

BALTIMORE:
PAST AND PRESENT.
WITH
BIOGRAPHICAL SKETCHES
OF ITS
REPRESENTATIVE MEN.

BALTIMORE:
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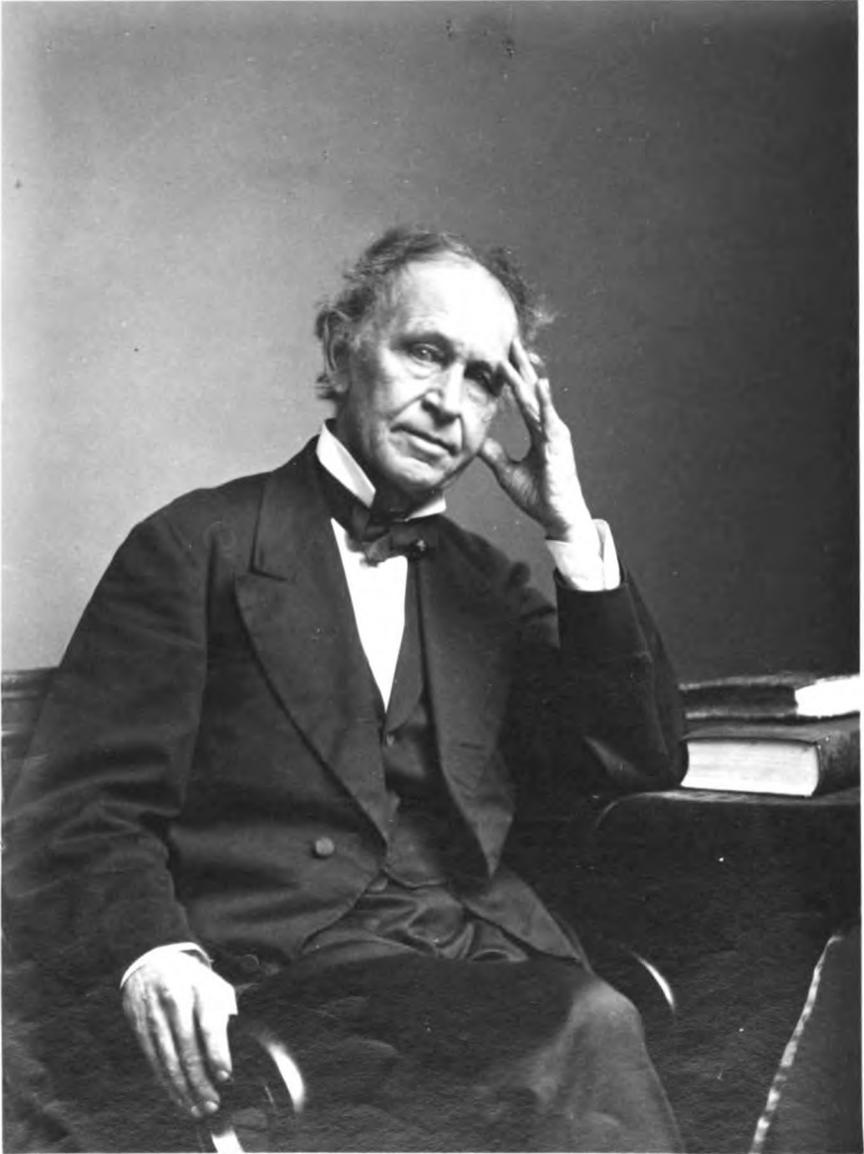
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F. M. Schley

WILLIAM SCHLEY.

