its effect never passed from my mind, and when I contrasted it with what I soon had occasion to hear from others occupying a position equally high, and who seemed to delight in the use of great words, strong phrases, dogmatic utterences that were

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uncalled for and seemed to be thrown off by way of fixing the attention of an unlearned crowd about the court, I could not fail to say to myself that I owed to our own judge lessons of propriety, of dignity in language and manner, that were of the highest importance, and that would attend me during my subsequent professional career, to the very end.

But Alpheus Felch was a modest man, as every great American lawyer is expected to be. He spoke in and for the dignity of his profession, and for the institutions that he in so large a degree represented then and for many years afterwards, as Governor of the State, as legislator in the national Congress, and in other positions of the very highest importance. He felt then and always what belonged to his position, but he never, then or at any time, arrogated or undertook to arrogate to himself one iota of importance or of dignity that did not pertain to him as an able and upright lawyer and man, and to the position in which for the time being he was performing important functions. Then and always with him the public office he held was a public trust, and he never degraded it by anything unworthy in conduct, or in the manner in which he performed its duties. May it be many years that we shall have this great teacher among us, and none will be readier than myself to bow in grateful acknowledgment for his services to his country, and to the members of his professon, of which I am proud to have been one who sat at his feet, and was taught, not simply by what fell from his lips but by the great lesson of his life.

JUDGE KINNE.

Our court of last resort has received special distinction through the instrumentality of such men as sit around our board to-night, Judge Graves, Judge Cooley, Judge Douglas and others. The supreme court of Michigan has ranked with the highest courts of the United States. We would be glad to hear something upon the subject of the Supreme Court of Michigan. I will call upon Judge Douglas to respond to that sentiment.

JUDGE DOUGLAS.

MR. CHAIRMAN:

Speaking of the modesty of lawyers, I suppose I am a conspicuous example of it, for I never had the courage to

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make an after-dinner speech in my life. Now in my old age, without any notice, I am suddenly called upon to speak upon the Supreme Court of Michigan. I don't know why unless it it because I was the first reporter of the decisions of that tribunal, and was for a few years a member of it. But these youthful indiscretions belong to such a remote past, and have been condoned by so many years of respectable private life, that I ought not to be subjected to this ordeal on account of them.

The Supreme Court is a great subject. I could inflict upon you a great many reminiscences in respect to it, some of which might interest you if there were opportunity for selection. For I have known the court and have been personally acquainted with its members ever since its first organization, when it was composed of Chief Justice Fletcher and Justices Morell and Whipple. But I will only say now that most of its members have at all times been men of very respectable ability and legal attainments; that several of them have been very learned and able jurists; and that the tribunal on a whole has always maintained the respect of the Bar and of the people, and its labors have gradually built up a system of jurisprudence that we have reason to be proud of.

Our venerable friend whom we have here met to honor was a member of that court from 1843 to 1845, if I remember correctly. During his brief judicial service he endeared himself to the Bar and to the public by that suavity and simplicity of manner, or in other words acted kindness, that good sense, independence and utter conscientiousness for which he has always been distinguished, qualities which are in a great measure the secret of his subsequent long and honorable public career.

Another of your guests who is your fellow townsman, was a member of that court and much more of a judicial veteran—his judicial genius (if I may use that phrase) and his phenomenal industry have earned for himself, and contributed largely to earn for the court an enviable national reputation.

Mr. Chairman: I will say no more about the Supreme Court. But before I close I wish to tell you a secret—I was once a member of this Washtenaw Bar'—it was in 1838 and was the beginning of my professional life. I don't know that

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you will believe it. There is no living witness to the fact that I know of. I did not distinguish myself here and do not think there is any local tradition of my residence or professional achievements. But what I say is true and I wish to be recognized, not perhaps as being, but as having been one of you.

JUDGE KINNE.

The State of Michigan has been specially fortunate in the selection of its chief executives, although I think the first governor of Michigan was an infant in years, but a man in heart and mind. I regret to say that we have not with us to-night the present executive of the state, but we have with us one of the ex-governors, who left behind him as pure, clean and strong an administration as his own personal character, and I call upon Ex-governor David H. Jerome to respond to "The Governors of Michigan."

GOVERNOR JEROME.

MR. CHAIRMAN, Gentlemen of the Bar of Washtenaw County and Fellow Citizens.

I find myself somewhat embarrassed in speaking for another man when I prefer to speak for myself, and lest I should forget what I would be glad to say for myself I will say it now.

When I received the invitation to come down here I saw that it was to be a guest of the Bar of Washtenaw County, and to partake of the banquet to be furnished by the Bar of Washtenaw County, and this was so unique a performance for the members of that profession that I said I should come at once. My experience in life so far has been that wherever there was something to be furnished and the Bar had anything to do with it they were very apt to have it at the expense of somebody else.

