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1865

WILLIAM CURTIS NOYES.

A
BACCALAUREATE DISCOURSE,
BY
SAMUEL W. FISHER,

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William Curtis Doyes.

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BACCALAUREATE DISCOURSE,

DELIVERED JULY 16, BEFORE

THE CLASS OF 1865,

BY SAMUEL W. FISHER,

PRESIDENT OF HAMILTON COLLEGE.

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1866.

WILLIAM CURTIS NOYES, LL. D., died in the city of New York, December 25, 1864. He bequeathed his Law Library, consisting of over 5,000 volumes, to Hamilton College, of which he was an honorary Alumnus. The President, in his Annual Discourse before the Graduating Class, commemorated his virtues, and dwelt upon his character and life. By request of the Trustees, this Discourse is now printed. In the Appendix will be found portions of several addresses called forth by his death, together with the arrangements for the use of the Library by the Bar.

DISCOURSE.

In thy light shall we see light.—PSALM XXXVI. 9.

One of the chief uses of light is to reveal the material world. A world in darkness is a world comparatively unknown. All its forms of beauty and sublimity, its varied landscapes, its lakes and mountains and rivers, its myriad exhibitions of skill to the eye, are hidden from us. Night conceals; the orb of day reveals all nature in its loveliness and glory.

But besides this, light has also a vital power. It quickens the dormant life into action. In proportion as the rays of the sun—the great source of light—fall directly upon the earth, vegetation is excited. It gives warmth and color to all objects susceptible of its influence. Healthy vegetation needs the light, and even animals are directly affected by it. The approach of the sun to our northern clime unbinds the chains of frost, quickens the latent seed, and covers the land with verdure.

Light, being thus wonderful in its influence, is used as a symbol, by the sacred writers, of various things, but especially, as in the text, of truth, and the influence that makes it effective in the soul. The light is both the truth that God reveals and the quickening influence He

imparts to make it productive in the heart. The world is full of truth. But man, perverted and blinded by the force of evil affections, never rises to the full comprehension of its highest relations, and never suffers it to exert its appropriate influence until he is brought to understand the higher revelation of God in His word, and is quickened by the Divine Spirit to admit that revelation into his heart. Then the truths which are all round him assume new aspects; the errors which have impaired their force fall away; the influences that have distorted them or blinded him to their real meaning are removed. He reaches a position where reason, revelation and nature are all in harmony; and God as the source of all is seen in the wisdom and loveliness of His infinite excellence.

That there are impediments and difficulties in the attainment of truth, is a fact recognized by the ablest philosophers. Descartes, the founder of the ideal philosophy, denied everything but his own existence, in order to place himself in a position to reason out the truth, free from the prejudices and errors of the past. Bacon, his great cotemporary, the founder of the inductive philosophy, with the same object in view, has given a list of "Idols," which stand in the way of our advancement. The various systems of logic are in part designed to meet the same difficulty. But all these methods failed in one, and that a vital point: they were unable to regulate the subtle influence of the affections upon the intellect; and if they could have effected this, they could not have brought down to man those higher truths, without which, in his fallen state, he must ever remain in utter darkness respecting his future.

Now these two things, which all past systems of philosophy failed to effect, Christianity professes to accomplish. It not only renders accessible truths essential to our highest well being, which reason could not discover; but it accompanies them with an influence that makes them operative powers in the soul; and in doing this it sheds new light on nature and the constitution of man; so that it becomes a grand fact, that in the light of God the christian believer sees light.

It would be an easy matter to show you how Christianity strengthens and elevates the minds of all who truly receive it; to illustrate the manner in which the "entrance of Divine truth gives light" to the feeblest intellect, quickens the minds, and clarifies the vision of those whose pursuits prevent any large acquisition of earthly science, and imparts noble thoughts and pure affections to the ignorant and the lowly.

But instead of expatiating over this wide field, I propose to dwell chiefly on the influence of Christianity as a power to enlighten, ennoble and strengthen *educated* mind. It is sometimes thought, if not affirmed, that men, devoted to intellectual pursuits, do not need to the same extent, the peculiar influences of Christianity. But they are all fallen, fallible and frail. They are exposed to peculiar temptations to error and sin, from their positions and pursuits. I know of no class of men who stand in greater need of the pilotage of a true Christian faith, than that which, launched upon the wide ocean of human thought, is exposed to all the perils of so difficult and fearful a navigation. History is just as full of the wrecks of the minds of the cultivated, as it is of the ignorant and the superstitious; and Christianity is revealed

as the *light* which is to guide them as well as others into the same harbor of rest.

Christianity concerns itself directly about the higher life of the soul; but in doing this, it affects the whole character in all its relations to this earthly state.

At the outset it lights up a few points in the grand panorama of thought, which at once define the system of truth, and from which it sheds light on all other relations and questions most vital to humanity. With settled convictions on these, we are at once elevated into a new sphere of thought and action. These primary points, are the being and nature of God; the responsibility and fallen nature of man; redemption from the guilt and power of sin, by Jesus Christ; and immortality. These are the points which have chiefly exercised the profoundest thinking of man in the past; these are the points which, especially since the revelation of a Saviour, have enlisted the deepest interest of the thoughtful. Begin where they may in the circle of thought, a thousand converging lines lead back to these central truths. The perplexities, the speculations, the hopes, the fears, the most important interests of our higher nature, are all connected with these themes. Philosophy outside of these is shallow and insignificant in its results. Life, without reference to these, is brutal and base: an enigma without a solution, a point without extension, a dark and worthless materialism without a solitary ray of light.

Now let the man of matured mind, whose business it is to think out the principles which are to guide others, be once established in the conviction of these fundamental truths as Christianity unfolds them; let them be

enthroned not only in his intellect, but in his heart, so that the whole man shall be subject to their vitalizing influence, and at once he is lifted above a thousand perplexities and fortified against a thousand temptations. He has reached a central position, from which he views the truth in its just relations and harmonies. The partial views, the cross lights, the distorted aspects of things, vanish. God, the soul of man, life, are invested with a reality, a preciousness, a grandeur unknown before. For now in the light of God he sees light. Those mightiest enemies to human advancement, Skepticism—which through the pride of reason unsettles all things, and leaves the soul with no solid foothold in the universe; and Superstition, which ignoring reason, dwells in baseless imaginations, are at once vanquished.

Even to the uncultivated mind these truths give a peculiar expansion. “The entrance of thy words giveth understanding to the simple.” But on the cultivated intellect their influence is still more marked. Gradually it takes in their increasing greatness: gradually it discerns their vital connection with all the relations of life. The past, the present, the future take on a new glory. Not at once, nor fully here can the mind compass this high wisdom. It is so vast, so profound that the advancing intelligence finds at every step new aspects and relations unsuspected before. The key that unlocks the mysteries of the universe is in the hand of the student; and nature and life grow brighter under the light of Revelation.

History acquires a new interest. It was a mass of facts, without symmetry, order or perceived relation to any great plan. Now there is a Divine Providence in

it, arranging the seemingly isolated national developments so as to illustrate great principles in the government of God, and ultimately promote the triumph of the scheme of redemption. All nations, the barbarous and the civilized, contribute something to the illustration of the Divine wisdom.

Philosophy, so proud, so pretentious, so grand in promise, reveals itself to this christian student as utterly barren and impotent in achievement. He sees system after system rise and fall like the figures in a puppet show; while each philosopher imagines that *he* has grasped the lever which is to move the world. He beholds the unaided reason struggling to resolve the mysteries of life, and in the end falling back baffled and utterly defeated. Meanwhile the philosophy of the Bible—the philosophy of the Cross, with its sublime conceptions and wonderful unfoldings of truth, moves down the ages with ever increasing lustre from the reflected glory of its superhuman achievements. This alone never grows old: it works with the same youthful vigor to renovate and enlighten as when first proclaimed by Divine lips on the hills of Judea. All else serve only to illustrate the impotence of man, when, relying on himself alone, he attempts to fathom the depths of infinite wisdom.

Civil law, which he has studied as a merely human product in digests, and pandects, and codes, and judicial decisions, confused, contradictory, bewildering in their labyrinthian mazes, stands forth symmetrical and clear in the peculiar light which this volume sheds upon it. Whatever it has of real worth, of universal application, is due to the Revelation which God gave for the guid-

ance of humanity in all its multiform aspects and necessities. Whatever it has of defect, whatever is partial in it, whatever time brands as false in its decrees, is due to the imperfections and ignorance of man himself.

When, as a citizen, he is called to investigate the nature and functions of government; or as a statesman he is in a position to frame the laws which are to affect national interests, he finds here the only conditions on which national development can proceed harmoniously, and the people rise to intelligence and true prosperity. Here are the laws of freedom and righteousness, in harmony with which a nation becomes truly great: here is the doctrine of a Providence that rewards or punishes nations. And thus, in whatever direction he carries his investigations, Christianity sheds new light upon his path; and his intellect moves with increased vigor and confidence to conclusions which the highest authority has confirmed.

This belief in and study of the great truths of Christianity produce another remarkable effect. They impart a peculiar breadth and catholicity to the mind, and lift it above the narrow range of professional life. The occupation of the mind with one class of objects, usually intensifies the action of the intellect in that direction, and, within a limited sphere, produces great results. The vision becomes microscopic; it discerns differences and analogies that are hidden from others. But the usual effect of such protracted intellectual concentration is to narrow the range of thought, to crowd all the effective thinking into one channel, to give to one or a few ideas the supremacy, and dwarf the mind within

their limitations. The relations of his work to other things, the harmonies of the great system which embraces all things are unknown to a mere professional thinker. As well expect a man whose strength is spent in sharpening needles, to be a great engineer, as expect one whose mental operations are controlled by and made conformable to the limited sphere of professional labor, to rise to broad generalizations and great conceptions of man, nature, and God. If you look at the Law, which embraces a wider range of principles than the other professions, with the exception of Theology, you will find that the practitioner spends the force of his intellect in the study of individual cases, in magnifying differences, or in seeking to adjust fallible precedents to the exigencies of an isolated subject. His mind, within the shell he has hardened around it, may work with astonishing energy, but he suffers an inevitable loss of breadth and expansion, such as a higher class of studies would effect. The same is true of the physician, absorbed in the study of the pathology of the human system; of the rhetorician, busy with the forms and methods of expression; of the naturalist, intent only on classifying material facts or analyzing material forces. Even such imperial minds as those of Humbolt and Compté, and Buckle, by their utter failure to rise into the sphere of the spiritual, in spite of their splendid generalization and vast learning, show themselves blind to the grandest conceptions of life.

