

CHAPTER VII

PROFESSIONAL SKETCHES

EVOLUTION OF JUDICIARY SYSTEMS—FIRST CIRCUIT COURT SITS—WOOD VS. LISLE, SURE-ENOUGH SLANDER—THE JOVIAL JUDGE SAWYER—SAMUEL D. LOCKWOOD, ILLINOIS' FIRST LAWYER—PETER LOTT—OPPORTUNITY FOR STEPHEN A. DOUGLAS—RICHARD M. YOUNG—JAMES H. RALSTON—CONGRESSIONAL FIGHT BETWEEN DOUGLAS AND BROWNING—JESSE B. THOMAS—NORMAN H. PURPLE—WILLIAM A. MINSHALL—NEW JUDICIAL CIRCUIT FORMED—ONIAS C. SKINNER—EARLY CIRCUIT JUDGES—CHARLES B. LAWRENCE—JOSEPH SIBLEY—OTHER CIRCUIT JUDGES—THE PROBATE AND COUNTY JUDGES—JUDGE B. F. BERRIAN—HANGINGS, LEGAL AND ILLEGAL—THE LUCKETT-MAGNOR MURDER TRIAL—A SLANDER SUIT WITH A MORAL—THE KILLING OF MAJOR PRENTISS—FAMOUS EELS SLAVE CASE—THE PIONEER MEMBERS OF THE BAR—ARCHIBALD WILLIAMS—CALVIN A. WARREN—NEHEMIAH BUSHNELL—ISAAC N. MORRIS—PHILO A. GOODWIN—EDWARD H. BUCKLEY—ALMERON WHEAT—HOPE S. DAVIS—COL. WILLIAM A. RICHARDSON—WILLIAM G. EWING—COL. WILLIAM H. BENNESON—GEN. JAMES W. SINGLETON—JOSEPH N. CARTER—BERNARD ARNTZEN—JACKSON GRIMSHAW—STERLING P. DELANO—LAWYERS IN 1869—THE QUINCY BAR ASSOCIATION—URIAH H. KEATH, OLDEST¹ LIVING LAWYER—VETERAN LAWRENCE E. EMMONS—WHEN BENCH AND BAR WERE PICTURESQUE—THE PHYSICIANS—CHOLERA IN 1833—THE CHOLERA EPIDEMIC OF 1849—ADAMS COUNTY MEDICAL SOCIETY—EDWARD G. CASTLE—IN THE UNION SERVICE—CITY BOARD OF HEALTH CREATED.

The pioneers of Adams County were drifting thither soon after the first state constitution was promulgated and through which the first courts of Illinois were organized. Under the Constitution of 1818 the judicial power of the state was vested in the Supreme Court, comprising a chief justice and three associates, with such inferior courts as the Legislature might establish. When Adams County was set off from old Pike in 1825, it was in first of the five judicial circuits.

By the constitution, the terms of office of supreme judges were to expire with the close of the year 1824. The Legislature re-organized the judiciary by creating both Circuit and Supreme courts. The state was divided into five judicial circuits, providing two terms of court annually in each county. The salaries were fixed at \$600. The

following circuit judges were chosen: John Y. Sawyer, Samuel McRoberts, Richard M. Young, James Hall and John O. Wattles, named in the order of their respective circuits.

Pike County had been organized in 1821, and Fulton, Peoria, Hancock, Henry, Knox and Warren in 1823-25; McDonough in 1826, and Joe Daviess in 1827. That multiplication of counties overtaxed the four Supreme Court justices whose duty it was to hold Circuit courts in the counties of the state. The Sixth Legislature that convened at Vandalia on December 1, 1828, came to their relief by passing an act on January 8, 1829, forming a fifth judicial district comprising all the territory west and north of the river within the state's limits. The Legislature then elected Richard M. Young judge of that circuit with a salary of \$700 a year to be paid in quarterly instalments; and fifteen days later, January 23rd, he received his commission from Governor Edwards, who probably experienced no sorrow in thus committing him to exile.

For the next six years Judge Young was the only circuit judge elected and commissioned in Illinois. With his usual energy and enthusiasm he immediately commenced the work of his new office with William Thomas, of Morgan County, as state's attorney, who was commissioned on the same day as himself. Mr. Thomas was succeeded as state's attorney of that fifth district by Thomas Ford, on March 15, 1830, who was again appointed on February 15, 1831. Ford was succeeded by Wm. A. Richardson on February 13, 1835, who served until February 25, 1839, when he was followed by Wm. Elliott, Jr. In the autumn of 1839 Judge Young left Kaskaskia and located in Galena, then at the zenith of its lead-mining industry, and the most populous and busy town in the state. Judge Samuel D. Lockwood, of the Supreme Court, who resided in Jacksonville, had held court at Galena, Quincy, Peoria and Lewiston, but gladly relinquished that part of his circuit to the newly elected judge.

In 1831 the Seventh General Assembly organized and added to Judge Young's circuit the counties of Cook, Rock Island and La Salle, completing the area of his jurisdiction from Galena to Lake Michigan, thence down the Illinois River to its confluence with the Mississippi.

Desiring a quieter place of residence for his family than Galena, then on the extreme frontier and little more than a mining camp infested with speculators, gamblers, and every variety of social outcasts who respected neither moral nor civil law, Judge Young moved to Quincy in the spring of 1831.

EVOLUTION OF JUDICIAL SYSTEMS

The Legislature of 1840-41 again took a hand in manipulating the judicial system of the state. By the act which passed that body and was approved February 10, 1841, all acts were repealed authorizing the election of circuit judges by the Legislature. It also provided for the appointment of five additional associate judges of the Supreme

Court, making nine in all; reimposed the circuit duties on the members of the State Supreme Court and divided the state into nine circuits.

The continuity of the county judiciary inferior to the Circuit Court is carried along through the probate and county systems, with the justices of the peace as useful and, at times, very busy auxiliaries. In fact, under the Constitution of 1818, and for thirty years thereafter, matters usually classed as probate and those not assigned to justices of the peace, were under the jurisdiction of what were denominated probate justices of the peace.

