

FREDERICK H. BACON
ATTORNEY AND COUNSELOR
UNITED HOME BLDG., 211 N. 7TH ST.
CORPORATION AND INSURANCE LAW

ST. LOUIS, Mo. Dec. 4, 1922.

President of Union College,
Schenectady,
New York.

Dear Sir:--

My nephew Dr. Joseph S. Ames of Johns Hopkins University writes me that he recently visited the college and that you are collecting alumni material and he asked me to send you what material I had relating to my father, Nathaniel Bacon of the Class of 1824.

It occurred to me that some years ago I presented a portrait of my father to be hung in the Supreme Court Room at Lansing, Michigan and that it might be of service. I enclose it and also two portraits, one taken in 1830 and one about 1864 or 1865.

The standards of admission at the time father entered must have been flexible because I remember his telling me that a lank country boy presented himself for admission and he admitted that his qualifications were small but he said he had read Vergil "from kiver to kiver". He would occasionally speak of Dr. Nott in an enthusiastic manner and how Democratic he was among the students. I have his graduating address which was on the theme "The Rights of Women". It was in a humorous vein but I fear the wit was not up to the standard of Mark Twain.

Yours truly,

FHB/EB

F. H. Bacon

Mr. Frederick H. Bacon,
United Home Bldg.,
211 North 7th Street,
St. Louis, Mo.

My dear Mr. Bacon:

I am delighted to get the pictures
you have sent of your father, Nathaniel
Bacon and also the biographical record,
and I wish to thank you very much for
your kindness in supplying them.

Sincerely yours,

Secretary.

CNW-B

December 6, 1922.

CLASS OF 1824

NATHANIEL BACON.

Was born at Ballston Springs, N. Y., in July, 1802; he graduated at Union College in 1824, was admitted to the bar at Ballston Springs, and practiced law several years at Rochester, New York; he came to Berrien county, and settled at Niles in the fall of 1833. Mr. Bacon intended when he came to Michigan to devote his time wholly to agriculture, and with that purpose, purchased 400 acres of land a little east of the present city of Niles; he soon thereafter moved onto the land, and continued to own and occupy it until his death in 1869. The continued calls on him for legal services induced him to open an office in Niles, in the fall of 1834, and he continued in practice, except when he was on the bench, until his death. Mr. Bacon was probate judge in 1837, and in 1855 he was elected circuit judge to fill a vacancy, and was ex officio a judge of the supreme court; he was in 1857 again elected to the judgeship for the full term, again in 1866 he was elected to fill the vacancy caused by the death of Perrin M. Smith; again in the spring of 1869 he was elected for the full term, but died the following September. Mr. Bacon had a clear comprehensive mind, was a close reasoner and an earnest but dispassionate speaker. He had great influence with the court as an advocate, and was remarkably successful before a jury; his appearance before a jury seemed to say, "gentlemen of the jury, I expect by a calm and dispassionate statement of the facts and law, to convince you that I am right in what I may say to you," and his calm and cool manner before the jury, and apparent confidence that he was right, always told in a case. In addressing a jury he seemed to be unconscious that another person than himself and the jury were in the room.

Michigan Pioneer & Historical Society
Vol. XVII p. 394
1910.

NATHANIEL BACON, Esq., 1824, of Rochester, N.Y., was a member of the Adelpbic Society. (Died: 1869)

Adelpbic Catalogue 1830

CLASS OF 1824

NATHANIEL BACON

Justice of the Supreme Court, 1855-8. Was born at Ballston, N. Y., July 14, 1802, and was graduated at Union College in 1824. He studied law at Rochester, N. Y. and practiced there several years. He came to Niles, Mich. in 1833, and held several offices, including that of Prosecuting Attorney. In October, 1855, he was appointed Circuit Judge and one of the Judges of the Supreme Court, in place of Judge Whipple, deceased. He acted in the Supreme Court until Jan. 1, 1858, when the present Supreme Court was organized. In 1857 he was elected Circuit Judge for six years; was elected again in 1866 to fill vacancy caused by the death of Perrin M. Smith, and was re-elected in 1869 for six years. In politics he was a Republican. He died at Niles, Sept. 9, 1869.

FROM MICHIGAN BIOGRAPHIES
MICHIGAN HISTORICAL COMMISSION
LANSING, 1924.