But when a mind of ripe culture and large powers enters the temple of Christian science, a vast scene opens upon it. Sublime in its grandeur, it is perfect in its minutest parts. As in some cathedral of lofty and harmonious proportions and splendid adornments, the mind

is at once lifted above the narrow range of architectural thought in which it had moved; so when a man takes into his intellect the scheme of Christianity, all other knowledge dwindles into insignificance. He is placed at a point of vision, where Humanity, in the total history of the race, and God, in his holy government, present themselves in their wonderful proportions. He feels the heart of the universe throbbing against his own. Truths flash in upon him that ally him to the noblest intelligences. Interests, bounded only by eternity, possess him. His professional life narrows down to a unit beside millions. As the traveler who has mingled with various nations, is in a position to judge more justly of his own; as he who has stood on mountain tops, crossed oceans and continents, does not think of the world as once it appeared to him, when confined to the little hamlet where he was born; so the man, whose feet have been planted on Mount Zion, sees a kingdom of light, not ruled by blind force, but irradiated by the glory and governed by the living presence of the Infinite. His soul, exalted above the petty limits of his profession, is ennobled by ideas coëxtensive with the vastness of God's intelligent creation.

I have dwelt thus far on the influence of Christianity in expanding and invigorating the intellect. But this is not its noblest work. For truth is in order to holiness; light in the intellect the minister to light in the heart. When then a man becomes a Christian, he enthrones these great principles as operative powers in the heart. They vitalize the conscience; they ennoble every purpose. He is imperfect, it is true; but prayer is his daily resource and Christ is his ever-present Saviour. Down deep in his soul the work of transformation pro-

ceeds; out in his life its precious results are seen. He lives consciously under the eye of God, and with reference to the issues of eternity. A love, a faith, a hope, pure, joyous and inspiring, give their character to his efforts and exalt his aims. Now "in the light of God he sees light."

Coleridge writes of the Scriptures: "In the Bible there is more that *finds* me, than I have experienced in all other books put together; the words of the Bible find me at greater depths of my being; whatever finds me brings with it an irresistible evidence of its having proceeded from the Holy Spirit." And this book, with its deep, searching truth, at length brought peace to a mind long tossed on the unquiet waters of unbelief and passion; and thus this profound intellect and noble heart were at rest—he had anchored himself to the very truth of God. To a mind thus out on the sea of life, it is an inexpressible joy to possess that which shall give it true rest; to which it may turn amid the anxieties and perplexities of public life, and feel that while all things else are mutable, this is ever a refuge which no earthly power can destroy. Here, in this harbor of God, the man of faith refreshes his spirit and strengthens his soul for the perilous and difficult scenes that are before him.

When thus the truth has *found* a man; when it has penetrated the depths of his spiritual nature, and constituted itself a living power in his soul, then we anticipate, with perfect assurance, a pure and noble life in the whole circle of his manly activities. I will not speak of his home, where the light of God is reflected from him upon those who know and love him most, and where all

the gentler and sweeter influences of his heart are felt; but of that public life, where his Christian manhood is subject to the most thorough scrutiny and his principles put to the severest test. Into this life he enters with the conscientious purpose to act for God and humanity. Whatever is pure, whatever is noble, whatever tends to exalt his fellow men finds in him a steady advocate; whatever is wrong in principle, whatever tends to degrade or dishonor the people, finds in him an alert and determined foe. He measures men and their policy, not by the Lesbian rule of expediency, but by the unchanging principles of the higher law. His patriotism is grounded on the relations he sustains to his country as a citizen, out of which rise peculiar duties and responsibilities. He does not adopt that principle of the shallow demagogue, "my country right or wrong." It is not for him to exalt his country above right; he might as well attempt to exalt her above his God. But it is for him to seek to place his country in the right, that she may be worthy of *His* blessing whose throne is established in righteousness. Neither, on the other hand is he a factionist, who, setting himself up in the place of the constituted authorities, refuses obedience to a law, however impolitic, that necessitates on his part no violation of the law of God. His Christianity teaches him, that between these extremes there is a line of action, as truly in harmony with the loftiest patriotism as it is with his obligations as a Christian. A Christian patriot, he superadds to the motives and views that impel others to sustain the government and sacrifice even life for its support, the higher motives and views which the Gospel inspires.

He enters into politics, because, in this free land, political principles and measures being vitally connected with the prosperity of the State, the responsibility of advocating the right rests specially, though not exclusively, on men in public life. He studies the questions at issue in their relations to the general welfare, rather than in their tendency to elevate a particular set of men to office. Hence he is not a mere partisan, exalting party above principle, and shaping his course by the prospect it affords of political station. He dares to avow the truth and act up to it, even though it separates him from old political associates; for right and truth are dearer than human friendship, and mightier than the bonds of political association. He carries his politics into his closet, and subjects his whole life to the inspection of a righteous God.

As a lawyer, he will set before himself the nature and object of law. He believes, with Hooker, that "Law hath her seat in the bosom of God, and her voice is the harmony of the world." He regards Civil Law as the vindication of right, the establishment of justice, and the outward conservator of the peace of society; its ultimate principles as embodied in the Divine Law, its forms and modes of procedure as the imperfect product of imperfect men. He sees in his profession a power to educate men in their rights and duties, restrain their passions, and secure the harmony of society. He practices it, not as something which occasionally necessitates the violation of conscience, but as that which in all its just aims and methods, God approves. Entertaining these lofty views, he seeks, as a Christian, to make the law accomplish these ends. If this were impossible, as some seem to think, then no conscientious man should

ever enter the profession ; then our modern legal system should be reformed, or buried out of sight. He asks not how others have practiced it ; how selfishness has converted it into an instrument of injustice ; how it has been used to give victory to crime and crush the innocent. His soul revolts from such principles and practices as opposite to its nature, and abominable in the sight of God. Hence, he is no fomenter of quarrels ; he gives no encouragement to useless litigation. The rogue does not spontaneously resort to him as one who, for money, will shield him from the just consequences of his villainy ; but the poor man goes to him as one ever ready to advocate the right, without despoiling him of his little all. He may be wrong in his judgment of the guilt or innocence of particular parties ; he may sometimes mistake the law, but this will be due to that fallibility which inheres in all men, and not to any want of purity of motive, or just effort to attain the truth. He will also give his influence to those proper measures which contemplate the correction of wrong, the reformation of morals and the advancement of the principles of freedom. He will seek to make his profession a power for good in society ; to make law the conservator of order, the reformer of morals, the ally of religion, and an element of peace and prosperity to the whole community.

If he is called to positions of public trust, he will illustrate his principles by a conscientious attention to all the duties of his office. His integrity will be so manifest, that corruption dare not approach him with its polluted offerings. A transparent honesty will commend him to the people, even when his conviction of the right may be in opposition to theirs. Personal aggrandize-

ment will never be balanced against the public good. The principles of religion will not only make him clear sighted in detecting what is wrong, but fortify him against the temptations which so often assail our public men.

In addition to all this, he will take a deep interest in those institutions and measures which are connected with the right education of the people. The School and the College, where the foundations of our national progress are laid in the minds of the young, will enjoy his watchful care and powerful advocacy, while the Church of God, in all her plans and efforts for the elevation and salvation of men, will enlist his profoundest feelings and command the richest offerings of his mind and heart.

Men there have been in our land; men there are now, who, in their public life open to every eye, have thus stood, or do now stand, a tower of strength to the right, and a light to the nation; men who command the reverence and affectionate respect of their associates, and demonstrate that in the light of God they saw that which was hidden from others, their equals in native force of mind and worldly science. Before those of us whose memory of public men reaches back over the last thirty years, the form of the noble Frelinghuysen rises, as a signal illustration of every point suggested in this discourse. At the Bar, in the Senate Chamber, as the presiding officer of a college, as a member of society and the church, men loved him for his pure Christian spirit, respected him for his firm adherence to right, confided in him for his ability and fidelity in all public trusts, and admired him for an eloquence that thrilled while it strengthened their hearts in every high and noble purpose.

To-day I propose to bring before you the character of one among the illustrious dead of this year ; of one well known to many in this section of the State, where he spent the first part of his professional life ; of one whose Christianity made his patriotism and his legal attainments brighter and mightier ; of one who, by his munificent bequest, has linked his name to this College for all the future.

William Curtis Noyes was born in Schodack, Rensselaer county, on the 19th of August, 1805. His father, George Noyes, came to this State from Connecticut. In the direct line he was descended from the Rev. James Noyes, a Nonconformist clergyman of England, who immigrated to this country in 1634, and settled as pastor of the church in Newbury, Mass., where he died in 1658. Through his paternal grandmother, he traced his descent from Governor William Bradford and John Alden, of the Mayflower. On his mother's side, his ancestors were Friends and Hollanders who early settled in New Jersey. His early training in the bosom of a family where religion was a controlling power, and where all the hereditary influences tended to develop a self-reliant and earnest manhood, laid the foundations for his subsequent success. In 1819, at 14 years of age, his father entered him as a student of law in the office of Mr. Eslick, of Albany. After a few months he was transferred to the office of Judge Ludlow, then practising in Nassau, and now of Oswego. On the removal of his father to Whitestown, he entered the office of Henry R. Storrs, of that place. In this office Mr. Noyes succeeded Judge Denio, and in July, 1827, in his twenty-second year, he commenced the practice of law in Rome,

but soon after removed to Utica. It was here that his persistent energy, in the exercise of naturally strong powers, steadily devoted to the filling out of his high ideal of a Christian lawyer, mainly raised that noble superstructure, which subsequent efforts adorned and enlarged. He removed to New York in 1838. With no special advantages arising from family or business connections, brought into competition with men of the highest legal attainments and great experience, in a short time he reached that eminent position which marked him as one of the ablest lawyers in the State.

