

JOHN BERNARD STALLO.

AMERICAN CITIZEN, JURIST, AND PHILOSOPHER.

BY THOMAS J. MCCORMACK.

ON January sixth last there died at Florence, Italy, in the person of John Bernard Stallo, a distinctive type of our best American citizen,—a man who despite signal achievements in professional and public life and in the domain of philosophic thought has, either from his own inherent modesty or from our inveterate national lack of appreciation for such talents, not yet attained to the reputation which is his due.

John Bernard Stallo passed the years of his early manhood, as well as those of his maturest activity, in America; and we may, without disparaging in the least either the impulse which his sound youthful education in Germany gave him, or the extraordinary advantages which his acquaintance with the German language and with German intellectual traditions lent him over most of his contemporaries, still characterise him as essentially a product of American conditions. At seventeen, a poor teacher in a private school in Cincinnati; at twenty-one, professor of mathematics, physics and chemistry in St. John's College, Fordham; at twenty-four a member of the bar of Cincinnati, at thirty-one a Judge of the Court of Common Pleas of Hamilton County, Ohio: he successively rose to positions of increasing eminence in his city and country, culminating in 1885 in his appointment by President Cleveland as United States Minister to Italy. In addition to this, he is the author of the profoundest and most original work in the philosophy of science that has appeared in this country,—a work which is on a par with anything that has been produced in Europe, and which showed a firm and independent grasp of what are now acknowledged principles of scientific criticism at a time when these were not in the possession of the majority of scientists. And all this varied activity

is rounded off by the picture of the life of a man of sterling culture wielding an unobtrusive but persistent influence for the social and intellectual good of the community of which he was a part, and which has since borne a distinctive impress of that influence.

John B. Stallo was born in Sierhausen, Oldenburg, Germany on March 16, 1823. He came of sturdy Frisian stock, which had produced a long line of schoolmasters, and himself received at Vechta his official education for that career. He was precocious and at sixteen was sufficiently conversant with elementary mathematics, the ancient and the modern languages, to fit him for entrance into the University. Waiving this career, he emigrated in 1839 to America, and settled in Cincinnati, where he found occupation as a teacher and published the first offspring of his genius in the shape of a spelling and reading book of the German language, afterwards characterised by him as his most brilliant literary success. We soon find him at St. John's College, Fordham, where he first was a teacher of German and the classics and in 1843 was made professor of mathematics, physics, and chemistry, a position which he held until 1847, when he returned to Cincinnati and studied law, being admitted to the bar in 1849.

It was in this period, by his comprehensive studies in mathematics and the sciences, that he laid the foundation of his philosophical career, to which he remained true amid all the preoccupations of his professional life. Even here, through the unaided insight of his natural genius, it was the works of the great masters only to which his energies were directed, and to this rare economy and selective judgment which he exercised in all his labors, are in our opinion due not only the great range and variety of his humanistic accomplishments but also the historical breadth and critical acumen which so eminently distinguished his philosophical researches.

His first philosophical work, which, like Hume, he subsequently repudiated as "one of the unavoidable disorders of intellectual infancy," and which will doubtless also have the same fate as Hume's philosophical firstling, of being regarded by subsequent historians of American philosophy as the true and original expression of his views, was a book entitled *General Principles of the Philosophy of Nature with an Outline of its Recent Developments among the Germans, embracing the Philosophical Systems of Schelling & Hegel, and Oken's System of Nature*, published in Boston in 1848. Be the merit of this work what it may, it did not altogether fail of an influence upon American thought; there were here recorded a digest of the views of many German philosophers who were at

that time a sealed book to most American readers, and even that part of it of which its author by his own implicit expression was "ashamed," may have possessed an import of which he was totally unaware. To his great philosophical work, *The Concepts and Theories of Modern Physics*, the fruit of a life-time of thought, we shall refer in more detail at the end of this notice.