The Constitution of 1848 made all judicial officers elective by the people, and provided for a Supreme Court of three judges; also for Circuit, County and Justices' courts, and conferred upon the Legislature power to create inferior Municipal courts. Since that time all probate matters are adjudicated by the County Court in Adams. Under the Constitution of 1848 appeals lay from the Circuit Court to the Supreme Court for the particular division in which the county might be located. The term of office for Supreme Court judges was nine years and for circuit judges, six. Vacancies were to be filled by popular election, unless the unexpired term of the deceased or retiring incumbent was less than one year, in which case the governor was authorized to appoint. Circuit courts were vested with appellate jurisdiction from inferior tribunals, and each was required to hold at least two terms annually in each county, as might be fixed by statute.

The Constitution of 1870 retained the popular elective feature of the judiciary and the terms of office of the Supreme and Circuit Court judges as fixed by the Constitution of 1848. The number of Supreme Court judges was increased to seven, as at present. In 1873 the state was divided into twenty-seven circuits and in 1874, into thirteen. Under the provisions of the latter year, while the twenty-six judges already in office were retained, an additional judge was authorized for each district to serve two years, making the entire circuit judiciary to consist of thirty-nine judges. In all this legislation Cook County was in a class by itself, constituting one circuit; the same is true regarding the act of 1897, which increased the number of circuits to seventeen (exclusive of Cook County), while the number of judges in each circuit remained the same.

The Constitution of 1870 provided for the organization of Appellate courts after 1874. The Legislature established four of these tribunals. Each Appellate Court is held by three Circuit Court judges named by the State Supreme Court, each assignment covering three years, and no judge is allowed to receive extra compensation or sit in review of his own rulings or decisions. Two terms are held in each district yearly. The Appellate courts have no original jurisdiction.

After the reorganization of the Appellate Court, by legislative enactment, in 1877, and the redistricting of the state, the counties of Brown, Hancock, Fulton, Schuyler, Pike, McDonough and Adams were formed into another circuit.

FIRST CIRCUIT COURT SITS

With the groundwork of the judicial systems thus laid in Adams County, the personal and local details calculated to bring home the picture of the bench and bar of this part of the state are marshaled at this point. The first session of the Circuit Court of Adams County, or of any court whatever in the county, was held in August, 1825, in Willard Keyes' log house. This first temple of justice was a cabin about sixteen feet square, situated at what would now be the foot of Vermont Street. The main room was for the court, over which presided John Yorke Sawyer, with J. Turney as circuit attorney and John H. Snow as clerk. A small outside porch was set aside for the Petit jury, while the Grand jury was to retire to the shade of a large oak tree not far from the courthouse.

The lists of citizens who had been drawn to sit upon any business which might be brought before them, and decide upon the reasonableness of bringing various matters and persons to trial, were as follows:

Grand Jury—Morrill Martin, Lewis Kinney, Daniel Whipple, Joshua Streeter, John L. Soule, Samuel Goshong, John Wood, John Droulard, Ira Pierce, Amos Bancroft, Daniel Moore, John Thomas, 2d, William Burritt, Abijah Caldwell, Zephaniah Ames, Peter Journey, Ebenezer Harkness, Cyrus Hibbard, Thomas McCrary, Luther Whitney, Hiram R. Hawley, Benjamin McNitt, Samuel Stone and Levi Wells.

Petit Jury—Willard Keyes, Lewis C. K. Hamilton, Hezekiah Spillman, William Journey, Elias Adams, Earl Wilson, Curtis Caldwell, Samuel Seward, Truman Streeter, James Moody, Evan Thomas, Silas Brooks, James Greer, George Campbell, Peter Williams, Henry Jacobs, Thomas Freeman, Riell Crandall, William Snow, David Ray and David Beebe.

WOOD VS. LISLE, SURE-ENOUGH SLANDER

As nearly all the citizens of the county were included in the lists of the jurors, or the roster of officials, the Grand jury found few indictments. A couple of the male inhabitants were ordered into court for quarreling on election day, and among the few cases actually tried was an exciting suit for slander brought by John Wood against Daniel Lisle. It seems that Lisle had charged Mr. Wood with having drowned a horse thief in Bear Creek. The basis for the story was the fact that Messrs. Wood and Keyes had bought some hogs from a stranger, who had afterward sneaked away and been accused of horse stealing. If "honest John Wood" had known of the charge at the time of his dealings with the unknown he would undoubtedly have arrested him; but the stranger completely dropped out of sight; it was said that he was a horse thief; the energetic Mr. Wood was known to be very bitter against that class of criminals. Lisle was an undoubted busy-body with a rapid tongue—and there you have the combination that started

the trouble. But there was nothing to the case when it was brought into court.

THE JOVIAL JUDGE SAWYER

It is said that on the 31st of October a more businesslike term of the Circuit Court was held than that of August, which was more a formal and an initial sitting designed to oil the legal machinery and get it in motion. As Judge Sawyer would force the scales well up to 400 pounds, it is reasonable to suppose that some little time was required to get him in motion. He was of a jolly nature and, as he was also honest and a man of ability and wit, he was respected and popular during his two years' term. "Madam," said he, upon one occasion to an old Quincy landlady, "aren't your cows of different color?" "Yes," she answered, "we've got 'em black, red, white and spotted." "I thought so," concluded the judge. "Your butter speckles that way." Judge Sawyer was a Vermont Yankee, whose name first appears enrolled as a lawyer on December 7, 1820. After leaving the bench in 1827 he resumed his profession at Vandalia and died March 13, 1836, at which time he was editor of the Vandalia Advocate.

SAMUEL D. LOCKWOOD, ILLINOIS' FIRST LAWYER

Judge Sawyer was succeeded by Samuel D. Lockwood, one of the Supreme judges, whose name stands recorded as the first lawyer to commence practice in Illinois, licensed May 14, 1819. Judge Lockwood was born in Central New York and came to Illinois in 1818, when statehood had just been adopted. He first stopped at Kaskaskia, but finally settled at Jacksonville, making that place his home until his final retirement from the bench in 1848. He then moved to Batavia, Kane County, where he died about 1873. One of his professional friends thus speaks of him: "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 qualifications he was unexcelled. No public man of Illinois passed under a longer period of constant observation and has been clothed with as much of general confidence and respect."

