AN ADDRESS

ON THE

LIFE AND CHARACTER

OF THE LATE

RICHARD H. MENEFEE:

DELIVERED BEFORE

THE LAW SOCIETY OF TRANSYLVANIA UNIVERSITY,

In the Chapel of Morrison College in Lexington, April 12th, 1841.

BY THOMAS F. MARSHALL.

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1841.

CORRESPONDENCE.

TRANSYLVANIA UNIVERSITY,
Law Society Hall, April 12, 1841.

THOMAS F. MARSHALL, ESQ:

Dear Sir—We are directed by the Transylvania Law Society, to request for publication, a copy of your Address on the *Life and Character of Richard H. Menefee, Esq.* deceased, pronounced in the Chapel of Morrison College this day.

With sentiments of profound regard,

We have the honor to be your obt. servants,

JOHN W. FINNELL,
WILLIAM WALLER, JR.
JAMES R. GALTNEY,
Com. of Transylvania Law Society.

MAY 14, 1841.

Gentlemen—Your note of the 12th April was received and the Manuscript you desire would have been furnished long since but for severe indisposition, and the most pressing engagements. Trusting that the delay has been immaterial to you, I now place it, such as it is, at your disposal.

With high respect, &c.

THOMAS F. MARSHALL.

J. W. Finnell, W. Waller, Jr., J. R. Galtney.

ADDRESS.

GENTLEMEN OF THE LAW SOCIETY:

I am not here to recount in set phrase and with that courtesy which the living always pay to the dead, the virtues, real or supposed, of one around whose fate, youth and interesting private relations alone have cast a transient interest. I come not merely to acquit me of a duty to one whom I personally loved and admired, to weave a fading garland for his tomb, or scatter affection's incense over his ashes. Mine is a severer task, a more important duty. I stand here gentlemen, as a member of a great commonwealth, amidst assembled thousands of her citizens, to mourn with them the blow sudden and overwhelming, which has fallen upon the country. He about whose young brows there clustered most of honor—he, around whose name and character, there gathered most of public hope—the flower of our Kentucky youth, "the rose and expectancy of the fair state" lies uprooted. He, who by the unaided strength of his own great mind, had spurned from his path each obstacle that impeded and rolled back the clouds which darkened his morning march—who in his fresh youth had reached an eminence of fame and of influence, which to a soul less ardent might have seemed the topmost pinnacle, but which to him, was only a momentary resting place, from whence, with an undazzled eye and elastic limb, he was preparing to spring still upwards and nearer to the sun of glory which glowed above him; while the admiring crowd below were watching with intensest interest each movement of his towering step, each wave of his eagle wing,

"Why sudden droops his crest?
The shaft is sped, the arrow's in his breast."

Death canonizes a great name and the seal of the sepulchre excludes from its slumbering tenant the breath of envy. I might fling the reins to fancy and indulge in the utmost latitude of

panegyric without offence; the praises of the dead fret not the living. But I am not here upon an ordinary occasion to pronounce a pompous eulogy in set terms of a vague and general praise. You have directed me to draw the life and character, to delineate the very form and figure of the mind of one, whose moral likeness you wish to inscribe in enduring and faithful colors upon your archives, not only as a memorial of one loved and lost, but as an example and model for the study and imitation of yourselves and successors. It is not a sample of rhetoric, but a perpetuation of his image, that you seek, as the monument best suited to the subject, as a real and historic standard by which the youth of after times may measure and elevate the idea and the stature of excellence. And surely, if ever there were mirror in which young genius could glass and fashion itself; if ever there were mould in which the forming intellect could be cast in the just and full proportions of graceful energy and perfect strength; he, of whom we are to speak this day, was that mirror and that mould. Would that the artist were equal to his work, would that his mind were fully up to the dignity of his subject; then indeed would I gladly obey your high command, and give to posterity embodied in my land's language, the very form and lineament, the breathing attitude, the intrepid port, the beaming hope, the dauntless energy of a genius which "poverty and disease could not impair, and which death itself destroyed, rather than subdued." Ah, had he but have lived! on that broad pedestal laid already, he would himself have raised a statue colossal and historic, an individual likeness, but a national monument, than which never did the Grecian chisel, from out the sleeping marble, awake a form of grander proportions or of more enduring beauty. He meditated such a work and was fast gathering round him the eternal materials. Type of his country, he sought to mingle himself with her existence and her fame and to transmit his name to remote generations as an epitome of her early genius and her history, and as the most signal example of the power of her institutions, not only for the production, but for the most perfect developement of the greatest talents and the most exalted virtue.

