

## CHAPTER XII.

## BENCH AND BAR—JUDGES OF CIRCUIT COURT—PRIMITIVE PRACTICE—EARLY MEMBERS—LEGAL CONTESTS—BAR ASSOCIATION.

## BENCH AND BAR.

The following interesting account of the judges who have presided in the Quincy Judicial District, is from the pen of Gen. John Tillson, of Quincy. To his kindness in permitting its publication in the present work, and for other material assistance in furnishing information relating to the early history of the city and county, acknowledgment is hereby made.

The Adams county bench and bar have alike sustained a proverbial prominence in the legal traditions of Illinois since the county organization, fifty years ago.

For a score or more of years subsequent to 1825 the bar stood prominent in public recognition of capacity, acquirement and success. It was the bar of the "Military Tract"—that portion of the State comprehended between the Illinois and Mississippi rivers and south of the latitude of Rock Island, which had been reserved by the general government for the soldiers of the war of 1812, and thus acquired the name of "Military Tract" or "Bounty Lands." The unavoidable issues arising from the collision between the claimants to these lands under the government patent and those under State tax title opened at once an arena for the development and display of the highest grade and need of legal talent.

Land law demands for its comprehension and practice a more profound capacity and more devoted learning than any other field of the great profession. Here it was cultivated. Here leading legal intellects gathered and strove. Here and by them were the broad land questions litigated, and herefrom the great lawyers made their periodical tours throughout the "tract"—where their names were as familiar as home words—in attendance on the semi-annual circuits of the court. Their attainments, prestige and success are a fresh existing remembrance to many, especially as there are still among us a number of noted Nestors of the bar, with the proud record of between forty and fifty years of practice, and to whose names have been attached public distinctions additional to their forensic fame.

Of the bench, however, though equally entitled to remembrance, less special knowledge has been preserved. Of the eleven judges who have presided over the Adams county circuit since 1825 the writer remembers all, and has been personally acquainted with all except the first, and it is proposed to give of them a skeleton sketch, with the regret that want of space precludes a more ample delineation of their careers and characteristics.

John Yorcke Sawyer, the first circuit judge, was a native of Vermont. His name appears enrolled as a lawyer December 7, 1820. As a lawyer he must have achieved a good reputation to have secured the appointment of judge at a time when New England men were popularly at a discount in

Illinois. On the bench he sustained an excellent reputation for integrity and ability, and was better educated than the majority of lawyers of his time. He was appointed at the session of 1824-25 and two years later was legislated out of office by the law of '26-7, which repealed the circuit court system and threw upon the supreme judges circuit court duty.

Judge Sawyer's first court was held in July, 1825, in the 16-foot square cabin of Willard Keyes, on Front street, near the foot of Vermont; this being selected as the only one of the three cabins then composing Quincy where there were no children. This session was but formal, and the first business term of the court was held on the 31st of October following. Judge Sawyer will be most remembered for his remarkable size. He was really a monster, weighing well up to 400 pounds. Our massive Senator Davis could have sat all day in his shade, while to balance the family substance he was the proprietor of a nice little wife who had hard work to send up the scale at ninety pounds.

He was of a jolly nature, as most fat men are, and this genial trait, added to his probity and acquirements, made him popular and respected during his two years' term. His wit was proverbial. "Madam," said he to an old Quincy landlady, "ain't your cows of different colors?" "Yes," said she, "we've got 'em black, and red, and white and spotted." "I thought so," says the roguish judge, "your butter speckles that way."

After leaving the bench he resumed the practice of his profession at Vandalia, the then State capital, and died March 13, 1836, being at the time editor of the *Vandalia Advocate*.

He was succeeded by one of the supreme judges whose name stands recorded as the first licensed lawyer in Illinois, May 14, 1819.

Samuel D. Lockwood, who was born in central New York, came to Illinois in 1818; stopped first at Kaskaskia, and finally settled in Jacksonville, made that place his residence until after being retired from the bench in 1848, he removed to Batavia, in Kane county, where he died about six years since.

He had an excellent education, a very refined mind, studious habits, and proverbial purity of character. Lifted early in life to the supreme bench, he honored the ermine as few others have. His appearance was appropriate and imposing—white-haired while yet young, of graceful form, dignified and courteous in demeanor, he was a model jurist, and if not possessing the higher native intellect of some who graced the supreme bench, in the aggregate of qualification he was unexcelled. No public man of Illinois has passed under a longer period of constant observation and been clothed with as much of general confidence and respect. It might be said of him, as Daniel Webster said of Chief Justice Jay, that when the spotless ermine of the judicial robe fell on him it touched nothing less spotless than itself. Judge Lockwood's political connections were with the Whig and subsequently Republican party.

