The works of Rufus Choate, with a memoir of his life

Choate Rufus
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THE WORKS
OF
RUFUS CHOATE
WITH A
MEMOIR OF HIS LIFE.

BY
SAMUEL GILMAN BROWN,
PROFESSOR IN DARTMOUTH COLLEGE.

Ἐν μέρτων κλαδὶ τὸ ξύφος ἔφαρε.

IN TWO VOLUMES.
VOL. I.

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To

The Memory of

LEMUEL SHAW, LL.D.

FOR THIRTY YEARS CHIEF JUSTICE OF THE SUPREME COURT OF MASSACHUSETTS,

THESE WORKS OF RUFUS CHOATE,

WITH THE MEMOIR OF HIS LIFE,

ARE RESPECTFULLY INSCRIBED.
PREFACE.

When first requested to prepare a sketch of the life of Mr. Choate, I was not ignorant of the difficulty of writing it so as to present a fair and complete portraiture—the traits of his character were so peculiar, its lights and shades so delicate, various, and evanescent. The difficulty has not grown less as I have proceeded with the work, and no one, I think, can be so well aware as I am, of its insufficiency.

It may seem singular that none of Mr. Choate's addresses to a jury are included in this collection of his speeches,—that the department of eloquence in which perhaps he gained his greatest fame, should here be unrepresented. In this disappointment, those by whom this selection has been made, certainly share. It was not until the very last, and after making a careful examination of every accessible report of his legal arguments, that they reluctantly came to the conclusion that no one remained which, considering the nature of the subject, or of the report itself, would do justice to the advocate, or very much gratify the reader.

As to Mr. Choate's political sentiments and action during the later years of his life, it did not seem necessary to do more than to give his opinions as they were honestly formed and frankly expressed. The time has not yet come for treating fully and with entire fairness the questions of those days. One still "walks on ashes thinly covering fires."

A word should perhaps be said with reference to the fragments of translations from Thucydides and Tacitus, which
PREFACE.

close these volumes. They were prepared solely as a private exercise and for a personal pleasure and advantage. They were never revised, and are given precisely as found on loose scraps of paper, after Mr. Choate’s decease. But they have struck me, as well as others upon whose better judgment I have relied, as affording examples of felicitous and full rendering of difficult authors, and as indicating something of the voluntary labors and scholarly discipline of an overtasked lawyer, who, amidst the unceasing and wearisome calls of an exacting profession, never forgot his early love of letters.

No one unacquainted with Mr. Choate’s handwriting can understand the difficulty of preparing his manuscripts for the press. For performing so well this very perplexing labor, the public are chiefly indebted to Rufus Choate, Jr., and Edward Ellerton Pratt, Esqs.

With a singular and almost unaccountable indifference to fame, Mr. Choate took no pains to preserve his speeches. The manuscript of the lecture,—written at first with the most rapid pen, with abbreviations, erasures and interlineations,—had no sooner fulfilled its temporary purpose, than it was thrust among waste papers and forgotten. He had not the time, or could not bring himself to take the trouble to recall his lost orations or legal arguments. His lecture on the Romance of the Sea, one of the most beautiful and popular of his lectures, was lost or stolen in New York. He was solicited to rewrite it, and could doubtless, at any time for years afterward, have reproduced the whole—

——— “apparell'd in more precious habit,
More moving-delicat, and full of life,”

than at first, but other matters seemed to him of more importance, and the half promise with which he beguiled his friends, was never fulfilled.