That was not all that I came here for either, to satisfy my curiosity in that line; but I did come here because I have lived in Michigan more years than the venerable guest of this occasion, and from my infancy up I have been taught by those whose advice I have usually followed that among the great men of Michigan was Alpheus Felch; and I congratulate Governor Felch upon the kindly spirit that pervades the whole

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people of Michigan, for him. I also congratulate him that he has passed through all these years of public life, and the earlier part of it when he needed encouragement was at a time when the public took careful thought of how their public servants were discharging their duties, for I believe that an official is encouraged or discouraged largely by the assurance that he receives that his acts are known by his constituents and are weighed for what they are worth, and he will be discouraged if they go for naught and they receive no criticism and no commendation. It is a good deal like a person coming before the foot lights in the theater when all he may do or say does not elicit any response. If I had any advice to give the people of the State it is that the responsibility as to the character of their officials rests upon them. It is their duty to scrutinize their officials, be familiar with their doings, commend them for doing well when they do well and chastise them if they do wrong.

I want to add my voice and everything that is within me that I may express in proper words and add to the good feeling that has been extended to Governor Felch. I honor him as a man, as an official, and it has been one of the green spots of my life to come down here and say it for myself.

I see before me a good many young men and I can define, I believe, some things that are running through their minds. Governor Felch has been described here very truly as a man who has held all the distinguished offices that the people of Michigan can bestow, and he received all of them without solicitation and continued right on without a break. Governor Felch, I think there is a great deal of curiosity to know just how that thing is brought about. I think there are over 100 men in this room who can tell how they have not accomplished that. I speak somewhat feelingly on the subject.

What I have to say for Governor Rich is that he is about his State's business, and he is trying his utmost that he knows how to continue in office, and I think I may safely say that heretofore he has had considerable success, and it would be the highest wish of his life to follow in the footsteps of our guest and continue on until he is 90 years old.

I hope that our distinguished guest will live to be 100 years old, and if he should and you should extend another banquet to him I hope I shall be one of the invited.

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JUDGE KINNE.

In the early history of the Bar of Washtenaw County I think its ranks were principally filled with young men from New York and New England and their colleges. To-day nearly every active member of the Bar of Washtenaw County looks to Michigan University as its alma mater. I have often thought if this mother was given to weeping, she must have shed many a tear over the conduct of some of her wayward sons who were members of this Bar, But she is I am sure a kind and forgiving parent; certainly she never was so commanding and preëminent as to-day, and how much of all that is due to the rare tact and extraordinary mental and intellectual endowments of that distinguished scholar, who has presided over her destinies for the last quarter of a century, it is not necessary here for me to state, we all know. I will call upon Dr. Angell to say a few words upon the subject of the University of Michigan.

DR. ANGELL.

I am sure no one knows better than you, Mr. President, who are obliged judicially to supervise all those young gentlemen of whom you speak, that the little pecadilloes you mentioned are merely the measles and mumps of childhood. They can be had only once and the boys generally get over them by the time they appear before you. I do not doubt you feel grateful to us for bearing with them and perfecting their characters before they come to your tribunal; but that is our duty and our pleasure.

But, sir, it would be very far from my wish to divert the thoughts of this company from the dominant thought which I am sure is in every heart to-night, and which gathers about the illustrious guest at your right. His services to the University have been so great that, if time allowed, I might well engage your attention in dwelling upon them. We all know that no one has ever been its more faithful friend, whether in the executive office of the state, or as a member of its Board of Regents, or as one of its officers of instruction, or in his private capacity. There is no one, sir, to whom I have been more glad to turn for counsels when counsels were needed, and none by whom these counsels and services were more cheerfully

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and lovingly rendered than by him, through all these years. I am sure that it has been a great moral help to all the young men who walk these streets that they could meet and know something of this good man as they walked up and down these streets. What my friend Gov. Jerome has said somewhat playfully may be said with a very deep and profound meaning; that such a character and such a life as that which we are considering to-night is a perfect benediction to the town in which it is found, and the moral tonic of such a character and life has a value for young men which cannot be overestimated. I am sure that our friend is so modest that this hardly occurs to him, but it is impossible that a man should lead such a career as his and be looked upon by young men who are coming forward and are full of aspirations and putting to themselves some of those questions of which Gov. Jerome has spoken, it is impossible that such a man should be in their presence and that they should not draw some high and lofty inspiration from him during those years when they are forming their plans and characters.

We have all read essays upon old age and encomiums upon old age. This one of Cicero's to which Gov. Felch alluded is perhaps the most noble of all. Some of us are reaching an age which leads us to ponder this subject not infrequently. I venture to say that not all the poems and essays which have been written upon the subject carry with them the weight and cheer which the spectacle of such an old age as that which it is our privilege to behold gives every one of us who is a neighbor of Gov. Felch; this cheerful, beautiful, serene old age of his which combines the joy and spirits of boyhood with the wisdom and dignity of advanced years.

For myself I speak no words which are not sincere and hearty and well measured when I say that personally my converse with him, my enjoyment of his society and friendship have been to me a source of courage and strength and hope such as I have drawn from the lives and friendship of few men whom I have known. What a spectacle it is we have witnessed here, as we have listened to this gentleman at the head of the table looking back beyond our lives half a century, living here sixty or seventy years before some of us were born, who unrolls the history of the past before us, and makes us for the hour

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take part in it. For myself I always feel like thanking him when I see him for the inspiration and brightness which he lends to us all. He seems always to bring us a ray of sunshine as we come upon him in the street, and this too now that he has reached an age when we are accustomed to think of men as burdened with anxieties and peevishness and querulousness from advancing years. I think that our young friends here may well ask themselves whether it has not been fortunate for the state of Michigan that she has been able to give the very highest office in her gift to a man of this kind; whether it has not also shown on the part of Michigan a certain sanity and good sense, for which we may indeed cherish a pride as citizens of Michigan.