The record of such a life is unvaried by those startling acts or incidents which attract national attention. Never occupying public office, Mr. Noyes labored chiefly within the appropriate limits of his own profession. The work of the lawyer is in a field traversed by few ; it is a work that rarely awakens a deep interest among the masses. Occasionally a criminal trial moves the popular heart, and affords the opportunity for those possessed of the requisite gifts to awaken general admiration. But in civil causes, the argument, however able, usually reaches a very limited number. The greatest achievements of the ablest minds interest only a very small audience. Even the records of the Courts fail to represent to those who come after, the vast learning, the force of argument, and the admirable power of statement which have been exhibited to judges and juries. The effect of those efforts on the Law itself is often great ; as they settle precedents or afford suggestions to guide future legislation ; but there is little in them to awaken public enthusiasm or attract attention outside of the profession. And thus it often happens, that the

best legal minds of the nation, the men who have accomplished the greatest work in their profession, are known not so much directly by any effort of theirs seen and appreciated by the people, as by the estimate formed of them by the few who were cognizant of their labors and able to form an impartial judgment of them.

As a *lawyer*, Mr. Noyes stands forth preëminent; he embodied in himself and illustrated in his life a high, if not the highest ideal of his profession. As a lawyer, therefore, I shall first speak of him.

To constitute a thoroughly legal mind, able not only to counsel, but to plead, there must be a rare combination of talents. One of the first of these is a memory at once tenacious and ready—able to retain and prompt in reproducing its treasures on all appropriate occasions. The law, above all other professions, rests on precedents. It has its principles; but it is those principles as they have been applied and illustrated by judicial minds in the past, that in most cases guide the Bench, and are to be used or legitimately set aside by the Bar. The Common, and to a large extent the Civil Law, are the growth of judicial decisions. The roots of the law strike deep into the *past*. It is not the naked principle which common sense thinks it can apply directly to the case, so much as the principle applied by the common sense of the legal minds of the past, that must be mastered and interpreted alike by judges and lawyers. Rarely ever does a court pass an opinion on the simple principle, stripped of all its historical associations; but when it does this, if it be entitled to respect and commands the assent of the Bar, then it becomes itself a precedent

to guide the decisions of other courts in analogous cases. Novelty here is presumptive evidence of falsity.

Now, I am not about to argue the merits or defects of this system; it is sufficient for my purpose to state it, in order to illustrate the fact, that the man who attains to eminence in this profession, must usually be conversant with a vast mass of precedents; scattered through hundreds and sometimes thousands of volumes. His memory must not only be capacious enough to hold, but ready to bring them forth; since occasions will arise, when little time is allowed for research, and the answer must be prompt, or the opportunity is lost forever.

Mr. Noyes excelled in both these respects. His knowledge of cases was remarkable. In regard to almost every one he had ever investigated, he retained such an impression as enabled him either to use it at once as the occasion demanded, or refer to it for more accurate information. Cases are to the lawyer what bullets are to the soldier, or texts, thoroughly mastered, are to the clergyman. The man who possesses and knows how to use them, *is* a powerful advocate and formidable opponent.

But to use them effectively, other powers are requisite. There must be quick perception and a power of rapid analysis; the power to detect the vital point at issue, and strip off the merely adventitious circumstances; the power to discover the vulnerable positions of an adversary, or the irrelevancy of his arguments. In no one of the liberal professions is this power more available or more essential to success. Foot to foot, hand to hand, face to face the opposing counsel struggle. In this con-

test points unanticipated will arise that demand instant settlement. In civil causes, where principles alone are involved and the appeal is not to feeling but to reason, mere declamation is powerless; the clear statement, and the argument of facts and principles, are alone effective.

Here it is the clear analysis, the penetration that reaches the heart of the subject, marks the consummate lawyer, and lifts him above inferior minds—with Marshall and Kent and Story, he moves in a superior sphere which the multitude seek in vain to enter.

In this respect Mr. Noyes was preëminent. His mind working rapidly, had been trained to the most thorough analysis. He easily penetrated to the heart of his subject, and saw at a glance, the weak as well as the strong points of the argument. His achievements in logical analysis have been compared to those of Lavoiser and Farraday in physical analysis; as reaching to the absolute correlation and conservation of all the forces in the argument.* Certainly few members of the Bar in this

* His mind was originally analytical, and the thorough study, which he never intermitted, made him a powerful advocate. He never attempted any of the glittering show of words without argument, or words to conceal truth, which are so characteristic of strong jury lawyers, and which achieve great reputations for some men. His ingenuity was ample, but he depended on the force of simple, plain truth, the analysis of his subject and its argument, to the very last particle. If the simile may be allowed, we should say, that he had achieved in the domain of logical analysis, what Lavoiser began and Farraday, Tyndal and others are endeavoring to perfect in physical analysis, the absolute correlation and conservation of all the forces in the argument. He dropped nothing, but when he had finished, his work was complete, and it required a master mind to break the force thus presented.—*Journal of Commerce*.

land have exhibited this power of analysis in a greater or in an equal degree.

Still another power essential to forensic eminence is that of construction and expression. It is not enough that he possess the power to discover the facts or principles by which conviction of the truth is brought home to his own mind. He is not a judge, whose province it is to decide the question according to his convictions, whether he is or is not able to justify these convictions to others. It is his business to make his convictions those of the Bench or the jury. And all experience shows that many men possess one of these powers in a high degree, who are greatly deficient in the other. The advocate is something more than a counselor. He must be able to construct an argument so as to carry conviction to other minds. He must build up as well as pull down; he must demonstrate the truth as well as reach the personal conviction of it. If it is a question of fact, he must place it in such connections, and present it in such a form, with such illustrations, as to carry conviction to the mind of the jury. If it is a question of law, he must discuss it in another manner, so as to meet the severe logic and ample learning of the Bench. The profound research, the subtle argument constructed link by link out of the material furnished by a profound analysis, and with a logic that welds each part indissolubly together, would be wholly thrown away in addressing an unlettered jury. These different processes demand each a different order of talent. In the jury lawyer, a lively imagination, a quick sensibility, a keen insight into the character of those he is addressing, and a power to adapt himself to their level of thought

and feeling, must be superadded to other qualities. The play of fancy, the exaggerations of rhetoric, the impassioned appeal, all are elements of his power. Hence it is that men generously endowed with these gifts, although deficient in legal science and the higher powers of reasoning, have risen to great eminence in this department of legal advocacy.

In the other sphere, these qualities contribute little to success. Here patient research, the comprehensive learning that lays the legal lore of the past under contribution, the thorough mastery of principles and the argumentative ability that arranges and presents them with the most consummate force and crystal clearness, are the great essentials. Occasionally it happens that individuals remarkably gifted are eminently successful in both these lines of advocacy. But such instances are rare.

To whatever causes we may attribute it, it is a recorded fact that Mr. Noyes was among the most successful lawyers in both these spheres. His arguments were constructed with remarkable skill, and presented with a completeness, a clearness, and a sincerity adapted to establish his own convictions in the minds of others. His arguments before a jury were not remarkable as rhetorical exhibitions, according to the common estimate of oratory. But they were clear and strong. Before the Bench he made his vast learning available in constructing and fortifying his argument. He did not rise indeed to the massive generalizations of Hamilton and Webster: nor did he possess either their splendid powers of oratory, or that creative genius, vouchsafed to only a few, which, out of the fewest materials, builds up a

superstructure that is the delight of the ages. His learning, while it adorned, greatly augmented the force and breadth of his keen and rapid intellect. He wielded the scimitar of Saladin rather than the ponderous battle-axe of Richard the Lion-hearted. To the side he espoused he was a tower of strength.

But I have yet to mention the main element which contributed to the eminence of Mr. Noyes. I refer to his untiring and systematic industry. Without this, great eminence in any profession, however excellent the natural abilities, is rarely gained, or a great and lasting reputation achieved; with this, even ordinary intellectual powers will effect great results. There may be, here and there, a meteoric mind that has excited a transient admiration by its dazzling coruscations; but unsustained by vigorous and continued effort, it has soon vanished into darkness. The great works of God and man, with rare exceptions, are the products of time. Point by point the planets compass their vast orbits; by slow increments the oak reaches its giant stature; step by step the rocky ribs, and granite foundations and mineral treasures of the earth were formed. Day by day, through slow and often difficult processes, mind expands and gains its power. Idea added to idea, fact linked into fact, thought gradually forming itself into expression, reason, by its daily exercise, rising into the power of induction, problem after problem mastered; this is the slow, and sometimes painful, method by which man rises to the heights of intellectual greatness and achieves works that are to live in the coming ages.

The ability of continuous mental labor, is itself one of the powers most essential to success; and when

united with strong natural gifts, its results are the admiration and the glory of man.

When, at fourteen years of age, Mr. Noyes entered the office of Mr. Eslick, he assumed and felt the responsibilities of a man. While he realized the necessity of labor in part for his own support, he knew also that the character of his future depended on the improvement of his present advantages. He had no time to waste in idle and enervating pleasures; for a new life had dawned upon, and its bright ideal perpetually drew him forward. From that early period, for nearly fifty years, his course furnishes to our American youth a splendid illustration of the power of labor directed to noble ends. Before he was nineteen, while yet a student in the office of Judge Ludlow, "in addition to the performance of all the clerical labor of the office, he prepared an abridgement of Caine's Practice, making at the same time copious notes of the changes occasioned by statutory enactments, as well as references to the judicial decisions on matters of practice which had been made during the fourteen years that Caines was the standard work on that subject in this State."* It was this untiring industry that led Judge Ludlow to predict, "that this quiet and unobtrusive boy would, with good health, take, at an early day, a prominent rank at the Bar." Judge Denio informs me that when at the commencement of their career, they used to practice in the justice's courts, Mr. Noyes always had a thoroughly digested brief, with the cases pertinent to his points noted down, and that, if they could be found, it would appear that

* A. J. Vanderpoel, Esq.

they bore all the marks of careful preparation which distinguished his subsequent efforts.