RICHARD M. YOUNG

Judge Lockwood was successively a whig and a republican, and his successor, Richard M. Young, was his opposite both in politics and general character. Judge Young ascended the bench in 1831, when, because of the increase of business devolving on the Supreme

Judges, a fifth judicial circuit was created in Illinois. He was a Kentuckian by birth, settled in the state when it was yet very young, and for many years held public positions of great prominence. He was a man of strong common sense and much dignity; had virtually no elasticity or magnetism, and seemed, at times, almost dull. Yet he steadily forged ahead of associates who seemed far abler than he, and whatever he accomplished added to the general confidence reposed in him. His politics were of the stern Jacksonian democracy. Judge Young's service on the circuit bench ceased in 1837, when he took a seat in the United States Senate to which he had been elected during the previous winter. Filling out his full term of six years, during which period he was appointed by Governor Carlin state agent, he visited Europe in the latter capacity. Later, he was appointed to the Supreme bench, and became successively clerk of the House of Representatives and commissioner of the General Land Office. Later he was engaged in a legal and agency business and although he spent several of the last months of his life under medical treatment in the Government Hospital for the Insane at Washington, he partially regained his mentality but finally died of physical exhaustion in November, 1861. He was buried in the Congressional Cemetery at the National Capital.

JAMES H. RALSTON

The seat on the circuit bench vacated by Judge Young in 1837 was filled by the appointment of James H. Ralston, who for several years had been an active practicing lawyer of Quincy, and member of the Legislature. Unlike Judge Young, he seemed to have no talents for politics, although unduly ambitious in that field, and it was the general opinion among his friends and professional associates that he would have attained far more success had he confined his industry and undoubted abilities to the province of the law. He was a tall, rather ungraceful man, and not attractive as a speaker, so that his reputation on the bench exceeded that which he made at the bar.

James H. Ralston was born in Bourbon County, Kentucky, in 1807, and soon after attaining his majority moved to Quincy and entered upon the practice of the law. He served in the Black Hawk war, and subsequently represented his district in the lower house of the State Legislature at a time when Lincoln, Douglas, Hardin, Shields and Baker were members of that body. After serving as circuit judge from 1837 to 1839, he resigned from the bench, and in 1841 was elected to the State Senate.

Judge Ralston took an active interest in politics until the Mexican war, when he was commissioned captain and placed in command of the Alamo at San Antonio, Texas. From that point all supplies and munitions of war were forwarded to the American army operating in Northern Mexico. Soon after the close of the Mexican war he moved to California, and was a member of its first State Senate. In 1856 he was an unsuccessful candidate for the chief justiceship of Cali-

fornia. - Removing to Nevada in 1860, he became prominent as a public character in the formative period of that commonwealth and died near Austin in 1864, the year of statebirth.

PETER LOTT

Peter Lott's service of two years brought credit to the judge personally and to the Circuit Court as an institution. As a lawyer, he was genial almost to the point of indolence, but had a naturally keen legal mind balanced by sound judgment. A native of New Jersey, Judge Lott came to Illinois from that state in 1835 and located for practice at Carthage, Hancock County. A few months later he moved to Quincy, where he resided during the succeeding four years as a lawyer engaged in somewhat indifferent practice, because of his temperamental drawbacks noted heretofore. His many friends and admirers, however, believed that he would make a good judge; and they were not mistaken, although he was retired from the bench under the operations of the law of 1841. In his prime Judge Lott is described as above the medium height, powerfully built, of light complexion and hair, with a broad face singularly expressive of humor. Like Judge Ralston, he was a whig until about 1836, when he joined the democratic party, of which he became a state leader.

After his retirement from the bench, Judge Lott resumed legal practice, was elected to the lower house of the Legislature in 1844; enlisted in Colonel 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. At his return from Mexico, in 1848, he was elected circuit clerk and recorder, and shortly after the expiration of his four-year term he went to California. He was placed in charge of the United States mint at San Francisco, and died a few years later.

OPPORTUNITY FOR STEPHEN A. DOUGLAS

It is said that the change in the state judiciary, brought about by the Legislature of 1840-41, was caused by the dissatisfaction of the democratic party with its personnel. As the State Supreme Court then stood, three of its judges were whigs and only one a democrat; and, under the constitution, they all had a life tenure of office, dependent upon sanity and good behavior. Under the circumstances, the judicial outlook was not bright for the majority democrats; but they controlled the Legislature of that session, and the law was therefore passed by which the old circuit judge system was abolished (and with it, Judge Lott), its five judges being replaced by the addition of five democrats to the State Supreme Court.

The appointee for the district including Adams County was Stephen A. Douglas. He assumed the office of circuit judge in 1841. Judge Douglas has long ago gone into history as a national character,

and it cannot therefore be given a local stamp. Even at that time he was not considered as ranking among the leading lawyers of Illinois, but rather as a democratic politician and a coming statesman of great strength and wonderful personality. He had, however, several vexatious local questions to judicially determine, such as those connected with the Mormons and the division of Adams County. There was sharp division of sentiment over them, but Judge Douglas managed to compromise the difficulties while he was on the bench, so that he descended from it without loss of popularity or prestige. In 1843 he was elected to Congress over O. H. Browning, afterward a public man of national fame himself.

CONGRESSIONAL FIGHT BETWEEN DOUGLAS AND BROWNING

The contest between Douglas and Browning became historical, and in the political history of Illinois had perhaps only one parallel as to ability of leadership and fierceness of warfare; the people of Adams County would hardly concede superiority in those features to the famous Lincoln-Douglas debates and campaigns. General John Tillson thus writes of the home affair: "Unusual interest, of course, attached to an election which would determine who were to be the future 'great men' of Illinois, and special attention was turned toward the Quincy District, which was of doubtful political complexion, and in which the two foremost of the rising leaders in their respective parties were pitted in opposition. These were Stephen A. Douglas, the presiding judge on this circuit, and O. H. Browning, the admitted head of the bar in the western part of the state, both residents of Quincy. Each enjoyed a prestige of almost unbroken political success, a most devoted party popularity, and a personal reputation for consistency and integrity which was unassailable. They were nearly of the same age. Douglas had been a conspicuous politician from his first coming to the state. Browning, whose eminence was more definitely legal, held an equally prominent political reputation, and his ambitions were then strongly in that direction. He was, and no doubt correctly, considered at the time, as the most attractive and able debater of the two. Douglas, though strong on the stump, had not attained that peculiar position he studied for and afterward attained, of being, as he unquestionably ranked in later years, the most popular and powerful stump speaker of the day.