The business devolving upon the supreme judges, as they were required to do circuit duty, had so greatly increased that in 1831 a partial reorganization of the system was made and a fifth judicial circuit established, comprising the military tract, to which was appointed Richard M. Young, a Kentuckian by birth, whose legal career in Illinois was almost coeval with the existence of the State. He was a gentleman of exemplary habits, refined and industrious tastes, possessed of strong common sense and very much personal dignity of manner, but was devoid of mental sprightliness

or social magnetism. It is curious that with his slow, unimaginative mind and nature, seeming to border almost on dullness, he should have trodden such a prominent and successful political and public life. Men more gifted in every way than he were his associates, but they were distanced when they became his rivals; and it must be said of Judge Young that while never attaining a superior or commanding position, he sustained his public trust respectably and up to a complete public confidence. He was a child of fortune. His service as a judge ceased in 1837, when he took his seat in the United States Senate, to which he had been elected the previous winter. Filling out his full term of six years, during which time he was appointed by Governor Carlin State Agent, and visited Europe in that capacity; at the close of the same in 1841, he was appointed to the supreme bench; and afterward clerk of the House of Representatives in Washington; also commissioner of the general land office. Later he engaged in a legal and agency business until his mind gave way, and his last days were passed in an insane asylum. His political affiliations were always with the old Jackson, afterward Democratic, party.

The seat vacated by Judge Young, in 1837, was filled by the appointment of James H. Ralston, who had for several years been an active practicing lawyer of Quincy, and member of the legislature in 1836 and 1837. He, like his predecessor, and indeed like most of the prominent men during the early days of Illinois, was a native of Kentucky. His characteristics were industry and caution. His legal acquirements were greater than his success. He was a tall, rather ungraceful man, and not attractive as a speaker. A mistaken ambition for political positions, for which he was not peculiarly fitted, drew him away from the line of professional life, wherein he was gradually attaining success. His reputation on the bench exceeded that which he had as a lawyer. He resigned in 1838, was elected State senator in 1840, ran unsuccessfully for Congress in 1841 against John T. Stuart, in the district composed of the entire portion of the State north of and including Green county, afterwards emigrated to California, and met with an unfortunate death, his remains being found in the woods, where he either suddenly died or was slain by wild beasts. He was succeeded in 1839 by Peter Lott, one of the most genial men that ever graced the Adams county bench. Judge Lott came to Illinois in 1835 from New Jersey, his native State, locating first at Carthage, Hancock county. A few months later he removed to Quincy, where he resided for the next sixteen or seventeen years. He was a man of more than ordinary ability and attainments, with inherent legal qualifications, but of a rather indolent and pleasure-loving nature, which detracted from his success as a lawyer. These traits did not, however, affect his value on the bench, where he made a most excellent record. In person, Judge Lott was above the medium height, powerfully built, of light complexion and hair, with a broad face singularly expressive of humor. He, like Judge Ralston, was a Whig until about 1836, when he joined the Democratic party, of which he became a prominent member. Retired from the bench in 1841 under the operation of the reorganization judiciary law, he resumed legal practice, was elected to the lower house of the Legislature in 1844, enlisted as a private in Col. Bissell's regiment of Illinois infantry on the outbreak of the Mexican war, soon after became captain, and acquired credit at the battle of Buena Vista. On his return home he was in 1848 elected circuit clerk and recorder. This office he held for four years, and shortly after the expiration of his

term he went to California, was there put in charge of the United States mint, and died a few years later.

The Democratic party in the legislature, dissatisfied with the complexion of the supreme court, which was composed of four judges, three Whigs and one Democrat, all of whom held office by a life tenancy under the constitution, at the session of 1840-41 reorganized the judiciary by abolishing the circuit judge system, mustering them all out and adding five judges to the supreme bench (all Democrats) and imposing circuit court duty upon the supreme judges. The appointment from this district fell upon Stephen A. Douglas, who assumed the office in 1841. Judge Douglas' history is so nationally known that it is needless to take space for its repetition. His career as a judge was popular and creditable. While not having been considered as ranking among the leading lawyers of the State, as he had been devoted more to political than to legal preferences, whatever defects he may have had from this inattention to the profession was more than atoned for by his acute and powerful native ability. He had several vexatious local questions to determine, connected with the Mormons, and the division of Adams county, which created conflicting feeling at the time, but on which he managed to maintain general confidence. On his election to Congress in 1843, over O. H. Browning, after the ablest and most closely contested Congressional canvass ever made in the State, he was succeeded by Jesse B. Thomas, a son of the Jesse B. Thomas who was territorial judge of Illinois from 1809 to 1819, one of the first two United States senators, and the author of the famous "Missouri Compromise."