I must say I have rarely known a life that has been so happily and beautifully fitted to its surroundings, and one whose afternoon is shining with such undimmed splendor and brilliancy; and I do certainly most heartily echo the wish of Gov. Jerome that it may be a long day before there is any sign of failure which should make us wish for our dear friend's release from the burden of years that is upon him. If you had had occasion to consult him as I have recently upon legal matters, and have seen with what skill he draws a legal paper now, and with what a beautiful hand he writes,—an art learned when that was supposed to be a part of good education, and I fear now disappearing on account of our stenographers,—and all this done with no sign of infirmity except a certain hardness of hearing, you would have wondered and admired. And for this hardness of hearing perhaps he ought to be thankful to-night as well as on many other occasions; for I am delighted to know that he with his well known modesty cannot possibly hear, as I suppose, from his end of the table what I am saying.

I am sure we shall all remember this as one of the most signal occasions in our lives. As one who is not a member of the Bar I desire to express my hearty thanks to the Bar for the kindness which they have shown in asking me to join in paying this tribute to our distinguished and beloved friend.

JUDGE KINNE.

It has been stated that Gov. Felch commenced his career in the "Independent State of Monroe." We have present

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to-night a leading representative of that municipality and we would be glad to hear something on the subject of pioneer days, or some other subject that may be of interest to him, from Col. I. R. Grosvenor of Monroe.

COL. GROSVENOR.

MR PRESIDENT, AND BRETHREN OF THE WASHTENAW BAR:

It gives me pleasure to be with you at this gathering and to join in honoring your distinguished guest. It was my good fortune in early life, before the days of law schools, to read law in the office of Alpheus Felch, where I learned something of the common law and also many wise maxims and rules of conduct, peculiar to him. He taught that it was the duty of a man to be prompt in responding, within his ability, to all reasonable demands and calls; that advice and its suggestions prompts me to rise at the call of your President.

Alpheus Felch was a man of reputation even in his early manhood. One might think that the fact needed verification should I tell you that he ever had any military inclinations; yet I assure you I saw him mounted and riding gallantly in battle array against the "Buckeyes" in the season of the "Toledo War." I remember his mount; he rode a small, pacing French pony, and seemed uncertain of his seat; and beside him rode Judge Bacon, a man of over two hundred pounds, mounted upon a cream-colored brood mare with a "line back," trotting as majestically as a cat. These two were military aides to Governor Mason, the Commander-in-chief of the Michigan forces, who rode a fierce, black stallion. A battallion of infantry from Washtenaw County, another from Lenawee and another from Monroe, led by a company of cavalry composed of the "early French," constituted Michigan's column of attack at the Maumee, in what was called the "Toledo War," under the immediate command of General Joseph Brown, of the War of 1812. Afterwards in a playful talk between Felch and an Ohio man in regard to that war, in which the Ohio man said: "Why did you not come over to us?" Felch replied: "Why did you not come over to this side? If you had, we Wolverines would have given you such a thrashing as you would not soon forget." One would scarcely suppose the later dignified chief justice of Michigan, and its

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sedate senator and chief executive was ever inclined to joke in that way. After President Jackson had declared peace between the great State of Ohio and the Territory of Michigan, the rising Felch was drawn into the counsels in regard to settling the affairs in relation to the disputed line, when it developed that he was better in council than in a charge of French cavalry.

Much of that negotiation was done in the United States Land Office at Monroe, where I was a clerk. Governor Mason was there desiring statehood for the territory without the disputed strip; Alpheus Felch, the young lawyer, Judge Lawrence, Colonel Johnson, Robert McClelland, the Whigs, the Nobles and quite a number of pioneer men of Monroe were satisfied with territorial government with the disputed strip; then and there Monroe was christened by Governor Mason in derision "The Indedendent State of Monroe." We were robbed of six miles of the Maumee bottoms, and young Felch had the credit of suggesting the compromise of annexing the upper peninsula to Michigan in exchange for the six miles given to Ohio. Detroit and its strong citizens were satisfied; Monroe was not; Detroit, because it was more than hinted, that had Monroe retained the six miles of Maumee bottoms, there would have been no such great city as Detroit; for the "Independent State of Monroe," on the banks of Maumee, would have been the emporium of Michigan; Monroe, because there had already been projected and chartered from the disputed tract, which it claimed, a railroad from Port Lawrence to the northwestern part of Michigan, called the "Erie and Kalamazoo Railroad." We hear nothing more of Col. Felch as a military adjuster until after the Mexican War, and after he had attained the United States Senatorship; when he was appointed on the commission in settling titles growing out of that victory; and his public record, whether for our state or for the nation, has been ever since a living epistle, read and approved of all men; and this the history of the times will establish. There are some other little incidents connected with the life of Alpheus Felch before he became the distinguished citizen of Michigan. He was prominent in the Patriot War and made famous speeches "to encourage the boys to go over and take

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Canada." "You can do it in a month or less, if you only try," said he.