To this assiduity in labor, he united a systematic division of his time. Everything had its place, and its hour, down to the minutest arrangements of his busy life. To him *time* was an element of progress and power, which, unimproved, was lost forever. While yet a student, his eyes became diseased, and he was unable to use them. But he still prosecuted his studies, through the assistance of a friend who read to him. After his removal to New York, in consequence of an accumulation of business, the same difficulty occurred; but by the aid of an amanuensis, he continued to labor. Before the indomitable energy of this man, difficulties vanished, and he rose with every new demand to the full height of the occasion. Such steadiness of purpose, such unremitting industry, associated with fine natural abilities, and directed to noble ends, with the Divine blessing, soon elevated him to a position among the select few who stand at the head of the Bar in this State. This enabled him to meet the demands made upon him by one of the largest and most exhausting practices in the State; this enabled him faithfully to discharge other duties, which as a citizen, a father and a Christian, he owed to the State, his family and the church; this enabled him to supplement in part the deficiencies occasioned by the lack of an early and thorough classical training, deficiencies which he in common with others who have won high reputation in the profession, felt and acknowledged all through life; this made him as familiar with the magnificent library which he had gathered around him, and is from henceforth to adorn the

halls of this Institution, as many lawyers are with the pages of Blackstone.

To these qualifications for his work as a lawyer, we must add a remarkable degree of self-possession. Although naturally of a somewhat nervous and excitable temperament, he yet had trained himself to such perfect self-control, that the deepest excitement of the struggle never blinded his judgment, or betrayed him into an unguarded expression. The rudest assaults affected him apparently no more than falling of water upon a rock. Always urbane and courteous amidst the fiercest conflict, he rarely retorted; but when justice to himself, or to his cause demanded it, his arrow pierced to the heart of his assailant. No man at the Bar illustrated more fully the power of a mind self-possessed in the consciousness of his resources, or the manly and noble courtesy of the *Christian lawyer*.*

It has been said that the test of true greatness in a public man, is the ability to meet successfully every occasion that calls for the exercise of great powers. Tried by this test, Mr. Noyes is placed by the ablest of his associates among the great men who have wrought in the law. Engaged in some of the most important suits ever litigated in this State, he stood abreast of those whose splendid talents and varied attainments, constitute the pride and glory of the New York Bar. "Among the many great cases," says the Hon. William M. Evarts, "in which Mr. Noyes was employed, it fell to my fortune to be concerned in three—once as his associate throughout the long Police Law litigations, once opposed

* See the fine address of Charles O'Connor, Esq., in the Appendix.

to him in the New Haven Railroad Cases, and again in the Rose Will Case. I do not think that our Bar ever presented so singular a scene as the trial of the New Haven Railroad Cases, in which, speaking almost literally, Mr. Noyes was on one side and all the rest of us on the other. It was a wonderful trial of a man's resources and of his temper, for, when any one of us was exhausted on our side, there was always a fresh hand to take it up for us; but he was the constant combatter of all of us in succession, and stood—as in some of the ancient conflicts of physical force—like *Hercules** defending a bridge with his single arm against a host of adversaries. In the Rose Will Case, he brought to his side the culmination of great researches and valuable ideas that he had collected in the doctrine of charitable uses. Under our statutory and constitutional laws, there was nothing that he had not considered, and nothing that he did not know that was practically and substantially valuable in the doctrine of charitable uses. In the police litigations, from the first excitement until the final conclusion of the litigations that determined the title of the policeman, Mr. Noyes was constant in the service that he rendered to the side which he had

* I find *Hercules* in the printed report of Mr. Evarts' speech; it is probably a mistake of the reporters, for Horatius. Mr. Evarts was, as I remember well, a fine classical scholar, in "Yale."

"Alone stood brave Horatius,
But constant still in mind;
Thrice thirty thousand foes before,
And the broad flood behind.
'Down with him!' cried false Sextus,
With a smile on his pale face;
'Now yield thee,' cried Lars Porsena—
'Now yield thee to our grace.'"

espoused, and perhaps upon that, more than any professional association which I enjoyed with him, I got the opportunity to see what he brought to his friends, and what aid or help he could give to or receive from his associates."

This description is not the language of flattery, prompted by those feelings which the presence of death inspires, and which sometimes impel us to exaggerate the excellencies of those who can no more occupy the position of rivals, and whose fame, enshrined in the past, no longer overshadows our own. It is in harmony alike with the judgment of all Mr. Noyes' associates at the Bar, and with the actual achievements which distinguished his career. The youth who labored with such untiring diligence to prepare for his work, when he reached the ripeness of middle life, proved himself able to sustain the greatest responsibilities, and equal to the greatest occasions of his professional life.

In consequence of his high reputation, he was appointed, by the Legislature, in 1857, one of the Commissioners of the Code. It is stated by his colleagues in this great work, that the chief labor of its preparation was performed by him; and it is an interesting fact, that he revised the last sheets of the completed Code on the evening before he was struck down by the disease that caused his death.

We are not, however, in considering the character of Mr. Noyes, to limit our view to that field of professional labor in which he won his chief apparent victories. There were other responsibilities which rested upon him, and which he nobly sustained. Among these I may mention

the patriotic service he rendered to his country. Early in his career, he did not engage, to any great extent, in politics. Originally a Whig, when that party was dissolved and the Republican formed with reference to the new issues that then agitated the country, he attached himself to it, and actively sought to make it successful. In 1861, he was appointed one of the Peace Commissioners from this State, to harmonize, if possible, the conflicting views and interests, which threatened the dissolution of the Union. In the Conference which followed, he labored with his accustomed energy to avert the struggle between the North and South, which he had long feared and anticipated. When he found, however, that all concession, save that which sacrificed the fundamental principles of the Republic, was unavailing, and that the issue must be subject to the arbitrament of the sword, then he gave the whole force of his intellect, his reputation and his energy to the support of the government, as embodying in itself the cause of right, of justice, of humanity, of free government, and of God. With his pen and voice he labored to rouse the patriotism of his countrymen, to present the true view of the great issue, to aid the government in its efforts to obtain men and means to carry the war to a successful conclusion. Solicited, at the breaking out of the rebellion, to contribute to the endowment of the Robinson Professorship, he answered, "Be assured I shall remember Hamilton, but now all that I have must be held subject to the prosecution of this war." When remonstrated with on account of his incessant labors, and told they would shorten his life, he replied, "If I die in the service of my country, I am willing to go." In the opinion of those qualified to judge correctly, these

anxieties and labors, in addition to his professional work, contributed largely to send him, while yet in the full vigor of his powers, to the grave. In this war, not those alone who fell on the field, have died for their country. Away from the roar of cannon and the hurtling tempest of shot, and the clash of bayonet and sword, others have fought and fallen for the cause of liberty. There are martyrs nearer home, whose bodies fill quiet graves, who freely offered life on the altar of patriotism. Among those whose memory shall live fresh and green in the minds of freemen, whose names shall be written high on the scroll of our fallen patriots, William Curtis Noyes will not be the least.

And here it is well to notice the fact that Mr. Noyes, both as a lawyer and a politician, was animated by a just ambition. I use the word under protest; for it has been employed so often in a bad sense, as to stand in the minds of many as a symbolism of corruption. There is a vulgar ambition for mere distinction, place, or power, which delights in notoriety, and to gain its object will burn a temple grand as that of Ephesus, or assassinate a president though he were the noblest of men; which rejoices in the tinsel and glitter of office, and is neither careful of the means by which it is attained, nor of the use of the power it confers. And there is an ambition which aims at high attainments, and desires those positions in which those attainments may be used to exert the largest influence in elevating society; *this* ambition may exist in an angel's breast.

Mr. Noyes early formed a high ideal of excellence in his profession; with rare energy and steadiness of purpose he devoted himself to its attainment. Step by

step he ascended, until, in the judgment of others, if not of himself, he stood on the summit. He desired a position in which his acknowledged abilities and ripe powers would enable him to exert a more direct influence upon the establishment of those legal principles which underlie our national institutions, and which, when fully unfolded, will constitute a body of law in advance of all other legal systems. But he would stoop to no intrigue, nor abate a jot from his lofty integrity to attain it. "If he could not honestly reach such a position," he declared, "he would go without it." He was prominent among those proposed for the seat of Chief Justice of the United States, made vacant by the death of Judge Taney. And no one can doubt but that his vast learning, his thorough insight into the principles of law, his spotless integrity, his sound judgment, his fidelity in the discharge of duty, would have commanded the confidence of the nation. It is well for our educated young men to be animated by such an ambition; to have ever before them a high ideal, and seek for excellence in their professions with untiring assiduity, as a power to be used for the spread of right principles and the elevation of mankind.

Let us now contemplate the inner life of this man; the religious principles which more than everything else contributed to make him what he was. Mr. Noyes was a Christian. Springing from a Puritan ancestry, his early life was developed under the influence of pious parents, who nobly illustrated in their own lives, and in the training of their children, the strict religious discipline characteristic of such an origin. It is customary, with some persons, to speak slightly of Puritanism; the accidental peculiarities are made the cover for an

assault upon the thing itself. But Puritanism essentially sprang from the direct contact of the mind and heart of the people with the living word of God. It is the product of the Bible enthroned, as a life giving power, in the soul. It made this the sole standard of religious truth, the sole test of opinions concerning our relations to God and man; it exalted the essence above the form, the revealed word above the traditions of a corrupt church. Giving to every man the right of private judgment, it taught him how to exercise it. Making the people, under God and his word, the operative source of power, it trained them to self-government by the very strictness of its discipline. Inspiring self-reliance, it gave scope and impulse to the development of their native energy. Its grand ideas and sublime connections with things invisible, exalted and moulded their manhood. It protested against the despotism of the hierarchy and the despotism of the king; but it held fast to the Bible as the only chart of freedom for the soul. Embracing this book with a faith rarely surpassed, it sought to apply its teachings to the entire sphere of human action, and bring society into harmony with its sublime philosophy. Deriving its life from this fountain of light, God honored it. It inspired the Huguenots in their resistance to despotism, and made multitudes of them exiles to this new world. It was the sustaining power which gave liberty to Holland. It planted republicanism on these shores: it gave to this nation its bone and sinew: its restless enterprise: its high intelligence: its indomitable spirit of liberty. It has done more to create schools and colleges and benevolent institutions, than all other influences combined. It reared churches among the advancing population and

taught the only truths which are able to form a stable, enterprising, intelligent, religious and free society. And if this nation is to live and prosper, and become a mighty influence in the regeneration of the world, it is the spirit of Puritanism inspired by the pure word of God that is to form and prepare it for so grand a destiny.