Richard H. Menefee, whose death clothed this immediate community with mourning, threw a shade over Kentucky, and

awakened the sympathies of the whole American public, was born in the town of Owingsville, and county of Bath, 4th December, 1809. His father, Richard Menefee, was an early emigrant from Virginia. He was a man by trade a potter, and exercised his calling for many years in Bath. Although of exceedingly limited education and originally of very humble fortune, the native strength of his mind and the love of information raised him to very respectable attainments in knowledge, while the integrity of his character, no less than his sagacity commanded the confidence as well as the respect of all who knew him. He was repeatedly elected to the legislature of Kentucky and served one term in the Senate. The characters and the career of distinguished men have sometimes been traced to circumstances apparently trifling, which even in infancy have been thought to have settled the bent of the mind. The biographer of Napoleon has noted among the earliest and most prominent incidents of his infancy, that his first play thing was a miniature cannon, with its mimic equipments. From this first impression, or early predilection, the indelible image of war may have been stamped upon the mind and decided forever the genius and the passions of the conqueror of Europe. In 1809, Kentucky's great Senator was fast drawing upon himself the gaze of men. The saffron tints of morning had already announced the coming of that orb which has since shone forth with such splendor in the eyes of the civilized world. The father of our Richard had at one time determined to call his son Henry Clay, and indeed the infant statesman and orator wore the name for the first two or three months of his existence. It was subsequently altered to Richard Hickman, from respect to a warm personal and family friend, but the boy was apprised of the prœnomen of his infancy and fired even in childhood by the fame of his great countryman, breathed often to heaven his fervent orison, that he might one day equal the eloquence, the greatness and the reputation of Mr. Clay. That the love of glory was the master-passion of his nature, and that sooner or later some event or circumstance must have roused it into life and action we cannot doubt, and yet it may be, that the simple circumstance we have cited, may have marked out the path and determined the object of his ambition. That it made a deep impression upon his childish imagination, is

a veritable and very interesting fact in his boyish biography. He was left by his father an orphan at about four years of age and an estate never large was almost entirely wrecked by mismanagement and that bane of widows and orphans, a law suit—in which it had been left involved. Richard's utmost inheritance of worldly goods did not exceed a few hundred dollars. He seems till he was about twelve years of age, to have been indebted almost exclusively to his mother's instructions for the rudiments of knowledge he received. For her he cherished to his latest hour the fondest veneration. He was her champion in boyhood, for sorrow and misfortune fell fast upon her. It was in his mother's defence that the lion of his nature first broke out. Incidents might here be related, exhibiting in rare perfection the depth of filial piety and dauntless heroism in a boy of fifteen, but they involve circumstances and feelings too delicate for a stranger's touch. In proof of the strength and tenderness of his private affections, it may here be stated, that after he commenced the practice of law, though pressed by the claims of his own family, he devoted a portion of his own slender means to the support of a brother overwhelmed with personal misfortunes and an orphan sister, and continued it till his death. At twelve years of age, so far as I have been able to learn, he first entered a public school. Like steel from flint, the collision of other minds struck instant fire from his own. The first competition brought into full play the passion for distinction, which formed the master principle of his nature. His teacher was astonished at the intense application, surpassing progress and precocious genius of the boy. He predicted to his pupil his future greatness, exhorted him to perseverance and furnished him every facility in his power. With this gentleman, whose name was Tompkins, (it should be written in letters of gold,) he seems to have remained without interruption for two years, at which period his mother married a second time and he was removed from school. Clouds and thick darkness gathered now, over his fortunes and his darling hopes. At fourteen, he was summoned to attend at a tavern bar in Owingsville. But the omen of his first name still cheered him on, and the fire which had been first kindled within him, could not be extinguished. He compromised the matter at home and served at the