WILLIAM SCHLEY, for many years one of the leaders of the Baltimore bar, and one of the most distinguished and successful advocates whom the State of Maryland has ever produced, was born in Frederick town, (now Frederick city,) Maryland, October 31st, 1799. The Schleys were among the earliest settlers of that portion of the State, having emigrated to this country in 1735, when Thomas Schley, the great grandfather of the subject of this sketch, at the head of a colony, comprising about one hundred families, of Calvinists and Huguenots, natives of France, Switzerland and Germany, settled in the beautiful valley of the Catoctin, in which Frederick city is situated. A local weekly magazine of the last century, called *The Key*, published in Frederick town, under date of January 27th, 1798, has the following paragraph:

“The first house” in Frederick “was built by Mr. Thomas Schley, in 1746. This gentleman died in the year 1790, aged seventy-eight, after having had the satisfaction of seeing a dreary wood, late the habitation of bears, wolves, &c., and the occasional hunting ground of the gloomy savage, converted into a flourishing town, surrounded by a fertile country.”

The father of Mr. Schley was for many years Chief Judge of the Orphans' Court of Frederick county, also represented the county for several sessions in the State Legislature, and filled for nearly twenty years the important and lucrative office of clerk of Frederick County Court. He was a much respected and honored citizen.

The subject of this sketch graduated at Nassau Hall (College of New Jersey) in 1821, and took the first honors *solus* in every department of study. Shortly afterwards he entered upon the study of the law, and being called to the bar in 1824, commenced the practice of the profession in Frederick county. There Mr. Schley continued to reside until 1837, enjoying an extensive practice in that and the adjoining counties of the circuit. In 1837 he removed to Baltimore, where he rapidly rose to distinction at the bar, having a very large docket of heavy causes in the local courts and in the Court of Ap-

peals, and being occasionally called upon to engage in the trial of cases in courts outside of the State.

Prior to his removal to Baltimore, in 1824, the same year in which he came to the bar, Mr. Schley married a daughter of General Samuel Ringgold, of Conococheague Manor, in Washington county, Maryland. This lady, who died in June, 1870, was a sister of the gallant Major Samuel Ringgold, of the United States army, who was killed at the battle of Palo Alto, May, 1846, in the Mexican war, and also of the late distinguished Rear Admiral Cadwallader Ringgold, of the United States Navy.

In 1836, Mr. Schley was elected a member of the Senate of Maryland, and served throughout the entire session of 1836-37, and part of the session of 1837-38, when he resigned in consequence of having removed his residence to Baltimore, and also with the object of giving his attention more closely and unrestrictedly to his profession. In 1836, the question of constitutional reform created great agitation throughout the State. As Chairman of the Judiciary Committee in the Senate, and more especially as Chairman of the Committee on the Constitution, Mr. Schley necessarily bore a conspicuous part in the discussions and proceedings which then took place, and in fact prepared and reported the draft of the Constitution of 1836, which proved unsatisfactory to some leading members of the reform party. In the discussions which followed, it was reported to Mr. Schley that remarks had been made by William Cost Johnson, reflecting upon his action in the matter, and in fact ascribing his course to personal motives, and to his relationship to persons in office, whose offices would have been abolished if the views of the reformers had prevailed. Resenting the imputation upon his official integrity, and having no reason to doubt that Mr. Johnson's words had been correctly reported to him, Mr. Schley sent that gentleman a peremptory challenge, which was accepted, and the parties met near Alexandria, February 13th, 1837. There was but a single exchange of shots. At the first fire both were wounded, Mr. Schley but slightly, Mr. Johnson more severely. Mr. Schley was accompanied to the field by Daniel of St. Thomas Jenifer, of Maryland, and Governor Pickens, of South Carolina, who acted as his seconds. Mr. Johnson's seconds were Governor Henry A. Wise, of Virginia, and General Campbell, of South Carolina. Doctors Hall and Causin were in attendance as surgeons. Colonel Stewart, of Montgomery, was also present as a personal friend of Mr. Johnson, and the late James Alfred Pearce, and John Lee, of Needwood, were present as friends of Mr. Schley. General Waddy