Under its influence, the character of Mr. Noyes was formed. In his maturer years, as he witnessed the influence of another style of social life and household training upon society, he rejoiced, with devout gratitude to God, in his thorough religious education under the paternal roof.

Early in his professional life he became personally and vitally interested in religion. The change was deep and lasting. It ennobled his whole character; it chastened and purified his ambition, enriched and amplified every natural grace, inspired nobler aims and gave a new direction to his spiritual life, strengthened him to resist temptation and live to do good. It enabled him to bear trials with fortitude, and "made him," according to his own declaration, "a thinking man and a better lawyer." This vital influence—faith in Jesus—gradually moulded his entire character, and affected every department of thought and action. His pastor, the Rev. Dr. Prentice, remarks of him, that "he possessed the humility and artless faith of a little child. It was a delight to preach to him, he was such a friendly, patient, and devout listener. His love to the Bible and to all the great ordinances of religion was after the type of that of the old saints; so too was his confidence in the great catholic doctrines of religion. The skeptical objections and tendencies of modern thought appeared to give but little,

if any, trouble of mind. He was eminently a man of faith. The very word, especially in its Latin form, was exceedingly dear to him. He inscribed it upon the most precious symbol of his love. 'Fide'—'by faith we stand,' that was his motto. He endured as seeing Him who is invisible, and he did so by keeping up personal communion with his God and Saviour through prayer."

It was in the strength of this faith that he rose superior to the fascinations of the world. When he removed to New York, he was strongly solicited to join the circles of the thoughtless and gay, who regarded not the Sabbath, cared not for religion, and who would have rejoiced to have made him like themselves. But he stood fast by the Cross, and maintained his Christian integrity. The sweet influence revealed itself in his family, in his professional life and in his relations to the church. It inspired that uniform kindness and courtesy which characterized his intercourse with his professional brethren. It opened his heart to a living sympathy with the wants and sorrows of those around him. His liberality, based upon principle, was munificent. He not only contributed largely of his means, but engaged actively in relieving want. For years he was a member of the charitable committee of the New England Society, discharging the duties of that position with great self-denial and fidelity. In the cause of temperance he felt a deep interest, and acted as one of the Executive Committee of the "American Temperance Union." His philanthropy extended to all classes of men. He felt great interest in the education of the young, and manifested a special solicitude for the advancement of the young men in his own profession. It was this regard

for the young that, in part, impelled him to commit his great law library to this Institution, that here it might remain to assist in the training of its students for the public walks of life.

In the Church, especially, his fidelity and spiritual life revealed itself most unmistakably. Here he was at home; here his soul found the secret springs that refreshed and refined. Here his liberality was large. As he did not regard himself as fitted to preach the Gospel, for many years he sustained a home missionary to preach in his stead the gospel of the grace of God. In doing this he gave no hint to others; only himself and another, through whom he sent his gift, being acquainted with the fact. His interest in the ministry was true and cordial. In addition to the testimony of his pastor, I may here quote the words of Rev. Mr. Richards, the pastor of the Congregational Church in Litchfield, Connecticut, at which place he usually spent his summer vacation, in the old homestead of the late Col. Talmadge, the grandfather of his wife. "His prayer in the last meeting which he attended here, was strikingly tender, humble, simple, devout; and the trembling, faltering tones will long be remembered by many. He was a most kind and generous friend to me and mine, a liberal supporter of all good things among us, a special guardian of the poor, a protector of the friendless, cheerful, affable, accessible to all; his cares apparently resting lightly upon him, his ear and hand open to an appeal from any quarter; his heart animated, his life controlled by religious principle, while he was devoid of cant and sanctimoniousness. There are few his like in this or any other church, in this or any other community."

In his domestic relations, Mr. Noyes was peculiarly happy, and here the gentler virtues of the son, the brother, the husband and the father adorned and illustrated a character remarkable for purity and strength of affection. In his home he laid aside the cares of business, and amidst relations so sweet and tender, his genial spirit was the life and joy of those he loved. His hospitalities were unbounded, and those who enjoyed them gained a clear insight into his noble nature and left his presence happier and wiser.

Affliction had frequently entered his dwelling, but its influence chastened and refined his spirit, and brought him into more habitual nearness to his Saviour. Before he left Utica he had laid in the grave the mortal remains of a dearly loved wife and two children. Subsequently united to one whose ancestral virtues and Christian culture made her a congenial companion, his home was again the abode of light and joy. In January, 1850, his only son was taken from him, and in 1857, on the anniversary of the landing of the Pilgrims, a lovely daughter passed upward. These afflictions darkened bright hopes, but deepened the work of grace in his heart. Solicited to attend the meetings of the New England Society on that day, and accept the Presidency, he declined with the remark that "it was not a joyful anniversary to him." When at length time had soothed the anguish of his loss, he gave his consent. On the night of December 22, 1864, he presided at the anniversary of the Society. He seemed to be in the full maturity of his powers of body and mind. His address on this occasion was full of noble thoughts and manly eloquence, a fitting close to an illustrious career. The next morning he was stricken with paralysis, and

when the Sabbath dawned his spirit ascended to join the victorious host who through faith had won the immortal crown. Death found him not unprepared. No conscious triumph in the hour of dissolution was needed to assure his friends of *his* final victory over death and the grave. Often did he say "I try to live each day as if I expected to die to-morrow." Amidst the battle of life, with all his armor on, in the full strength of his powers and ripeness of his fame, he fell to rise immortal. In the light of God he had seen light, and so he died to earth to live in heaven.

His death was felt to be no common event. He had so borne himself in all the relations of life, he had so illustrated the virtues of a Christian manhood, that many outside of his own immediate circle, felt that a friend, a benefactor, a man of rare excellencies had fallen. Scarcely ever in the history of the Bar has one of its members been the subject of more heartfelt and exalted eulogies. Here on this hill side and in these halls, long after his friends and associates have gone from earth, his memory will live, while his character and works will assist in forming the minds of our youth for usefulness.

YOUNG GENTLEMEN OF THE SENIOR CLASS : You have at length reached the close of your collegiate life. The point at which you stand gathers about itself a peculiar interest. The past years of your life, with all their influences for good or evil, are fixed never to be retraced. The future opens before you in all its breadth and length. A short time longer most of you will spend in the study of your respective professions, and then you will enter directly upon the special work of life. In this, my last official address to you, I have endeavored

to set before you the great principles which should animate and control you in the future as educated men. The life, to the description of which you have listened, largely confirms and illustrates what I have said. Let me here gather up a few of the lessons it teaches, in order that, as they are grouped together, they may remain with you to guide and strengthen you in your future course.

And first, remember that difficulties in the prosecution of your work are not to be dreaded as if they could defeat or baffle you in the attainment of your purpose. They are appointed of God as our discipline for usefulness. Resolutely met and overcome, they augment our power and lift us to a higher position of influence. The truly great, the truly good, the most successful men, were not nursed in the lap of luxury and ease. As the eagle pushes its fledglings from the nest and compels them to battle with the storm, that they may grow strong, so necessity compels us to task our powers that we may grow strong in all that constitutes the true excellence and power of an educated manhood.

A second lesson this life illustrates is the fact that work, rightly directed, is ordinarily, with God's blessing, one of the chief elements of success. Life is not made up of great occasions for the exercise of splendid talents. It is composed chiefly of common every-day duties, to the discharge of which moderate talents, steadily exercised are amply sufficient. Besides, it is only the man who diligently employs each hour of life in his appropriate work, who is able to rise to the level of great occasions when they occur. Genius or great talents, without industry, sink into practical imbecility.

It is the man of persevering toil, unseduced by the false pleasures of ease, who perpetually advances in science, develops his powers in the line of useful objects, establishes a foundation on which confidence can repose, and wins success. Make up your minds to a life of labor, and work on as long as God gives you health and strength.

Another lesson this life teaches you, is that a just and well-regulated ambition for excellence in your profession is ever an element of success. The whole tendency of the Divine working in man is towards perfection—sin alone produces physical, mental and moral imperfection. The moment a man becomes a Christian, he begins a warfare with the downward tendency of sin, he struggles after conformity with a perfect standard. And this principle, which is of the very essence of religion, is to be carried out and applied to everything with which we have to do. It inspires the desire to do everything in the best manner; it makes us discontented with imperfection. But I speak of it now, however, in reference to the special work of your life. In your profession, aim at the highest excellence. Desirable in itself, it is particularly so with reference to your power of your usefulness. Be ambitious to attain the highest influence for good within the range of your powers. Keep this point ever before you. Let it stimulate and fire you. Let the desire burn in your soul with a holy fervor. Do not dishonor it, by mingling it with the selfishness that covets power and excellence merely as the means of securing personal ends. Let the objects be noble, and then pursue them with an earnestness commensurate with their importance. Make the most

of every hour of life and the abilities God has given you. Thus, and thus only, will you reap the richest harvest, and leave behind you a record blazing with light in every part.

You are taught also by this life the duty of fidelity to all your engagements. Let it be seen and known that whatever trust is committed to you, you will discharge its duties to the best of your ability. Thus only will you win confidence and become a tower of strength and a bright light in your generation.

The example of Mr. Noyes teaches you also the duty and importance of interesting yourselves in those movements which, in our free land, are often vitally connected with the progress and elevation of society. As educated men you have the ability, and it will be expected of you to lead in all measures of healthful reform; to labor for the purity and support of our civil institutions; to advocate the measures essential to the purity of morals; to stand by the cause of Education, and make your influence felt in all those things which concern the well being of society. Your purse should be open to the calls of benevolence, and your tongue ready to advocate every good cause.