bar or labored in the field during the summer, for the privilege of school during the winter months. Even this did not last, for want of means, (mark that, ye of more prosperous fortunes;) for want of means to defray his tuition fees, this unconquerable boy exchanged the character of pupil for preceptor at fifteen years of age and taught what he had learned to others for hire during the winter months, that he might accumulate a fund with which to prosecute his own education thereafter. He continued thus till about his sixteenth year; when, in consequence of unpleasant difficulties with his step-father, he was taken to Mountsterling by Mr. Stockton, an intimate friend of his deceased father. From this time he seems to have been left to his own guidance, and wrestled alone with his fortune. Upon the division of the wreck of the paternal estate, a negro was assigned to Richard about the period of his removal from home. He sold this slave to his friend, and with the proceeds, together with what he had earned as a preceptor, maintained himself at the public school in Mountsterling till his eighteenth year, when he entered Transylvania as an *irregular* Junior. The rules of college would have excluded him from the privilege of examination and debarred him even from a trial for the honors of his class. But that discipline which fixes a given time for given accomplishments and deems their attainment impossible, save within the limits and in the mode prescribed, was not framed for such as he. The hardy orphan who had been tutor and instructor of others at fifteen, and absolute and unheeded master of himself at sixteen, was not likely to be damped or daunted from his not having passed through a technical routine of studies, based upon ordinary calculations and framed for ordinary minds. He had already trampled upon the legal maxim which fixes one and twenty as the age for self-government, already "had his daring boyhood governed men." He gazed in scorn upon the artificial impediment which would have barred him from academic honors, and cleared it at a bound. His intrepid genius, his intense application, and the bold and extra-collegiate range of his information had attracted the eye and the admiration of the celebrated President Holley. Through his intercession and influence the strict canon of the University was dispensed with in Richard's behalf; he was admitted to an examination with his class, and

bore away the palm. Upon his return to Mountsterling his funds were exhausted and he again became a private tutor while he prosecuted the study of law with Judge JAMES TRIMBLE. He persevered in his labors and his studies till the year 1830, when upon the death of his friend STOCKTON, whose affairs required the superintendance of a lawyer and to whom he held himself bound by a debt of gratitude, in his twenty-first year he obtained a license to practice and undertook as his first professional act, without charge, to settle and arrange the complicated and embarrassed affairs of his friend. In the fall of 1831 he was enabled to attend the law lectures here, when he became a distinguished member of your society. In the spring of 1832 he received the appointment of commonwealth's attorney, and in August before he had attained his twenty-third year he was married to the eldest daughter of the late MATTHEW JOUITT. It is not among the least interesting circumstances which concentrate in the union of these two orphans, that the dowerless daughter of Kentucky's most gifted artist should have found a tutor in her childhood every way adequate to form her taste and fashion her understanding, and that in the dawning graces of her first womanhood reflecting back upon its source the light she had borrowed should have drawn and fastened to her side as friend and protector through life, that same boy preceptor from whose precocious mind her own had drawn its nutriment and its strength. JOUITT and MENEFEE! what an union of names, what a nucleus for the public hopes and sympathies to grow and cluster round, to cling and cleave to. And they are united in the person of a boy, a glorious beauteous boy—upon whose young brow and every feature is stamped the seal of his inheritance. I have seen this scion of a double stock through whose young veins is poured in blending currents the double tide of genius and of art. Bless thee JOUITT MENEFEE, and may heaven which has imparted the broad brow of the statesman orator along with the painter's ambrosial head and glowing eye, may heaven shield and preserve thee boy, from the misfortunes of thy house.

Mr. Menefee retained his appointment, and located at Mountsterling continued the practice of law with extraordinary success in the various counties of that mountainous district till August 1836, when he was returned the member from Montgomery to