We now turn to his career as a citizen, professional man, and publicist, proper, which exhibits traits that are more likely to endear him to our national consciousness. His life in this regard has been too well characterised by the late Ex-Governor Körner, in his book *The German Element in America*, to require much supererogatory comment on our part. Ex Governor Körner, too, was a signal embodiment of German traditions and European culture in the West; Judge Stallo and he were congenial spirits; both were chosen as types of our so-called German-American citizens for representing America at foreign Courts; and for an appreciation of this phase of Stallo's career, we can do no better than to call the attention of our readers to Körner's work, which is distinguished alike by its humanitarian breadth and by its literary qualities. "Judge" Stallo, for such he became in 1853, enjoyed for upwards of thirty years a very lucrative law-practice in Cincinnati, and his home was one of the social, intellectual and artistic centers of that city. He was a lover of music and belles-lettres, and a wide reader of history and political science. He rarely entered the arena of practical politics, but in great national and local crises his pen and his voice were always enlisted in the service of high, liberal, and progressive ideals. It was thus in 1865, thus in 1876, in 1880, and in 1892; and thus with the tariff, civil service, and political reform generally, on many other occasions. We have in his latest work, *Reden, Abhandlungen und Briefe* (New York: E. Steiger & Co., 1893) a charming picture of this side of his career.

The essay on Thomas Jefferson in this volume breathes an air of unwavering confidence in the future of our country, at a time when many were despondent (1855); and it also exhibits a grasp and appreciation of our political institutions that was, and even still is, rare. The same breadth and profundity marked his utterances on such questions as the Future of the English Language in America, the Reading of the Bible in the Public Schools, Know-Nothingism in the Public Schools, and Instruction in German in Public Schools. On all these burning issues, Stallo appealed to the reason of his hearers, not to their prejudices, and so lifted his discussion to the planes of national dignity and the intrinsic

forcefulness of truth. So confident was he of the cultural mission of German thought and sentiment in the United States that the steadily increasing predominance of the English language never so much as even threatened that mission in his estimation. He referred to the famous utterance, "I had rather make a nation's songs than its laws;" and added, "Whatever language our children shall speak in the centuries to come, they and the descendants of the Anglo-Americans shall sing the melodies of our fathers, the light of German science shall beam from their eyes, and the glow of German sentiment incarnadine their cheeks The lyre is a more glorious symbol of national happiness than the steam-engine and it is as magnificent a calling to keep the hearts of a free people responsive to the quickening lessons of genuine poetry as it is to gather and to hoard the golden fruits of industry."

This breadth and independence of view marked all his actions and was the source of his great influence. He was never led by fixed social opinions, and changed his politics several times in life, in conformity with his own purely rational convictions. He was the champion of freedom of thought and action in all its forms, and his main juridic laurels were won in connexion with cases where liberal issues were concerned. This trait, says a writer in the *Popular Science Monthly* for February 1889, "was strikingly manifested in his presiding over a public meeting addressed by Wendell Phillips, when the orator was made a mark for missiles, and Judge Stallo stood by his side and bore the brunt of the assault with him. This was in 1862, when Mr. Phillips was invited to speak in Cincinnati in favor of emancipation. A bitter prejudice existed against him because he had been a disunionist. Judge Stallo had been invited to introduce him, but declined, because, his sympathies never having been with Mr. Phillips, he was not the proper man to perform that office. But when he was informed that other men whom he had mentioned as more suitable had declined, because they were afraid of a mob, he consented, saying, 'That is enough, gentlemen—I will be there.' Mr. Phillips, after being introduced, was at once assailed with a shower of disagreeable and dangerous missiles. One of them hit Judge Stallo. 'During the turmoil and uproar,' said Judge Stallo, telling the story several years afterward, 'Mrs. Stallo, with Mrs. Schneider, sat behind a fellow who had risen and aimed a big stone at the speaker. As he threw his hand back to fire the stone, Mrs. Stallo, who entered heart and soul into the spirit of the hour, and had no thought but to stand by her friends in the stormy crisis, reached over and hit the fellow's wrist

a hard blow, making him drop the stone and howl with pain. He looked around to see his assailant, and Mrs. Stallo, was up and ready for him, but gentlemen hastened to her side, and the fellow moved away.”