After statehood, Michigan must have a coat of arms. General Cass and some others, whose names have passed from me, were to prepare a form. They completed their work, except the motto, and to Felch was given the credit of being the suggestor of the motto, "Tuebor;" a motto which, while it might have had its origin in the feeling of the Toledo War, was afterwards in the war of the rebellion adopted as the battle cry of Michigan's brigade of cavalry, so gallantly led by our Custer, under Sheridan.

. . . . . .

Governor Felch was always and everywhere respected in the discharge of his high official duties, and in these he maintained his high purity and strength of character. He was painstaking and methodical in all his labors and performed all his obligations under a strong sense of duty. Always true to his friends, he was without an enemy. I never heard of one in all my fifty years of acquaintance with him; kind and considerate to the poor and unfortunate; courteous to all, and particularly to young men and children; an honest man, beloved by all.

His early manhood was spent at Monroe; but he was not at first the Chief Justice, the Governor, the United States Senator, the Commissioner of Claims in California, but gradually developed to these things, under the training of the *wise* men of the "*Independent State of Monroe*;" while they were likewise fitting him as a missionary to Washtenaw, to civilize its lawyers and bring its Bar to its present commanding position in the State.

JUDGE KINNE.

The Bar of Washtenaw County has always had within its ranks men of distinguished talents and never more so than at the present time. To-day its leader is found in the person of the president of this association; and I propose the sentiment of "The Bar of Washtenaw County" and call upon its president, Hon. Andrew J. Sawyer, to respond to that thought.

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HON. A. J. SAWYER.

MR. PRESIDENT AND BRETHREN OF THE BAR:

I suppose I have been called upon to respond to this toast not only because I am the oldest member of the Bar still engaged in active practice; but chiefly because I have been honored beyond my expectation, and beyond my merit, by having cast upon me, by the choice of my brethren, the office of the president of the Bar Association of Washtenaw County.

Speaking in this presence and at this time and to this toast, I may be pardoned for saying some things on behalf of the Bar of Washtenaw County that at any other time and under any other circumstances might be deemed improper. The Territory of Michigan was formed in 1805. The boundaries of Washtenaw County were fixed in 1822. Washtenaw County itself was organized in 1826, and by the same act the first court ever held in Washtenaw County was provided for. I refer to the old County Court for the County of Washtenaw. That it was the first court ever organized or held in this county is manifest from the fact that the act itself, which created the old Washtenaw County Court, provides that the Justices of the Peace of Wayne shall retain jurisdiction to hear, try and determine all cases then pending within their courts. This county court was organized by Judge Samuel W. Dexter, as Chief Justice, and Oliver Whitmore, as Associate Justice. Its first term was held in the village of Ann Arbor in January, 1827.

At that time there were admitted to the Bar as shown by the records in our county, O. W. Richardson, J. L. Tone, B. F. H. Witherall, as attorneys and councilors at law, and they then organized themselves into "The Bar of Washtenaw County."

At this term of court held in January, 1827, there was tried but one case, and that was the case of the United States against Josiah Priest, on an indictment charging him with having, on the first day of January, sold to certain individuals, spirituous liquors in quantities *less than one quart.* After a protracted and hotly contested trial, as shown by the record, the jury came into court, and upon their oaths did say that the defendant was not guilty, "and that he had not sold intoxicating liquors in quantities *less than one quart to anybody.*"

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There were some remarkable features to this case: one of them was that this man, Josiah Priest, was the owner of a private residence here in Ann Arbor, and this case was tried in his house, although he was defendant. Another remarkable feature is that nearly every member of the Bar took part in the trial of that cause, and that all the officers of the court, and nearly every member of the Bar, were sworn as witnesses in the case, and yet on behalf of the defendant but one poor soul gave his evidence, and after all, a jury of twelve intelligent men decided that defendant was not guilty of having sold whiskey in *quantities less than one quart* to anybody.

There is another very prophetic feature about that case, as I said before, the record seems to disclose that nearly every member of the Bar of Washtenaw County took part in that trial and I submit, gentlemen of the Bar, that our early brethren disclosed a commendable zeal in the defense of the innocent, and from that time to this the Bar of Washtenaw County have followed in the footsteps of their elder brothers, and have continued with great force, to defend innocent people, punish the guilty, lift up the down trodden, point the way to opulence and distinction, while we ourselves have remained industriously poor.

Not only does the County of Washtenaw, we believe, rank at least second in age (and I think I may safely stop here and say that, notwithstanding the wonderful claims of my distinguished friend from Monroe, not only is the Bar of Washtenaw an older organization than Monroe, but it was absolutely necessary in order that Governor Felch should follow the paythway of glory, that he has followed with such distinction, that he should forsake the Independent State of Monroe but he, must also become a member of the meek and lowly Bar of Washtenaw County).

We claim also to be the first Bar in the state in point of numbers. Perhaps this may not be new to you all, but to some I think it is news. We have upon the rolls of Washtenaw County Bar very nearly three thousand names. We take pride in saying to you, and through you to the State at large, that as long as the Law Department of the University of Michigan shall continue to grind out lawyers, and the professors of the Law Department have courage to certify to the good, moral

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character of a candidate, the Bar of Washtenaw County will continue to grow at the rate of about three hundred a year.