But without dwelling on other points here illustrated, such as the duties which spring out of your social and family relations, the courtesy to be exhibited in your manners towards all men, and the interest you are to cherish in the young; let me sum up all these lessons in the one final and grand thought, which the life of this distinguished man utters most impressively in your ears. *Vital piety*, pervading the whole man, devotion single and entire to the interests of Christ's cause, embraces,

and consecrates all our duties, all means necessary to the largest success, all hopes, all strength, all activity, all attainments, all inspirations, all motives, needful to the full accomplishment of our work on earth and our perfect preparation for the life of heaven. When Mr. Noyes said that "religion had made him a thinking man and a better lawyer," he virtually said that religion had brightened and expanded his intellect, opened before him the true objects of thought, purified his affections, strengthened every good purpose, taught him the relative value of the objects of human pursuit, lifted him above temptations that would have degraded and enervated, sustained him in affliction, inspired a new life of love in his soul, enabled him to attain a higher position here, and prepared him to enter into the rest of God's people. In the light of God he saw light. All this it did for him ; all this it will do for you. Most of you, I trust, have already a vital interest in Christ as your Redeemer. Live for *Him*, and He will not fail you in this world or in the world to come. Would that those of you, who as yet have never known Him, would now on this threshold of active life consecrate yourselves to His service, and gain thus the first—the most vital element of success. A nobler field of labor lies open to you than ever before in the ages solicited the interest of educated mind. Our country at rest again, her institutions vindicated, and freedom triumphant, calls upon you to go forth in the strength of Jesus to elevate and bless her sons. The world itself opens her portals for the enterprise of mind, especially in preaching the Gospel, and pleads for you to enter and diffuse amidst its darkness the light of Christian truth. May a spirit

Divine guide you in the choice of your profession and your field of labor, and make you mighty to do good.

And now that we are to separate as teachers and students, our prayers will ascend for you, our best wishes and hopes will attend you. Wherever you may go in after life, be assured that while we live, there are those who cherish a deep interest in your welfare, hearts that will throb with joy over your progress, that will sympathize with you in your trials, and that hope to meet you when this scene of toil is over, in that blessed mansion, that sublime collegium, where Jesus gathers all his graduates to be forever in the light that beams from his countenance. The blessing of that Redeemer rest upon you now and evermore. Amen.

APPENDIX.

RESOLUTIONS OF BOARD OF TRUSTEES.

At a meeting of the Board of Trustees of Hamilton College, held at the College on the nineteenth day of July, 1865, Judge Denio presented the following preamble and resolutions, which, on his motion, were unanimously adopted :

The Treasurer having communicated to the Board a copy of the clause in the will of the late William Curtiss Noyes, by which he bequeathed to this Corporation his very valuable law library, with the information that the books, consisting of more than five thousand volumes, and a carefully prepared catalogue have been received at the College, it is thereupon

Resolved, That this last donation, added to the former liberality of the distinguished benefactor, by which the astronomical observatory has been furnished with one of its most useful instruments; and the friendly interest which he has uniformly manifested in the welfare of the Institution, entitle him to be held in grateful remembrance, not only by its constituted guardians, but by its students and graduates, and by all who are or shall be in any way associated with its history and fortunes; and moreover, that the example furnished by his eminent career in his cherished profession, and his pure and unsullied life, and his Christian character afford a not less useful legacy to the young men of the country, and to those who are charged with the duty of preparing them for usefulness in life.

Resolved, That the gift of this library, and its acceptance by the College, impose upon the Board the indispensable obligation of procuring to be erected, at the earliest practicable period, a suitable edifice in which it, together with the books constituting the College Library, may be safely kept for convenient reference and use; and that immediate measures be taken to realize the pecuniary means for accomplishing the important object.

And, on motion of Dr. Fowler,

Resolved, That Judge Denio, Judge Bacon and Mr. Wetmore be and they are hereby appointed a committee to communicate to Mrs. Noyes and the executors of Mr. Noyes the foregoing preamble and resolutions.

[A copy.]

O. S. WILLIAMS,
Secretary.

THE NOYES LAW LIBRARY.

The Law Library bequeathed by Mr. Noyes to the College is one of the most complete and valuable in the State. It contains over five thousand volumes, and was collected by Mr. Noyes with great care and at great expense, and abounds in the best materials for the use of the legal scholar and active practitioner.

The collection contains all the American Statutes and Reports both of the States and the United States; the Statutes and Reports of Upper and Lower Canada; all the English Statutes, and the Reports of the English, Scotch and Irish Courts, both at Common Law and in Equity, and Ecclesiastical Law.

In Elementary Law it contains all the principal treatises published in England and America, and a large collection of legal periodicals, such as the *London Jurist*, and the *Law Journal*.

The student of Ancient and Abstruse Law will be delighted to find excellent copies of the *Mirror*, *Glanville*, *Bracton*, *Fortescue*, *Fleta*, and all the old English Reporters in folio, with the Year Books, and the *Natura Brevium*.

Civil and Admiralty Law has not been forgotten, and the *Corpus Juris Civilis* and the *Codex Theodosianus* lead a large number of valuable works in these departments.

The antiquarian will find his tastes consulted and his wants provided for in copies of many rare and curious works, and there is hardly any book which a lawyer in large practice, or the more general legal scholar may wish to consult, which may not be found in this collection.

The Trustees of the College are now making an effort to erect a suitable library building, and in the meantime the Noyes Library has been put up in a large, well-arranged, and well lighted room adjacent to the College Library.

A full catalogue will soon be published, and the Library itself thrown open for use to the legal profession in this section of the State.

From the great number of eulogies, called forth by the death of Mr. Noyes, the following are selected as most fully representing the views and feelings of the Bar at large. To these is appended a portion of the address delivered at the funeral by his Pastor.

At a large meeting of the members of the Bar in the city of New York, on the 30th of December, 1864, highly eulogistic resolutions were offered by A. W. Bradford Esq., and supported by addresses from Dudley Field, Charles P. Kirkland, James T. Brady, A. J. Vanderpoel, and others. The following is the

ADDRESS OF CHARLES O'CONNOR, ESQ.

MR. PRESIDENT AND BRETHREN OF THE BAR :

Those who have contended in the forum with our departed brother can best testify to his very great capacity, for the part of an advocate in the Courts of Justice—his great natural capacity, because endowed with the strong sense of justice and conscience that stimulated him to the sacrifice of self and life's enjoyments, to the fullest measure that necessity might require, for the purpose of performing to perfection and to its utmost fullness the duty of the advocate.

This temper made him a laborious student—made him apparently an ambitious lawyer; but, in truth, his character is better described by the single term, the faithful and the skillful advocate.

His labors were not directed to making a great name, but to accomplish the great duty of failing never in his undertakings on behalf of those whom he considered applicants at the tribunals of justice, in the enforcement and the establishment of their rights.

Mr. Noyes is thus spoken of by those who had occasion to contend with him, and had thence the best opportunity of judging his character, and appreciating his abilities. But those who associated

with him as friendly champions in professional pursuits—who had the pleasure of enjoying his society in social intercourse, and who enjoyed the measureless advantages (I mean those outside of our profession) of having him for a daily adviser in the concerns of life, that might become the subjects of judicial employment, and who had him for their champion in their hour of trial—can speak of him in other terms. They speak of him in language that, perhaps, indicates more consideration for self than for him, but which forms the highest eulogy that can be pronounced. They speak of him as a friend whose loss is to them irreparable, and, for the time, appears impossible to be supplied—who joined in commending his high qualities, whose words have been heard expressive of their sentiments amidst this multitude, who mourn his loss. It might probably be well, and but for a single circumstance would be my course; but, standing here, silently acquiescing in the ample and sufficient expression of grief and of admiration that this meeting has heard, a single circumstance impels me to a somewhat different course, and leads me to utter a few sentences in concurrence with what has been already so ably and so eloquently expressed. It has been my fortune to be associated with Mr. Noyes, and to meet him, I may say, in all attitudes and in all capacities. I had the pleasure of associating with him and his respected family. I have contended against him full many a time and oft, in all the ardor and excitement so usual in courts of justice, and where advocates warmly espousing their respective sides, and convinced for the moment each that he was right, strike without fear, favor or affection, endeavoring always to remember justice. I say I have been in contact with him in most all capacities.

I have contended against him forensically very often. I have been associated with him in some of the most interesting and important causes which have occupied his attention and mine, and engaged our affections and our interests for long years of our respective lives.

Perhaps it might not be amiss, in connection with the single topic I mean to present as the point of my remarks, to say that except as being natives of the same State, except as being members of the same honorable profession, we might be said to have stood in a position of remarkable antagonism during the long period of our association—a period covering very nearly all the active life of each of us. We were of opposite descent and race; we differed, it may be said, in blood; we differed in creed; we differed in political opinions; we

differed in those great moral questions connected with the social order, which are supposed to underlie much of the difficulties and controversies which have existed in this country. And gentlemen, I may be permitted, to say, that the difference was as deep, and as earnest and as distinct as it was sincere; yet, holding these relations, permit me to say that, ardent and enthusiastic and earnest as Mr. Noyes was, and as I am willing to avow myself generally to be when engaged in any conflict, in the long period of our association, never once, under any measure of excitement, however great, did Mr. Noyes, when contending with me, depart even for an instant or in the slightest degree, from a course of the strictest courtesy, and the utmost personal kindness. Though thus antagonistic in almost all things that might tend to create adverse feelings, Mr. Noyes proved himself, and I found him by this most cogent proof, to be a thorough Christian and a thorough gentleman.

We have never met without a smile; we never parted without a cordial greeting. Peace to his ashes. He was an honor to the name of a Christian and a gentleman; he is a loss to his profession and the country.

Mr. O'Connor was followed by

HON. WM. M. EVARTS.