the House of Representatives of Kentucky. It was the fortune of your speaker to day, to have served in the same body during that session, and it was at this period that he first saw and became acquainted with the illustrious subject of this discourse. The impression which Mr. Menefee then made was instantaneous, and ineffaceable. He was in his twenty-seventh year, but the lightness of his hair, his delicate complexion and almost beardless face, and a certain juvenile outline of person, made him look to a transient observer some years younger than he really was. I knew nothing then, nor till long after, of his private history. He stood among his colleagues in legislation, almost an entire stranger. He was surrounded by no peculiar circumstances or associations of influence or of interest. No pomp of heraldry blazoned his hitherto obscure name; no hereditary honors glittered around his pale brow; no troop of influential connexions or family partisans stood ready to puff him into prompt notice, or to force him upon fame. Even the incidents of his young life which would have won for his chivalric spirit an admiring and generous sympathy were unknown. The storms through which his star had waded in its ascent, the strife perpetual which he had waged from infancy with evil circumstance and most malignant fortune had rolled over him unknown or unheeded by that world to whose service and applause he had been fighting his way. He came into the lists unattended, without device, armorial bearing, squire, pursuivant, or herald. Entertaining the views which Mr. Menefee did, it cannot be doubted that he regarded the Legislature of Kentucky as an important theatre to him. It was the entrance into that temple upon whose loftiest turret his eye had been fastened from childhood. The scene was practically at least an entirely new one to him. He was well aware, no man more so, of the importance of first impressions upon a body constituted as that of which he was a member. One would naturally have expected from a person situated as he was, great anxiety, not unmixed with bashfulness and timidity in his debut. You might have anticipated too, the selection of some question of great and general interest, and the careful and elaborate preparation, by so young and aspiring a member, of a *speech* duly laden with flowers, and studded with all the rhetorical gems of trope and figure. No such thing. He threw himself easily and naturally, and with ap-

parent carelessness into debate for the first time, upon a bill entirely private in its character and of not the smallest interest to the house. No sooner had he risen however, and his bell tones vibrated through the hall, than every eye and ear were riveted into attention. There was about him an air of practiced ease, a self-possession, a deliberation, as utterly remote from affectation or impudence, as it was entirely free from confusion or timidity. He wore the cheek of a boy, and moved with the tread of a veteran. There was no impatience for display, no ambitious finery no straining after effect about him, but there was a precision and clearness in his statement, an acuteness, a strength and clearness in his argument, which bespoke a mind not only of the greatest original power, but trained in the severest school of investigation, and to which the closest reasoning was habitual and easy. He seemed to move too, in his natural element, as though he had so long and so carefully revolved in his own mind the theatre of public affairs as being the true stage for him, that he stood there albeit for the first time without surprise or anxiety. It was upon a motion of his own to reverse a report from the committee of courts of justice upon a bill authorising the sale of some infant's real estate, that he was first heard to speak. The present Governor of the Commonwealth was at the head of the committee, and some of the most experienced members of the house, and of the ablest professional men in the country were members of it. The member from Montgomery attacked their report with so much vivacity and such remarkable ability, that they felt themselves compelled to make a regular and formal defence, which they did seriatim, and it is no reflection upon their talent to state now, what all felt then to be true, that their young antagonist was a match for the whole. This debate and the occasion of it would have passed from my memory long since, but that they served to develope to my view for the first time, the character and the powers of a man evidently marked out for greatness, whose subsequent career was one unbroken series of splendid successes, whose genius then first fairly risen upon the public, within three years from that date, shot into the zenith with an horizon stretching to the utmost boundary of the American states. After this first effort, trifling as would seem the occasion, Mr. Menefee was no longer considered in the light of a promising young man. He did

not climb gradually into favor and influence with the house, but, sprang at once and with an elastic ease truly surprising, into the position not only of a debater of the highest order, but of a leading mind, whose ripened judgement and matured thought rendered his counsels as valuable, as the eloquence in which they were conveyed was striking and delightful. He was a member of the committee of finance, and reported and carried in the face of the most violent opposition, what is usually termed the "equalizing law" by which the ordinary revenue without an increase of taxation, but by including new subjects, has gained upwards of thirty thousand dollars per annum. The debates in the Kentucky legislature are not reported, and little attention is paid, and little interest manifested throughout the country in what is passing at the capitol in Frankfort. Yet upon the narrower and more obscure theatre which he then trod, did Mr. Menefee display during that winter, powers and qualities which in Washington would, as they afterwards did, have covered him with glory and fixed his name. Compelled, by the particular interest which I then represented, (being a member from the city of Louisville) to be thrown into frequent collision with Mr. Menefee in the debates of the house, I had ample opportunity both to know and to feel his intense power as a disputant. Attracted powerfully by the whole structure and style of the man, I studiously sought occasions for a close and critical observation of him. To men curious in such things he was a subject altogether worthy of study. Accident threw me somewhat into his personal confidence, which furnished better opportunities of ascertaining the distinctive traits of his character and the habitual complexion of his mind, than the mere contests of argument and public discussion would have afforded. In the course of the session, he was heard upon every question of state policy and always with an attention which showed how deep he was in the confidence of the house. Upon a proposition to reduce the salaries of the state engineers, to which he was opposed, he took occasion to discuss the system of internal improvement, as it is called, in which he showed that lawyer as he was, he had found time to study deeply the sources of national wealth, and the principles of public economy. Upon a proposition of his own which he lost, to place the salaries of the judges at Louisville upon the same footing with the other judges of

