

**REMARKS TO THE BAR OF
PHILADELPHIA ON THE
OCCASION OF THE DEATHS
OF CHARLES CHAUNCEY**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649259502

Remarks to the Bar of Philadelphia on the Occasion of the Deaths of Charles Chauncey by
Horace Binney

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HORACE BINNEY

**REMARKS TO THE BAR OF
PHILADELPHIA ON THE
OCCASION OF THE DEATHS
OF CHARLES CHAUNCEY**

REMARKS
TO
THE BAR OF PHILADELPHIA,
ON
THE OCCASION OF THE DEATHS
OF
CHARLES CHAUNCEY
AND
JOHN SERGEANT.

BY
HORACE BINNEY.

PHILADELPHIA:
C. SHERMAN, PRINTER.
1853.

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It was an incident of the late meeting of the profession, upon the death of MR. SERGEANT, that MR. BINNEY, who had been permitted by Providence to survive his two eminent cotemporaries, MR. CHAUNCEY and MR. SERGEANT, and who had been called upon to say something in commemoration of both successively, then took his final leave of the Bar of Philadelphia.

No proper report of MR. BINNEY'S remarks on the death of MR. CHAUNCEY was ever made; but it was known to some of the friends of MR. BINNEY, that he had written out, so far as he could recall it, what he had said on that occasion, and had sent it to the daughters of MR. CHAUNCEY. Application was made to those ladies for permission to use the manuscript in their possession, for the purpose of putting in a more permanent form the last tribute paid to their father by his friend, and the request was most kindly granted.

The phonographic report of the remarks on the death of MR. SERGEANT was remarkably accurate, but the printed publication of it was disfigured by errors of the press.

MR. BINNEY, having been solicited to allow his remarks on these two most interesting occasions to be printed together, has given his consent, and they are now printed in their present form, for the satisfaction of the friends of MR. BINNEY, and his two eminent departed associates.

PHILADELPHIA, December, 1852.

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DEATH OF CHARLES CHAUNCEY, ESQ.

MEETING OF THE MEMBERS OF THE BAR.

A VERY large meeting of the members of the Bar of the City and County of Philadelphia was held, at 12 o'clock, on Friday, 31st August, 1849, in the room of the Circuit Court of the United States.

On motion of Charles Gibbons, Esq., the Hon. Robert C. Grier was called to the chair, and the Hon. George M. Dallas appointed Secretary.

Whereupon, on motion of F. W. Hubbell, the following resolutions were unanimously adopted, viz. :

Resolved, That we have heard, with sincere sorrow, of the decease of our professional brother, CHARLES CHAUNCEY, Esq., a gentleman who held the highest rank in his profession, and who has left upon our hearts and memories the recollection of an accomplished lawyer, of an eloquent advocate, and of a pure and upright man.

Resolved, That we will, each of us, in testimony of our veneration for the deceased, wear a badge of mourning during thirty days.

Resolved, That a Committee of five of our number,

to be named by the Chairman, shall communicate to the family of the deceased our deep sympathy with them in their bereavement.

After the Resolutions were presented, MR. BINNEY rose, and addressed the Chair as follows :

When I entered this Court room, to join with my brethren of the Bar in the testimonial they are about to offer, I felt doubtful whether I could trust myself to say anything upon the subject. The sudden death of a friend and cotemporary of the same profession is not without a disturbing effect upon even young men; how much more disturbing must it be to the mind and emotions of one who has suddenly lost an intimate personal friend, and professional cotemporary of more than half a century. I doubted, therefore, whether it would not be best for me to let others express the sentiments which the bereavement excites in the whole Bar, and to let my presence and my known relations to the party be the sufficient expression of my sympathy and perfect concurrence in the strongest declaration of respect and grief which the Bar should think fit to record. But I find it expected of me, as the individual among those present who has longest known and has the most intimately been connected with Mr. Chauncey, to say something of his professional and personal character; and I yield to the expectation, even at the hazard of saying what others may wish

had remained unsaid. If this shall happen, I must beg of the Bar to attribute it to the cause I have referred to.

To some who are present, the early history of Mr. Chauncey may not be as familiarly known as his character and position during later years, and I will, therefore, briefly refer to it.

Mr. Chauncey was a native of the State of Connecticut, and was descended from a line of most respectable ancestors, originally from England. His father, Judge Chauncey, of New Haven, whom I had the pleasure to know, was distinguished for his professional learning and high personal integrity, and was held in great respect to the end of his life. One of his remote ancestors, lineally, I believe, though I am not certain of this, was the Reverend Charles Chauncy,* the second President of Harvard College, Cambridge.† It was a great pleasure to me several years since, to refer my friend, Mr. Chauncey, to a treatise upon "THE BENEVOLENCE OF THE DEITY," written by a descendant of this ancestor, and of the same name; a work which ably reconciles all the moral disorders, apparent in the world, with this essential attribute of the Creator, and which manifests the writer's deep reverence for a characteristic so habitually exhibited in the life and manners of my friend.

* The name was formerly so written.

† 1654.