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 Obituary Notice of Chief Justice Seymour.
 

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irresistible flashes of wit, and of illustrating men and things with touches of poetical fancy, gave him a truly wonderful power of fascination by talk. Not was he in the least overbearing in conversation, as is often the case with good talkers, but added the influence of unflinching politeness to marvelous powers of persuasion, such as one must have felt to appreciate.

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 OBITUARY NOTICE OF CHIEF JUSTICE SEYMOUR.

HON. ORIGEN STORRS SEYMOUR, Ex-Chief Justice of the Supreme Court of the State, died at Litchfield, where he was born and had always resided, on the 12th of August, 1881, in the seventy-eighth year of his age.

Judge Seymour was a man of very rare qualities of mind and heart. It is safe to assert that no member of the Connecticut Bar ever drew to himself in larger measure the respect and affection of his professional brethren and the confidence and esteem of the public at large.

Judge Seymour was born February 9th, 1804. His father was Ozias Seymour, for many years sheriff of Litchfield County. His grandfather, Maj. Moses Seymour, bore a distinguished part in the Revolutionary War. Gov. Horatio Seymour of New York, Senator Horatio Seymour of Vermont, and many other noted public men of the name, were his family relatives. He graduated at Yale College in the class of 1824. His college standing was very good, although from weakness of eyes he was compelled much of the time to depend on having his lessons read to him by others. After his graduation he studied law and was admitted to the bar of Litchfield County in 1826. He entered into partnership with Mr. George C. Woodruff, and soon rose to a leading position in the very able bar then practicing in that county. He frequently represented the town of Litchfield in the legislature, and was elected Speaker of the House in 1850. In 1851 he was elected to Congress, and again in 1853. In 1855, on the reorganization of the courts, he was elected by the General Assembly one of the four new judges of the Superior Court. His eight years' term expired in 1863, just after a severe and bitter political contest growing out of the civil war, between the Republican party, which favored the prosecution of the war, and the Democratic party, which favored a peace, in which the former had carried the state. Judge Seymour had been from early life and always remained a member of the Democratic party, and though he had given great satisfaction as a judge, there had grown up, in the heated state of public feeling, a distrust on the part of the

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prevailing party of all judges who adhered to the Democratic party, especially in view of very important legal questions that might come before the courts, with regard to measures taken in support of the war. In this state of things Judges Seymour and Waldo, two of the most upright judges that ever sat upon a bench, and whose thorough loyalty no one could seriously question, were dropped and the vacancies filled by new appointments. Judge Seymour at once resumed practice at the bar, going into partnership with his son, Edward W. Seymour, then a leading lawyer in Litchfield.

In 1864 and again in 1865 Judge Seymour was nominated for Governor by his party, but the favorable turn of the war and the passage of a constitutional amendment allowing soldiers to vote in the army gave the Republican candidate a large majority in both years. In 1870 a Republican legislature atoned in some measure for the injustice before done him by electing him with great unanimity a judge of the Supreme Court. In 1873, upon the death of Chief Justice Butler, he was elected Chief Justice, and held that position till he retired under the constitutional limitation as to age in 1874. It is a fact worthy of notice that he was elected to a seat upon the benches of the Superior and Supreme courts and finally to the chief-justiceship by legislatures that were opposed to him in politics.

After his retirement from the bench Judge Seymour was almost constantly employed in the hearing of causes as a referee. He had the public confidence in so high a degree that his services in this character were sought from every part of the state. In 1876 he was chairman of the commission whose labors finally settled the long disputed boundary between this state and New York. He also did a public work of great value as the presiding member of the commission which prepared the new code of practice which was adopted by the legislature in 1879. He gave much careful thought and labor to the matter and it was largely the influence of his name that led to its adoption. After its enactment he delivered public lectures at Hartford and before the Yale Law School in explanation of it.

Judge Seymour was a man of great judicial capacity. His mind worked without friction. It was saturated with legal principles, the result of a thorough digestion of what he read rather than of extensive reading. With this knowledge of legal principles he had a remarkably sound judgment in applying them. There was no feature of his mind more noticeable than his common sense. He had a perfect comprehension of fine legal distinctions, but no fondness for mere legal casuistry. He had a strong sense of justice, and while versed in technicalities could never willingly sacrifice justice to them.

