

# Greenleaf and Law

IN THE

## Federal City

ALLEN C. CLARK



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# Chapters

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## GREENLEAF.

“KING” they titled him. If greatness of project, boldness of execution and steadfastness in tribulation are the attributes of kingship, Greenleaf was indeed a king. In the annals of the city of Washington James Greenleaf in scheme and speculation is first and foremost, in litigation the most persistent. In his land ventures he invested more than his genius; and he did contribute, generously, opportunity or the material from which the Supreme Court of a young republic fixed the foundation and formed the framework in the structure of its jurisprudence.

Of Huguenot origin is the Greenleaf family, and its name is a translation of the French *Feuillevert*.

Edmund Greenleaf is the common ancestor. He settled in Newbury, Massachusetts, in 1635.

William Greenleaf was born January 10, 1735, and married Mary Brown of Plymouth; was bred a merchant and resided many years in Boston. He was an ardent Whig and active in the Revolution; and, of the committee secretly selected at town meeting in Boston, November 2, 1772, to advise and devise with other colonies by correspondence measures for mutual pursuance. The committee oftentimes convened at his house. It was a hazardous part, exposing to treachery within and attack without, and each signed a bond in most solemn phrase never in emergency even unto death to betray constituent or cause.

He was appointed High Sheriff of Suffolk county, including Boston, by the Governor and Council, October 31, 1775. His shrievalty ceased December 14, 1780. Monday, July 15, 1776, a committee of the Council was appointed to consider in “what way, manner and form the declaration of the honorable Continental Congress should be made public.” The committee

reported the 17th, thereupon, the Council ordered that "the said declaration be proclaimed by the Sheriff of the County of Suffolk, from the balcony of the Statehouse in Boston, on Thursday next at one o'clock P. M., in presence of, and under the direction of a committee of the Council to be appointed for that purpose."

The *Continental Journal and Weekly Advertiser*, printed in Boston, July 25, 1776, states:

At one o'clock the declaration was proclaimed by the Sheriff of Suffolk, which was received with great joy, expressed by three huzzas from a great concourse of people assembled on the occasion.

Two boys, John Quincy Adams and William Cranch about eight and ten years of age, wished to hear and see Mr. Greenleaf read the Declaration of Independence, and much to their delight two gentlemen raised them on their shoulders.

After the war, Mr. Greenleaf retired from business in Boston and removed to New Bedford, where he died, July 21, 1803.

Mr. Greenleaf was a tall, slim man, and walked erect. He usually carried a gold-headed cane. He dressed in a brown, single-breasted coat, and wore ruffles in his bosom and on his wrists and a cocked hat on his head, after the fashion of the colonial times.

The High Sheriff in attitude dignified and expression pleased, with an arm akimbo, a letter in hand, is so put on canvas by the artist Blackburn. The Sheriff's consort by the same limner is portrayed as her liege nearly full height; in her countenance is seen sweetness and read sense, fitting attributes for a mother of nine daughters and six sons. These treasures of art are the property of Dr. Richard C. Greenleaf of Lenox, Massachusetts, and are presented in photograph through his kindness.

These are the children of William and Mary Greenleaf:

- |                   |   |
|-------------------|---|
| I Mary .....      | <i>b.</i> March 15, 1748.<br><i>d.</i> Infancy.   |
| II Elizabeth..... | <i>b.</i> March 6, 1750.<br><i>m.</i> I. Samuel Eliot.<br>II. Edward Pope.<br><i>d.</i> December 4, 1841. |
| III Mary .....    | <i>b.</i> May 7, 1752.<br><i>m.</i> Daniel Bell.<br><i>d.</i> October 5, 1836.                            |