I do not mind stopping in this presence and at this time to say in a quiet, modest and confidential way, that the Bar of Washtenaw County is also first in ability, and legal learning, of all the Bars of the State of Michigan. We point with pride to the fact that we have been able at all times to meet all comers, and from our superior knowledge of the law, aided by our great professional skill, we have been able to retain our full share of the honors of the profession. (Of course, no one will see any shadow of boasting in this modest claim.) We have supplied the various Bars of the State with leaven that has leavened the whole lump. To Lapeer we have given a Williams, to Alpena a Kelley and Emerick, a Turnbull, a Depew and others; to Saginaw we have given a Townsend, a Joslyn and others; to Detroit we have given a Pond, a Dickenson, a Barbour, a Conley, a Cutcheon, a Hunt, a Taylor and many others; to Grand Rapids we have given a Norris, a Uhl, a Crane, a Wanty, in fact, we have supplied the entire legal light of that Bar, including the present candidate for Attorney General of the State of Michigan.

Mr. President, in point of political achievement we claim also to rank with the very first among the entire Bars of the State of Michigan. It may be new to some of you, but it is a fact that the Bar of Washtenaw County has furnished to nearly every circuit in the State of Michigan one or more circuit judges. We have furnished to the Supreme Court of the State of Michigan at least five of the most eminent and distinguished judges who have shed light upon our profession. We have given prosecuting attorneys innumerable. We have given to the State of Michigan representatives and senators in the State Legislature, lieutenant governors and governors, and we have given to the United States numberless congressman, and at least one senator, and we could have given many more, were it not for the property qualification which modern politics has established as a prerequisite to a nomination to that office. In the person of the distinguished gentleman in whose honor we have all gathered here we, the Bar of Washtenaw County, have held every office, direct and collateral, within the gift of the people, from village attorney of the little independent village

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of Monroe, to the Senator of the United States. For the last half century, the Bar of Washtenaw County, either through the services of the distinguished gentleman for whom we are assembled, or in the person of his Honor, Judge Cooley, has never gone to bed a private citizen a single night. This is a remarkable condition of things. Not only so, but we, the Bar of Washtenaw County, through the services of our distinguished associate, Judge Cooley, have written more law books than adorn the offices of ninety per cent. of all the lawyers of the State of Michigan, outside of the Bar of Washtenaw County. We have not only written this vast volume of books, but we have written them with such an intimate, accurate, profound knowledge of the subject treated, that they are quoted with approval at the Court of St. James, and are consulted with pleasure, profit and advantage by the brightest legal minds wherever the English language is spoken. Therefore, gentlemen, we take pride in saying quietly, of course, modestly as becomes an American Lawyer, that in point of legal knowledge and ability and in point of political achievement we rank first among all the Bars of the State of Michigan.

There is another fact. And whoever has taken pains to investigate the early records of the courts, and the action of the Bar of Washtenaw County is smitten at once with the determined effort on the part of the Bar of Washtenaw County to stand first and foremost in the matter of morality. The first lawyer who ever located in the County of Washtenaw was Mr. Belcher in 1825. The records show that in January, 1829, an indictment was filed against one Tyler, who lived in Ypsilanti, of course, charging him with having, on a certain day and in the city of Ypsilanti and contrary to the statute in such case made and provided, been guilty of the crime of gaming and playing cards for money, and that, at the time and place (in the city of Ypsilanti, of course) he did win of Mr. Belcher and Mr. Samuel Denton, and several other very distinguished gentlemen of this county, a very large sum of money, to wit: the sum of five dollars. The second count charges that on the same day, and in the same place, he did lose, at gaming, and playing cards, to these other gentlemen a large sum of money, to wit: the sum of five dollars. For this crime he was brought to trial at the November term in the year, 1829, after a pro-

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tracted trial, in which I find by the records, almost the entire Bar of Washtenaw County was either for or against the prosecution, the jury came back into court, and upon their oaths did say that the defendant was guilty in manner and form as charged in the indictment, and that the sum of money actually lost was twenty-five cents. The usual motions for a new trial, and for arrest of judgment were made, and overruled, and then Judge Witherall pronounced sentence upon the poor Ypsilantian, and fined him $1.25. The most remarkable part of this record is yet to be stated, that is, that at the bottom of the record the clerk who made the entry charges up the fees of the county clerk for making this record at *ninety cents.* From that day to this, Mr. President, the Bar of Washtenaw County has gone on in this good work, and I want to say to you that the records, and the early history of that case discloses that this lawyer, who had disclosed this talent for gambling, by reason of the outraged moral sentiment of the Bar of Washtenaw County, was driven out of this county to one of the neighboring counties, where he could ply his vocation with greater profit and less danger. And from that day to this the moral sentiment of Washtenaw County Bar has been such, that as soon as any member of the Bar developed any propensity for gambling, his losses became so great that he found it to his advantage to join a Bar where competition was not quite so sharp as in Washtenaw.