But it was the moral qualities of the man that drew to him the public esteem in so large measure, and which entered so largely into his judicial character. He was a man of the most absolute integrity;

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he was perfectly fair-minded; was conscientious in the highest degree; patient in listening to testimony and argument, even when a good excuse might have been found, if ever, for impatience and inattention; he was of the most unruffled temper; he was full of kindness and sympathy, the only criticism to which he was open on the bench being that he was too unwilling to give a party the pain which an adverse decision would sometimes inflict, but his convictions were clear and decided and his conscience gave them the authority to which they were entitled. Without the slightest descent from self-respect and independence, he yet conciliated every one with whom he came in contact by the kindness of his manner and the manifest goodness of his heart. The younger members of the profession, who came before him in the trial or argument of causes, have reason to remember with gratitude the friendly interest which he took in them.

He was a man wholly without pretension. He was never opinionated. He had no self-assertion. It would hardly be possible for one to be more utterly unassuming than he. It was in a great measure this lack of all assumption that gave him such a hold upon the plain people about him. Juries always trusted him when at the bar. All who knew him felt certain of him as a man of "simplicity and godly sincerity." His simplicity of manner was but the natural garb of the simplicity of his heart.

Yet with all he had a rare shrewdness. He was a good judge of human character and motives. He could not be imposed upon by pretences and plausibilities. He saw through such artifices as quickly as through sophistries in argument.

He had a great love of nature. The beautiful landscape on which he daily looked was like daily food to him. There were few things that he enjoyed more than driving with friends over the charming region about Litchfield and calling their attention to the beauty of the scenery. He loved flowers. His growing crops, the ripening fruit upon his trees, were watched with less of pecuniary interest than of an almost poetic enthusiasm.

And he was a thoroughly religious man. He was helped to this by his fine spiritual nature, which was indeed the foundation of his whole character. He was from early manhood a communicant in the Episcopal Church, and in the parish with which he was connected was one of the most active members, always representing it as delegate in the conventions of the diocese, and for several years past representing the laymen of the diocese in the national triennial conventions of the church. He was always very liberal in his gifts to religious and charitable objects.

Judge Seymour was married on the 5th day of October, 1830, to Miss Lucy Morris Woodruff, a daughter of Gen. Morris Woodruff, a prominent citizen of Litchfield, and sister of his law partner George C.

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Woodruff, Esq. She survives him, with three of their sons, Edward W. and Morris W. Seymour, who are in the practice of law at Bridgeport in this state, and Rev. Storrs O. Seymour, who is now rector of St. Michael's parish at Litchfield. He suffered a great affliction in the loss of an only daughter three years before his own death.

On the 5th day of October, 1880, Judge Seymour and his wife celebrated their golden wedding amidst their relatives and friends, many attending from all parts of the state and some from other states. The occasion was one of exceeding interest. It brought into deserved notice the charming home life which, with its support and solace and inspiration, had underlain his laborious professional and public life. Throughout the day, which was hallowed by a tender and impressive communion service at the church in the morning, the venerable pair, serene and saintly, received the homage of reverence and affection; while nature, loved of them both, seemed eager to show her gratitude by an unmeasured tribute of flowers. The autumn day was suggestive of the receding year and of ripened lives, and to him it proved far more than the golden bound of the half century. Before the next autumn came he had passed, in the beauty of his life's completeness, from the earthly into the eternal years.

In the Superior Court at its next session in Litchfield, before Judge Loomis, Ex-Governor Andrews, in presenting the resolutions of the bar of the county on the occasion of the death of Judge Seymour, addressed the court as follows:—

“A great sorrow has fallen on the bar. Only a short time ago he, who by age, by service and fame, had long been our leader, passed from our midst forever.

“My brethren have assigned to me the honorable duty of presenting to the court a testimonial of their respect for the deceased and their grief at his loss, and of asking that it be spread on the records.”

[The resolutions were here read by the clerk.]

