

WILLIAM A. COTTON.

By Marshall D. Cobleigh Of Lebanon, NH

*Published in the Stanford Law Library, Of The Bar Association OF THE STATE OF NEW HAMPSHIRE, 1905;
Rumford Printing Company, Concord, NH.*

All who have known William A. Cotton as a citizen, lawyer and friend realize that it is no easy task to draw a true word picture of him, and not suggest to a stranger that it savors of extravagant eulogy.

His emigrant ancestor was William Cotton of Portsmouth, N. H., who came over in about 1635 and was a tanner. His grandfather was John Cotton, who was born in Hampton, N. H., and died in Gilford, N. H. There his father, Oliver, was born, who was a machinist and locomotive builder. His grandfather on his mother's side was John Furber, a trader and the first postmaster of Northwood. The Furber line began with William Furber, who came from Bristol, England, in 1635, and was one of the first settlers of Dover, N. H. On his mother's side he was descended from Rev. Stephen Bateholder, the first minister of Hampton, N. H. Among others descended from the Rev. Stephen Bateholder were Daniel Webster, John G. Whittier, William Pitt Fessenden and Frank B. Sanborn.

A chronological resume of the principal events in his life show that he was born at Newmarket, N. H., February 6th, 1846, a son of Oliver and Sarah (Furber) Cotton. He fitted for college, entered Dartmouth, graduating from that institution in 1872. At college he took a high rank as a student, was universally popular and gave promise of a brilliant career. He read law with G. C. Peavey of Strafford, and S. E. Pingree of Hartford, Vt., since governor of that state, and was admitted first to the Vermont bar in December, 1875. and to the New Hampshire bar at Haverhill in March, 1876. March 21, 1876, he was married to Persis A. Wood of Lebanon, who, with one son, Thomas \V., born in 1884, and two daughters, Mary G. and Wilhelmina G., born in 1890, survives him.

Soon after his admission to the bar he opened an office in Lebanon, where he afterward lived and practised his profession. He was elected solicitor of Grafton County in 1884 and served two terms. In 1889 he was appointed one of the commissioners to revise, codify and amend the Public Statutes, being associated with the Hon. AVilliam M. Chase of Concord, and the late Hon. Ira Colby of Claremont, the work of which was completed in 1891. He was once offered a position on the bench of the Supreme Court, but declined. He was for many years a member of the Lebanon board of education, and president of one of the local banks.

He died suddenly, August 25, 1904, at Lebanon, N. H.

Before forming a personal acquaintance or having an opportunity of close observation, the writer had listened to what seemed to be fulsome praise of him by men who were ordinarily conservative and critical in their estimate of other people. It seemed an anomalous state of affairs that a man should have such mental power and attractive personality as he was represented to possess, and yet whose political

and personal activities were restricted to such narrow limits. An acquaintance with him, however, soon convinced one that, if anything, his powers had been underestimated by those who had attempted to describe him, for he quickly impressed a person with the fact that his nature and characteristics were made up of a combination of what are usually considered as irreconcilable elements, a study of which revealed his true greatness. He had an unusual mental vigor combined with a rugged yet simple integrity. Though fearless, independent in thought and action, caring nothing for popular approval and wholly indifferent to criticism, he was, nevertheless, always faithful but undemonstrative to his friends. He never forgot the base act of an enemy or the treachery of a pretended ally. Fully conscious of his own strength and power, never attempting to conceal a dislike, yet, his worst and most helpless enemy could safely meet him in the dark or turn his back within reach, without fear of William H. Cotton taking any advantage of an opportunity that smaller men would instantly seize upon to even up old scores. In any contest, no matter who his opponent was or whatever his tactics, he was never caught napping after the actual controversy began. He was an expert in detecting the tricks of those on the other side and estimating their resources. He was, nevertheless, the soul of honor in all his personal transactions and professional dealings.

In the trial of causes he fought, if necessary, with desperation but never expending much more effort than the occasion required to win a victory. Whether matched against the most insignificant of opponents or a legal giant, he rose with apparent ease, equal to every test. Though possessing in a marked degree the strength of a gladiator, severely critical and keenly analytical, he never took an unfair advantage or was guilty of an act of injustice in his dealings with or treatment of those whom he had occasion to oppose. No man ever assaulted him in the mental forum without instantly receiving in return a terrific blow. His withering sarcasm, caustic criticism, or blighting ridicule was never forgotten by any one who heard him when provoked to resort to that kind of defense or when the occasion called for that sort of attack.

He had a keen sense of humor and was exceptionally quick at good-natured repartee. His logic was irresistible. His wealth of knowledge always found expression in cleancut sentences, yet his manner was never pompous nor ponderous. In his work as a trial lawyer he was quick to grasp the entire situation and cull out the essential facts from the mass that might be gathered by an assistant who had charge of preparing the case, doing this with almost incredible rapidity, and with an accuracy that was almost startling to those unacquainted with his methods of work.

The literary style of his briefs and addresses made each paper prepared by him a model of form and strength.

It was generally understood that he was of an indolent temperament, but when once he became interested in a task every nerve and fiber of his nature was concentrated upon the problem, and there was no relaxation of effort until the work was completed. In listing his characteristics, the one that would first impress itself upon the observer was, that in every spot and place he was genuinely genuine. There was nothing showy about him. He would allow no brass bands to herald his approach. He was a great man, a fact daily demonstrated without display. He was one of those somewhat rare personages that look larger to the observer the longer the inspection continues.

He was a delightful companion to meet in his office, on the street, or at home, but rarely called on his professional brethren or his friends unless he had business with them.

To the younger members of the bar he was uniformly kind and generous, and when he happened to be opposed to one he would show such consideration as would encourage him to do his best, but would never attempt to embarrass or humiliate him unless it was plainly provoked. He early obtained and always retained the confidence and respect of the members of the Court and the leading men of the state. He cared nothing for the honors of public office and steadily refused to be lured by prospect of political preferment. He might easily have been a positive factor in the larger fields had he, as one of his distinguished classmates expressed it, "possessed an ambition commensurate with his ability."

He was a man of fine literary tastes and had a home library of over a thousand volumes, all selected with care and containing many rare books. He was a close student to the last. He lived just such a life as he loved, with his family and his books, manifesting his affection for the former in continual acts of kindness rather than empty words.

When the dread disease manifested itself that finally carried him off, none realized its fatal character more than he, and knowing that by the immutable decree of diseased nature he was under sentence of death, soon to be enforced, he pursued the even tenor of his way with the fortitude of the trained soldier who marches up to and faces sure destruction without a look or act betraying fear.

He had few intimate friends, yet he was everybody's friend. Though usually acting under the guise of indifference or of dispensing justice, he was invariably kind.

Uninvited expressions of opinion of a man often furnish us the truest estimate of the regard with which he is held in his home community. We will close by relating two incidents of that nature which occurred on the day of his funeral that made a deep impression on the writer. As the procession moved from his home to the grave the streets were lined with people who, as an act of respect, stood with uncovered heads. When the cemetery was reached there was seen at a distance perhaps ten or twelve people of the humbler class who kept their place until after the exercises at the grave and the funeral procession had moved away. Then these lowly persons slowly advanced and formed a circle around his open grave, reverently standing there for several moments, and by this act, far more eloquent than any words they could have uttered, added their heartfelt tribute to his memory.