the Commonwealth, he displayed in the most eminent degree the peculiar traits of his genius. It was not the discrimination in the amount of the salaries to which he objected. It was that principle in the law, which virtually made the Commonwealth's judges at Louisville to be paid by, and of course to be dependant to a certain extent, upon that corporation, which he resisted and exposed. But the master effort of his mind that winter, was on the bill to repeal the law of 1833 prohibitiug the importation of slaves. Never yet have I heard or read among all the discussions to which that law has given rise, an argument so masterly, so statesmanlike, so triumphant as that of Mr. Menefee. Profoundly practical, and standing utterly aloof from the extremes of fanaticism, he displayed the deepest knowledge of the natural foundations of social prosperity, and the most cautious regard for existing institutions. Equally exempt from the rash spirit of political empiricism which would tear the subsisting frame of society to pieces, in search of that which is abstractly good, and from that worse than cowardice, which shutting its eyes upon what is absolutely and demonstrably evil, would deepen and extend it, for the wise reason that it is not perfectly curable, that desperate quackery, which would spread a cancer over the whole body, because it could not be safely extirpated, he neither lauded slavery as a blessing, nor dreamed with crazy philanthropists, or murderous incendiaries of its sudden and violent extinction. He adhered to the law of 1833 as a mean of checking the increase of an evil which could not now be prevented. It is a public misfortune, and a drawback upon Mr. Menefee's fame, brilliant as it is, that his speeches in the legislature of Kentucky were not preserved. Regarding him, as I have already said with the deepest interest, and under circumstances very favorable for observation, I describe him as he impressed himself upon me. The great characteristic of his mind was strength, his predominant faculty, was reason, the aim of his eloquence was to convince. With an imagination rich, but severe and chaste, of an elocution clear, nervous and perfectly ready, he employed the one as the minister, and the other as the vehicle of demonstration. He dealt not in gaudy ornament or florid exhibition; no gilded shower of metaphors drowned the sense of his discourse. He was capable of fervid invective, vehement declamation, and scathing sarcasm,

but strength, strength was the pervading quality, and there was argument even in his denunciation. "No giant form set forth his common might," no stentor voice proclaimed a bully in debate; yet did he possess the power of impression, deep, lasting impression, of interesting you not only in what he said, but in himself, of stamping upon the memory his own image, in the most eminent degree, and in the most extraordinary manner, of any man of his age whom it has been my fortune to encounter. "*Bonum virum facile crederes, magnum libenter.*" Although removed the farthest possible, from the affectation of mystery, or any asserted and offensive pretension to superiority over other men, and although his manner was exempt entirely from the charge of haughtiness, still as he appeared at that time, he loved not familiarity and courted no intimacy. He was bland, courteous, and perfectly respectful in his intercourse; still there was a distance, an undefinable sort of reserve unmixed with pride, but full of dignity, keeping frivolity aloof and attracting at once your curiosity and your interest. Upon his forehead, which was broad, and full and very commanding, were traced the indisputable lines of intellect and genius. His pale and delicate brow was stamped with the gravity and the care of premature manhood. About his lip and mouth were the slight, but living and indellible traits of a resolved and ambitious spirit. The whole countenance was that of a man who had suffered and struggled, but who had conquered the past and was prepared to grapple fearlessly with the future. But the master expression, the natural language which breathed from his face, form, step, gesture, and even the almost feminine tone of his voice and which contrasted so strangely with the delicacy of the whole, was energy, unfainting, indomitable, though curbed and regulated energy, which could sustain him through all danger and under all fortune, and which would and must bear him on to the utmost mark at which his ambition might aim, and to which his talents were at all adequate. There was nothing restless or impatient about him. His was deliberate, concentrated, disciplined energy. He had that managed calmness of general manner, which so often betokens a fiery and excitable temperament, but under the most perfect control. Never man was more entirely master of himself than Mr. Menefee. His conversation corresponded with and deepened the impression made by his public