Judge Thomas was probably born in Indiana territory. He was a large, plethoric man, not wanting in ability—a gentleman, and well educated, dignified in his manner, and gave general satisfaction; but his record was not one of especial mark, though creditable. He was, like his predecessor, a Democrat in politics. Transferred after a term of two years to a northern circuit, he died a few years later.

His successor in 1843 was Norman H. Purple, the most superior judge in most respects that ever ruled in this circuit, who was a striking illustration of the singular fitness that some men possess for special positions. His rank as a lawyer was high, but his peculiar capacities were best exhibited after his accession to the bench. He was pre-eminently a jurist. Well read, possessed with a quick, clear intellect, and a cold, analytical intuition, that could not be swerved by fancy or feeling, honorable and conscientious as well as sagacious, he poised the scales of justice with an accurate hand. Prompt, precise and brief in his rulings, he held alike the confidence of the bar in professional and its attachment in social relations. He was an agreeable companion, though not disposed to accepting general acquaintance. He was of tall and rather slender frame, with sharp but regularly cut features, and a physiognomy noticeable for the expression of intellect and reserve.

The constitution of 1848 making judges elective, and the circuits being changed at the same time, disuniting Adams and Peoria counties, Judge Purple, whose residence had been at Peoria, declined further service on the bench in this circuit, to the regret of the members of the bar, who complimented him with a banquet on his retiracy. He was, we think, a native of New York, and after his return to Peoria and retirement from the bench, successfully resumed practice. He died some fifteen years ago.

His successor in 1848 was William A. Minshall, of Schuyler county,

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elected as the whig candidate over William R. Aicher, of Pike county. Judge Minshall was one of the oldest lawyers in the State, of much more than average intellectual strength. He came upon the bench at a late period of life, with his fine native faculties impaired by age and early carelessness. He had for years stood at the head of the bar in his own county, and when lifted to the bench maintained his previously acquired creditable reputation. It was his ill fortune, as it was of all the elected judges of that year, to enter upon judicial eminence attended by the rancor of political strife. Previously, under the old constitution, the judiciary had been removed from immediate connection with party politics. When, however, on the first occasion where the judicial office was made popularly elective, partisan feeling was thrown into the contest with the utmost bitterness, and at this time, when the elective judiciary system has settled to a condition beyond the control of political interest and feeling, one can not realize the acrimony that throughout the State attached to and followed these first judicial elections.

Judge Minshall was a heavy-built man, about the medium height, with a countenance indicating solidity rather than quickness of thought. He died at Rushville about twenty years since. He was a native, we think, of Kentucky, and had resided before coming to Illinois in Ohio.

Adams and Hancock counties being created a separate circuit in 1851, Judge Minshall was succeeded by Onias C. Skinner, who for several years had been a prominent lawyer in Hancock county and equally so in Quincy, his later residence. A singular career was that of Judge Skinner. With a much more than ordinary intellect and legal aptitude, hampered by limited education, his native force of character finally lifted him above earlier defects to a front rank among lawyers and jurists. As a lawyer he was the most daring, speculative and successful litigant that ever practiced in the Adams county bar. No stronger or more energetic reliance in doubtful or desperate cases could be found than he. As a counselor he was not so excellent. On the bench his standing was high. Acute, courteous and proud of his position, he fully filled the requisites of his place, and it was a regret to the profession that on a vacancy occurring in the supreme court he offered as a candidate and was elected over Stephen T. Logan and Chas. H. Constable, two highly eminent lawyers—the first named especially being the Nestor of the Illinois Bar.

As before said, Judge Skinner's life was almost a romance. Hardly an occupation can be named in which he had not engaged—cabin boy on canal boat, sailor on the lakes, school teacher, farmer, preacher, finally settling down to his proper profession. He was a member of the House of Representatives in 1848, and also of the constitutional convention of 1870, where he occupied the position of chairman of the judiciary committee. He was born in Oneida county, New York, and died in Quincy in 1877, where he had resided and been conspicuous at the bar for nearly thirty years. Skeptical in many things, but radically set in his own views, he possessed a force, energy and sagacity of character that raised him to a singular eminence.