Judge Stallo took a pronounced stand in the political movement of 1884, and was sent in the following year as United States Minister to the Court of Rome. After the expiration of his official term, he took up his residence in Florence. Through the kindness of his daughter Miss Hulda Stallo we are enabled to present to our readers photographs of his villa and of the library in which he pur-



VILLA ROMANA. JUDGE STALLO'S RESIDENCE IN FLORENCE, ITALY.

sued his studies in his declining years. Surrounded with the art, the learning, and the culture, which had been the dream of his youth, and in correspondence with eminent thinkers of Europe on topics that had formed the subject of his philosophical contemplations, his life drew fittingly to a close in an ideal atmosphere and with ideal tasks done. He left a widow and two children, Miss Hulda Stallo, of Florence, Italy, and Mr. Edmund K. Stallo, of Cincinnati. His great work *The Concepts and Theories of Modern Physics*¹ constitutes his most enduring title to fame and we shall therefore devote a few brief paragraphs to its characterisation.

¹ Second edition, New York, Appleton and Co., 1884.

Judge Stallo did not claim for his work the significance of "a new theory of the universe, a novel system of philosophy." "I



LIBRARY OF JUDGE STALLO IN THE VILLA ROMANA.

have undertaken," he says, "not to solve all or any of the problems of cognition, but simply to show that some of them are in need of being stated anew so as to be rationalised, if not deepened

The utter anarchy which notoriously prevails in the discussion of ultimate scientific questions, so called, indicates that a determination of the proper attitude of scientific inquiry toward its objects is the most pressing intellectual need of our time, as it is an indispensable prerequisite of real intellectual progress at all times."

The book is thus on the face of it a contribution to epistemology, or the theory of cognition, as based upon a careful study of the physical sciences. It controverts the belief that there has been a total breach of continuity in the philosophy of science, from mediæval times to the present day, that "modern physical science has made its escape from the cloudy regions of metaphysical speculation, discarded its methods, and emancipated itself from the control of its fundamental assumptions." On the contrary, it holds that "the prevailing misconceptions in regard to the true logical and psychological premises of science are prolific of errors, whose reaction upon the character and tendencies of modern thought becomes more apparent from day to day."

But while a book of philosophy, it is not a book of "metaphysics," in the old sense. Indeed, "its tendency is throughout to eliminate from science its latent metaphysical elements, to *foster* and not to *repress* the spirit of experimental investigation, and to accredit instead of discrediting the great endeavor of scientific research to gain a sure foothold on solid empirical ground, where the real data of experience may be reproduced without ontological prepossessions."

It begins with an attack upon that conception of modern physical science which "aims at a mechanical interpretation of the universe," and considers successively both the history and the principles of the mechanical philosophy in all the forms of its expression: the doctrines of mass, inertia, energy, the atomic constitution of matter, the kinetic theory of gases, etc., interpolates several chapters on the development of a theory of knowledge; and ends with the critical application of the principles of that theory to the metaphysical assumptions involved in the mechanical philosophy and the mathematics of the metageometricians.

One is astonished in reading this work, not only that so vast a range of scientific and philosophical knowledge could be covered by a man actively and continuously engaged in the profession of the law, but also that so acute and original critical powers could be developed in an atmosphere so uncongenial to this species of inquiries. While Judge Stallo's book is well known in America, it has not had the notice it deserves in Europe. It has much in com-

mon with recent developments of thought there, and the coincidences of its general points of view with Professor Mach's philosophy are especially remarkable, as each system was developed independently of the other, and each thus offers a welcome corroboration of the other. It is, in fine, safe to say not only that the influence of Stallo's work will be a permanent one, but that it will also steadily increase, despite the fact that many of the doctrines it attacks are being gradually abandoned.

Attention should be called, in closing, to the philosophical essays which Judge Stallo wrote in German, and which have been published in his collection of *Reden, Abhandlungen*, etc., mentioned above. These essays, which treat of such subjects as *Materialism* and *The Fundamental Notions of Physical Science*, are marked by the same qualities of thought as the author's principal work, but they are written in a lighter vein and are pervaded with a humor that will ensure them a more permanent place in the affections of the German readers of America, and so render accessible to them also the more important side of the intellectual character of this unique figure of our national life.