“Judge Seymour died on the morning of the 12th of August last, at about the hour of one o'clock. His death was not unexpected, yet as the day dawned and his fellow citizens came to know that he was no more, a solemn and profound grief settled upon the whole community. The court-house in which so large a part of his life had been spent was appropriately draped. His professional brethren from this county and from other parts of the state attended his funeral. And as we came back from his grave—the solemn words of the burial service still lingering in our ears—one sentiment seemed to pervade us all: that the good man whose death we so much deplored had not wholly died; that he still lived in our remembrance of his warm and steady friendships and social virtues, in those legal judgments, exhibiting his vast attainments in the law, which, among others, have given to the Con-

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necticut Reports the character of a commanding authority, and in those labors by which the avenues where all men are compelled to seek justice have been, in some measure, freed from their clogs and pit-falls. In these things he still lives, and in these things not only we but succeeding generations shall hold speech with him. *Vixit enim, civet-que semper; atque etiam latius in memoriâ hominum et sermone versabitur, postquam ab oculis recessit.*"

[After giving at some length the principal events of the life of the judge, Gov. Andrews proceeded as follows:]

"This is the record of an exceedingly active, busy and useful life. How brief it seems, and yet how wide it reaches. Justice is the soft but enduring band which holds men together in organized society. It is the great interest of men on earth, and whoever ministers at her altar or contributes anything to make the foundations of her temple more firm or to raise its dome nearer to the skies, joins his name and fame to that which must be as enduring as the frame of human society. Throughout a long life our deceased friend wrought with zeal and fidelity in this work.

"Those of us who practiced before Judge Seymour while he was on the bench know how well fitted he was for that high position. In the first place he was eminently learned—learned in the books, and his memory was wonderfully stored with that learning which comes from experience. In his long practice at the bar and service on the bench nothing had escaped him. No case was so complicated nor was any difficulty so great but somewhere in his memory there was a precedent or a rule to solve it. And then he knew how to use his learning. This is a great gift. He had that many-sided faculty which enabled him to adapt means to ends, to compare, modify, adjust, and reconcile the testimony of witnesses, and amid a multitude of conflicting and contradictory statements to find where the truth lay. He was a man of the strictest integrity, and what is more, he possessed the perfect confidence of the community. He received every one of his judicial appointments from his political opponents. It is not enough for a judge to be honest. No one can come up to the measure of a good judge unless he is believed to be such. It is this belief which gives power to the sword he bears.

"And then he had great patience and kindness of heart and charity for the weaknesses of men. Moreover he was a steady believer in liberty, as defined by the first John Winthrop, the privilege 'to do that only which is good and just and honest.' In the history of all the great men who have adorned the bench in our state I can hardly name one who possessed more useful faculties for that high magistracy or possessed them in larger degree than Judge Seymour.

"With judges such as he it matters little who controls the other departments of government. 'Let us repose, secure, under the shade

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of a learned, impartial and trusted magistracy, and we need no more.”

Judge Loomis replied as follows:—

“Before ordering to be recorded on the records of this court the resolutions of the bar of this county relative to the late Judge Seymour, my heart prompts me to add a few words of tribute—poor and inadequate as they may be to do justice to his memory.

“I well and gratefully remember the lasting impression made by his kindness seventeen years ago, when, for the first time, a young and inexperienced judge, I came to preside over this court, oppressed with despondent feelings and distrustful of my own qualifications for this high office. On that occasion his kind and friendly greeting and his generous words of commendation and encouragement greatly cheered me in my work and will never be forgotten by me. From that day until the day of his death it was my high privilege to enjoy his personal friendship and to be the recipient of his kindness, encouragement and hospitality.

“With the sentiments contained in the resolutions now before the court and with all the words of eulogy here uttered in regard to the personal, professional and official character of Judge Seymour, I fully concur. Glowing tributes have been elsewhere given, indeed they seem to have come spontaneously from every part of our state, all in perfect accord. And not only does the profession to which he belonged and of which he was the head and most radiant example, award him the high praise, but he shared also the confidence, affection and reverence of the people generally. And yet I know of no man who has taken less pains to court public favor by using the common artifices that are supposed to gain it. This strong attachment on the part of the people for him is however explainable on the principle that he who sincerely shows himself friendly will have friends.