On his retirement from the bench in 1855, Joseph Sibley was elected to succeed, and has received four subsequent elections, being now in his twenty-fourth year of service. Of these eleven judges who have presided over this circuit since 1825, Judge Sibley, the present incumbent, is the only one living. It is only of those who have gone that we

proposed to briefly sketch. There were giants in those days—strong men now passed away. Less learned than those who have followed them, yet in intellectual strength they were more than the peers of their successors. The founders and framers of our great commonwealth were the young, ardent, ambitious, adventurous men who lived, struggled and succeeded on their inherent resource. Scores of lawyers' libraries to-day severally contain more authorities than the whole State of Illinois could show a half-century since. Hence rudimental acquirement, intuitive capacity, and the sharpened keenness resulting from mental collision and attention formed the brilliant lawyer of early days. With the varied and abstruse complications of law attaching to the interests of a populous community as now, they had but little to do, but the questions that came before them were met and surmounted, and Illinois can safely and with satisfaction, sweeping the dust from its earlier annals and recalling the names of many now half forgotten, point to the same with pride and say, these were our State framers, our early lawyers.

In addition to the eleven judges above named, since the act creating the Appellate Court of this State, and the redistricting of the State, the counties of Brown, Hancock, Fulton, Schuyler, Pike, and McDonough are included in the district of which this county is a part, and the bench is composed of three judges, J. Sibley, C. L. Higbee, and S. P. Shope being the present members of the bench.

#### THE BAR.

The members constituting the legal fraternity at Quincy have always held a high place in the estimation of the profession, as from its earliest formation, back in 1831, up to the present time, the Quincy bar has maintained its reputation for superiority. The early bar included names that have since become noted either on the bench or in the legislative halls, while the legal profession at the present day has among its members men who are a credit to any community.

The first lawyer that ever made Quincy his residence was Louis Masquerier, or Masquerre, who came to the then village of a few families in about 1827 or 1828. History does not record the fact that his first few years were made notable by being overwhelmed with legal business. It would seem, however, that the location was a desirable one, for in a very short time the bar of Quincy was increased by the arrival of new members who, in prospecting, decided upon locating in Quincy. In the year 1831 the bar was composed of J. H. Ralston, who afterward became a judge of this judicial district; Archibald Williams, afterward a noted lawyer of the State; Louis Masquerier, who became noted as the first lawyer in Quincy; O. H. Browning, who has since become a lawyer as well as a statesman of national reputation; and a lawyer by the name of Jeffries. This number was augmented by the arrival of Judge Young, who moved to Quincy in the latter year, as also did Thomas Ford, then the prosecuting attorney of the circuit, and afterward governor of the State. Mr. Hubbard, afterward governor of the State, soon removed to Quincy, and with Henry Asbury and James W. Whitney, known as "Lord Coke," and the others above named, composed the legal fraternity of Quincy and the western portion of the State. They were closely followed by Andrew Johnson, C. B. Lawrence, afterward supreme judge of the State, A. Jonas, C. A. Warren, A. Wheat, and others of later date.

Among the many men at the Quincy bar who have distinguished themselves outside of the legal practice may be mentioned Hon. O. H. Browning, of Quincy. As early as 1831 he left his native State of Kentucky and located in Quincy as a member of the bar. He was not slow to be prominently known, even among the great intellects that were accustomed to make the tour of this circuit, which included nearly one half of the present entire State. His reputation for ability being established, political honor sought him. In August, 1836, he was elected to the Illinois Senate and served four years in that body. In 1837 N. Bushnell arriving, he and Mr. Browning formed a law partnership which continued until the death of Mr. Bushnell. In 1842 Mr. Browning was again elected to the State Legislature, serving as a member of the Assembly. He ran as the Whig candidate for Congress, but was defeated by small majorities.

Upon the death of Senator Douglas, Mr. Browning was appointed by the Governor to take the vacant seat until a successor could be elected by the legislature. After leaving the senate he opened a law office at the national capital, associating himself with Senator Cowan of Pennsylvania. In 1866 when President Johnson re-organized his cabinet, he called Mr. Browning to the position of the Secretary of the Interior. He retained this responsible position until the close of the administration acquitting himself of its duties with signal success. Since retiring from the cabinet he has lived quietly at his home in Quincy, having a large and lucrative practice. He was elected a member of the last constitutional convention of Illinois, and by his presence and experience did his share in forming the present constitution.

