{ It was early. The doors of earth and of the Salown were open, & the casements framed the landscape like a picture, from the first of the moss grn steps—

In a grim first has "two end all shaped brick house with high gabled roof from which blinked in the brilliant sun on the second story windows, from the moss grn steps at the rear a winding road stretched its length under arched elms until it joined a little travelled high way at the edge of the plantation, From the front the ground fell away in a gradual slope to the bank of Eastmost River beyond where shimmering grass was the white crested waves of the Chesapeake—

" within doors ..... The hospitable fire which blazed in the great chimney of the library, cast odd shadows on the high wainscoting and the delicately wrought mouldings on the chimney breast, & its reflections danced on the small panes of the heavily paned windows as though the witches were having a ride!

" a white floor sprinkled with clean white sand large tables, & many high backed chairs of solid dark oak decorated a parlor enough for anyone."

" Within the luggage expanded from the main hall. Dryopsyne was to lead Rufus

W. Va. and six negros and other personal property. Five months after the death of his father, Dr Henry C. Hamplin was married on the 4th of May 1778 to Elizabeth Plunkett, born in February 1758, and died Dec-10. 1802. They are said to have been married in "Fairfax County by an Episcopal Clergyman", but the loss of marriage records of this county precludes proving this.

After the Revolution Dr Hamplin & his family lived in Leeds Parish, Pr William County until Oct 3. 1789 when he sold his plantation to Drummond Wheeler, and probably removed to the adjoining county of Fauquier, as he was living in that County on Dec 8. 1798 when he purchased from his brother William Hamplin of "Cedar Hill". Fauquier Co, his half interest in the nine hundred acres of Fr. & Ind. War Soldiers Claim lands on the Ohio & Big Sandy Rivers, then in Kanawha County. left them by their father.

In 1800 Dr Hamplin removed his family from Fauquier to this land built his home on land in front of the Campus of Marshall College, Huntington. West Va. — "about two miles below the mouth of the Guyandotte) River. Later known as the Holderby place. A granite ~~silhouette~~ picture of this is shown with the old silhouettes of Dr Hamplin & his wife about 1800-02.

Between 1800 & 1815 he purchased about ~~something~~ ~~like~~ a thousand to eleven hundred acres

# JUDGE JAMES. H. BROWN,

A SKETCH OF HIS LIFE AND
PUBLIC SERVICE

BY

JUDGE OKEY JOHNSON.

## JAMES HENRY BROWN.

By Hon. Okey Johnson.

When a prominent man dies, it is right, it is proper, that notice be taken of his life and character; first, because justice to his family and friends requires it; and also because the public good demands it. No man dies without leaving some impression either for good or ill. The circle of his influence may have been narrow, influence, almost unappreciable it may be, but some, which was either good or bad. But when a man has been in the steady gaze of the public for sixty years, has held high stations by the choice of his fellowmen, his life has either been a blessing or a curse. It does not follow that such person's influence was good, because he ruled his fellows, or because he held high positions, apparently because his immense popularity placed him there, but frequently because the man was a great political organizer; knew how to pull the dirty "political ropes," and where to put his own money, or that of other people, "where it would do the most good;" that is, where it would help himself and friends to place and power. Often, however, when one has become prominent, he is a kind-hearted man, unselfish and sympathetic, and because of his unselfishness, and sympathy with the common people, he has great influence, and reaches the highest places. Sometimes, when the friends of such an one wish to see him advanced, they "organize his popularity" and make a good thing out of it both for him and themselves.

Mark Antony was made to say:

"The evil that men do, lives after them,
The good is oft interred with their bones."

But it would be nearer the truth to say,

"The good that men do lives after them,
The evil is oft interred with their bones."

This is well. The world is so generous, that it generally remembers the good men have done and forget the evil, unless the man in question was a Nero, Caligula, Pontius Pilate, Duke of Alva, Jeffries, or a Benedict Arnold. In such cases the evil is so marked that the world cannot forget it. We would like to throw on the canvass a picture of the life and character of Judge Jas. H. Brown; a picture that not only those who knew him but thousands of others would at once recognize.

There is nothing in that life and character that we would be ashamed to see on canvass.

He was born in Cabell county, Virginia, now West Virginia, on December 25, 1818.

His father, Dr. Benjamin Brown, came from Prince William county, Virginia, to where Huntington now stands, in 1805. Dr. Benjamin Brown's ancestors lived in that county since 1636, in which year the English ancestor, William Brown, came from England. The mother of Jas. H. Brown came from North Carolina. So his ancestors, both paternal and maternal, were Southern people.

When quite a young man the subject of this sketch entered Marietta College, but owing to ill health he left college, and after some time spent in travel he regained his health and entered Augusta College, Kentucky, where he graduated in 1840. On a fly leaf of a copy of the life of Bishop Bascom, found in his library, Mr. Brown pays this tribute to Bishop Bascom and other instructors in Augusta College: "In 1839-40 I was at Augusta College, graduating in the fall of 1840; was in the class of Prof. Bascom in all the courses taught by him. Also in the classes of President Tomlinson, Profs. Trinkle and McConn, for all of whom I had the highest regard and respect; for Prof. Bascom and President Tomlinson especially, amounting to admiration."