"Douglas was not the first choice of his party in convention. Judge Cavalry, of Greene, and Governor Carlin preceded him in the early ballots, but the nomination finally fell to him. Browning was nominated by his party within opposition. It is more than probable that had either of the two first named received the Democratic nomination, Browning's popularity would have won for himself the election, and it is equally sure that against any other candidate than Browning, Douglas' majority of about 400 would at least have been doubled. They canvassed the district most exhaustively during the

early summer months to within less than a week before the election in August, when both were taken down with sickness which nearly proved fatal, and from the effects of which it took many months to restore them. This was the most complete carrying out of the old 'stump speaking' custom that could be imagined. The parties traveled together, sometimes slept together, spoke together almost daily at half a dozen or more places in each of the counties.

"The result of this spirited contest between two men whose names have since become national, was that Browning carried the city by a majority of 19 and the county by 410, but was beaten in the district by 409 votes. It is curious to speculate how delayed might have been the growth to eminence of Judge Douglas had he failed at this election. That his great talents would have sooner or later made themselves controlling is true, but his advent to national notice at this particular time was several years gained in his movement to fame."

Judge Douglas was a citizen of Quincy from 1841 to 1852, which covered his careers as circuit judge, his five years in Congress and the earliest period of his service as United States senator. He moved to Chicago in 1852 and died in that city while a member of the upper house of Congress, in 1861. Although his state prominence had not been cradled in Adams County, it was from Quincy, as he once expressed it, that he "was first placed upon a national career, where he was ever after kept." His old-time rival and lifelong admirer, O. H. Browning, filled out his unexpired term.

JESSE B. THOMAS

Stephen A. Douglas was succeeded as circuit judge by Jesse B. Thomas, a son of the Jesse B. Thomas who was territorial judge of Illinois in 1809-18, one of the first two United States senators and author of the Missouri Compromise. Judge Thomas was probably born in Indiana Territory. He was a well educated gentleman, plethoric and dignified, and not wanting in ability. His judicial record falls in the classification Creditable, without placing special emphasis even on that indifferent word. He was also a democrat. Transferred after a term of two years to a northern circuit, he died a few years later.

NORMAN H. PURPLE

There have been few occupants of judicial positions in the country who have been more closely adapted to the requirements of the office than Norman H. Purple, who, in 1843, succeeded Judge Thomas on the circuit bench of Adams County. He allowed himself to be led away by no side issues. The law, whether he practiced it or administered it, was all-in-all to him; so that both as a lawyer and a judge he achieved eminence, although he had more admirers for his work

on the bench than that at the bar. He was well read, and had a quick, clear intellect, and an intuition directed by a keen analytic mind, which could not be swerved by fancy or personal considerations. Prompt, precise and brief in his rulings, as a judge he held the confidence of the bar, and all his social and individual relations earned him the same unshaken belief in his absolute honesty and impartiality. Judge Purple's physical characteristics were a striking index of his character; he was tall and of rather slender frame, with sharp and regularly-cut features and a facial expression indicative of concentrated thought 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 that circuit. As an expression of their regret at such action, the members of the bar honored him with a farewell banquet. Judge Purple subsequently practiced law successfully at Peoria, where he died about 1864.

WILLIAM A. MINSHALL

The election for the circuit judgeship in 1848, and under the provisions of the new constitution, developed considerable acrimony between the whig candidate, William A. Minshall, of Schuyler County, and William R. Archer, of Pike. The former was elected. Judge Minshall was a native of Kentucky and resided for some time in Ohio before coming to Illinois. At the time he was elevated to the bench he was one of the oldest lawyers in the state. In his earlier years he had stood at the head of the Schuyler County bar, but as a member of the Circuit Court he brought to the bench more solidity than quickness of thought and decision. At that period of his life he was a heavily-built man, of medium height, and, as the phrase runs, had "seen his best days." Judge Minshall died at Rushville, Schuyler County, about 1860.

NEW JUDICIAL CIRCUIT FORMED

The old Fifth Judicial Circuit, originally including all the counties in the Military Tract, taking in the northwestern section of the state and formed in 1829, was by an act of the Legislature in 1851 divided and a new circuit formed which was composed of the counties of Adams, Hancock, Henderson and Mercer. This broke up many of the old-time legal associations and limited, to some extent, the practice of the Quincy lawyers, who, for twenty years, had been accustomed to "follow the circuit" twice a year and appear at the bar of each county in the tract. Many of them had local partners outside of Adams. O. C. Skinner, who had resided in Carthage before coming to Adams County, and while there had rapidly risen to the leading position at the Hancock County bar, a reputation which he

had more than sustained in Quincy, was recommended by the bar for the judgeship of the new circuit.

The desire was then, as it had been at the first judicial election, to keep the contest from becoming political. Upon this occasion, the wish succeeded. The circuit, on a party vote, was undoubtedly whig, and Skinner was a radical democrat, but his high judicial capacity was recognized and, no opposition being made, he was unanimously elected. It is said some effort was made to bring party considerations into the campaign for prosecuting attorney, but it cut no figure, and J. H. Stewart, an experienced lawyer from Henderson County, a whig, but not a politician, was elected to that office.

ONIAS C. SKINNER

Adams and Hancock counties having been created a separate circuit, as stated, Judge Minshall was succeeded by Onias C. Skinner, who for several years had been a prominent lawyer both in Hancock County and at Quincy. Judge Skinner was a remarkable lawyer, a remarkable judge and a remarkable man, and it was a matter of deep regret that his service on the circuit bench could not have been longer. He was born in Oneida County, New York; was a cabin boy on the Erie Canal, a sailor on the lakes, school teacher, farmer and preacher, before he finally forced his energies and talents into the channels for which they were destined. Although hampered by a limited education, his remarkable intellect and legal aptitude lifted him above all earlier defects to a front rank among the lawyers and jurists of Illinois. As a lawyer he was the most daring, speculative and successful litigant that ever practiced at the Adams County bar. No stronger or more energetic reliance in doubtful or desperate cases could be found than he. As a counselor, out of court, he was not so valuable. 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 he was elected to a vacancy in the State Supreme Court.