Hon. C. A. Warren, of Quincy, was born in New York in 1807, and received a common-school education. He entered a printing office and served his apprenticeship, and for a time worked side by side with Horace Greeley of the New York *Tribune*. While working at his trade Mr. Warren completed his legal studies, and was graduated from Transylvania University in Kentucky, in 1834. He received his first diploma from the Supreme Court of Ohio, and commenced the practice of law at Batavia in that State, with Thos. Morris (father of Hon. Jno. N. Morris, of Quincy) afterwards U. S. Senator of Ohio, for a partner. In 1836, Mr. Warren came to Quincy, and after remaining one year, removed to Warsaw. He returned in 1839, and formed a partnership with J. H. Ralston. He also was in partnership with O. C. Skinner afterwards Supreme and Circuit Judge, and also George Edmonds, Jr., of Hancock county. He served as prosecuting attorney, and is still carrying on his practice.

Gen. Jas. W. Singleton is another prominent man of the Quincy bar. He is a native of Virginia, and early moved to Illinois, locating in Schuyler county. Here he practiced medicine and also devoted himself to the study of the law. He was elected twice to the Legislature, and also to the constitutional convention in 1848. During the Mormon troubles at Nauvoo, he was assigned by the Governor to take command of the military at that point, and remained there until the troubles were satisfactorily adjusted. In 1852 he came to Quincy, and at once identified himself with the interests of the place. He singly and alone constructed the railroad from Camp Point to the Illinois river at Meredosia. He served one time in the Legislature from Adams. His mission to Richmond, Va., during the late war is well-known, he having visited the rebel capital at the request of

President Lincoln, in the hope of dissuading the confederates from continuing the struggle. His mission failed. In 1868 he was nominated for congress in the Fourth District, but was defeated. In 1878 he was again nominated and elected by a large majority.

Hon. Nehemiah Bushnell was a native of Connecticut, and graduated from Yale College in 1835. In 1837, after being admitted to the bar he came to Quincy, and the same year formed a partnership with Hon. O. H. Browning, which lasted until Mr. Bushnell's death. Shortly after establishing himself in Quincy, he conducted the editorial department of the *Quincy Whig*. After leaving this journal he devoted his entire time and talents to his profession. He was considered a fine lawyer, and was a very energetic and persevering student even to the day of his death in 1874.

Ex-Senator William A. Richardson, an honored citizen of Illinois was a resident of Quincy, where he died on the 27th of December, 1875. He was a native of Kentucky, being born in Fayette county in 1811. He received a liberal education for those early times which included a collegiate course at Transylvania University at Lexington, from which institution he graduated. After leaving college he completed the study of law and was admitted to the bar. Very shortly after his admission, he came to Illinois and located at Shelbyville in 1831. In 1832 he volunteered in the Black Hawk war, serving some four months, when he removed to Rushville, the county seat of Schuyler county, where he continued to reside until 1849, when he removed to Quincy. His positions of honor and trust were many and include civil and military. In 1835 he was elected States Attorney, which position he resigned in 1836 to accept the position of member of the State Legislature for the county of Schuyler to which he was elected. In 1838 he was elected to the State Senate, and in 1844 was a presidential elector. He also was elected to the legislature and chosen speaker. At the commencement of the Mexican war in 1846, Mr. Richardson raised a company in Schuyler county and was made captain. This company joined the troops at Alton, Illinois, and was placed in the 1st Regiment under the command of Col. J. J. Hardin. During the war the 1st regiment engaged in the battle of Buena Vista, where Captain Richardson was promoted on the field for brave conduct. After returning to Illinois, Mr. Richardson was elected in 1847 to Congress, where he continued by re-elections until 1856. In this latter year he resigned his seat in Congress to make the canvass for the gubernatorial chair of Illinois. Owing to the unpopularity of the Kansas and Nebraska bill which he defended, he was defeated by four thousand votes in a poll of two hundred and forty thousand. This was his first and only defeat. In 1857 he was made Governor of Nebraska, where he found the territory in the wildest confusion—no civil laws, and few and imperfect criminal laws. Before leaving the territory he established the criminal code of Illinois, and the civil practice of Ohio. In 1860 he returned to Illinois, and was re-elected to Congress by the Quincy district where he served until elected to the United States Senate to fill the unexpired term of Judge S. A. Douglas. His term as senator expired in 1865, which terminated his public services of a national character. From 1865 to his death he resided at his home in Quincy. He was elected to the position of supervisor for the Quincy district to use his influence and experience in keeping the county seat at Quincy, when an effort was made to remove it to another portion of the county in the year 1875. His efforts were successful as the county seat