- IV Susanna.....*b.* February 6, 1754.  
*m.* Capt. Duncan Ingraham, Jr.  
*d.* February 24, 1832.
- V Priscilla .....*b.* October 25, 1755.  
*m.* John Appleton.  
*d.* June 6, 1826.
- VI Sarah .....*b.* March 19, 1757.  
*m.* Dr. Nathaniel Walker Appleton.  
*d.* January 2, 1838.
- VII William.....*b.* July 10, 1758.  
*d.* Infancy.
- VIII William .....*b.* February 5, 1760.  
*d.* November 24, 1778.
- IX Margaret.....*b.* May 22, 1761.  
*m.* Hon. Thomas Dawes.  
*d.* March 21, 1836.
- X Daniel.....*b.* September 29, 1762.  
*m.* Elizabeth, daughter of Dr. John Greenleaf.  
*d.* March 25, 1853.
- XI John.....*b.* September 10, 1763.  
*m.* Lucy Cranch.  
*d.* March 29, 1848.
- XII James ..... \* \* \* \*
- XIII Rebecca.....*b.* May 27, 1766.  
*m.* Dr. Noah Webster.  
*d.* June 25, 1847.
- XIV Robert.....*b.* December 16, 1768.  
*m.* Hannah Arnold.  
*d.* June 28, 1816.
- XV Anna (Nancy) .....*b.* June 3, 1772.  
*m.* Hon. William Cranch.  
*d.* September 16, 1843.

Of the Greenleaf children the sex of charm and grace did predominate. These Priscillas were "beautiful and exemplary" and surely suitors several did overlook in turn to accept a better for in their prescience the pick of the Puritan sons did they wed.

Chauncey A. Goodrich, in *Memoir of Noah Webster*, describes Webster's bride as "the daughter of William Greenleaf, Esq., of Boston, a lady of a highly cultivated intellect, and of great elegance and grace of manner;" and quotes the humorous Trumbull:

Webster has returned, and brought with him a very pretty wife. I wish him success: but I doubt, in the present decay of business in our profession, whether his profits will enable him to keep up the style he sets out with. I fear he will breakfast upon Institutes, dine upon Dissertations, and go to bed supperless.

Daniel Greenleaf, James' brother, is the subject of a biographical sketch by Richard C. Greenleaf. Daniel married his cousin, Elizabeth Greenleaf. The even tenor of his way was unbroken by event. He was a physician yet did not actively engage in profession or did he engage in business or in politics; he did engage in matrimony once and that under the encouragement of the mother of his wife to be. However his was a life of unostentatious benefaction and his home was the dispensary of balms for the ailments of the neighborhood's indigent. So attached was the Doctor to his home he rarely ventured beyond its sight and never away from it; yes, once. Mr. Greenleaf, the biographer, relates that:

One time, being persuaded by his wife, they started off in their own carriage to visit his sisters who were then living in New Bedford, a journey that would occupy two full days. Meeting a man on the road walking very fast and evidently much pleased, as he was laughing to himself, Mrs. Greenleaf said to her husband: "What do you imagine that man is so much pleased about?" "Why, my dear," he answered, "he is without doubt on his way home."

The Doctor lived most his days in Quincy and to a rare old age.

Of James Greenleaf's brothers-in-law John Appleton, Nathaniel W. Appleton and William Cranch I make mention further on.

Edward Pope in New Bedford, Massachusetts, was Judge of the Court of Common Pleas and Collector of the Port.

Thomas Dawes\* was born in Boston, July 8, 1757, and there died, July 22, 1825. He was a zealous Whig, an eminent lawyer and a man of letters. He had a high preferment as a founder of government in constitutional convention and as an interpreter of law on the bench. He was a graduate of Harvard College, 1777; and member of the Academy of Arts and Sciences. His literary works were popular and his witticisms proverbial. He published a poem *The Law Given on Mount Sinai*, 1777; an oration delivered Independence Day, 1787; an oration *The Boston Massacre*.

This Dawes is the nephew of William Dawes. It was William Dawes with Paul Revere who heralded the approach of

\* Thomas Dawes: Member of convention which adopted Federal Constitution, 1789; member of Massachusetts Constitutional Conventions 1780 and 1820; Presidential Elector chosen by the people, Massachusetts, December, 1796; Judge of Massachusetts Supreme Court, 1792-1803, Boston Municipal Court, 1803-1823, and Probate Court to death.

the British forces. From Boston in the night April 18, 1775, they started for Lexington, Dawes at ten o'clock and Revere an half hour later. Revere arrived at Lexington at midnight and Dawes who had a longer route shortly after. By two o'clock in the morning Lexington was alarmed and the minute men were in the field. Then the two heralds with a Dr. Prescott who had overstaid the evening with his lady love hurried on towards Concord. The heralds were captured by the British but the Doctor eluded and spread the alarm. From this patriotic episode Paul got much glory, and William, none. Paul stands in brass on a pedestal and William stands nowhere all because Paul got his name in the papers and William did not.