“Judge Seymour was eminently and proverbially kind to all—high or low, rich or poor. His every act and look and word gave evidence of this. It was the recognition of this trait that called forth the facetious and perhaps rather extravagant remark that I once heard from a lawyer in this state, to the effect that if Judge Seymour decided a case against a man, the latter always thought he had won the case.

“Such a lively tenderness for the feeling of others I have rarely, if ever, witnessed in any man. He was sincerely friendly, generous and self-sacrificing and thoroughly good. But while he had warm attachments, yet, as a judge, we can say of him that his friendships never perverted his judgments. No man's friendship availed him with the court, and no man's displeasure prejudiced his cause. On the bench he presided with dignity, utterly devoid of ostentation or display. His legal opinions, while a member of the Supreme Court, are celebrated for their point, simplicity and common sense, as well as for a clear comprehension of all the law and facts connected with or bearing upon the case.

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"In every relation which he sustained, whether private, professional or official, I would characterize him as of spotless purity of life and motive, of grave yet kind and gentle manners, of unwearied patience of application, of clear, vigorous and healthy understanding, and of a passionless judgment which sought truth for its own sake.

"Another thing not yet mentioned always excited my admiration. His heart and sympathies, always fresh and enthusiastic, were finely attuned in harmony with all that is beautiful or grand in the realm of nature. In walking or riding with him I have often noticed how his emotions would kindle and glow as he drank in the glories of some vast landscape; and at the same time with all the poetic fervor and appreciation of a Burns, he would notice and expatiate on the beauty of some humble wayside flower.

"But I refrain from any further attempt to describe his many merits. Surely it is not necessary before these, his professional associates and neighbors, in this, his native town, to whose historic scroll, luminous before with a constellation of great and illustrious men, his name and memory will add a new and never-fading star.

"In conclusion I wish to say this to the members of the Litchfield county bar. You have a rich legacy in his precious memory. This lofty idea of personal and professional character will ever be with you beckoning you onward and upward. All may not reach such eminence and such honor; but all, inspired by his illustrious example, may honor their high calling and profession. What will endure longest and glow brightest is not his extensive legal attainments, nor his high intellectual abilities, but rather his spotless justice, virtue and goodness. All history shows that virtue is the true immortalizer. The truly good are the truly great. A lawyer is the servant of his fellow men for the attainment of justice. If there is lowliness in the idea of being a servant, what loftiness in the object! If the lawyer is the servant of earth, at the same time he may be the minister of Heaven."

At a meeting of the Hartford Bar, called upon the occasion of Judge Seymour's death, the venerable Judge Waldo, who himself died a few weeks after, presented some appropriate resolutions, and in remarking upon them referred in touching terms to the long and intimate friendship existing between himself and Judge Seymour, while on the bench of the Superior Court together and earlier during their public life at Washington, and closed by saying that in all the long years he had known him he knew of no stain upon his life or blemish upon his character.

Ex-Governor Hubbard spoke as follows:

"I think we can all say, in very truth and soberness, and with nothing of extravagance in eulogy, that we have just lost the foremost, undeniably the foremost lawyer, and, take him for all in all, the noblest citizen of our state.

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“He possessed, to begin with, an intellect which, if not brilliant or original, was receptive and absorbent in a very high degree, and which not only held and assimilated its stores, but weighed them, as it were, in balances. Besides this judicial temper of mind, he brought to the bench very ample attainments in the science of the law, a large and varied experience in practice at the bar, and a certain sinewy common sense which added to his other attainments a practical working value that nothing else could have given. I hardly need add—what would naturally result from the premises—that he had a large measure of what is known amongst lawyers as judicial wisdom, that supreme endowment of a judge.

“Accordingly, though possessed of a discriminating intellect, he did not suffer it to become too subtle and absolute in the applications of legal science to the varied and ever varying affairs of men. He had an abundance of case learning, but was not a case lawyer. His opinions rarely failed to reach the very heart of a cause, were always simple and direct both in manner and matter, and never overlaid with a parade of learning, though never reached without much care and research.

