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JUDGE EDMONDS.



The father of this distinguished jurist was born in the city of New-York, at what is now the corner of William and Liberty streets, on the 27th of August, 1769. When the war of the Revolution broke out, he was a student at college, in Rhode Island. He, however, immediately left his studies, and enlisted in the army as a private soldier. In various capacities, he served during the whole war having risen from the ranks to an ensign, and finally, to an assistant commissary. He was at the battles of Monmouth, Yorktown, &c. On the establishment of peace, at the age of twenty three he started to seek his fortune, having nothing but a horse, saddle, bridle, two blankets, and a little continental money. In 1784, during his wanderings, he arrived at the site of what is now the city of Hudson, then called Claverack Landing. There

as one of the few settlers, he opened a small store, in which business he was found by the emigrants from Nantucket and Martha's Vineyard, who purchased the land and laid the foundation of the city. He was at one time a member of the Assembly, and high sheriff of the county, and he continued in trade until the war of 1812, when he again entered the service of his country. He was soon appointed pay-master-general of the militia, in which office he continued for several years after the termination of the war.

He died at Hudson, in 1826 and within a few years, a beautiful monument has arisen in its graveyard, erected to his memory by his sons. His wife, the mother of the Judge, was Lydia Worth, daughter of Thomas Worth, one of the first settlers of Hudson. She was a descendant of William Worth,

who emigrated from Devonshire, England, in 1540 and settled in Nantucket. From this common stock have descended, Major-General Worth, of the United States Army; G. A. Worth, Esq., president of the New-York City Bank; and the Olcott and Edmonds families.

After the death of Gen. Edmonds, his widow resided chiefly with her son, the judge, until she died on the 29th of November, 1841. She was a member of the society of Friends, and instilled into her children many of the tenets of that respected sect, which have evidently influenced their conduct through life.

Judge Edmonds, was born in the city of Hudson, on the 13th of March, 1799. His early education was at private schools, and at the academy at Hudson, where he prepared for college. In October 1814, he entered the sophomore class, of William's college, Massachusetts, in company with John Birdsall, afterwards circuit judge of the eighth circuit, and attorney general of Texas. In 1815, he solicited his dismissal from the college, and entered Union college, at Schenectady, where he graduated in July, 1816. His share in the exercises of the commencement, was the fall of Poland. On leaving college, he began the study of the law, at Cooperstown, with George Monell, Esq. afterwards chief justice of Michigan. After remaining at that place about six months, he returned to Hudson, where he studied two years, in the office of Monell & Van Buren.

In the fall of 1819, he entered the office of Martin Van Buren, in Albany. He continued with the ex-president, residing in his family, until May, 1820, when he returned to Hudson, and entered upon the practice of the law. He continued at Hudson, until his removal to New-York, in November, 1837.

Inheriting the military disposition of his father, we find the judge, at the age of nineteen, a lieutenant in the militia, which commission he held for about fifteen years, when he obtained the command of his regiment. This office he resigned, in 1828, on being appointed, by De Witt Clinton, recorder of Hudson. To this day throughout the old county of Columbia, the judge is addressed as colonel, military honors appearing invariably to take precedence of all others.

At an early age, he took an active part in politics, ranking himself as a democrat, and the first vote he ever gave was for Daniel D. Tompkins, when he ran for Governor, against De Witt Clinton.

In 1830, the judge was elected by the democrats of Columbia, to the Assembly, in which body he soon became a leading and influential member.

In the fall of 1831, he was elected to the state Senate, receiving in his district, an unprecedented majority of over 7,500 votes.

In the senate he served four years, during the whole of which time, in addition to other duties, he was a member of the judiciary committee, and for the last three years chairman of the bank committee.

It was also during his senatorial term that the subject of nullification, arising out of the forcible resistance of South Carolina to the tariff laws, occupied the public mind. A joint committee of the two houses was raised on the matter, and the judge was a member on the part of the senate. An elaborate report, drawn up by Mr. Van Buren, then vice-president of the United States, was made by Mr. N. P. Tallmadge, the chairman of the committee. About that time, Mr. Tallmadge was elected to the United States senate, and opposition to his report on nullification unexpectedly arising, the defense of it devolved upon Judge Edmonds. The debate lasted more than a week during which time the judge stood alone against six of the most prominent senators on the other side. The result was the adoption of the report by an overwhelming majority.

In 1834 the judge was chairman of a joint committee of the two houses, to whom was referred the subject of the United States bank, which its opponents alleged was creating pecuniary distress, with a view of extorting from congress a renewal of its charter.

In the summer of 1836, Judge Edmonds was appointed by General Jackson, commissioner to carry into effect the treaty with the Ottawa and Chipewyan tribes of Indians. This business took him during the summer to Michilimackinac, where for nearly two months, he was encamped with over six hundred natives. In the ensuing year he received appointments in relation to other tribes, but in the fall of 1837 he relinquished them and removed from Hudson to New-York, where he resumed the practice of law. He almost immediately found himself in an extensive and profitable business among the merchant princes of the commercial empire.

In April, 1843, without any solicitation on his part, the judge was appointed by Governor Bouch, an inspector of the state prison at Sing Sing. It was with much hesitation that he accepted this unthankful task. The labor was indeed herculean. Scarcely any discipline was maintained in the prison, and the female prisoners had the entire control of the officers, hundreds of the males were entirely idle, and the earnings fell short of the expenses by over \$40,000. But within eighteen months, a great change was effected, and the female portion of the prison was brought into complete subjection. Strict discipline was introduced and maintained among the males, and the annual deficiency in the revenue was reduced to less than a tenth part of the former sum.