speeches and a close examination of his whole appearance. He had all the quickness and penetration of a man of true genius, but without a spark of wildness or eccentricity. There was no dreamy idealism, no shadowy romance, no morbid sentimentalism about him. The occasional splendor of his illustrations proved him to be sure possessed of an imagination not only grand and lofty, but exquisitely sensible of the beautiful and the soft, but it was the ally, not the principal; and an ally upon which his sovereign reason, abounding in its own resources, leaned but little and drew but seldom. His fancy drew her inspiration from the natural fountains around and within him. It was not even tinged with the sickly light of modern fiction. His whole mind was eminently healthy. His was the seriousness of determination, unmixed with gloom or melancholy. The purity of his language, which was remarkable for its beauty as well as its precision, declared a mind imbued with elegant letters, but there was an antique severity in his taste, a marble firmness as well as smoothness in his style, which spoke of the hardihood and muscle of the Grecian masters, those first teachers and eternal fountains of poetry and eloquence.* But neither Mr. Menefee's conversation, nor his attainments, nor his talents, eminent as they all were, surprised me so much as the matured and almost rigid tone of his character, the iron control which he exercised over himself, the cool, practical and experienced views which he took of the world, and the elevation, consistency and steadiness of his purposes. These were the qualities which made his talents useful; these were the qualities which, young as he was, gave him such absolute hold and command of the public confidence; these were the qualities which adapted him to the genius and bound him to the hearts of his countrymen, without which he might have been brilliant, but never could have been great.

He had early ranged himself with that great party in politics, whose protracted and arduous struggles have at last found their consummation, and whose principles have been ratified by the judgment of the nation in the election of General Harrison to the presidency. He belonged to that class of minds, who in every

* That he was familiar with the historians and orators of antiquity, particularly of Athens, I am enabled to state of my own knowledge. Those who knew him at college, say that he won his academic honors by his superiority in Mathematics and the languages.

country and under every form of government, are found the unflinching advocates of rational and regulated liberty, a liberty founded in principles fixed and eternal, and which is only safe under the shield and cover of a law changeless and inviolable by the government, equally supreme and binding upon the rulers and upon the people. The imperial maxim "*voluntas principis habet vigorem legis*" he rejected utterly. He loathed despotism in all its forms, and wherever lodged, whether in the hands of one, the many, or the few. Born in a monarchy, he would have died as Hamden died, in the assertion of legal limitations upon the prerogative. Born in a republic, he clung to the constitutional restrictions upon the rapacious passions of faction. He regarded the courtier cringing at the footstool of a throne, and the demagogue lauding the absolute power of a mob, as equally the foes of freedom, and the just objects of patriot execration. He understood the term people as comprehending every interest and every individual and looked upon that system alone as free, which protected each against the arbitrary power even of the whole. He regarded government as something framed for the defence of the weak against the strong, of the few against the many and considered human rights as only safe, where fixed laws and not the fluctuating caprices of men and parties were supreme. Strength and numbers are absolute in a state of savage nature, they need no laws nor magistracy for their support. The rights of the weak and the few, can only be secured by the incorporation of the eternal principles of liberty and justice in a constitution impassable to power and immutable by party. The splendid popularity of a favorite chief, blinded not his reason, the roar of triumphant faction deafened not his conscience, the proscribing genius of a power which punished with inexorable severity, or rewarded with unbounded profusion, appalled not his moral courage, nor shook for one moment his native integrity. Young, poor, talented and aspiring, still he followed where his principles led him and battled long on the side of a feeble and almost overwhelmed minority of his countrymen. To the cause which he espoused, through all its fortunes he adhered with unbroken faith and consistency and lived just long enough to witness its final and complete success.