“Neither did he ever attempt to display his quickness of parts by running ahead of the evidence or argument in a cause, as the manner of some is, and prejudging the conclusion by hasty prepossessions. He was well aware that it is a thousand times easier to lodge a truth in the mind than to dislodge an error. He seemed to realize that the learning of the bar is as indispensable to the bench as the learning of the bench to justice, and that, as Lord Bacon says—perhaps somewhat too absolutely—“it is no grace to a judge first to find that which he might in due time have learned from the bar.” In a word, he was never so quick-witted as to distance the cause, nor on the other hand so dull-witted as to get distanced by it.

“I have never known a judge who was more scrupulously watchful of the movements of a trial, more intent on the precise matter in hand, more completely *totus in illis*. His wits were never wool-gathering, and he abstained from bringing his epistolary and judicial faculty into hotchpot during a hearing. He never lacked in attention, even when counsel lacked in force or precision. He used, as you all remember, to take very few notes of evidence; but his ears and memory were marvelously alert to all the disclosures of the cause. He had a habit of listening to an argument with closed eyes—owing, I suppose, to weakness of vision; but how sleepless his attention and reason were! and how those shut eyes of his used to open with mild surprise, sometimes with expressive reproach, at any perversion of fact or law or any other abuse either in matter or manner of the just liberties of argument.

“He seemed to me to possess in a marked degree what we are accustomed to call the judicial conscience. His moral sense was keen and discriminating, and he had a quick scent for the discovery of fraud, falsehood and oppression in the entanglements of a cause. He was made



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up for a great chancellor. Such an office he would have filled to its full, and made it illustrious with the noble ethics of equity law carried home to the business of men.

"And this leads me to say a word of his recent services as a law reformer. You would have said in advance that he was the last lawyer in the state to rebel against an old hereditary bondage of the law. Like the man in the iron mask, he had got used to it and lived and grown old in it. But he saw and felt, what some of our best lawyers have found it so difficult to see and feel—that the law has remained for centuries a dead and cowardly conservatism, rusted and crusted all over with what Burke in the glamour of his eloquence calls 'the awful hoar of innumerable ages.' How bold and courageous he was for reform, and yet how careful, discreet and wise, let our new system of civil procedure testify. By this work more than by all else he has done he has left his mark on the jurisprudence of the state. The fame of the best lawyer ordinarily goes with him into his coffin; but I cannot doubt that this service of his rendered to law reform will make his name and fame abide in honor when the lives of the rest of us shall be as a watch in the night that is past.

"And now, in conclusion, this half century of just and useful life-work done, this race of honor run and won, not without sweat and toil, we commend with one accord and a common love, grief and homage, this Christian sleeper to the hospitable bosom of our common mother, till the day break and the shadows flee away; and so, in the saintly language of the saintly Fuller: 'We leave our good judge to receive a just reward of his integrity from the Judge of judges at the great assize of the world.'"

Mr. William Hamersley, State's Attorney, after describing the qualities indispensable to a great lawyer and judge, said:—

"It is the rare combination of qualities which make the true lawyer that determines the professional rank of Judge Seymour. In describing the typical lawyer we give the truest description of his character. As advocate, counsellor, judge, legislator for church and state and nation, we find him true to this high standard.

"And beyond all this, he had the gift of impressing his acts with a rare kindness of heart. His way through life was not only sternly true, but at every step it flowers with kindly thoughts and generous acts.

"Wonder has often been expressed that during his last years, at an age we are accustomed to associate with a dread of change, he should have devoted himself with the enthusiasm of youth to promoting reforms in the law. Such a course is not really strange in view of his life and character; but it serves to illustrate most strongly both his full comprehension of the nature of his profession and his high appreciation of its duties."

Mr. Henry C. Robinson, after remarking that he could not recall the occasion when the Hartford Bar had met for greater mourning, and

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referring to some incidents of the life of Judge Seymour, spoke as follows:—

“Sixty years ago, a student at Yale, he encountered obstacles in the way of study which would have disheartened most young men. He was almost entirely deprived of eyesight, and for many terms his lessons were learned chiefly from the lips of his room-mate. But with this immense limitation he took away almost the highest academic honor.