One of the earliest recollections of my professional life was of entering the court room just at the close of a hotly contested trial, while Judge Cooley was, in a few beautiful sentences, closing the argument for the plaintiff in the case. I had never met his Honor before, but from that instant I have recognized him as a profound lawyer and skilled in his profession. But it was my good pleasure, and greatly to my profit, for a number of years of my early professional life, to have before me (if I *could* but distantly follow it) the example of Alpheus Felch; and I want to say, in a tone of voice that I wish might reach him, and yet possibly it ought not, that no man ever crossed the vista of my life who had so great an influence upon me as the example of Alpheus Felch in the trial of a lawsuit. Impetuous as I am, I found in him a counter part, and what I believe to be the greatest example I have ever

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seen at the Bar. His accurate, complete and absolute knowledge of every fact in the case, his careful, candid and accomplished presentation of every question of law that appeared in the case; the kind, candid, honest manner in which he delivered to the jury the facts in their logical order, as they appeared in the case, to me was a development of little less than the inspiration of a divine power. He was the precursor, the earliest example of the present mode of practicing law. For a number of years after I became a member of the Bar of Washtenaw County, the manner of trying a lawsuit in a jury case was simply by main strength. It was supposed that the court knew all about the law, and the lawyer was not expected to, and did not prepare any sort of a legal brief. It was expected that the manner in which he was to win the jury was by saying sharp, cute and unkind things about the lawyer on the other side, and the contest was a sort of bear-garden. But we find Alpheus Felch rising above all that sort of practice. Possessed of a mind clear and accurate in thought, careful, and broad in its grasp of facts, earnest and honest in its presentation of the case, deep and lucid upon every question of fact or law, it is but natural that from him we learned that the manner in which to try a lawsuit was not by main strength, but by a fair, honest and intelligent presentation of the case, and by a study of the questions of law involved. We found it was not the proper mode to try a case to call the brother on the other side a liar, and scoundrel, aqd take him by the throat, but to treat him kindly and lovingly, like a brother, and thank God his way of trying a case is accepted to-day throughout the State of Michigan as the proper way of trying a lawsuit.

To the distingished gentlemen who have paid us the honor to meet with us on this, the day of our glorification, I desire, on behalf of every member of the Washtenaw County Bar, to return our heartfelt thanks and gratitude. We are exceedingly pleased that you have honored us with your presence. We are glad that you have had the privileges of again honoring our distinguished fellow member of the Bar. We are glad that you have respected him as we have, and do respect him. We are glad that you love him as we love him, and we thank you, gentlemen, that you have kindly consented to leave

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your homes and business and journey to us and join with us in these festivities.

The following are letters and extracts therefrom which were read at the banquet:

AUGUSTA, Maine, September, 1894.

Hon. B. M. Thompson, *Secretary.*

DEAR SIR: I have the honor to acknowledge the receipt of your letter in behalf of the members of your Bar inviting me to be present at the Banquet tendered to the Honorable Alpheus Felch on the interesting occasion of his attaining his ninetieth birthday, as an expression of their appreciation of his public services and his public and private virtues.

It would give me so much pleasure to be present and unite with you in the expression of such appreciation that even at my age, although more than two years his senior, I would undertake the journey if the distance were less.

He is my dear and oldest living friend. We commenced the study of Virgil together at Limerick Academy seventy-five years ago. We were at Bowdoin College together, though not in the same class; we commenced the practice of law about the same time: We entered the U. S. Senate together in 1847; and we are now the sole survivors of the Senators of that session of Congress. Only two more can be added to the list of survivors of the hundred members of that body during the six years of our service—they are Hon. Robert C. Winthrop, of Massachusetts, and General George W. Jones, of Iowa.

After a brief period of practice of the law in Maine, Mr. Felch resolved to cast his lot with the opening *West*, and take the opportunity to grow up with it. He then moved to the Territory of Michigan, and he has been part and parcel of its development and growth until it now occupies the position of one of the leading States of the Union.

I knew him best during his senatorial life; and it is no small commendation to be able to say of him that as a safe, wise and patriotic statesman, always true to his convictions, and true to the interest and honor of his State and the Union,

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he was the peer of his colleague, another of your distinguished citizens, General Cass.

He was a *hard working*, *useful* man while in the Senate; and the various, important positions he has held are a clear indication that he must always have been in the full exercise of these qualities.

It appears that he was a member of the Constitutional Convention prior to the admission of your State into the Union—a member of your first Legislature that made your excellent code of laws—a Judge of your Supreme Court—the Governor of the State—U. S. Senator—Committeeman to adjudicate land titles in California, and lecturer on law in your University.

To have filled all these offices with fidelity and honor, and to have proved equal to every position, is honor enough for any man. Such a life, crowned with every private virtue, is worthy of commemoration. It is a life that has few parallels. And now, as he enters the ranks of the nonagenarians, I am glad to be able to unite with you in giving him the assurance of our high appreciation and affectionate regard.

Very truly yours,
JAMES W. BRADBURY.

DETROIT, September 24, 1894.

Hon. B. M. Thompson.

DEAR SIR: It is with the most sincere regret that I am compelled to decline your kind invitation to attend the proposed Banquet to Governor Alpheus Felch. To no man among us can such an honor be more fitly awarded. He has held a long line of public trusts and all with distinction and without stain. I recall with satisfaction that I have been honored with his acquaintance and friendship for more than fifty years.

Though we cannot perhaps say of him as was said of the Hebrew Prophet—his eye is not dim nor his natural form abated, we can rejoice to know that he still holds much of the vigor of ripe manhood.