Judge Skinner was a member of the lower house of the Legislature in 1848-50. Twenty years afterward, when he had retired with honors from the supreme bench and also practiced successfully in Quincy, he served in the Constitutional Convention of 1870 as chairman of the judiciary committee. His death occurred at Quincy February 4, 1877, and a strong man, a remarkable advocate and an able judge disappeared from the earthly stage with his passing.

EARLY CIRCUIT JUDGES

“Under the Constitution of 1848, which provided for a Supreme Court of three judges, one to be chosen from each of the three grand divisions, and for circuit judges, one for each circuit, Judge Lyman Trumbull was chosen from the first, or southern grand division, Judge

Samuel H. Treat from the second or central grand division, and John D. Caton from the third, or northern grand division.

“Judge Treat, upon his resignation in 1855, was, the same year succeeded by Judge O. C. Skinner, and he in 1858 by Judge P. H. Walker, who served until his death in 1876.

“Judge Caton, after a long service upon both benches, resigned in 1864, when for a few months his place was ably filled by Judge Corydon Beckwith; but at the election of that year Judge C. B. Lawrence was chosen successor. He filled the position one term of nine years.

“Of the judges above named as chosen under the Constitution of 1848, Judges Walker and Lawrence were in office at the adoption of the constitution of 1870, and were not displaced by it.

CHARLES B. LAWRENCE

“Charles B. Lawrence was a citizen of Quincy for more than ten years, but such was the man, such was his genius for evading publicity and the printer's ink, that I cannot find anything relating to him in the histories or recollections. He was here as early as 1847, for on the 20th of January, 1847, he signed his name to the record of the annual meeting of the Second Congregational (Unitarian) Society as Secretary. He was a member of the law firm of William & Lawrence during most of the time of his stay here, but, owing to ill health he bought a farm up near Galesburg and lived on it. In 1856 he appears to be living at Prairie City in McDonough County. He was on the Supreme Court of the State from 1864 to 1873.”—Contributed by W. A. Richardson.

JOSEPH SIBLEY

At his elevation to the State Supreme Court in 1855, Judge Skinner was succeeded on the circuit bench by Joseph Sibley, a New Hampshire man who had been practicing law and legislating for about nine years as a resident of Nauvoo and Warsaw, Hancock County. Soon after being admitted to the bar in 1846, he had settled at the former place, where he commenced practice and from which he was twice sent as a member of the Legislature. In 1853 he became a resident of Warsaw and two years later was elected to the circuit bench. He was re-elected for three successive terms, and when the Appellate Court was reorganized in 1877, Judge Sibley was appointed by the Supreme Court to that bench, serving thus until the expiration of his term in 1879. He had moved to Quincy and made that city his home thereafter until his death June 18, 1897, in the seventy-ninth year of his age. Judge Sibley was honest and solid in character, both as a man and a judge. Strangers often considered him offensively blunt, but those who knew him best saw beneath his surface a kind heart.

The political circumstances attending the accession of Judge Sibley

to the Circuit Court are thus described by General Tillson: "The appointment of Judge Treat as United States district judge for southern Illinois made a vacancy in the Supreme Court of the State in the Second district, and Judge Skinner, who had acceptably presided over the Adams and Hancock circuit, offered as a candidate for that position. Opposed to him were Stephen T. Logan of Sangamon, and Charles H. Constable, of Wabash counties. Political feeling was not enlisted in this election, but like the election on the liquor question, local sentiment and preference were active and controlling; each aspirant receiving the general vote of his own section of the district, Judge Skinner was easily successful by about 10,000 majority.

"The contest for the Circuit judgeship and a successor to Judge Skinner was like the above, a sort of triangular duel, and was attended with more of personal bitterness than often attaches to a purely political contest. The Adams County bar, with a desire to avoid political strife, had almost unanimously recommended for this position George Edmunds, an active and rising young lawyer of Quincy. A personal hostility to Mr. Edmunds brought forward an opposition and some severe attacks which were refuted, but operated upon the election. Resultant on this was the candidacy of Joseph Sibley and John W. Marsh, of Hancock County; the first as the nominee of a Democratic convention, and the latter one of the oldest and most experienced lawyers of the state, supported generally by such Whigs of the district as had not committed themselves to the candidacy of Mr. Edmunds. It was a close and doubtful election, ending in the election of Mr. Sibley by a small majority. Judge Sibley was three times re-chosen to this office, holding it for twenty-four years, the longest term of judicial circuit service known in the state."

OTHER CIRCUIT JUDGES

Judge Sibley was succeeded by John H. Williams, who served with excellent credit until 1885. Judge Williams died Sept. 24, 1912. He was the first native of Quincy to attain the circuit judgeship. A son of the well known Archibald Williams, he was admitted to the bar in 1855; became a member of the firm of Williams, Grimshaw & Williams. As an attorney Judge Williams is said to have been "a man of high attainments, honorable and upright" and "as a judge he made a record for his sincere and learned opinions." He entered the law firm of his noted father, Archibald and Judge Lawrence, which continued until the latter was elevated to the supreme bench in 1864.

William Marsh, who succeeded Judge Williams, served from 1885 to 1891. He was a New York man and graduated from Union College in 1842. Judge Marsh was admitted to the bar in 1845 and, after practicing at Ithaca, settled at Quincy in 1854. He had therefore been in practice over thirty years when he was elected to the circuit judgeship, and during that long period of professional activity and useful citizenship had earned a high and broad station in the community.

Oscar P. Bonney, the next circuit judge, served during the term covering the years 1891-97. He was a native of Missouri and previous to his admission to the bar in 1873 lived with the parental family at various places in that state and Illinois. He came to Quincy in his youth, studied law with Wheat, Ewing & Hamilton; was admitted to the bar in the year named; was successively city and state's attorney and was holding the latter office when he was elevated to the bench. During his term as circuit judge, he was nominated for the supreme bench, but was defeated by Joseph N. Carter. Judge Bonney was a courteous and an able lawyer and a sound judge, and his record served to elevate the standard of both the bench and bar of Adams County. His death occurred in Chicago, February 14, 1905.