Thompson, of South Carolina, was also upon the ground as a mutual friend, and as was subsequently understood, at the instance of Henry Clay, with the purpose of preventing, if possible, under any circumstances, a second fire. These four last named gentlemen had, however, no connection with the affair, nor was there any occasion for General Thompson's good offices. After the exchange of shots, with the result as stated, Mr. Johnson in the handsomest manner, and of his own accord, stated that he was aware of the inaccurate report which had been made of his language to Mr. Schley, and that the latter was perfectly justified in basing his challenge upon such report, and that he regretted that he had not felt at liberty, upon receipt of the challenge, to deny having uttered a single word reflecting upon or in any way impugning Mr. Schley's motives. The parties were reconciled upon the ground and remained warm friends thereafter. The affair received the name at the time of "the pattern duel," both from the extreme punctilio exhibited by the principals, and the exact observance by the seconds of all the rules and courtesies proper to such an occasion, and from the happy and becoming manner in which the meeting terminated.

Mr. Schley was never a member of either House of Congress. In 1838, his name was presented as a candidate for the United States Senate, but was defeated in caucus by a majority of one vote. On subsequent occasions Mr. Schley was urged to allow the use of his name for the same high position, but invariably declined. In politics he was always a decided Whig, but after his retirement from the State Senate never took an active part in politics, except in 1856, when Mr. Fillmore was a candidate, when he presided over a Whig ratification meeting in Baltimore city, and in 1864, when General McClellan was a candidate. At the same time, Mr. Schley was on terms of friendly and confidential intercourse with many of the distinguished public men who have now passed away. This was especially the case with reference to Mr. Clay, Mr. Webster, Mr. Crittenden, and General Scott, the two last named of whom he counted among his most intimate and cherished friends.

Mr. Schley's life and energies have been almost exclusively devoted to the profession of the law. At the age of seventy-one, he is still actively engaged in its practice, bearing his accustomed part in its contests and its labors, with little, if any abatement of his former powers, and none whatever of his professional spirit and zeal. As an advocate Mr. Schley has had few equals. Endowed with an intellect admirably qualified to deal with the intricacies of the law and to pursue the subtlest and most ingenious thread of argument,

and thoroughly trained in all the learning and resources of the profession, he possesses, in addition, the rare gift of a persuasive and attractive eloquence, which could invest with interest the driest subject of discussion, and lead the listener by insensible degrees to the point of conviction to which the skillful advocate desired to bring him. Mr. Schley's professional reputation has extended far beyond the limits of his own city and State, and no man is more frequently consulted by clients from abroad or in other States, or has heavier or more important cases entrusted to his management.

In personal and social intercourse he is distinguished by a winning courtesy of manner, and to the younger members of the profession he is uniformly kind and considerate. He is now one of the few remaining links between the lawyers of the last generation and of the present day, a representative of that great school of accomplished lawyers, now nearly passed away, who were nurtured and polished in the traditions, and formed upon the model of the English bar as it once existed—in the days when some of the elder Maryland lawyers, the Dulanys and the Carrolls of a century ago, received their professional training in the Inns of Court, or within the classical precincts of the Temple.

At the December, 1859, Term of the Court of Appeals of the State of Maryland, a tribute was paid to the ability of Mr. Schley, from which we make an extract. The case was one which excited much attention at the time, and the decision was one of great interest. That portion of the decision to which we particularly refer, will be found in Vol. 15, p. 489, Maryland Reports, *in re* of the Mayor, &c. of Baltimore *vs.* State, *ex rel.* of the Board of Police Commissioners. The Chief Justice said :

“The question next in order to be considered is, whether the use of the property ought to be given, as demanded in the petition for the *mandamus*. It was in the discussion of this question, one of the counsel for the respondents, Mr. Schley, whilst animated by a zeal indignant against what he considered a violation of the great universal law which distinguishes right from wrong, ‘*quod semper, quod ubique, quod ab omnibus creditum est,*’ poured forth in warm language his denunciation of the purpose and effect of the section, as if it wrought a spoliation of what he, and those whom he represented, held sacred as their right. None who heard it could have failed to appreciate the eloquence, nor the fervor which gave to it the charm of a forcible utterance. Its influence on the bench was, as it should have been, but momentary, and the question, in its original simplicity, reappeared for the calm judicial disposal.”