He read law with John Laidley of Cabell county, and was admitted to the bar in 1842, and practiced on the circuit, in Cabell, Wayne, Logan, Mason, Jackson and Kanawha counties, and in the Federal and Appellate Courts.

In 1848 he removed to Kanawha county and ever after made that his home. Here he entered one of the strongest bars in the State of Virginia; at that time that bar was led by Col.

B. H. Smith and the "silver tongued orator of Virginia" Geo. W. Summers. At that time the land titles of Western Virginia were in an unsettled condition, and many famous ejectment suits were the result; and many of the lawyers became noted "Land Lawyers" and were masters of the many intricate statutes of Virginia, relating to the land titles of the State; among those noted lawyers was James H. Brown. The records of the courts in many of the counties of the State will show that James H. Brown was counsel for plaintiff or defendant in numerous suits for the recovery of the title to much of the wild lands lying in those counties; and the decisions of the Court of Appeals of Virginia will show that he then engaged in the final contests in many of those cases. He found at the Kanawha bar foemen worthy of the "steel" of any "fighter" at the bar; and that he there won cases and honors at the bar, shows that he was made of superior "stuff."

From 1848 to 1852 he was in partnership in the practice of law with the late J. M. Laidley, esq., and afterwards with W. S. Summers, which partnership was broken up by the war, Mr. Summers casting his fortunes with the South.

Shortly after his admission to the bar, Mr. Brown entered the political field, taking an active interest in public affairs. He was an old time Democrat and believed in the traditions of his party. In the famous campaign of 1844, he shouted as earnestly as any one the battle cry of that notable campaign, when "Harry of the West" went again to defeat "Polk, Dallas and annexation." And as a result of that great campaign the United States received one of its richest acquisitions, equaled only by the "Louisiana Purchase." Only twenty-six years old, yet he was an earnest supporter of the annexation of Texas, and was willing to take the consequences. Ten years later, in 1854, he was a delegate from Kanawha county to the Virginia State Convention which met at White Sulphur Springs to consider the subject of internal improvements. He was chosen one of the Vice Presidents of that convention, and earnestly advocated the early completion of the Covington and Ohio Railroad, now that magnificent highway, "The Chesapeake and Ohio Railway."

In the Winter of 1854-5 he was a delegate to the Democratic State Convention at Staunton, which nominated Henry A. Wise

for Governor of Virginia, the man who in the campaign that followed, in his terrible and merciless expose of Know-Nothingism, gave that oath bound political organization its death wounds. In 1855, in that same campaign, he was the Democratic candidate for Senator from the Kanawha District. His opponent was the Know-Nothing candidate, and while he fought Know-Nothingism with great power and heroism, yet he was defeated.

In the Winter of 1856 he was a delegate to the Congressional Convention at Parkersburg that nominated A. G. Jenkins for Congress.

In the Spring of 1861 he was a delegate to the convention at Parkersburg that nominated Jno. S. Carlisle for Congress.

Then the war came on and our hero came to the "parting of the ways." Political organizations were to be broken up. While Mr. Brown was an ardent Democrat by inheritance and conviction, and was a strong States rights man, yet he never believed in secession; and but few Democrats were original secessionists. While a great many Democrats went with the South, so did many who had been Whigs. At that time the Republican party had no strength in Virginia, or in any of the Southern States. The people now became divided into Union men and secessionists. The Democrats held to their organization, however, but in Western Virginia they were for the most part Union men. In 1860, in the terrible contest of that year the Democrats were divided, a part supported Breckinridge and a part supported Douglas. Mr. Brown being a strong Democrat, and Breckenridge being the regular nominee, he, as did Ben Butler in that campaign, supported Breckenridge The old Whigs supported Bell and Everett, whose platform was "the Union, the Constitution and the enforcement of the laws."

Mr. Lincoln received but few votes in Virginia. When the campaign was over, and Mr. Lincoln was elected, and South Carolina seceded, followed in quick succession by other States, a situation was presented that "tried men's souls." The question, momentous and grave, was presented, "Will you go with your State out of the Union, or will you fight your own flesh and blood, and for the Union?"