John C. Broady succeeded Judge Bonney in 1897 and served his six years' term, or until 1903. Judge Broady's record was excellent, and his practice as a lawyer, both before and after his elevation to the bench, has made him a leader at the Adams County bar.

Judge Albert Akers, present incumbent of the circuit bench, succeeded Judge Broady in June, 1903.

THE PROBATE AND COUNTY JUDGES

At the head of the list stands the name of Henry H. Snow, the champion office holder of the county, whose first commission as probate judge dates from September 15, 1825. His second term which covered a period of eleven years and nearly one month commenced January 23, 1826. Judge Snow was succeeded by William F. Flood on February 17, 1837, and Judge Flood was still in office when the judiciary was reorganized by the Constitution of 1848. Under its provisions all probate matters were absorbed by the county judgeship.

Philo A. Goodwin, the first county judge under the new constitution, commenced his four years' term November 17, 1849; Judge W. H. Cather went into office in November, 1853, and served for two terms; Judge E. B. Barker, in 1861; Judge Thomas J. Mitchell, 1865; Judge J. C. Thompson, 1873; Judge Benjamin F. Berrian, 1877; Judge Carl E. Epler, 1894; Judge Charles B. McCrory, 1902; Judge Frank Garner, 1910; Judge Lyman McCarl, since December of the last named year.

JUDGE B. F. BERRIAN

Wilcox's "Representative Men and Homes of Quincy, Illinois": "While ex-Governor Wood is the founder of Quincy, to the late George W. Berrian, father of Judge B. F. Berrian, belongs the distinction of discovering the site of the Gem City. In the spring of 1818 Mr. Berrian, with his uncle, Richard Berrian, started from New York in a covered buggy to visit that section of western Illinois known as the Military Tract. Their trip was a long and eventful one, much

of the west still being in the possession of the Indians and the white settlements being hundreds of miles apart. In June, 1819, accompanied by a man named Jacobs who had lived for some time within the present boundaries of Adams county, they visited the bluffs where Quincy is now located. Old poles, remnants of wigwams or teepees, were still numerous, but the visitors were satisfied at that early day that this would be the site of an important city. Some time after leaving this locality, near Atlas, the Berrians met John Wood and ever after these early pioneers were warm personal friends. Judge Berrian still has in his possession letters written by his father from Edwardsville in 1819.

“Judge Berrian was born in New York City, October 2, 1830. With his father’s family he left New York on the last day of April, 1844, to come west. They went by boat to Perth Amboy, New York, thence by cars to Harrisburg, via Philadelphia, where they took a passenger boat on the canal to Hollidaysburg. The mountains were crossed by train on five inclined planes, the cars being hauled up and lowered by wire cables operated by powerful engines. From Johnstown, on this side of the mountains, the journey was made by canal to Pittsburg, thence by steamboat to St. Louis and Quincy, where the party arrived on the morning of May 20. A long, round-about and tiresome journey fifty years ago, now made in comfort in a single day.

“In the development of Quincy Judge Berrian has been a prominent factor. He was one of the first aldermen to represent the Fourth Ward, elected in 1857 and re-elected in 1859. In 1869 he was elected mayor and under his administration the city resumed cash payments. Previous to that time the resources of the city had become so reduced that all payments had been made in vouchers which were at a discount of 40 per cent, but he determined to restore the credit of the city and by reason of his careful and successful financial management cash payments were resumed.

“In 1876 he was elected county judge and held that important office for seventeen years. During his long term of service on the bench the affairs of the court were administered with even-handed and impartial justice and Judge Berrian is universally regarded as one of the most honorable officials of the city and county.”

HANGINGS, LEGAL AND ILLEGAL

In the palmy early days when Earl Pierce was sheriff of Adams County occurred the first and the last execution in that part of the state. It was also the first hanging in the Military Tract, so far as known. In the month of December, 1834, one Bennett was executed in Quincy for the murder of one Baker, poor wretches whose family names only have come down to the present. The killing was at Bennett’s cabin above town, on or near the bay, where both of the principals had been carousing for some days. The case was clear against

affair cost Doctor Eels many thousands of dollars and almost broke him up, but the great notoriety of the Eels case, especially when it reached the Supreme Court of the United States, no doubt brought some of the anti-slavery people of New England forward with money to assist in the defense."

As stated, the controversy over the Eels case, as it affected the doctor personally and disturbed the friendly relations between Quincy and the Missouri side of the river, was decided by Judge Skinner, of the Circuit Court, in an opinion which he delivered on January 21, 1853. It was to the effect that the authorities of the United States only had jurisdiction over suits concerning runaway slaves. A public meeting had previously been held in Marion County, Missouri, unanimously resolving to sever all business intercourse with Quincy on account of the disposition of so many of its people to aid the escape of runaway slaves. The question agitated on the Illinois side of the river was as to the obligation of citizens in this matter, under the provisions of the Black laws incorporated into the constitution of 1848, and how far the legal machinery of the state could be made subservient to the demand for the return of the fugitive slaves. Judge Skinner's decision placed the cognizance of such cases with the United States Government, which seemed to cut the claws of the State of Illinois in its dealings with the masters of runaway negroes.

THE PIONEER MEMBERS OF THE BAR

The first lawyer to make Quincy his residence was Louis Masquerier or Masquerre, who, about 1828, located at the little settlement known as Quincy, the seat of justice of Adams County. He does not seem to have made more than a ripple, or to have deterred others from entering the field, as several members of his profession located there. Among those who afterward became most famous were O. H. Browning, who has already figured considerably in these pages, and Archibald Williams, another strong character, whose high and broad reputation spread far beyond the confines of Adams County.