He has the felicity of living to hear his long and fruitful life fairly summed up and to hear the verdict, *well done*.

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Long as have been his years we rejoice that they give promise of more. May they outrun the century, and still present to rising generations an inspiring model of the true Citizen, Statesman and Patriot. Very truly, etc.,

GEO. V. N. LATHROP.

LANSING, Sept. 14, 1894.

Hon. B. M. Thompson, Ann Arbor, Michigan.

DEAR SIR: The career of Governor Felch has indeed been a notable one; a member of our first State Legislature almost sixty years ago, a governor when our state's population was less then that of Detroit at the present time, a United States Senator with men who now exist only in their country's history. In every position he served the people honestly and ably, and of him it can be said that the people honored themselves in honoring him. Every citizen will join with you in extending good wishes to your distinguished guest and rejoicing that he has been spared a score of years beyond the allotted three score and ten. The love and veneration of those who knew him, the confidence and respect of his fellow citizens is the reward he has received for a well spent life, and none can say that it is not richly deserved.

Sincerely yours,

JOHN T. RICH.

DETROIT, Mich., September 26, 1894.

DEAR SIR: Please to convey to Governor Felch my congratulations, not only for the honor done him by the members of the Washtenaw Bar on the occasion of this anniversary, but on account of his honorable as well as long life. Few men in the state have better served its interests or been more honored by its people. As a member of the Bar he was distinguished; as a public man, Judge of the Supreme Court, Governor, Senator in Congress, alike, all along his life, honored by the people, and by his integrity and ability doing honor to the state.

I regret that I may not, perhaps, be able to attend the banquet with which the Bar honors both him and itself on his coming ninetieth birthday. Yours truly,

JAMES F. JOY.

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B. M. Thompson, *Secretary*, Ann Arbor, Mich.

DETROIT, Mich., Sept. 14, 1894.

Hon. Bradley M. Thompson, Ann Arbor, Mich.

MY DEAR SIR: To few men is it permitted to live so long, and the number to whom the possession of full mental faculties at the advanced age of ninety years, is still less. Indeed, there are very few instances, and none that I know of, in this country, where in celebrating any man's ninetieth birthday it can be said he is still in the possession of ample mental powers.

The career of Governor Felch has been a most remarkable one; a successful lawyer of large practice, he was elected Governor of Michigan in 1845, being inaugurated the following January. So satisfactory to his party, friends, and to his state were his services in that capacity, that he was elected U. S. Senator, taking his seat on March 4, 1847, and continuing in office for six years. From the time of his retirement from the Senate he has led a life of activity in his profession, retaining, however, a lively interest in affairs of state.

His life has indeed been an exceptional one, and it is well to extend a cordial greeting to him on this occasion. Please assure the Governor from me, that I regret not being among those who will assemble on the 28th to do honor to one of the great men of the Peninsular State.

Very respectfully yours,

JAMES MCMILLAN, U. S. S.

BAY CITY, Sept. 24, 1894.

B. M. Thompson, Esq.,

DEAR SIR:—In extending this recognition of the character and services of Gov. Felch, you not only honor one to whom honor is due, but honor yourselves in doing so. I have always respected Gov. Felch as one of our most pure, honest and faithful public men, and hope he may continue in health and the enjoyment of a green old age for another decade of years.

Yours very truly,

S. M. GREEN.

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DETROIT, Mich., Sept. 17, 1894.

Prof. B. M. Thompson,
University of Michigan,
Ann Arbor, Mich.

MY DEAR SIR:—There is no good citizen of Michigan who will not be with you in spirit on that occasion. The learning and the ability of your distinguished guest, the purity of his long life, his patriotism, and his pride in and services to the state and nation, have endeared him to his fellow citizens, and have made a living lesson to young men of a life well lived.

Very truly yours,
DON M. DICKINSON.

GRAND RAPIDS, Sept., 26, 1894.

B. M. Thompson, Esq., *Secretary*.

MY DEAR SIR:—It would afford me extreme pleasure to respond in person, to contribute my mite, to an object so worthy of homage as that of the distinguished guest whose long and faithful service to his country in the various distinguished positions he has been called upon to fill with such consummate ability, fidelity and integrity, as legislator, judge, governor, and United States senator; as well as the important position of chairman of the commission appointed by the President and Senate of the United States to adjust and determine the validity of the various extensive and complicated grants of land made by the government of Mexico to its citizens in California, prior to its cession to the United States, as the result of the war with that republic; and retired from the discharge of the various duties thus imposed upon him, without the semblance of a blemish upon his integrity or his honor; nor do I speak as a partisan when I say that fidelity to his political principles and convictions alone, in conflict with those of the party that guided and directed the public affairs of Michigan for more than thirty years of his active life, *naturally* interposed, as against still further distinguished political honors. While in civil life his transcendant and unsullied virtues have not been overlooked—as a professor of law, in our superb University he added grace and dignity, without austentation, to the important position in that exalted seat of learning; as well as presi-