This task, however, was easy in comparison with a reform of a different character which he sought to introduce. He found, that for more than fifteen years, the system of government which had prevailed in our state prisons, was one purely of force; and where no sentiment was sought to be awakened in the breast of the prisoner but that of

fear, and no duty existed from him but that of implicit obedience. No instrument of punishment was used but the whip, which had the effect of arousing only the worst passions of both convicts and officers—a practice of abominable cruelty, long engrained upon our penitentiary system—revolting to humanity, and destructive to all hope of reforming the prisoner. So thoroughly had it become engrained, that the most experienced officers insisted that there was no other mode by which order could be kept. Besides, they found it was then so very easy to govern in that way.

Pardon, prejudice and selfishness, all combined to place obstacles in the way of this proposed reform, and its progress was very slow. Yet it steadily advanced, and when, in 1845, the judge resigned the office of inspector, his system was in the full tide of experiment. It has been continued by his successors to the present time. It has also been introduced into the state prisons at Auburn and Clinton, and is now the governing principle in all our state penitentiaries. With a view of carrying out his plan, in December, 1844, he instituted a "Prison Discipline society," the object of which is the reform of prison government and the aiding of prisoners, on their discharge, to lead honest lives. This society is in very successful operation, and enjoys a large share of public confidence. How great an amount of good can be accomplished by a single philanthropic individual; and for this one movement of the judge, how many poor wretches will rise up and call him blessed! For this the tear of gratitude shall fall upon his grave, while angelic strains that, "he who turneth one sinner from the error of his way, shall shine as the stars forever." "Man dies, but not one of his acts ever dies. Each perpetuated and prolonged by interminable results affects some beings in every age to come."

On the 18th of February, 1845, Mr. Edmonds received the appointment of circuit judge of the first circuit, in the place of Judge Kent, who had resigned. That office he held until June, 1847, when he was elected a judge of the supreme court.

In the discharge of his duties as circuit judge, he was always fearless and independent, reminding us of the famous Matthew Hale. A most extraordinary instance of this was exhibited at the anti-slavery trials in Columbia county, in September, 1845. The counsel employed in those trials, had been engaged in the same cases at the circuit in March preceding, and had then manifested so little combative-ness. They displayed the same warmth before Judge Edmonds, and carried it so far as to come to blows in open court. The offenders were gentlemen of high standing, and personal friends of the judge, and both at once apologized for their contempt of court. But the judge, with great promptness, committed them both to prison, and adjourned his court with the remark, that it was not his fault that the cause of public justice was thus interrupted. Perhaps none regretted this momentary outbreak more than the parties themselves whose manners in private life are courteous in the extreme.

This event attracted a great deal of attention throughout the Union, and was noticed by European papers as "evidence of advancing civilization in America." The most gratifying feature of the case was that it did not disturb the personal good feeling which had previously existed between the parties engaged in it.

Upon the organization of the judiciary, under the new state constitution, Judge Edmonds was nominated for Justice of the supreme court by the bar of New-York, and by the Tammany party by his colleagues. This result cannot but be gratifying not only to him, but to the public, inasmuch as during his judgeship he had made several decisions that warred upon popular prejudice, and immediately before his election he had, with others of the democratic party, protested against the admission of Texas into the Union, as eminently calculated to lead to a war with Mexico and to perpetuate the extension of slavery. Subsequent events have justified the sagacity which marked that act, while the act itself has subjected the gentlemen engaged in it to much obloquy and censure from their political associates. This proceeding was, however, rebuked in his triumphant election by the public, who honored him for his independence of character.

The judge has one brother, Francis, cashier of the Mechanics Bank in New-York, and somewhat distinguished as an artist. He has also three sisters, two of whom reside in the state of New-York, and the third, the wife of Colonel Webb of the United States army, is living in Illinois.

The family of the judge consists of three daughters, two of whom are married.—*American Biographical Sketch Book.*

TALES.

THE CAPTURED BANNER;

A YARN OF THE MONTEVIDEAN WAR.

"CULMIRA! QUE INSOLENCIA!" These words were uttered by a lovely woman, whose flushed cheek, flashing eye and knitted brow spoke even more than words of the indignation which filled her heart.

She was the young wife of Commodore Coe, the commander of the small navy of Montevideo. The lady was Spanish by birth as well as in feeling, and the cause of her anger was the sight of a ship which had been for two days standing off and on before the harbor, using every signal of insult and defiance to induce the vessel of Coe to come out and fight him. This the latter could not do for two reasons. The first was illness which confined him to his cot; the second that he had not one third of the crew; not even men enough to work his battery.

At the moment when she muttered the words which commence this sketch. Brown, the commander of the Buenos-Ayres ship had hoisted a flag at his gaff, wherein was embroidered, in large legible letters, the inscription: "COE THE LAW AND!" This was more than his noble, fiery wife could stand; for well she knew her husband's truth and valor. After gazing one instant at the flag, she raised her jeweled hands, and taking therefrom a diamond of great value, she cried to the officers and men who stood around her on the deck. "I will give this diamond to any man who will bring me yonder flag!"

For a moment there was no response. The men looked at their officers, glanced at each other, but volunteers for a service so desperate seemed scarce.

"What! is there not one of all of you who dare the trial? Is my husband's ship indeed manned with cowards?" exclaimed the lady while her beau-