Mr. Menefee passed from the legislature of Kentucky into the

national councils, where he took his seat in the lower house of Congress at the call session of 1837. He is said to have exhibited during the canvass, extraordinary powers of popular eloquence, and an unequalled grace and facility in mingling with the great body of the people, demonstrating thereby the versatility of a mind whose strength alone I have been contemplating. The same destiny (for it seemed no less) attended him in Congress, which had marked his entrance upon state legislation. There were no gradations in his congressional history. He comprehended at once and as if by instinct, the new scene in which he was called to act; and no sooner did he appear, than he was recognised as a statesman and a leader. The intrepid boldness of his character and precocious strength of his genius seem to have smitten all parties with astonishment. Some of the leading men of the political party to which he was opposed, pronounced him the most extraordinary man of his age, who had till then, appeared in Congress. He encountered hostility in his upward flight, (when did soaring genius fail to do it?) and meaner birds would have barred him from his pathway to the skies. With crimsoned beak and bloody talons, he rent his way through the carrion crew and moved majestically up to bathe his plumage in the sun. Never did a career more dazzlingly splendid open upon the eye of young ambition, than burst upon Mr. Menefee. The presses teemed with his praise, the whole country was full of his name; yet did he wear his honors with the ease of a familiar dress. He trod the new and dizzy path with a steady eye and that same veteran step which was so eminently his characteristic. Around his path there seem to have been thrown none of those delusions, which haunt the steps of youth and inexperience. All was stern reality and truth. He maintained his character undimmed, and his position unshaken till the end of his term, and then this wonderful man imposed upon himself, his spirit and his ambition, that iron control of which I have spoken and voluntarily retired from a theatre the most elevated and commanding, upon which genius and ambition like his could engage in the gigantic strife for undying honor. At twenty-nine years of age, Mr. Menefee found himself upon a summit to which the dreams of youth and hope could scarce have aspired. He alone seemed neither astonished nor confounded by the height to which he had arisen. In 1837 an

obscure young lawyer, scarce known beyond the precincts of his native highland district; in 1839 he stood forth on the world's great theatre in acknowledged greatness, the predictions of his first tutor realized, the prayer of his childhood granted. He stood on that eminence so long and so gloriously occupied by the man whose name he once bore, and whose fame had been the pillar of fire by which he guided his footsteps through the long, dark, perilous and unfriended night of his boyhood, and he stood there at an age which threw even that example into the shade. The draught which he drank so far from intoxicating his understanding, served only to refresh and invigorate his spirit for the work set before him. He surveyed calmly from the height on which he stood, the prospect stretched beneath him, he quaffed the full beams of the sun of glory which glowed above him, then turning to the gentle flower at his side, which he had vowed to shelter and defend, to her who had loved and trusted him in obscurity and penury, before the world now ready to do him homage, had learned his transcendent talents and inestimable worth and folding her, all bright and blushing in the light of her husband's glory to his bosom, he descended without a sigh, to vindicate her confidence and toil for her support.

He was now, though steeped in poverty, in the full possession of fame. He was known universally. Over his character there hung no doubt nor shadow. He had but to select his ground, to choose his theatre. His talents, his acquirements, his habits, all fitted him eminently for the bar. A self-made scholar, he was of indefatigable application—with a mind of singular acuteness naturally and now much enlarged and strengthened by the great topics it had grasped and the powerful collisions into which it had been thrown, he was peculiarly fitted for the largest and most comprehensive views of jurisprudence. Of an integrity stainless as the untrodden snow and without one vice to consume his time or warp his career, he was sure to devote himself to the interests of his clients. In the summer of 1839 he located himself in Lexington. There was no dreary noviciate with him. He stepped into the forum armed at all points, and business flowed in upon him in a full and rich tide. Never did any man occupy such a position in Kentucky as did Mr. Menefee in the opening of his professional career in Lexington. The public

sympathies rallied around to cheer and to support him in a manmer utterly unknown in any other case. Each step of his progress but deepened the interest and vindicated more triumphantly the opinion entertained of him. Men flocked in crowds to hear him speak, his counsel was sought and relied on, and his services engaged whenever it was practicable at points distant from the scene of his immediate operations. At a period of life when most men are just rising into business, he was steeped, actually overwhelmed with the weightiest, most honorable and most profitable causes. The sun of prosperity broke out upon him with a warmth and brilliancy entirely without example. All difficulties had vanished from before him. In the past he found nothing with which to upbraid himself. The rough road through which he had journeyed from childhood was marked throughout with trophies of his triumphant spirit. His country regarded him as public property, and waiting with fond impatience the attainment of that pecuniary independence which his erect and honorable nature deemed essential to his character, stood ready with open arms to receive him into her service and crown him with her choicest honors. Fortune was absolutely within his grasp. He was the slave of honor, not the drudge of avarice. It was independence that he sought, independence for himself and his nestlings. He had tasted the bitter fruits of early poverty and although he had triumphed he would not doom his little ones to their father's struggles and sufferings. He must have attained the object of his pursuit even before he had reached his manhood's prime, and then he could have turned him again without a crime to the pursuits of ambition, again have mounted the solar heights from whence his moral nature had forced his intellectual down. For one short year Mr. Menefee's delicate frame sustained the fiery energies of his mind. In the spring of 1840 in reply to a note from myself on professional business, he alluded to the decline of his health in a tone of sadness, not dispondence—his was a soul that never deponded—which struck me as ominous and prophetic. Disease had indeed fastened its fangs upon his body, its force was vain against his mind. With rapidly declining health he persevered in his business till in September in a case of vast magnitude, in which Messrs. Clay and Wickliffe were both employed against him, he put forth for the