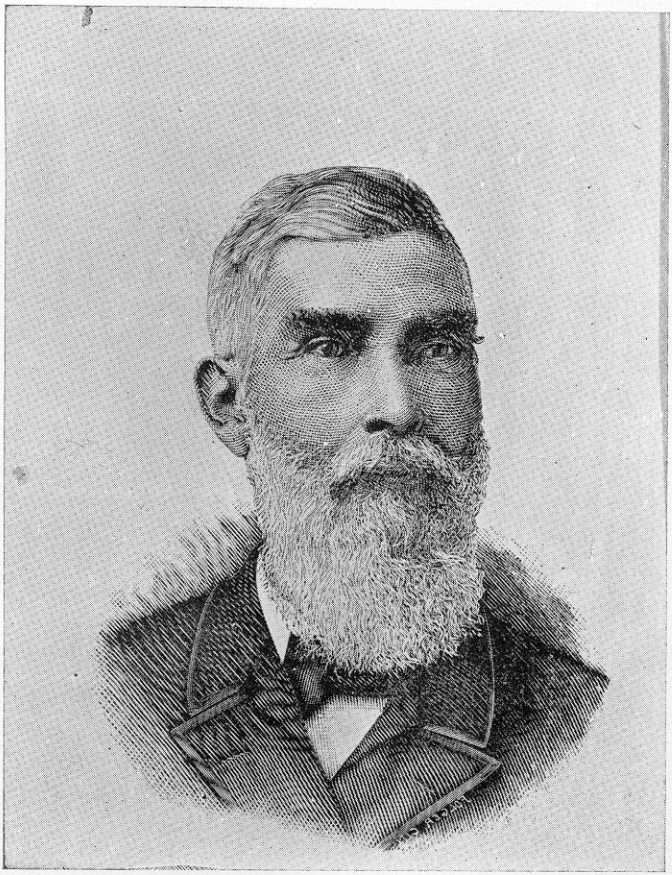
A member of the Virginia Convention of 1860 described to the writer the scene on the floor of that Convention the night the ordinance of secession passed. It was such as as to bring tears of pity from any lover of his country. The large majority of that Convention was opposed to secession. Jubal A. Early, a strong Union man, had defended the brave General Anderson for his defense of Fort Sumter, had declared General Anderson had done no more than his duty. But as the days passed and the war cloud became more dense, President Lincoln saw that if the Union was to be preserved something heroic must be done. He called for *three hundred thousand* troops to resist the breaking up of the Government, and to see that the laws were executed. He assigned to Virginia her quota of troops to be raised. The Convention saw the war had begun and the dire alternative was presented, "Choose between Virginia and the Union?" And they chose Virginia, and passed the ordinance, that as far as they had the power, broke the bond that held Virginia to the Union. And when they did this, on that terrible night, strong men, unused to tears, bowed their heads and wept like children. No doubt some of them had a vision something like that that came to the man of sorrows when he wept over the doomed city he loved. O if they could have seen the terrible war scars that would have be left on Virginia's fair bosom, they might have voted differently. Gen. Lee and Stonewall Jackson went through this same bitter sorrow. Think you it cost James H. Brown nothing, strong man of forty-three as he was, to give up his old party ties, old friends and old associates? Of course the cup was bitter, but he drank it. His convictions of the right, and his duty were deep and strong. He had the courage of his convictions, and he shrank not from his duty as he saw it. He was one of the very first men in Western Virginia to make a bold and vigorous stand for the Union. The ordinance of secession, had by the Convention been submitted for ratification or rejection, to be voted on in May, 1861. Mr. Brown made a vigorous stand in the campaign against ratification. He made many speeches and was bold and defiant. He warned the people of the consequences of ratification. Of course the ordinance was ratified. But it could not change the loyalty of the people of West-

ern Virginia. The people on this side the mountain were determined they would not be driven into the Southern Confederacy.

A convention was called of the people of West Virginia, to meet in Wheeling the latter part of May, 1861. The convention met. The government of Virginia was restored, with its capital at Wheeling, with its Governor and all the State officers. This restored Government of Virginia was recognized by the civil and military authorities of the United States. Mr. Brown was a member of that convention, with Col. B. H. Smith, F. H. Pierpont, Waitman T. Willey, D. D. Johnson and many others. Mr. Brown was also a member of the Virginia Legislature that met at Wheeling in the Winter of 1861. When a new State is to be carved out of another State, the Constitution of the United States declares, Art. IV., Sec. 3, Clause 2, "But no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States or parts of States, without the consent of the Legislature of the States concerned, as well as of Congress."

A Constitutional Convention was called for the purpose of forming a new State. Mr. Brown was a member of this Convention, and helped to form the Constitution of the new State. It required the consent of Virginia, the new State and of Congress before the new State could be admitted. Virginia, by the Legislature of her restored government, gave her consent, and when the people of the new State ratified the Constitution, their consent was had. Congress refused to accept this Constitution, until an amendment abolishing slavery in the new State should be adopted. In all the bodies politic that had anything to do with the new State, and the preservation of the old State, Mr. Brown was a bold, courageous and powerful factor. No man, to accomplish these objects, did more than Mr. Brown, and the writer thinks no one did as much. He had done his work faithfully and well at Wheeling, and added to all this another duty was now thrust upon him. He was elected Judge of the Eighteenth Judicial Circuit of Virginia, to succeed that able jurist, David McComas, who had abandoned his office and had gone South.

On the 14th of January, 1862, he resigned his seat in the



JAMES HENRY BROWN.