Noah Webster, LL. D., author, editor, lecturer, teacher, philologist, economist, legislator and judge. His papers deal with politics, literature, morals, epidemics and the weather. He published a *History of the United States* and a *History of Animals*. His works are in themselves a library. He was the originator of two daily newspapers in the city of New York—the *Commercial Advertiser* and *New York Spectator*. He was a founder of Amherst College. His *Elementary Spelling Book* had been printed more than seventy million times twenty-five years since. But *Webster's Dictionary Unabridged* is his crowning glory. True he lived four score and four yet his accomplishment was marvellous. In Hartford, Connecticut, he was born, October 16, 1758, and in New Haven he died, May 28, 1843.

Of the collateral connections to the subject of this sketch should be mentioned Simon Greenleaf, the jurist, the author of numerous text books and of *The Rules of Evidence*, the utility of which is exceeded by no other work to the legal profession; and Benjamin Greenleaf, the mathematician, whose arithmetic is so generally used in the schools and colleges.

The mention of a few Greenleafs must not be taken that many might not be mentioned; for the Greenleaf family is notable for its exponents of literature and learning and likewise for its prolificacy.

Mr. Greenleaf, father and mother, brothers and sisters, make seventeen. Quite a family in these degenerate days; only moderate for that Greenleaf sturdy stock a century since. One of the Greenleafs (Stephen) of waggish propensity, had a happy



habit of jotting on fly-leaf his poetic scintillations, and thus in rhyme and figures charmingly hit off the family fruitfulness:

I am one of twenty-two;  
 My name grows on a tree.  
 I walk erect like you;  
 Please tell my name to me.

Answer: My father has twenty-two children. Name, Greenleaf.

Of twenty-two I am 1.  
 Likewise the third of 8.  
 The third of eight combined with 1.  
 Most strange to tell produces 8.

Explanation: My father had twenty-two children, my mother eight, and I was the third of my mother; then self and wife also had eight children.

#### A NAME.

The name the Gallic exile bore,  
 St. Malo! from thy ancient mart,  
 Became upon our Western shore  
 Greenleaf for Feuillevert.

A name to hear in soft accord  
 Of leaves by light winds overrun,  
 Or read, upon the greening sward  
 Of May, in shade and sun.

That name my infant ear first heard,  
 Breathed softly with a mother's kiss;  
 His mother's own, no tenderer word  
 My father spake than this.

No child have I to bear it on;  
 Be thou its keeper, let it take  
 From gifts well used and duty done  
 New beauty for thy sake.

The fair ideals that outran  
 My halting footsteps seek and find—  
 The flawless symmetry of man,  
 The poise of heart and mind.

Stand firmly where I felt the sway  
 Of every wing that fancy flew;  
 See clearly where I groped my way,  
 Nor real from seeming knew.

And wisely choose, and bravely hold  
Thy faith unswerved by cross or crown,  
Like the stout Huguenot of old  
Whose name to thee comes down.

As Marot's songs made glad the heart  
Of that lone exile, haply mine  
May in life's heavy hours impart  
Some strength and hope to thine.

Yet when did Age transfer to Youth  
The hard-gained lessons of its day?  
Each lip must learn the taste of truth,  
Each foot must feel its way.

We cannot hold the hands of choice  
That touch or shun life's fateful keys;  
The whisper of the inward voice  
Is more than homilies.

Dear boy! from whom the flowers are born,  
Stars shine, and happy song-birds sing,  
What can my evening give to morn,  
My winter to thy spring?

A life not void of pure intent,  
With small desert of praise or blame,  
The love I felt, the good I meant,  
I leave thee with my name.

JOHN GREENLEAF WHITTIER.

This poem was addressed to Mr. Whittier's grandnephew,  
Greenleaf Whittier Pickard.