last time his immortal energies at the bar. Like the Hebrew giant his last effort was the greatest. Oh, would to God that he had been or could have been induced to spare himself! But the occasion had come, and the ruling passion strong in death, broke out with irresistible force to throw its radiance over his funeral pile. Ambition has been called the last infirmity of noble minds. To me it seems to constitute their essence and their strength. I mean not the love of power, but that higher ambition, the love, the yearning after that imperishable fame, which shines through far generations and with an increasing light over the memory of great and glorious talents, greatly and gloriously exerted in the cause of justice and mankind. This appeared to me to be the master passion of Mr. Menefee's soul. He must have been conscious of an extraordinary fate and an extraordinary genius. He must have appeared to himself as he certainly did to all others, a man marked out from birth for great actions and the most splendid distinction. What had he not achieved? His friends may challenge the history of this country for a parallel. I have said that I had observed him closely in 1836. I have had intimate opportunities since his retirement from Congress. I have conversed with him since his disease was distinctly developed and the qualities which struck me with so much force upon our first acquaintance appeared to gather strength with time. There was an unsparing intensity in his mind, a concentration of the whole soul upon his pursuits, a haste, a rapidity, as though he feared the sun of life should go down ere the goal assigned to his genius had been attained. Was he conscious, (such a suspicion has sometimes flashed across me and from remembered conversations gathered strength,) could he have been conscious that the seeds of early death were implanted in his original constitution, and was it this which spurred his fiery soul to such gigantic and unpausing strides upon his road to greatness? Himself at all events he did not and he would not spare. This was his only crime; the generous marty; for this and this alone can his country reproach him. Perchance the opportunity of measuring himself with that great genius, whom he had proposed originally as his standard, struck upon his heroic temperament, and roused the poetry of his nature, as being a meet finale to a life like his. Be that as it may, he dashed at the opportunity

as new-fledged eaglets dash into the sun. He did measure himself and, in that effort, pouring forth his genius and his life, reached the consummation of his first wishes, the utmost point of his childhood's prayer. He was measured and found a match for one whose thunders long have shaken the American Senate and who was erst the monarch of the forum. Mr. Menefee sunk gradually from September. His waning life sunk, not his spirit. When apprised at last that his hour had arrived, "Brief summons," was the reply, and he manned himself to die with dignity. His sense of duty, the energy and collectedness of his nature and his cautious regard for others, were strikingly manifested by the last act of his life. He made his will, executed a mortgage to indemnify a friend who was responsible for him and ere the next sun had risen, his own had set forever.

Thus perished in the thirty second year of his life, Richard H. Menefee, a man designed by nature and himself, for inevitable greatness. A man of the rarest talents and of the most commanding character. A man whose moral qualities were as faultless, as his intellectual constitution was vigorous and brilliant. A man to whose advancing eminence there was no limit but the constitution of his country, had not the energies of his mind proved too mighty for the material elements which enclosed them.

"'Twas his own genius gave the final blow,
And helped to plant the wound that laid him low.
So the struck Eagle stretched upon the plain,
No more through rolling clouds to soar again,
Viewed his own feather on the fatal dart,
And winged the shaft that quivered in his heart.
Keen were his pangs, but keener far to feel
He nursed the pinion which impelled the steel.
And the same plumage that had warmed his nest,
Drank the last life-drop from his bleeding breast."

ERRATUM.—On 13th page, 3rd line from top, for *might* read "*height*".