In assenting, Mr. President, to the wishes of the Committee which assigned me a participation in the proceedings of this meeting, I had felt that I could never take towards Mr. Noyes the position of those elder members of the profession who had been long and intimately associated with him upon equal grounds, nor yet could I take upon myself any longer the attitude of a representative of the younger Bar. I feel, too, now, that there is no circumstance of his life, no feature of his character, no trait of his professional career that has not been accurately and yet applaudingly presented to our consideration. Yet I may venture to give, in a few words, some estimate, and the means of that estimate, that I have formed of Mr. Noyes' conduct and character in the profession. I can hardly remember, however, when I first became acquainted with him, either personally or in purely professional intercourse. When I came here as a student he was already established in a lucrative and prosperous business,

which he pursued till the time of his death ; and as it came to my fortune, by some successful steps, to be raised in the competitions of the Bar, I then met him first as an antagonist, afterwards as an associate in causes. With all his general professional record (and the memory of all of us would probably assign to him as his principal service at the Bar—as the most conspicuous departments of the profession in which he showed himself—that of an equity lawyer or of an advocate for questions at Bar, yet,) we all know that, in almost all the diversities of jury trial involving the vast interests of this great community, he bore an elevated and almost, perhaps, an equally distinguished part as in the preparation and argument of equity causes ; and I think that every one agrees that, whether observed with no interest in the case, or on either side in the contest—whether connected with him or against him—there never was a case, of all these diverse characters, into which he did not bring great service, and in which he did not gain even additional credit to that which he had enjoyed before.

Now it has been said and truly said, Mr. Noyes' life was one of labor and care and attention, and that a good part of his distinction and successes sprung from this ; and Mr. President, in our profession, nay in all the useful careers of life, this is wholly true. God has given nothing to mortals in this life, of much value, without great labor.

Among the many great cases in which Mr. Noyes was employed, it fell to my fortune to be concerned in three—once as his associate throughout the long police law litigation, once opposed to him in the New Haven railroad case, and again in the Rose will case. I do not think that our Bar ever presented so singular a scene as the trial of the New Haven railroad cases, in which, speaking almost literally, Mr. Noyes was on one side and all the rest of us on the other. It was a wonderful trial of a man's resources and of his temper, for, when any one of us was exhausted on our side, there was always a fresh hand to take it up for us ; but he was the constant combatant of all of us in succession, and stood—as in some of the ancient conflicts of physical force—like Hercules defending a bridge with his single arm against a host of adversaries. In the Rose will case, he brought to his side the culmination of great researches and valuable ideas that he had collected in the doctrine of charitable uses. Under our statutory and constitutional laws, there was nothing he had not considered, and nothing that he did not know that was practically and substantially valuable in the doctrine of charitable uses. In the po-

lice litigations, from the first excitement until the final conclusion of the litigation that determined the title of the policemen, Mr. Noyes was constant in the service that he rendered to the side he had espoused, and perhaps omre than any professional association which I enjoyed with him, I got the opportunity to see what he brought to his friends, and what aid or help he could give to or receive from his associates

In all relations of life it has been my fortune to be on the same side, as we say, with Mr. Noyes. Though he was not a native of New England, yet he valued the privileges of membership with the New England society, which was confined, by its rules, to the son of a New England parent. He early sought that association, he faithfully adhered to it, and there was one admirable trait of Mr. Noyes' character, which perhaps but few knew of, and I should not have known still, but for my observing him in the counsels of that society, but which there attracted my attention. For a good while it had been desired that he should take the presidency of the society, but he had declined, upon his own suggestion that he thought it better that a native of New England should be at its head—though he continued in a post of service in the society, which he maintained during the whole period, I believe, of my connection with the office of that society, and that was the post upon its Charity Committee.

He exercised steadily and faithfully, amid all the labors of his profession, the constant, sometimes tedious, sometimes annoying supervision of almoners of that charity. And always, at all the conferences connected with the business of that society, his cheerful interest, his constant perseverance in this department of duty, was conspicuous and admirable.

I may be permitted to say that there was something touching in his relations to the society, connected with his life and his death. He, as I have said, declined the presidency of the society, and it happened that the great misfortune of his life—the death of his son*—occurred some years ago, upon the anniversary of the society—the 22d of December. We were constantly desirous that he should attend our meetings and participate in its enjoyment, and give the grace and honor of his presence and his speech to the occasion. But he had, without any obtursion of his grief, steadily declined, saying that that day was not a day of joy for him. It was with

* A daughter.

great satisfaction that I heard on the day before the last anniversary, that he had consented to assume its presidency, and that he was willing to be present at its feast. I heard—for I was not present—that on that occasion he made a speech so animated, so eloquent, so altogether admirable as to attract the attention of every hearer, as showing that he had the full force of his mind, of his genius, and of his affections; and the next morning, scarcely eight hours after, he lay with eye wholly dim and his natural force wholly abated; his right hand had forgotten its cunning, and his tongue had cleaved to the roof of his mouth.

Mr. President, it is said that in our lives we do not pay the just measure of regard and esteem and attention to one another that would be right and proper; that we do not accord what is ever due one to another, until

“The sacred dust of death is shed
Upon each dear and reverend head,
Nor love the living as we love the dead.”

This is true; and sometimes it is added that there is something of flattery, or at least of exaggeration in these our views of the dead.

I am not sure of this, Mr. President, I am not sure that the cross-lights and the varying shadows give us so just an estimate of one another as the severer and serene twilight, after the sun has set and before the night of oblivion has swallowed us up.

I believe there is more truth, as there is more affection, in these views and feelings that we express and experience for the dead.

At the opening of the Court of Appeals on the 10th of January, 1865, Hon. B. W. Bonney read the proceedings of the meeting of the Bar in New York. Hon. George F. Comstock then addressed the Court, and Chief Justice Denio responded.

JUDGE COMSTOCK'S ADDRESS.

MAY IT PLEASE THE COURT: I take a pleasure, mingled with the sadness due to the occasion, in rising to second the motion which has been made, that the proceedings of the New York Bar be entered on the minutes of this Court.

Our deceased friend and brother was one of the most honored practitioners at this Bar.

It is here that the highest and best efforts of his professional life were put forth. It is here that his most valuable triumphs were achieved, and it is here that his ripe learning, his varied accomplishments as an advocate, not less than his excellence and worth as a private citizen and christian gentleman, should receive the commemoration which they so well deserve.

Among the recollections of his *professional* career, which press upon me at this moment, there is one which is peculiarly suitable to be mentioned here. Probably the most difficult and important legal controversy in which he was ever engaged, was the celebrated "million and half million trust" cases. Indeed, a controversy more important in the stake involved and the principles concerned has rarely arisen in this country. Mr. Noyes, I think, was in charge of the cases from their origin. After being litigated for many years in the subordinate Courts, they were brought to this Court for final adjudication, now precisely eight years ago, and occupied its exclusive attention for nearly thirty days. It happened to me, in another situation, to be present and to listen to that discussion, and I remember it as the highest intellectual satisfaction which I ever enjoyed. Those of your honors then on the bench, I think, will agree with me that this hall never witnessed an equal display of forensic power. On one side were the consummate learning, the massive logic, and the keen discrimination of the ex-jurists Bronson and Beardsley—men who had adorned the bench of this State. With them was Nicholas Hill, whose powers of argument were rarely, if ever, overmatched.

Opposed to these great antagonists were O'Connor, Butler and Kent. With them was our distinguished friend, whose sudden departure from the scene of his earthly labors and triumphs we now deplore. Of him it is but the simple truth to say that he was, if not *primus inter pares*, at least the worthy and equal associate antagonist of the eminent men whom I have named.

How fleeting and transitory are earthly excellence and greatness! Of all that noble array of talent and learning, only one survives—the rest have gone to their dust. They have sunk to that slumber which will know no waking until the morning of the resurrection, when they and all of us shall be summoned by the trumpet of the archangel to a higher Bar, where perfect justice, let us hope, will be blended with mercy through the Redeemer of mankind.

I have known Mr. Noyes during nearly the whole of my professional life.

He had the discriminating mind, the patient industry and untiring devotion to the interests committed to his charge, which are better than the highest gift of mere genius. With those qualities he rose to the first rank, and practiced in the highest walks of his profession, and has left behind him a bright example as worthy of emulation, and it is encouraging to all those who commence the struggle for honorable fame.

Although I knew him long and well, others, doubtless, enjoyed more intimate relations with him. During the last three years of his life we were associated in causes of difficulty and importance, and no one can be more impressed than I am with the loss which our profession and society have sustained by his death. His eminence as a severe and able lawyer was softened by the uniform courtesy and amenity of his manner, and illuminated by the radiance of his private and domestic virtues.

Viewing, as we did, from different stand points, the great social and political questions which agitate the public mind in this country, and are even shaking our pillars of government and society, I cheerfully accorded to him all the sincerity and earnestness of intelligent conviction. He himself was far too cultivated, too wise and just to be intolerant toward the like convictions of other men. It is among the highest satisfactions permitted to me to believe that I enjoyed his friendship as I gave to him unrestrainedly my own.

REMARKS BY CHIEF JUSTICE DENIO.

When the Judges who sat on the bench of this Court last year met in consultation last month, and heard of the sudden death of Mr. Noyes, they felt not only that one of the great lights of the law had been extinguished, but that each one of them had lost a personal friend. I am authorized to say that those who took their seats here at the commencement of the present year, fully sympathize in the sorrow universally felt for our great loss. For myself, the blow was peculiarly afflicting.

I had known Mr. Noyes longer than any member of the Bar or the Bench, and had known him intimately and well. More than forty years ago we were successively students with Henry R. Storrs, a person

of great genius and one of the most brilliant lawyers of his time, but whose name, alas, (such is the transitory value of professional renown,) is almost effaced from the memory of the younger members of the Bar. As I left Mr. Storrs' office, on my admission to the Bar, Mr. Noyes succeeded me, and my first professional partner, on his admission to the Bar, became his. When I moved to Utica, he also came there and practiced law for some time in that city, and then, twenty-five or thirty years ago, he left Utica for the city of New York.

It is most gratifying to be able to say that during that long period of time our relations have been intimate and confidential, and that no single shade of difference, or even coldness, has ever intervened. The loss, therefore, was a peculiarly afflictive one to me, and it is deeply lamented, both upon personal and public grounds.