UNION COLLEGE ALUMNI RECORD

1. Name in full Nathaniel Bacon Class 1824
2. Born on July 14, 1802 at Ballston, N.Y.; died Sept. 9, 1869 Wiles, Mich.
(Give date and place in full)
3. Residences before entering college " "
4. Prepared for college at Charlton under Rev. Joseph Sweetman and at Ballston Academy
(If entering from another college, so state.)
5. Entered in Sept. 1822, Junior Class (Give year, month and class if not freshman) Course " "
6. Left college July 1824. (Give approximate time of leaving.)
7. College life. Under each head state kind of activity, any office held, and college year in which active or held office, thus (1) freshman, (2) sophomore, (3) junior, (4) senior.
 - a. Athletic teams (class or varsity) " "
 - b. Other activities (member or officer debating team, musical or dramatic association, press club, Concordiensis or Garnet boards, etc.) " "
 - c. Fraternity, literary or social organizations of which a member " "
 - d. Class offices " "
 - e. College prizes and honors " "
8. Study at other institutions after leaving Union (how long and where) " "
9. Degrees (with institutions granting them and dates) " "
10. Class reunions attended " "
11. Commencements attended " "
12. College reunions and dinners attended " "
13. Member of " " alumni association (if officer state office and date held) " "
14. Postgraduate office held in class or college organization (member or officer Graduate Council, Trustee of Union, class president or secretary, etc.) " "
15. Relatives (own or wife's) at Union (name, relationship, and class) Father-in-law Joseph Sweetman class of 1797
16. Parents' names in full (with country of ancestry, college, occupation, residence, date of birth and death, and other important facts.)
 - a. Father David Bacon L. Middletown Conn. d. Ballston N.Y. Family from Rutlandshire
 - b. Mother Hannah Parlor, L. Hibern Conn. Mar. 3, 1768; d. Mich. May 7, 1853. Family from Salem, Mass. & England.
17. Brothers and sisters: (name, date of birth and death, college if other than Union)

Cyrus or Melinda Taverner; lived in Mich.
Shes. or Seth Starr " " "
Wm. Thorne " " "
Laura Maria m. Rev. Samuel P. Spear of Brooklyn
18. Married (1) 1827 Nov. 3, Jane Savage Sweetman of Charlton (2) 1845 Jan. 1, Caroline Sophia Lord
(name of wife, date and place of marriage; if wife dead, date of death)
19. Children (name, date of birth, college, if other than Union)

<u>Edward Union of Mich</u>	<u>ad. wife</u>
<u>Joseph Sweetman</u>	<u>Harriet Sophia m. Wm. W. Bacon</u>
<u>Mary Hannah m. Frederick Field</u>	<u>Frederick Hampton Union of Mich.</u>
<u>Elizabeth Laura m. George Lapham Ames</u>	<u>Nathaniel</u>
<u>(Wm. Coll. '54)</u>	<u>Emily Ann m. Charles R. Hopper</u>
<u>(2) James Otthwin Union 185--</u>	<u>John Lord</u>
	<u>Samuel</u>

20. Business and professional career, business or professional connections and positions held. (Give each in order with dates when held and place.)

Studied law in the office of Thomas Palmer, at Ballston Springs, and was admitted in the Supreme Court in Oct. 1827. In April 1828 he moved to Rochester, N.Y., and practiced law there till May 1833. In August he moved to Niles, Mich., seeking a climate better suited to his health. Here he practiced law till Nov. 1855, when he was elected Circuit Judge of the 2d. Circuit. He held this office till Jan. 1864 and was again elected in Apr. 1866.

21. Public positions held in civil life (with dates.) (Include such positions as trustee, director, vestryman, etc.)

Elder of Presbyterian Church.

22. Military history and titles (with dates). (If in army or navy, enter under 20.)

23. Professional and scientific organizations of which a member.

24. Social, civic, and literary organizations of which a member.

25. Literary productions (with date of publication and name of publisher).

26. Religious denomination *Presbyterian*

27. Political preference *Republican*

28. Recreations

29. Other facts or remarks *A successful farmer.*

30. Addresses; residential, (a), business (b), with (c) dates when occupied. (Check the address to which mail should be sent.)

a. _____ b. _____ c. _____
a. _____ b. _____ c. _____
a. _____ b. _____ c. _____
a. _____ b. _____ c. _____
a. _____ b. _____ c. _____
a. _____ b. _____ c. _____
a. _____ b. _____ c. _____

Forwarding address, by which can always be reached _____

31. Sources of information. A—self; B *grandson*; C _____; D _____; E _____

James S. Ames. Nov. 27, 1922.

Use these reference letters in checking any information given above and add date; thus A 1/19/20—information furnished by self Jan. 19, 1920. Use extra pages if necessary, numbering answers to correspond with numbers of questions on sheets. Answer all questions noting any you might not wish published.

