



Stillman K. Wightman, Aged 94.



Benjamin D. Silliman, Aged 92.

THE TWO OLDEST LIVING GRADUATES OF YALE COLLEGE.

**T**HE two oldest graduates of Yale College now living are still practicing law in this city, although each is in the tenth decade of his life. The senior is Stillman K. Wightman, who was born in Scituate, R. I., Jan. 8, 1803, and is therefore in his ninety-fifth year. He was in the Class of '25. The other is Benjamin D. Silliman, who was born in Newport, R. I., and is in his ninety-third year. He was in the Class of '24. These two venerable and distinguished lawyers are in excellent health, and they may be found at their respective offices almost every day. In fact, they are more regular in their business habits than is the average man of seventy-five years of age.

Although Mr. Wightman is the elder, he was one year behind Mr. Silliman in entering and graduating from college. He was the only son and child of the Rev. Frederick Wightman, a prominent Baptist clergyman. At an early age he became a resident of Middletown, Middlesex County, Conn., and while there entered Yale College, in New Haven, in the Autumn of 1821. He was graduated with due honors of scholarship in the Autumn of 1825, with his class, then numbering seventy-one members, of whom he is now the only survivor. He was admitted to the bar in Middletown in October, 1827, where he spent the next ensuing fifteen years in the practice of the law, during which time he was attorney and counsel for a bank, and for five years he was Judge of Probate of the large probate district of Middletown. For another period of five years he was attorney and counsel for the State in and for the County of Middlesex, involving the trial in court of all criminal actions in the county.

Mr. Wightman served as a member of the Connecticut Legislature for six years, two years as Senator and four years as a Representative in the House. For two years, including an extra session, he was Speaker of the House of Representatives. While a member of the House he introduced and was chiefly instrumental in carrying through two very important bills, one abolishing imprisonment for debt, and the other expressly ordering and requiring two or more millions of surplus funds received by the State from the United States, to be put and kept at interest thereafter and the income to be distributed for the use of the common schools of Connecticut. Those enactments never have been repealed.

In the Fall of 1843 Mr. Wightman removed with his family to this city, where he forthwith commenced and still continues the practice of law. In May, 1852, he took his eldest son into partnership, and theirs is probably the oldest law firm in the city.

When Mr. Silliman left college he pursued the study of law in this city in the office of Chancellor Kent and his son William (afterward Judge) Kent, was admitted to the bar in 1829, and has ever since been engaged in active practice. He has had a valuable clientele, including important corporations. His practice has been alike at common law, in admiralty, and in equity—in the State and Federal courts, including the Supreme Court of the United States.

At a pleasant dinner in Delmonico's, given him by leading members of the bar on

the 24th of May, 1889—the sixtieth anniversary of his admission to practice—he gave a sketch of the courts, the Judges, the bar and its business, and of the changes and progress in the law, the courts and the profession, during that long period. He was one of the founders and a Vice President of the Bar Association of New York City.

In 1873 the honorary degree of LL. D. was conferred on Mr. Silliman by Columbia College, and in 1874 the like degree was conferred on him by Yale College. He was for more than twenty years the President of the Brooklyn Club, was President of the Yale Alumni Association of Long Island, is a Director of the Long Island Historical Society, and a Trustee of Greenwood Cemetery. The charter of the cemetery he introduced in the Legislature in 1838, and has watched the steady growth of that great city of the dead whose silent inhabitants already number more than 235,000. He was President of the New England Society in Brooklyn from its organization in 1880 until 1886, when he declined a re-election. For many years he was one of the Board of Managers of the House of Refuge for Juvenile Delinquents in New York.

Mr. Silliman has always taken an active but limited interest in politics; has been a delegate to National and State Conventions, and as far back as 1839 was a member of the convention in Harrisburg which nominated the first Gen. Harrison for the Presidency and John Tyler for the Vice Presidency. In 1842 he was selected by the Whigs of the Second District (then consisting of Kings, Richmond, and Rockland Counties,) as their candidate for the Twenty-eighth Congress, and led the ticket at the polls, but the Democrats carried the election by a small majority. He represented Kings County in the Legislature as far back as 1838, and was appointed by President Lincoln to the office of United States Attorney for the Eastern District in 1865.

In 1872 he was appointed by the Governor and Senate as a member of the commission for proposing amendments to the Constitution of the State. In 1873 he was nominated by the Republican Party as its candidate for the office of Attorney General of the State, and received a flattering support at the polls, though the Democrats carried their State ticket, with one or two exceptions.

An interesting episode of Mr. Silliman's early career was an interview that he had with Aaron Burr. In an address delivered at the Delmonico dinner previously alluded to, Mr. Silliman spoke of this episode as follows:

"Col. Burr's personal appearance was remarkable. His black eyes were keen and penetrating. He was small in stature, and slender, yet very formal, dignified, reserved, and stately in his bearing. Whether in the courtroom, the street, or elsewhere, he seemed isolated and alone. I once called on him with Dr. Hosack, who was the surgeon in the duel between Gen. Hamilton and Col. Burr, and passed an hour with him at his house in Reade Street, (in the rear of the Stewart Building,) and was impressed by the grace and elegance of his manners and the ease and interest of his conversation, which, however, was captious

and cynical as regarded men of the Revolution.