When a great man is taken away from us, we are apt to inquire as to the predominating characteristics of his mind. Of Mr. Noyes it may be said that, although gifted with talents of a very high order, he had none of the irregularities and eccentricities of genius. There was a remarkable harmony in his intellectual powers, and in his habits of thought and conduct.

His intellectual efforts were not fitful and intermittent, but steady and persistent, and he gave to every thing its proper place—professional efforts, domestic duties, attention to his friends and devotion to his duties as a citizen—none were in excess; all were illustrative of the remarkable harmony of his life and character, and showed that if he did not possess an exalted imagination, or the qualities which are supposed to define a man of genius, he yet possessed, in great perfection, those perhaps more useful qualities which lead to eminence in a learned profession.

He had a remarkably tenacious memory. Probably he never read a case or examined a subject without retaining such a recollection of it as would enable him to call up and apply it when he subsequently had occasion for its use. But without going further, I need but say, that born and bred in the country, he went to the metropolis without family connections, or any adventitious aid, he successfully encountered the immense competition which he necessarily met, and very soon took his place in the front rank of the profession.

In our profession eminence is the result of labor and ability, and is not attained by accident or the caprice of fortune. It is enough to

say of him that in a strange city he reached an eminence and achieved a renown which few had attained.

The only remark which could be made of Mr. Noyes, which was not altogether laudatory, was, that he persisted in his arduous labors to the detriment of his health; and it was a matter of concern to his friends, that having acquired a large competency as the reward of his professional life, and as great a measure of fame as falls to the lot of the most favored, he should not have taken the repose to which he was so justly entitled. He probably felt the noble sentiment of Sir Francis Bacon, "that the duties of life are more than life," and so he labored on, not feeling authorized to abandon the work cast upon him by the solicitude of his clients; and it is enough to say he conscientiously pursued the cause of duty and usefulness until it pleased God to call him from us.

In a time like this, we dwell with peculiar satisfaction upon his Christian character, which was exemplary in the highest degree. In the midst of his most active life he never forgot his dependence upon the great Author of his being. He has left not only a great name in his cherished profession, but what is better, the repute of an honest and a conscientious Christian man.

REMARKS AT THE FUNERAL OF WM. CURTISS NOYES,
DEC. 28, 1863, BY REV. DR. PRENTICE.

I have spoken of Mr. Noyes as a lawyer. But he was more than a great lawyer. He was a patriot, a philanthropist, and a *Christian*. It has been my privilege to know but few men, who seemed to me so well entitled to bear these honored names, love to his country, love to his race, and ardent love to his God and Saviour—these three were wrought into the whole substance of his character, and formed the ruling motives of his life. Did the occasion permit, I could detain you with illustrations of these traits until the shadows of night had gathered around us.

Although no mere politician, and looking with abhorrence upon the corrupt ways of party, Mr. Noyes was a man of very deep and earnest political convictions. He cherished a strong faith in the just and beneficent principles that lie at the foundation of our Free Institutions. His mind was thoroughly imbued with American ideas. Some thought that he leaned too much towards liberty and

progress; that he was too radical, or at least somewhat visionary in his views, and did not sufficiently consider the claims of the past, but the number of those who now think so is, probably, very small compared with the number of those who thought so four years ago. The course of events has a logic vastly stronger and more convincing than that of any man or party. On several of the most disputed and vital points his opinions, once so little accepted, now express the general and dominant sentiment of the nation. Those, however, who most differed with him, could not but admire his absolute sincerity and his pure, unselfish patriotism. Among the first to discern the approach of the great civil storm that is still beating upon us, he was among the first and foremost in preparing the public mind to meet it in the right way. His faith in the ultimate triumph of the national cause, and in the sublime destiny of the Republic, never faltered. In the darkest hours he was hopeful and of good cheer, believing that God had set apart this land to be the hospitable home and the sanctuary of political justice and universal freedom, he also believed that nothing could thwart that Providential design; yet few men, probably, suffered more intensely on account of the perils and distress of the country than he did. His whole mind and heart were absorbed in the struggle; and some of his friends think that it shortened his life by years. When told during the recent political canvass, that he was exerting himself beyond his strength, he promptly replied: "It is the path of duty and if I fall, it will be in the service of my country. I could not die in a better cause." Though not permitted to see the end of the momentous conflict, he saw what (as he told me last week), seemed to him the unmistakable "beginning of the end." The sight filled him with grateful joy, and he died in full prospect of good things to come.

Mr. Noyes was a philanthropist in the best sense of the word. His generous sympathies, like the prayers of the church, embraced all sorts and conditions of men. His profession had shown him the dark side of human nature; and he was sometimes appalled and almost driven to despair by the sight; but his religious faith soon restored him to that hopeful and benevolent temper which was one of his most striking characteristics. The great and sacred cause of humanity, whether at home or abroad, always found in him a whole-souled advocate. He ranged himself with all his heart and mind and strength under the banner of advancing christian civilization. The strange and tragic fortunes of the African race interested him

most deeply, and he avowed himself a friend of the slave when it was a very unpopular thing to do so. He was not afraid, or ashamed, to stand up for any man or class of men, whose claims appealed to his sense of justice, and his practice was in perfect keeping with his theory. There was no end to his Christian kindness and charities; they flowed from him free as the elements, though largely through channels and upon objects hidden from the public eye. He took pains not to let his left hand know what his right hand was doing. For a number of years he had alone supported a Home Missionary; yet to the day of his death only two or three persons were aware of it. But one eye, save his own, saw the number and extent of his benefactions. How many widows and orphans, how many poor and unfortunate persons, how many to whom he once extended a helping hand and spoke words of sympathy and hope, will mourn his loss and long bless his memory! He took a warm personal interest in the objects of his kindness, and loved to make personal efforts in their behalf. His very last engagement, I am informed, was with an indigent little boy for whom he desired to obtain a situation. If the thought of a good deed, as George Herbert says, makes music in the soul at midnight, our departed Brother must have passed many happy midnight hours! To his own family and kindred and household friends, he was like a prince in the midst of the favorites of his court. He delighted to lavish upon them incessant and enduring tokens of the munificence of his love. Were it, indeed, fitting to lift the veil of that domestic life, in the bosom of which he was so happy, and to reveal him in the varied relations of son, husband, father, brother and friend, you would behold in this hard-working, sedate and thoughtful man a rare picture of tender and playful emotion, of gentle courtesy and loving-kindness, and of the manliest affection.

It is not needful that I should speak here of his connection with our public institutions, whether of learning, charity and philanthropy, or of christian evangelism; nor of the services he rendered them. That will be better done elsewhere.

If what I have said be true, we have been contemplating a character of rare excellence. But its crowning virtue—that which gave it its peculiar strength and beauty—was something divine and above the reach of nature; something born not of blood, nor of the will of the flesh, nor of the will of man, but of God. Mr. Noyes was a sincere and devoted disciple of Jesus. He entered early into the fellowship of the Christian Church—and from that day to the day of his death

remained steadfast in the faith of the Gospel. Feeling himself to be a poor, lost sinner, he rested his hope of eternal life wholly and alone upon Jesus Christ and Him crucified. Like other religious men of his profession whom I have had the privilege of knowing—men gifted like him with a vigorous intellect and of large observation and experience of life—he possessed the humility and artless faith of a little child. It was a delight to preach to him, he was such a friendly, patient, and devout listener. His love to the Bible and to all the great ordinances of religion was after the type of that of the old saints; so, too, was his confidence in the great Catholic doctrines of religion. The sceptical objections and tendencies of modern thought appeared to give him but little, if any, trouble of mind. He was eminently a man of faith. The very word, especially in its latin form, was exceedingly dear to him. He inscribed it upon the most precious symbol of his love. *Fide*—“by faith we stand,”—that was his motto. He endured as seeing Him who is invisible; and he did so by keeping up personal communion with his God and Saviour through prayer. Of late, especially, his devotions were touchingly tender, humble and child-like. A few mornings before his death he prayed, with singular pathos, that he might be kept that day from everything selfish, harsh, or unkind; and at evening he returned home with a sweet smile of content upon his face, that seemed to say his prayer had been answered. For months past there have been indications that he had a presentiment of what was coming. Passages in his domestic correspondence, passages of favorite poems which he marked or desired to have read to him, casual remarks, counsels and wishes as to what should be done after he was gone, business arrangements, all show that he thought his time was short, and that at any moment the Son of Man might come. It seemed to be his constant endeavor to be ready when the hour should strike. As I look back I can see it in his reverential demeanor and whole aspect in the house of God; never more plainly than last Tuesday evening while speaking on the words: “Our Father who art in Heaven.” As his family look back they can see it in many things. And when the shadow, of the great event fell upon him on last Friday morning, he was ready to meet it. He had nothing to do but to wait until the Sabbath came—the day commemorative at once of his Lord’s Advent and Resurrection—and then, conducted by the strong hand of that adored Friend and Saviour, to pass quickly through the gate of death into the rest that remaineth for the people of God. “Mark the perfect man and behold the upright; for the end of that man is peace.”

Mr. Noyes was one of the founders of the Church of the Covenant, and will be held by it in grateful and lasting remembrance. In the movements which led to its formation and to the erection of its beautiful edifice, his counsel, sympathy and generous aid were invaluable. He was one of our chief pillars of strength. In the darkest hours of 1861 '2, when it seemed to many as if the undertaking must be abandoned, *he* was in favor of at once going forward and beginning to build. I shall never lose the impression of his manly and cheering words. At the organization of the Church, he was urged to be one of its Ruling Elders; and I understand he had been urged to accept the same office in the University Place Church, (the Rev. Dr. Potts,) of which he was long an honored member. But he declined in a manner and for reasons which did honor to his high Christian sentiments. He took great interest in the Sunday School, having been himself for many years both a teacher and Superintendent. He was regular in his attendance at the weekly lecture, and I never saw a more devout listener. He was, indeed, in his whole make and temper, *homo gravis*—a thoughtful, weighty and earnest Christian man. I shall always esteem it a great privilege to have been his pastor and to have enjoyed his friendship.

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