It is true that Mr. Masquerier dropped somewhat suddenly out of sight, although he is described as a notable man in his short day as a member of the Adams County bar. He was evidently a ready speaker and writer, a man of ambition and much information, but capricious and quite lacking in common sense. Clever and generally liked, nevertheless he was probably well hit-off by a local wag, who pronounced him a graduate from an institution "for the promotion of useless knowledge and the general confusion of the human understanding." After residing a short time in Quincy, Mr. Masquerier moved to Southern Illinois and there died.

ARCHIBALD WILLIAMS

Mr. Williams located in Quincy two years before the arrival of Mr. Browning. He became a resident of the young county seat in

1829, only four years after it had been staked and platted. Judge Williams was a Kentuckian, like so many other of the able men of the city and county. He was born in 1801 and his early struggles for an education and general self-improvement seasoned him into school-teaching material and a sturdy young man, well adapted to make his way in the undeveloped West of the Mississippi Valley. From teacher he graduated to law student and the final choice of his profession indicated, by his after success, that his decision was the result of wise self-analysis. In 1828 he was admitted to the bar in Tennessee and moved to Quincy during the following year. There, during his first six years of practice, he achieved the highest rank as a lawyer and a splendid citizen. He was elected to the Legislature three times and in 1847 selected against a democrat, in a democratic district, to serve in the Constitutional Convention. Twice he was nominated by the whigs as their choice for United States senator, but the overwhelming opposition was too much even for his popularity; he was also defeated as a whig candidate for Congress immediately preceding the birth of the republican party. Mr. Williams was offered a seat on the United States Supreme Bench so late in life that he refused the honor on the ground that his advanced age would disqualify him from completely performing the arduous and honorable duties of that position. In 1849, while in the prime of his professional strength he was appointed by President Taylor district attorney for Illinois, and in 1861 was appointed by President Lincoln United States district judge of Kansas. Strong, kind, charitable, generous, polished and courteous, Judge Williams left numerous warm friends and countless admirers to regret his earthly departure from them, on September 21, 1863. At the time of his decease, he had been a resident of Quincy for more than thirty-four years, and few of its citizens ever became more firmly intrenched in its confidence and affection.

Besides Messrs. Masquerier and Williams—the one, who dropped so soon out of sight, and the other who proved so enduring a factor in the upbuilding of the community—the members of the local bar, in 1831, comprised J. H. Ralston, who became circuit judge in 1837, and Orville H. Browning. This select array was augmented later in the former year by Richard M. Young, who came to accept his appointment as circuit judge, and by Thomas Ford, the prosecuting attorney of the circuit, who afterward became governor of the state. Adolphus F. Hubbard, the eccentric, whose ambitions so far exceeded his abilities and who had already served as lieutenant governor under the courtly and able Edward Coles, also joined the legal group at the county seat; with Henry Asbury and James W. Whitney, the latter popularly designated as “Lord Coke.”

CALVIN A. WARREN

Calvin A. Warren, able himself and the associate of several of the ablest members of the profession in Western Illinois, transferred

his residence from Ohio to Quincy in 1836. He was a native of New York as a youth and young man, mastered the printer's trade (working with Horace Greeley for a time); supported himself thus, while studying law, and in 1834 graduated from Transylvania University, Kentucky. Reserving his diploma and license to practice from the Supreme Court of Ohio, he commenced active professional work at Batavia, that state, in partnership with Thomas Morris, afterward United States senator from Ohio. Senator Morris was the father of Hon. Isaac N. Morris, well known to the Quincy bar.

Although Mr. Warren first settled at Quincy in 1836, after a year's practice there he moved to Warsaw, but returned to the county seat of Adams County in 1839 and formed a partnership with J. H. Ralston, who had recently resigned from the Circuit Bench and was then making the canvass for a seat in the State Senate. Mr. Warren was also associated with Judge O. C. Skinner, Alexander E. Wheat and George Edmunds, Jr., of Hancock County. He also served for a time as prosecuting attorney. His death occurred at his home in Quincy February 22, 1881.

NEHEMIAH BUSHNELL

The partnership between O. H. Browning and Nehemiah Bushnell was historical, both for the length of time it endured and from the fact that the association was between men of marked abilities and constantly increasing reputation. They were both young men when they formed it in 1837—Bushnell a graduate of Yale and an energetic and educated Yankee, and Browning a genial, polished, eloquent and ambitious Kentuckian. Mr. Bushnell located in Quincy soon after being admitted to the bar in 1837. Mr. Browning had been elected to the State Senate a few months previous and had higher political ambitions. They joined issues instinctively, as from all contemporaneous accounts and the trend of their subsequent careers, Mr. Bushnell was content to devote his talents solely to the prosecution of professional practice. He had neither inclination nor talent for politics or public affairs, although for a short time after coming to Quincy he conducted the editorial columns of the Quincy Whig. The result was that their association was one of ideal strength and harmony and was only dissolved by the death of Mr. Bushnell in 1874—a period of some thirty-seven years. The modest field to which he confined his gifts did not detract from the admiration of the able men of other temperaments who had felt his rare influence and perhaps been unconsciously moulded by it. Hon. O. C. Skinner referred to him as an "example of a life of patient, public and professional labor, public usefulness and unsullied fame, distinguished alike by learning and talent—a great and good man." Hon. W. A. Richardson said: "He could have adorned the presidency of any institution of learning in the land. He was qualified to have discharged the duties of any department of their institutions. His talent, his learning, his sense of

justice, would have made him conspicuous and eminent on the bench of the Supreme Court of the United States." Judge Sibley said: "The needy always found him a generous giver, the unfortunate a ready sympathizer, and the intelligent conversationalist a mind stored with the richest fruit of miscellaneous knowledge."

ISAAC N. MORRIS

Isaac N. Morris studied law; was admitted to the bar in his native state of Ohio; in 1836 settled at Warsaw, Illinois, and in 1838 at Quincy. He formed a partnership with C. A. Warren and Judge Darling, and in 1839 edited the Quincy Argus, to eke out his finances, which were none too plump at that period. Mr. Morris became president of the Illinois and Michigan Canal in 1841; served as a member of the Legislature in 1846 and held a seat in Congress from 1856 to 1860. Subsequently, by appointment of President Grant, he rendered valuable service as commissioner of the Union Pacific Railroad. His death occurred at his home in Quincy October 29, 1879.

