

MEMORANDA.

BENJAMIN CHEW HOWARD.

THE Honorable BENJAMIN CHEW HOWARD departed this life at his residence, 220 North Charles Street, Baltimore, March 6th, 1872, in the eighty-first year of his age. He was born at his paternal residence, Belvidere, at the head of Calvert Street, in the same city, November 5th, 1791, and was the third son of Colonel JOHN EAGER HOWARD, a well-known officer of the Revolutionary War, commander of the Maryland line, a friend of Washington, and one of his trusted lieutenants, whose "cool, determined bravery" was the subject of Alexander Hamilton's eulogy;* and has made his name as inseparable as those of Morgan and of Greene from the splendid achievement at Cowpens. Colonel Howard's reputation, as all residents of Baltimore know, is cherished in that city. He was at one time governor of Maryland and built the dignified residence known as Belvidere, already mentioned, which was inherited by the subject of our notice—always the seat, whether in possession of Colonel Howard or his son, of gracious and refined hospitalities. The grounds attached to it, including a park, embraced nearly all the upper portion of the city. Colonel John Eager Howard was a liberal benefactor of Baltimore. Among his donations to the city may be mentioned Washington Monument Square, the Richmond Market, and Liberty Engine houses. He also gave St. Paul's Church parsonage and burying-ground, where the family vault of the Howards now is. Maternally, the subject of our notice was connected with Pennsylvania; his mother having been a daughter of the Honorable BENJAMIN CHEW, Attorney-General of the Province of Pennsylvania and the last of its chief justices under the Crown; as also in later life the

* Hamilton's Works, vol. ii, 490.

venerable President of the High Court of Errors and Appeals after the establishment of the State of Pennsylvania under a republican government. Mr. Howard, the subject of our notice, received his collegiate education at Princeton, where he graduated in 1809. In the class before him was James Moore Wayne, afterwards a justice of this court, between whom and Mr. Howard an affectionate intimacy long subsisted. Having studied law for the usual term, Mr. Howard was subsequently admitted to the bar. His circumstances not making the practice of any profession a matter of necessity to him, and his tastes inclining more to military and political distinctions, he devoted himself to public rather than to professional objects. In 1814, when Baltimore was threatened by a British army, young Howard led a company known as the First Mechanical Volunteers toward North Point, to oppose the invaders, under General Ross, who were landing there. This company, with Captain Leverings's, both from Colonel Sterets's regiment, and Asquitth's and a few other riflemen, all under Major Richard Heath, accompanied by a small piece of ordnance and a few artillerymen and riflemen, were sent forward to attack the British. A severe conflict ensued, in which Howard behaved with a gallantry worthy of his descent and name. In 1820 he was elected to the first branch of the City Council of Baltimore; and in 1824 sent to the lower house of the legislature, and afterwards to the Senate. On the 21st of February, 1827, at a meeting of a number of citizens to take into consideration the best means of restoring to the city that portion of the Western trade which was diverted by the introduction of steam navigation and other causes, he was appointed one of a committee whose report "for a direct railroad from Baltimore to some point on the Ohio River" was unanimously adopted. Of the committee whose report was so instrumental in bringing about the great and successful work which it recommended, Mr. Howard was the last survivor. In 1829 he was elected to Congress, and served till 1833; and again from 1835 till 1839. He was chairman of the Committee on Foreign Relations, and author of a creditable report on the Northeast boundary question. Leaving Congress, he was appointed, in 1842, Reporter of this Court; where, on entering upon his duties, he found upon the bench Mr. Justice Wayne, his former associate in collegiate life at Princeton. Mr. Howard reported the decisions of the court for eighteen years, but resigned upon accepting, in 1861, the

nomination of the political party with which he was associated for governor of Maryland. The last public office which he discharged was that of a member in what was known as the Peace Conference, a convention assembled just before the outbreak of the rebellion. For the ten years preceding his death, Mr. Howard lived quietly among his friends and books, his winters being spent at his town residence on North Charles Street, and his summers at his country retreat, "Roslyn," which handsome estate had been in his family for nearly two hundred years. He died with entire composure; leaving in the community with which his name and family were so creditably identified, the recollection of a well-bred and honorable gentleman, of genial nature and of social and agreeable dispositions.

Mr. Justice NELSON heard no cases in this volume, having been detained at home by indisposition.