FREDERICK H. BACON
ATTORNEY AND COUNSELOR
HOLLAND BLDG., 211 N. 7TH ST.

CORPORATION AND INSURANCE LAW

ST. LOUIS, Mo., December 17, 1917

To the President of Union College,
Schenectady, N.Y.

Dear Sir:--

I find among my papers a catalogue of Union College of 1824, and while somewhat dilapidated, I thought perhaps it would be worth while to send it to you.

My father, Nathaniel Bacon, born July 14th, 1802, died September 9, 1869, was a member of the Class of 1824.

He was a lawyer, practiced at first in Rochester and in 1833 removed to the territory of Michigan where he practiced law and later was elected Judge of the Circuit Court and for a time was a member of the Supreme Court of that State.

Yours truly,

F. H. Bacon

Dic.FHB.-BH.

the reign of Women.
~~Government of Women.~~

Ladies and gentlemen (but especially ladies), I bespeak with confidence your attention; for it is not to be believed that an occasion like the present has collected an assembly merely ab undignis, as Horace would express it.

Many of you seem to be strangers; but from the dress, the phiz, the attitude, and the expression of this tout ensemble, I am inclined to think that a more learned, and intelligent, or even a better looking audience have seldom been convened in Gotham since the college was established; which establishment has (by admission) rendered this ancient city the very focus and centre of politeness as well as of literature;— of the fine as well as of domestic arts (always excepting the art of making money and the black art.)

But not to be further tedious (as I apprehend you have had a pretty good share of that commodity in the preceding dissertations, and that you will have still more of it in those which are to follow.)

The faculty, as you perceive, have inserted my lucubrations*, in about the centre of this morning's entertainment.

*(after correcting them till more than half of their original gum has evaporated)

a proof that they think rather highly of the argument; and to be candid (could it have been delivered without correction) this whole audience (I apprehend) would have been of the same opinion.

But to the point. — There has been a deal of debate in this little, noisy, world of ours about different forms of government. Grotius, Puffendorf, Junius and Tom Paine have written books: — the cabinet the Argus and the Daily have printed squibs; but after all men are as much in the dark as ever — some are for monarchy; some for aristocracy; some for democracy — and then again Democracy has of late, got so split up into federalism, republicanism, quiddism, people's men, buck-tails, and so many other tails, that it puzzles a senion confoundedly to choose between them. And then again after he has chosen, he must be, all the time, wide awake to keep on the right side, should he be so fortunate at first as to get there.

When my class enter upon the theatre I trust we shall be able to introduce a new order of things. We have come forward too late, to be sure, to be any thing more than lobby members of the legislature which is about to meet; but most of us expect to be floor members of the succeeding one, and we think this a fair and a favorable opportunity for

just stating to our constituents (Ladies and all) what doctrines we hold and where our political enemies may expect to find us. Don't mistake my meaning; we are not going (en masse) to join the caucus or the anti-caucus; or to take any part whatever for or against the electoral law or tariff act. These small matters do not concern the great and the whole republican family; but only a part of them, and so far as my experience goes not the best part either.

To tell the plain truth then, we think that men have ruled this world long enough; and that we shall never have better times till the reins are placed in other hands. At any rate, turn about is fair play; and since for six thousand years past the one sex has managed, — for the next six thousand years the other sex ought to manage. After this short period we shall have no great reluctance to agree to any fair and honorable compromise that shall give to each division an equal share of this world's administration.

I am but a young man; but I have seen a little of what is what: and I have lived too under state government, and college government, and pedagogue government, and father's government, and mother's government; and I must say that the very best among them all is, in my opinion what the

French call "gouvernement de la femme" and the English plain "petticoat government."

It is only now and then (to be sure,) that women have had an opportunity of showing their tact at navigating the ship of state; but when they have the voyage has always been successful, without loss or damage to either ship or cargo. The few bright spots that meet the eye on the page of this world's history are precisely when and where the gentle sex have chanced to have the precedence. But for Semiramis, and Babylon would have been some little Dutch village, much such a place I suppose as Eropus or Gotham without walls, or towers, or hanging gardens. Ruspia was distinguished for nothing but woods and snows, and raccoons and rattlesnakes till Catharine stretched her transforming sceptre over it. And who is there that has not read in history, or heard in song of the golden days of good Queen Bess?—

We talk of tyrants and tyranny abroad; we profess to pity even the negro slaves at home; but the fair sex, a moiety of the human race, have in this boasted land of freedom, less civil liberty than the negroes or even the clergy; for these are allowed to vote, though they cannot hold an office; whereas their wives (as well as other people's wives) how much wiser, or better, or richer than their husbands they may be, are not allowed to appear at a poll or to approach a ballot box!—