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dent of our state association embracing members and ex-members of our legislature throughout the existence of Michigan as a state, he having been elected president at its first organization and still holds the position, having been reëlected at every biannual meeting down to the present time, despite his advanced years and his personal wishes. He is the oldest surviving member, not only of the legislature, but also of the Michigan Bar. It was my pleasure to have known him from his earliest introduction to public notice in Michigan, having preceded him as a citizen, and one of the most pleasing retrospects of my political life is that, that recalls to my mind the fact that in February, A. D. 1847, as a member of the state senate, I, as chairman of the legislative joint committee, had the honor of announcing to (then) Governor Alpheus Felch, his election as senator of the United States for the term of six years. As next in seniority as a member of the legislature, as well as that of the Michigan Bar, and he being my senior in age, less than three months, that is, from the 28th of September till the following Christmas morning, and being in the enjoyment of perfect health, free from pain or ache, it may be imagined with what deep regret I am constrained to say, that in consequence of the severe sickness of my wife I am compelled to deny myself the great pleasure to me that to meet in person the distinguished guest and participate in the festivities of the interesting occasion would impart.

I am sincerely yours,

ANDREW T. MCREYNOLDS.

COLDWATER, Mich., Sept., 18th, 1894.

Hon. B. M. Thompson,

Sec'y of the Bar of Washtenaw County.

DEAR SIR:—I first saw the Governor at Coldwater. He had succeeded the stalwart Ransom in the judgeship. He occupied the Bench then in the cheap frame building, which he will remember stood on the east side of the public square where the nice brick tenement of Mrs. Conant now stands. There had but one or two lawyers then settled in Coldwater, consequently foreign counsel was employed in important trials,

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and then I was impressed with the evident pleasure felt by those lawyers in being associated with the two lawyers composing the Bar of Branch County.

There was Gov. Gordon, Abner Pratt, and Lawyer Van Armen from Marshall, and Lawyer Chipman "Black Chip," with others. The "irrepressible" conflict over the question of a county seat had but recently been determined in favor of Coldwater against the village of Branch. Everyone appeared satisfied with the result. Black Chip himself explained to some that the village of Branch was a mere "rookery" compared with Coldwater as a place for the county seat. I fancied that Judge Felch, himself, was happy with the rest and did not esteem the dignity of his office any the less for the very primitive conditions of things around him. Having fallen by some means into the public hands, it was especially found a handy place for the Log Cabin party to hold frequent deliberations in, when a wag of the Bucktail party stigmatized the place with the title of "Coon Pen," which name it bore while there was a clapboard or a shingle left.

But it was in January, 1846, on the day of his inauguration as Governor of the State of Michigan that I next had a short interview with him. I recall the warm hand he gave me, his genial look and kind words, and withal the modesty of his bearing when all were crowding to take his hand. We little thought that fifty years more would find us still on this side of the River when not a single one partaking then of the honors of the occasion would perhaps be living. For my one part I cannot now think of a solitary one.

WM. B. SPRAGUE.

COLDWATER, Sept. 15, 1894.

B. M. Thompson, Esq.,
Sec'y Bar Association of Washtenaw Co., Mich.

Gov. Felch helped to lay the corner stone of this grand state. He assisted in framing a code of laws, and a system of government for us that has placed our commonwealth in the front rank as a state of this glorious union, with its marvelous development and growth. I recognize him as one of the in-

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telligent workers for the best interest of the people of Michigan. I honor him for what he has been to and done for Michigan.

Your obedient servant,
ALBERT CHANDLER.

Letters of regret were also read from the following persons:

Judge George W. Durand,
Hon. E. F. Uhl,
Judge R. M. Montgomery,
Hon. S. M. Cutcheon,
Gen. R. A. Alger,
Hon. T. W. Palmer,
Senator John W. Patton,
Judge Hooker,
Ex-Gov. Luce,
Judge J. W. Champlin,
Judge R. E. Frazer,
Judge John M. McGrath,
Hon. T. M. Crocker,
W. H. Wells, and others.

The following resolution was read at the banquet:

WHEREAS, The Common Council of the City of Ann Arbor has learned with great pleasure of the Celebration of the Ninetieth Anniversary of the Birthday of our Illustrious Fellow-citizen Ex-Governor

Alpheus Felch:

And, WHEREAS, the Common Council deems it fitting to commemorate this day and event by establishing a perpetual Memorial to the pure and stainless character, the lofty purposes and noble achievements of this distinguished man;

Now, Therefore, Be it Resolved, That in furtherance of the purpose and design herein set forth, that piece of land lying between Huron street and Washington street and east of Twelfth street, in said city, heretofore purchased by the City of Ann Arbor and devoted to the uses and purposes of a public park, shall be known and designated forever as

ALPHEUS FELCH PARK.

Which Resolution was unanimously adopted.

City of Ann Arbor,
Office of the City Clerk.

I hereby certify that the foregoing is a true copy of a Resolution passed by the Common Council of said city at a special session held on the evening of September 28th, A. D., 1894.

Witness the seal of said City.

W. J. MILLER, City Clerk.

All present pronounced it the Red Letter night of the Bar of Washtenaw County.

The Committee of arrangements were

HON. A. J. SAWYER,
Prof. BRADLEY M. THOMPSON,
HON. JOHN F. LAWRENCE.
HON. THOMAS D. KEARNEY.
JOHN W. BENNETT.

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Washtenaw Co. Bar. Assoc.

Banquet to Judge Kelly

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