*Archibald Williams*  
(DECEASED)  
QUINCY

question is now settled forever. Senator Richardson was a man of great personal magnetism, and a powerful speaker from the fact that his statements always bore the marks of personal convictions. He was a man that tolerated views and conclusions different from his own, and always gave them a careful and considerate hearing. His political acts were based on the principle, that he believed to be the foundation of the Democracy, while his honesty of intention can never be doubted. While living he worked a potent influence on the political questions of the State and Nation, and his memory, now that he is dead, is cherished by his friends and admirers and respected by his enemies.

Hon. Jackson Grimshaw, a native of Pennsylvania, came to Illinois in 1845, settling in Pike county, where he continued to practice law for fourteen years, at the expiration of which time he came to Quincy. He was associated in Quincy, with Hon. Archibald Williams, the partnership lasting until Mr. William's death. In 1856, Mr. Grimshaw was nominated by the Republicans for Congress, but was defeated. Since that time up to his death, he refused all political honors. In 1865 he became Collector of Internal Revenue for the 4th District of Illinois. He held the office until 1869. He was a fine speaker, a good lawyer and a man full of warm impulses and genial manner. His death occurred in 1875.

Hon. Archibald Williams was born in Montgomery county, Kentucky, June 10, 1801. Having received from his parents the first rudiments of an education, he was thrown upon his own resources early in life. He first engaged in manual labor, but being of a studious disposition, improved all his opportunities for self-cultivation, and finally turned his attention to teaching. His fondness for study caused him to select the law as his profession, and his position as a lawyer in after years showed the correctness of his selection. He was admitted to the bar in Tennessee, in 1828, and moved to Quincy in 1829. During his first six years' practice he achieved the highest rank as a lawyer and jurist, and as a man of spotless character. He was elected three times to the State Legislature. In 1847 he was selected against a Democrat, in a Democratic district, to serve in the Constitutional Convention. He was twice nominated by the Whigs as their choice for United States Senator, but the opposition being in the majority he was defeated. He was also a Whig candidate for Congress in the campaign immediately preceding the birth of the Republican party, and was defeated. He was offered a seat on the United States Supreme Bench, but refused because he felt that his advanced age made him disqualified for the office. In 1849 he was appointed by President Taylor, District Attorney for Illinois, and in 1861 he was appointed by President Lincoln, U. S. District Judge of Kansas. He was a man of strong convictions, but possessed a great respect for others' views and conclusions. He was generous, kind and forgiving, while his ability as a lawyer was second to none. He died at Quincy, Sept. 21, 1863, and leaves behind him the record of a noble and pure life.

In the early days of the settlement of the western part of Illinois, the bar and the court proceedings were not as well read as at the present day, but their good sense and quick judgment made ample amends for lack of book knowledge. As early as 1831 the judicial circuit of Quincy was a part included in the district in which Chicago was situated, and also the Galena district. The judge and lawyers usually made the circuit together, which was then performed on horseback. The cavalcade approaching a

town in which court was to be held being the great event of the season, which was looked forward to by all, and afterwards proved the source of general conversation. Gen. John Tillson, in speaking of the early bar, its members and practice, says: Well was and is it known that during all the earlier periods of our State history, the prominence of the Quincy, or Bounty Tract, bar was an admitted Illinois fact. Here were taught, needed, developed the stalwart qualities that attach to and betoken the most complete fruition of legal excellence, as attained in the recognition, study, comprehension and application of the obtuse and limitless principles and history of that noblest portion of jurisprudence—land law.

On this broad field, years since inviting and fast filling with adventurous immigration, where existed land titles of every shade, affected by conflicting legislation, varying as the years, was gained the rare training and reputation of our legal athletes—an arena such as was found in no other section of the State; and in addition to these advantageous themes of practice, the professional necessities of the bar vastly aided its members in their advance to self-reliant supremacy. The reasons for this are novel but conclusive.

Law, in those past off days, demanded of its votaries different qualities from now. It exacted the instincts of the smarter men, of genius, and nerve and novelty. It was the intellectual over the educated that led the van. Of books there were few. Authorities and precedents slumbered not in the great handy libraries. The entire resources of the Bounty Tract could hardly to-day fill out the shelves of one ordinary lawyer's library. Hence alike, whether engaged in counsel or litigation, native resources, remembrance of the past reading, but mainly the readiness and aptitude with which legal principles, drawn from rudimental reading or educed by intuition, could be applied to any interest or exigence in "the infinite variety of human concerns," were the only armories whence were drawn their needed weapons of assured success.