"He said that we had no just idea of their relative merit or importance, or of their action; that he at one time intended to write a history of that period, and to that end had, (when in the Senate,) with his own hand transcribed from documents to which he then had access, but that his manuscript, with much other material which he had collected for his work, was lost or destroyed, and that he no longer had sufficient interest in the subject to induce him to renew his labor. He added that it was, moreover, now too late—that the world had adopted the lie as its creed, and that it preferred to believe and would adhere to that lie rather than substitute the truth."

Both Mr. Wightman and Mr. Silliman have kept pace with the progress of events. The friendship formed by these two men in their college days has never been broken. In the matter of physical activity they are very much alike, and they occasionally visit each other in their respective offices and sociably exchange recollections of the old times.

EARL D. BERRY.

WITHOUT PREJUDICE.

A contemporary states that it is safer to be a convicted murderer in the United States than an innocent man, and submits these data as proof: Not one convicted murderer in fifty is hanged or killed by electricity; of the men lynched a much larger proportion than 1 in 50 was innocent. We have no means at hand for verifying these figures, nor are we able to determine what proportion of the population are convicted murderers or what proportion are unjustly executed. The conclusion, merely from casual observation, seems plausible; the logic is sound. Still, if it be not too optimistic, we should like some more data to guide us.

Just before the fall of the Austro-Hungarian Cabinet of Count Badeni, the Emperor Francis Joseph was in Budapest to sit for his statue in the studio of the Hungarian sculptor Georges Zala. What he said there seems now to have striking significance. After the first sitting the Emperor was informed that it would be necessary for him to come again. Said the sculptor: "I feel that in my first sketch I made your Majesty look old; I would make the face younger." "Let it alone," said the Emperor. "I am an old man. Nevertheless I will come again, since you desire it." Francis Joseph went to the studio on the following day; he turned the conversation toward art, and expressed his opinion thus: "Above all I admire beauty and illusion. Realism makes me shudder. A little illusion is worth more than pure truth." Zala took the hint. Recently the Unterhaus in Vienna has not been so indulgent.

There is no doubt in the minds of thinking persons who have visited the public schools of Germany, France, and Italy that too much patience and time are used here on the stupid minority. In Germany the children who have abnormal brains are put in classes by themselves, where a special teacher with plenty of patience is assigned to stimulate and guide their lagging minds;

in France the classes simply do not wait for them, and they are left to shift for themselves unless some kind huissier d'école takes them in charge and wastes his meagre holiday upon them, while in Italy they are sent home to their parents with the admonition that they require private instruction. It is doubtful if educators in this country comprehend the injustice that is done to the majority of pupils by the teachers giving even ten minutes an hour of their time to the laggards. In a class of fifty it is in reality nearly an hour lost to the class. Thus the average is kept low and the examinations are made to meet it. This is why the average American boy is shamed by the German, French, or Italian youngster in the same station of life. Of all methods, perhaps the German system of isolation is the only one that could be tolerated in an egotistical republic. But until this or some other system be employed here the standard of the American public school must remain low.

There are two contradictory fallacies concerning luxury, which come to us, on the one hand, from the old Roman moralists and the modern poets who have caught their spirit, and, on the other, from modern political economists. Thus luxury is made the sign of degeneration or of advancement as one happens to be a poet or a sociologist. The poet supposes a state of perfection to have been man's starting point; the sociologist rightly supposes it to have been a state calling in turn for food, shelter, and personal protection with a moral appreciation akin to instinct; he concludes that luxury per se is always a sign of prosperity, of civilization, of culture. In this he is wrong. Luxury marks degeneration or advancement according to its origin. If it be the result of conquest, of extension of political power, it is deterioration; if, however, it be the natural consequent of internal activity, of the development of the arts, of the broadening of human nature, it is advancement. And that is the difference between Rome in the time of Augustus and America in the time of McKinley.

Science has not yet produced an apparatus for the transmission of thought per se. Fifty years ago it would have been deemed impossible to transmit words by the electric wire. To-day we have the telephone; and the thought machine is nearer an actual fact than the telephone was half a century ago. The only things required are proper transmitters and receivers for the sensorium of the brain. When these are invented, thought transference will be possible. People will then be able to communicate not only with the brains of the living, but with those of the dead. The possibilities will be infinite; religion itself will hang on the subtle fluid of the wire. It is a well-known scientific fact that certain tissues of the body grow and multiply after death; it is not so generally known that brain corpuscles live and develop normally for a given period after the heart has ceased to beat. If they develop they must have thoughts. What are these thoughts? Certainly not of the present; for no senses take impressions to the sensorium; they must be of the past, or perchance, of that grand, infinite, invisible future that some persons have said they beheld on the brink of the grave.