WILLIAM B. OCHILTREE.

The subject of this sketch was born in Cumberland County, North Carolina, on the 18th of October, 1811. His educational advantages were slender, and he removed when quite young to the Territory of Florida, thence to Alabama, where he was admitted to the bar, and entered upon the practice of his profession. In 1839 he removed to Texas, and settled at Nacogdoches, where he soon acquired a large practice.

The bar of Nacogdoches was at that time noted for legal ability, and was justly regarded as one of the most distinguished in the Southwest. It was adorned with such professional luminaries as Thomas J. Rusk, A. Pickney Henderson, K. L. Anderson, Royal T. Wheeler, O. M. Roberts, Thomas J. Jennings and others, whose genius elevated and embellished the jurisprudence of the Republic and State; but Mr. Ochiltree was equal to the requirements of success, and to the severe test which a claim to eminence demanded, and was soon recognized as one of the most skillful and logical, as well as one of the most learned advocates at the bar. While he was deficient in general learning, his vigorous mind grasped and embraced the subtleties of law with an alacrity and comprehension which placed him in the first rank of the profession. His mind was always clear and ready, and his statement of facts was so plain, his application of law so lucid, that no ingenuity of argument, no skill of abstraction could pervert the meaning or obscure his position.

In 1842 he was appointed judge of the fifth district of the Republic, which made him *ex-officio* one of the judges of the Supreme Court. His decisions are reported by Mr.

Dallam, and though rendered at that early day, are not without interest, especially that in Titus *v.* Hardin, and in the Republic *v.* the famous Monroe Edwards.

In 1844 Judge Ochiltree was selected by President Jones as a member of his cabinet, and was appointed Secretary of the Treasury, and in November, 1845, was transferred to the Attorney-General's office. In the former position he gathered the knowledge of finance, and in the latter, his familiarity with criminal jurisprudence, which made him afterwards distinguished as a financier, and particularly as a successful criminal lawyer.

Upon the annexation of Texas to the United States, he was elected a delegate to the Convention which framed the Constitution of the State, and was an active and prominent member of that body. This convention was composed of the ablest men of Texas, and the result of their labors is an everlasting monument of their wisdom. The Constitution with which the new State was launched into the Union has no superior in statesmanship in the history of organic law.

After the adjournment of the Convention he was appointed judge of the fifth judicial district, but soon returned to the bar, and for ten years devoted himself without interruption to the practice of his profession. His practice was extensive, and it was during this time that he achieved some of his greatest professional triumphs. His popularity was great, and he received the familiar *sobriquet* of *Buffalo Head*, which was given him in consequence of the peculiar formation of that member, which was remarkably large and encephalic, indicating intellectual powers of the highest order.

In 1855 he was a member of the sixth Legislature, and was one of the most able and conspicuous members of the House. He was chairman of the judiciary committee, and his speeches upon measures affecting the public debt and the public lands were able and eloquent, and his views chiefly moulded the policy of the State in regard to those questions. His speech in favor of the civil-law doctrine of

forced heirship, and against the adoption of the statute of wills, while not so effective, was likewise able and interesting.

As an orator Judge Ochiltree had few equals at the Texas bar, possessed of a clear and stentorian voice, his elocution was vehement and impassioned and swept the field of debate like a resistless tempest. The brilliant flashes of his genius and the sudden outbursts of his natural eloquence often surprised and confounded his opponents and charmed his audience into a sympathy with his views which gained him many a narrow success, both at the bar and in the halls of legislation.

In 1859 he removed to the town of Marshall, and in 1861 was chosen a member of the Convention which adopted the ordinance of secession, and was one of the signers of that instrument. He was elected as one of the delegates to the Provisional Congress of the Confederate States at Montgomery, and his ability gave him great influence in that distinguished assembly. When hostilities began he resigned his seat in order to transfer his services to the field, and, returning to Texas, soon raised a regiment of infantry which was attached to Walker's division, and which he led with conspicuous gallantry; but owing to ill health he resigned the command of his regiment in 1863 and returned to his home. His health continued to decline, and, while, he watched the progress and culmination of the strife with the most intense interest and anxiety, he was no longer able to participate in public affairs, and being aware of the fatal character of his decline he devoted his time to setting his house in order, became a member of the Episcopal Church and died in the faith of Christianity at Jefferson on the 27th of December, 1867.

Judge Ochiltree saw Texas through all the phases of her existence, save the last. He had seen her as an independent sovereign nation, as a prosperous State of the Union, as a gallant member of the Confederacy and as a conquered province, degraded by military rule, and it is a pity that he did not live to see her risen like Thebes from her smouldering ashes and clad in the robes of a new prosperity.

The public services of Judge Ochiltree were characterized by a patriotic devotion to the welfare of his State, and his ability and fidelity made a lasting impression upon every sphere of his public duties, and elevated every position which he held. During a period of thirty years his name is closely connected with the history of Texas, and she will preserve it as of one of her truest and most useful citizens.

In social life he was generous and kind, courteous and affable in his demeanor to all classes and attracted the regard of all who approached him. He was greatly beloved by his family, esteemed by his neighbors and universally reverenced by his fellow-citizens.