He was a luckless lawyer who had to hunt his books to settle a suddenly controverted point, or answer a bewildered client's query; and he was a licensed champion, who, theorizing from his instored legal lore, or instinctive acumen, knew on the instant where best to point his thrust, and was equally ready with every form of parry and defense. The off-hand action and advice of such men, nerved by necessity and skilled by contest, became of course to be regarded almost like leaves of law.

One can thus somewhat realize what keen, pliant, incisive resource was attained by such careers; how inspiring and attractive were their conclusions; how refined, and subtle and sharpened their intellects must have become.

It should not be supposed that looseness, lack of accuracy or legal formula marked the rulings of the bench and bar. There was friendship and familiarity, it is true; because everybody knew everybody. The court-houses were shambling great log houses; their furniture, chairs and desks—split bottomed and unplanned—would have set a modern lawyer's feelings on edge; but the bench was always filled with character, knowledge and dignity, and the forensic ruling and requirement was governed by as much judicial precision and professional deference as would mark the records of the most pretentious tribunal in the land.

The bar, in those early days, was a sort of a family to itself. There was mutual acquaintance. All travelled the circuit, went to every county

on court week, came from all quarters. Egypt and Galena had their representatives. Some went there because they had business; some because they wanted to get business, and all that they might learn. In court, by practice and observation, was acquired much of knowledge that the paucity of books denied the student and young practitioner. Out of court their associations were like that of a debating society or law school. They mingled in common; ate, drank, smoked, joked, disputed together. The judge, at the tavern, had the spare room, if such a room there was, and the lawyers bunked cozily, dozens together, in the "omnibus," as the big, many-bedded room was called, and there they had it. Whatever of law point, past or present, pending or probable, could be raised, they went for it, discussed, dissected, worried, fought over it, until, whether convinced or not, all knew more than when they first commenced; and thus struggling over these made-up issues of debate, became sharpened; by mutual attrition, the legal faculties that were panting for future and more serious contests. These lawyers were on exhibition and they knew it. Every man in the county came to town court week, if he could. There were but few people in the county then, and court week was the natural periodical time for the farmers to meet, swap stories, make trades, learn the news, hear the speeches, and form their own opinion as to which of these "tonguey fellers it is safest to give business to, or vote for for the Legislature." A pretty good idea of how universal was the gathering, of necessity at the county seats, in those primitive days, may be gleaned from the fact that at the assembling of the first court in Adams county, every man in Adams and Hancock (then a part of Adams) was either on the grand or petit jury except two—and one of them was, and perhaps both, under indictment. Most of them were young. They had jolly old times, those limbs of the law, jolly indeed. All were instinct with the very cream of zeal, enterprise and originality that inheres to a new community; and among them, jibe, jest, and fun, and yarn, and repartee, and sell were tossed about like meteoric showers.

An amusing incident is told, in which the judge, prosecuting attorney, and another member of the bar were traveling over the prairie, and, while lighting their pipes, either thoughtlessly or accidentally, set the grass on fire. It spread, swept towards the timber, destroyed a settler's fences and improvements, and some luckless wight was indicted for the offense. The lawyer who formed one of the traveling party defended the culprit. The prosecuting attorney of course had his duties to perform to the furtherance of the ends of justice. The judge had the outraged interests of law to protect under the solemnity of his position and oath; but it required all the earnest efforts of the gifted counsel, all the generous rulings of the judge, all the blundering action of the prosecuting attorney, the united sympathies in fact, of this secretly sinning legal trinity, to prevent the jury from finding a verdict against the innocent accused.

#### BAR ASSOCIATION.

The members of the Quincy bar formed a bar association, on January 18, 1876, as the following will show:

STATE OF ILLINOIS, }  
Adams County. } ss.

We, the undersigned, being citizens of the United States, desiring to form an association, not for pecuniary profit, pursuant to an act of the General Assembly of the State of

Illinois, entitled "An Act Concerning Corporations," approved April 18, 1872, do hereby certify that the following is a true statement of the name or title by which such Association shall be known in law; the particular business and object for which it is formed; the number of its managers, and the names of the same selected for the first year of its existence, viz:

1. Name or title; "The Quincy Bar Association."
2. Particular business and object is, to establish and maintain the honor and dignity of the profession of the law, to cultivate social intercourse among its members, and to increase its usefulness in promoting the due administration of justice.
3. Number of managers, seven (7).
4. Names of managers selected for the first year; Orville H. Browning, Alexander E. Wheat, Frederick V. Marcy, William Marsh, John H. Williams, Ira M. Moore, Henry Asbury.
5. Location, Quincy, Illinois.