Even now, in the middle almost of the nineteenth century, we have got before the public some half a dozen of candidates for the presidential chair, and not one lady among the whole of them! If there was even one there would be something generous and chivalrous in rallying round her banner; as it is I do not care which succeeds or whether either of them do. I know too much of the sex to expect much of the milk of human kindness from that side of the house. Men whether bred in camps, or cabinets, at the receipt of custom or in the back-woods will be men still; and get in who will we shall have the same scramble over which we have before had, and hear through the next four years as we have through the four past of nothing but rogueries in and rogueries out of office. Whereas if some modern Semiramis were to commence her dynasty, there is not a courtier at the capitol, but would, with the gallantry of a knight, bury his resentments, and combine with enemies and rivals to render such an administration as splendid as novel.

We have a deal of noise about the rights of the people; prelates groan; orators shout; legislators assemble; but pray how come these jackets and trousers to be the people, to the utter exclusion of looser robed, but better behaved portion of the human family.

~~Woman's influence is the only influence that softens manners~~
~~promises character and renders our literature the worth to time~~

and the father Look at ^{the} peace, and order, and hilarity and amiability of our primary assemblies; I do not mean our town meetings, but those legitimate assemblies where the sexes mingle and where a mother's voice is heard; but for the redeeming influence of which assemblies, all other assemblies would, I apprehend, be of short duration in this litigious world of ours. Where else is there a society so blithesome, and at the same time, a sovereign-so mild and an obedience so cheerful as in the court yard and parlor? Yet it is not that human nature is any better then than afterwards; but that the little cochins have not yet broke loose from their mother's leading strings.

Woman's influence is the only influence that softens man's ferocious character and renders even tolerable the world he lives in; and the farther he removes therefrom the faster he degenerates. Hence the rudeness and vulgarity of camps and factories and even of colleges. I speak from experience; when my class came together, they would have done honor to the civilities of the drawing room; but we have retrograded, I fear, in manners if not in morals faster than we have progressed in science. I remember when we first met at table; when it was, sir, will you be helped to this? Sir will you permit me to help you to that? Now

it seems to be a fellows whole business to help himself; and to succeed in this he requires to be acquainted with slight of hand or to understand fencing; for there is as much scrambling among students for their dinners as there is among other candidates for the loaves and fishes. Now all this we should have been infinitely ashamed of, when we left our mothers; as we also should be of the practice of ducking beggars and hollowing heads out, when ladies walk before our windows.

I do not know whether the influence of legislative ^{Halls} is like that of halls of science; if it is I would recommend that no more ~~representations~~ ^{delegates} be sent to either Albany or Washington, unless their wives be sent along to take care of them.

We have succeeded in driving off the Indians; we have even conquered liberty for the negroes; and now it is high time to prepare a more peaceful regimen for ourselves.

There is one thing that promises well for the Republic; we have got at last one female college; - I wish we had more; - Women have always been better than men, ^{and will soon be wiser,} and unless we hasten to restore their long usurped rights, they will soon be in a condition (with out asking our leave) to assert them.

I hope to see the time when the sex will be enfranchised; and

our smuthearts at least (if not our wives and sisters) allowed to
climb up (pari passu) the ladder of fame along with ourselves. We
shall then hear no more of tariffs to exclude lace and ribbons.
No man, and especially no woman, will then be in danger of
being obliged to dress in linsay-woolsey, and what is worse of
all, to raise the material, and to spin and weave, as well as
wear the article themselves. A fellow will then be allowed to follow
the profession he likes best; - to buy his coat (pay for it if he can) where
he can get it the cheapest: And one half of the community will
no longer be told that it is necessary for them to turn weavers and
tinkers, that the cotton of the other may be spun and their wheat sown.
Then (the world over) it will be as it now is where ladies
reign, "free trade and sailor's rights".

Union College July 15th 1824-

M. Bacon-

At the beginning of

Vol. 124 Michigan Reports appears the following:

"Upon the convening of court for the June Term of 1901 on Tuesday June 4th Mr. Frederick H. Bacon presented to the court an oil portrait of his father, the Honorable Nathaniel Bacon at one time a member of the court. The portrait was accepted on behalf of the court by Mr. Chief Justice Montgomery who directed that it be hung upon the walls of the court room and that the remarks of Mr. Bacon be printed in the next volume of the Michigan Reports.