“Perhaps in that very discipline he developed his remarkable memory, which has so often excited our wonder, and which enabled him almost without note or memorandum to carry the details of testimony and the links of reasoning in his retentive mind. It was not just such a memory as Lord Macaulay’s, which he was proud to claim was so exact that, were every printed copy of *Paradise Lost* and *Pilgrim’s Progress* destroyed, he could reproduce them both without the loss of a word. But it was a memory which sifted out the waste of testimony and argument, often so extensive and dreary, and held, as in crystal, things which were relevant and controlling.

“Judge Seymour brought to the bench and bar absolute purity of purpose, great natural justice, sharp insight, and large comprehensiveness. To these he added the drill of constant intellectual exercise, the thorough study of judicial investigations, and the constantly renewed view of elemental principles.

“Judge Seymour’s closing years are worthy of description by the pen of a John Wilson, there was in them so much of pathos and tenderness and beauty; living on the green hills of Litchfield, drinking in the beauties of every sunset and cloud and wild flower, loved by every neighbor, revered by a leading profession, honored by a State, fresh in the power of every intellectual faculty, and at last his long day of usefulness sinking in a short twilight, and ministered to in his weakness by hands of uncommon love.”

An appreciative sketch of the Judge’s character was contributed to one of the public journals by Greene Kendrick, Esq., of the Waterbury bar, from which the following extract is taken:—

“On whatever side Judge Seymour touched life,—whether in a civil, political, judicial or religious relation, his integrity was not faint-hued, but manly, in-grained, and sharply defined. Theoretic morals and the easy, shifting standard of modern honesty found in him neither an admirer nor a follower. He lived, to borrow the words of a quaint writer, by old ethics and classical rules of honor. To his mind right and wrong were *realities*, they were no mere relative terms of indefinite application. His probity of character was of so exact and even a type that it might almost be styled mathematical.

“To appreciate fully Judge Seymour’s character one must have seen

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him among his acquaintances, his professional brethren and friends. It was once said of Scott by a day-laborer, that he spoke to every man as if he had been a blood-relation. The same remark may be applied to Judge Seymour with a peculiar fitness. He belonged to that class of men, of which every age yields far too scanty a supply, 'born to be loved, honored and esteemed.' His character was simple and his heart was warm. A bearing ever courteous gave him a dignity and a veritable nobility of nature; hence, he reaped a large harvest of men's confidence and affections.

"No chilling haughtiness of manner or severe gravity of deportment in him repelled either stranger or friend. The variety and extent of his knowledge was a rich fund of instruction to all who sought to avail themselves of his counsel. He possessed that sweetness of temper, that genial sympathy which ever caused his visitor to leave his presence with a lighter step. When the ear heard him it blessed him; and when the eye saw him, it gave witness to him.

"At the bar, on the bench, in every position which Judge Seymour was called to adorn, he was unpretentious, unaffected, unselfish. The description of the typical lawyer, given by himself on retiring from the bench in 1874, seemed aptly to illustrate his own character. 'If,' he remarked, 'one has mind, industry, learning and culture, he shows it; his temper and disposition will show themselves. If he has integrity and truthfulness in him, they will appear. If, on the contrary, he is a sham, everybody will see it.'

"A life extending over more than three-quarters of a century brought Judge Seymour to a full knowledge of the significance of life, of what earth affords and what manhood means. He formed in himself a precedent of real greatness. His manly practice at the bar, his patience and suavity on the bench, his tender sympathies with the unfortunate and afflicted, his gentlemanly deportment everywhere and on all occasions, his hospitality, his generosity, his integrity, his incorruptibility, form, in a sentence, the picture of his life, as recently delineated by one who knew and who appreciated his friendship and his worth."

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 OBITUARY NOTICE OF LOREN P. WALDO.

LOREN PINCKNEY WALDO died September 8th, 1881; at Hartford, where he had long resided, in the eightieth year of his age. He was born at Canterbury in this state February 2d, 1802. Of French descent in the paternal line and (as his name indicates) of Waldensian blood, he inherited the energy and resolution, the love of civil and religious freedom, and the inflexible honesty which characterized him. His