(Signed)

JOSEPH. N. CARTER,  
HOPE S. DAVIS,  
RUFUS L. MILLER.

The constitution adopted, after giving the name as above, and object of organization, provides for membership by stating that any member of the legal profession, practicing, of good standing, in the city of Quincy, may become a member; by a vote of the association.

Judges of Courts of Record in Illinois, and members of the bar of Illinois, may likewise become members, without the privilege of voting.

The officers of the Association shall be a President, and a First and Second Vice-President, a secretary, a Treasurer, a Board of Managers of seven members, and a Committee on Admissions to consist of seven members. The officers, after the first election, shall be elected at the annual meeting, to be held on the second Saturday of January in each year.

The Board of Managers and the Committee on Admissions first chosen under the By-Laws, shall divide themselves into three classes, the first to consist of three and the others of two members each. The first class of each Committee shall hold office for one year; the second class, two years; the third class, three years; the first annual election and every third year thereafter shall be for three members, and all other elections shall be for two members of the Board of Managers and two of the Committee on Admissions, to hold office three years.

The following standing committees with their duties will explain the workings of the association:

A committee on the amendment of the law, which shall be charged with the duty of attention to all proposed changes in the law, and recommending such as, in their opinion, may be entitled to the favorable influence of this association.

A judiciary committee, which shall be charged with the duty of the observation of the working of our judicial system, the collection of information, the entertaining and examination of projects for a change or reform in the system, and of recommending, from time to time, to the association such action as they may deem expedient.

A committee on grievances, which shall be charged with the hearing of all complaints against members of the association, and also all complaints which may be made in matters affecting the interests of the legal profession and the practice of the law, and the administration of justice, and to report the same to this association, with such recommendation as they may deem advisable.

A committee on legal education, which shall be charged with the duty of examining and reporting what changes it is expedient to propose in the system of legal education, and of admission to the practice of the profession in the State of Illinois.

The officers are as follows:

*President.*—Orville H. Browning.

*Vice-Presidents.*—William Marsh, and Alexander E. Wheat.

*Board of Managers.*—Orville H. Browning, Alexander E. Wheat, Frederick V. Marcy, Uriah H. Keath, Ira M. Moore, Henry Asbury, and William Marsh.

*Secretary.*—Rufus L. Miller.

*Treasurer.*—James F. Carrott.

*Committee on Admissions.*—Ira M. Moore, William G. Ewing, Albert W. Wells, Joseph N. Carter, James F. Carrott, Rufus L. Miller, and George W. Fogg.

## STANDING COMMITTEES.

*Judiciary.*—Almeron Wheat, Sen., William McFadon, and Laurence E. Emmons.

*On Grievances.*—Joseph C. Thompson, Uriah H. Keath, and Oscar P. Bonney.

*On Amendments of the Law.*—Hope S. Davis, Bernard Arntzen, and William H. Govert.

*On Legal Education.*—Frederick V. Marcy, William W. Berry, and Aaron McMurray.

The bar association have the nucleus of a law library, and have secured from the Board of Supervisors of Adams county the use of the library-room in the new court-house. This room in future will be used as a library and place of meeting of the Quincy Bar Association.

THE HISTORY  
OF  
ADAMS COUNTY,  
ILLINOIS.

CONTAINING

A HISTORY OF THE COUNTY—ITS CITIES, TOWNS, ETC.

*A BIOGRAPHICAL DIRECTORY OF ITS CITIZENS, WAR RECORD OF ITS  
VOLUNTEERS IN THE LATE REBELLION; GENERAL  
AND LOCAL STATISTICS.*

PORTRAITS OF EARLY SETTLERS AND PROMINENT MEN.

HISTORY OF THE NORTHWEST, HISTORY OF ILLINOIS,  
MAP OF ADAMS COUNTY, CONSTITUTION OF THE UNITED STATES,  
MISCELLANEOUS MATTERS, ETC., ETC.

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ILLUSTRATED.

CHICAGO:  
MURRAY, WILLIAMSON & PHELPS,  
85 WASHINGTON ST.  
1879.