Mr. Bacon spoke as follows:

May it please the Court:-

It was the cherished purpose of my brother, the late Colonel Edward Bacon, who for more than forty years was a member of this bar, to present to the court in accordance with its request, a portrait of our father, Nathaniel Bacon, who was one of the first judges of this court. He procured the desired portrait which now hangs in this chamber, and it was his intention to make a formal presentation thereof at this time. The grim messenger who comes to us all, came to him before that intention was accomplished, and it therefore devolves upon me, as the oldest surviving son of Judge Bacon to perform this duty.

Nathaniel Bacon was only for a comparatively brief period a member of this court; he was elected circuit judge to fill a vacancy caused by the death of the Hon. Charles W. Whipple, and first took his seat at the January Term 1856. At that time the various circuit judges constituted the supreme court, and upon its reorganization in 1858, Judge Bacon resumed his duties as judge of the second judicial circuit, which office he filled with but about a year's interruption until his death, September 9th, 1869.

His father was a farmer of English descent who settled

shortly after the Revolutionary War near Ballston Spa, New York, where Nathaniel was born July 14th, 1802. He received his early education under a private tutor and at Ballston Academy, and entered Union College at Schenectady, New York, in 1822, from which he graduated in the class of 1824, of which the late Senator Harris of New York was also a member. After his graduation he studied law, and was admitted to the bar in October 1827. At that time western New York was considered on the frontier, and wishing to begin in a new country he went west and opened an office in Rochester in April 1828, where he practiced with a considerable degree of success until 1833. Hearing glowing accounts of the resources and richness of the Territory of Michigan, he visited its southwestern portion in June 1833, journeying on horseback through the then almost unbroken forest. He was charmed with the aspect of the country; the land was fertile, the massive oaks and other trees intersperced with lakes and small prairies. The underbrush was kept down by the annual burning by the Indians and the view was unobstructed. I have often heard him speak of the beauty at that time of the forest, the swift flowing streams, and the carpet of turf and flowers. He returned to Rochester and in August brought his wife and two little children to the village of Niles, on the banks of the St. Joseph River in the midst of the Pottawattamie Indians, where a few families had settled. He arrived September 3rd, 1833, and by the following November had entered land and built a log house. On this farm he resided for the remainder of his life. He witnessed the rapid growth and settlement of the country, and saw the forests give way to fertile farms, the solitude to busy cities and towns.

At that time Michigan attracted many brilliant and well educated young men from the east; lawyers of great ability, who made a strong bar and the society of the little town unusually

attractive. Among them Nathaniel Bacon was their peer, if not their superior. He was an able and successful lawyer, and soon commanded a large practice. He was successively Prosecuting Attorney and Judge of Probate, and finally in November 1855, became circuit judge, which office he held with only a brief interruption until his death.

He was a man of sterling qualities and a wise counselor. He was a leader in the church and in society as well as at the bar. Through the troublesome privations and often hardships of this early time he was courageous, patient and discharged all his duties with ability and fidelity. He came from puritan stock, and was true to their teachings. Though somewhat austere, he was kind, charitable and of spotless integrity, a worthy descendent of those who gave to New England its enduring reputation for strong, earnest, industrious and upright men. He loved country life and always retained his farm; his tastes were simple, his pleasures few; before him he always saw the star of duty leading him in the straight and narrow path.

He was mindful of his obligations to the state, and ever endeavored to be and was a good citizen. In politics he was at first a whig, and afterwards assisted in organizing the Republican party under the historic oaks at Jackson; he was a friend of Howard and Chandler. His counsels were always sought by his party associates, and his influence was at all times felt in the community where he lived and worked. During the troublesome times of the civil war, his sympathies were strongly with the Union cause; he rejoiced over the victories of the northern armies and grieved deeply when defeats came upon them.

He was not ambitious and never sought high political honors, he was modest and contented with the comparatively humble station of a nisi prius judge. As a judge he was dignified and impartial, inflexible in adhering to the principles of justice, and he

conscientiously and ably discharged the responsible duties of his office. It is said that during the twelve years he served as Judge but one of his decisions was reversed.

He did not live to attain the age which his simple habits and active life promised, but he died in the prime of life before his faculties had become impaired. At this time so many years after the early judges who labored amid the privations of the frontier have passed away, and whose fame is somewhat dimmed by the glory of their immediate successors, Campbell, Cooley and Christiancy, it is difficult to even remember or record their virtues. Still neither ^{their} names nor their faces should be forgotten, and I therefore present to the court this portrait of one of its pioneer judges, that it may serve as a reminder of the labors of him who was a devoted servant, as well as lover, of justice, and who endeavored to the utmost of his ability to administer it without fear, favor, or hope of reward.