PHILO A. GOODWIN

Philo A. Goodwin, a Connecticut man, located at Quincy about 1840 and practiced his profession there until his death in June, 1873. He was a sound lawyer and a good citizen.

Mr. Goodwin's partner, Horace S. Cooley, resided in Quincy for a number of years, and, although comparatively a young man at the time of his death, had attained public prominence as secretary of state and adjutant general of Illinois. Mr. Cooley was tall and handsome, a popular speaker and generally attractive, but his election to public office forced him to change his residence to Springfield. He was appointed secretary of state by Governor French in December, 1846. Mr. Cooley had become the owner of the ten acres afterward held by the Collins Estate, corner of Maine and Eighteenth streets, which he intended to improve as a permanent homestead. But he died in April, 1850, before his return to Quincy and this beautiful tract was sold. Mr. Cooley had fought his way to the front ranks of his profession. He was a man of education, as well as natural talents, and came from the New England locality which sent forth Bushnell and others of the Quincy bar who gave such a good account of themselves.

EDWARD H. BUCKLEY

Edward H. Buckley may be said to fall in the class of the second immigration of legal talent to add to the strength of the Adams County bar. He was among the arrivals of the early '40s. Before he finally settled on Quincy as his home he had quite a varied experience in the West of his day, east of the Mississippi River, and

he did not at once locate in the county seat, as, for a number of years, he was the strongest champion lined up for Columbus, of which he was the resident lawyer. But when he saw the fight was hopeless he moved to Quincy. Mr. Buckley was a Connecticut man; went to Chicago when eighteen years of age, and in 1834 located at Richmond, Indiana. There he taught school and studied law until 1839, when he was admitted to the bar. In 1841 he located in Columbus, and in 1846-47 was a representative of the new County of Marquette, which had been taken from the territory of Adams but remained attached to it judicially. In 1848 he moved to Quincy, where he commenced practice and served as deputy under County Clerk J. C. Bernard. After reorganizing the records under the new constitution, he was appointed city clerk by Governor Wood in 1852-53. Mr. Buckley formed a law partnership with S. P. Delano, in 1857, and at the death of the latter the firm became Buckley, Wentworth & Marcy. Wentworth retired in 1865 and Buckley & Marcy dissolved in 1870. Mr. Buckley himself died January 14, 1890, and at his passing had given to the county nearly half a century of his professional and public life and good citizenship.

ALMERON WHEAT

Almeron Wheat, deceased, was for many years one of the prominent attorneys of Quincy and a man of influence in the community. He was born near Auburn, New York, on the 7th of March, 1813, and was a son of Luther and Elmira (Marvin) Wheat. His father was a native of the same state, being born near Albany, and from that place removed with a brother to a farm near Auburn, where he carried on agricultural pursuits until his death.

Almeron Wheat began the study of law in Auburn, New York, but shortly afterward removed to Columbus, Ohio, where he made his home until 1839, his time being devoted to the profession which he had chosen as his life work. In the latter year he decided to locate in Springfield, but on hearing of his intention Drs. Hiram and Samuel Rogers, who were pioneer physicians of Quincy, went to see him and induced him to settle in that city. There he successfully engaged in the practice of law up to the time of his death, which occurred on the 12th of July, 1895.

At the time of his death Mr. Wheat was the oldest member of the Adams County bar both in age and practice and always ranked with the highest in the profession. It was said of him that he was possessed of a powerful, analytical and logical mind and indefatigable industry. These qualities made him a strong character, an excellent lawyer and a formidable opponent in the management and trial of a case before either court or jury. In all his dealing with the profession he was fair and courteous but unyielding so far as the rights of his clients were concerned. Both as a lawyer and a man he was actuated by the strictest integrity and had no patience with any

kind of dishonesty, frauds or shams. Mr. Wheat's practice in the courts of this state extended through a period of more than half a century, all of which time he devoted exclusively to his profession, eschewing all other pursuits and especially political preferment. He never sought nor held any office except that early in his career he was elected to the Legislature and by his efforts in that body the removal of the county seat from Quincy was prevented. It was a well known fact that Mr. Wheat spent hundreds of dollars of his own money to do this and when on account of the decision that Quincy was to continue as the county seat the county was divided, it was due principally to his efforts and expenditures that the county was again united. Subsequently, although a member of the dominant party, which could and would have given him any position he sought, he always refused to be a candidate for any office, preferring to devote his energies to his profession. He was, however, county attorney for over twenty years.

Alexander E. Wheat, a brother of Almeron, was also a prominent early member of the bar. In 1857 he was appointed city attorney, five years later, while still a young man, was sent to the Legislature, and was long a member of the law firm, Warren & Wheat. His death occurred September 2, 1885.

HOPE S. DAVIS

Hope S. Davis, who was the oldest member of the bar in Quincy at his death December 21, 1905, was born in New York in 1828, studied law in Rochester, and soon after his admission to the bar in 1852 settled in this city. From 1856 to 1862 he served as city superintendent of schools and was the author of the legislative act creating the Board of Education. He served four years as county superintendent of schools, 1862-66, and was sent to the Assembly in 1876.

COL. WILLIAM A. RICHARDSON

William A. Richardson had become a leading figure in military matters, as well as state legislation, when he succeeded Judge Douglas in Congress during 1847. At the time of his election Colonel Richardson was a resident of Schuyler County, which he had represented almost continuously in the Legislature and had just returned from the Mexican war with a well earned reputation for bravery and skill. As the successor and confidential associate of Judge Douglas, and from his own inherent force of character, his position and influence in the national councils was always high. At the August election he carried Adams County over N. G. Wilcox, the whig candidate, by 819 majority.

But little political feeling was manifest in this election, although, during the canvass, the merits of the Constitution which was to be voted on during the following spring were much discussed. The

elective judiciary was an experiment about which many had doubts, and the proposed change in the County Court system was another innovation which was by no means unanimously favored.

At the time of his election to the United States Senate after Stephen A. Douglas' death in 1861, Senator Richardson had made history as governor of the Wild-West Territory of Nebraska, and the conclusion of his terms as United States senator in 1865 terminated his public services as a national character. He died in Quincy, December 27, 1875, having made that city his home for the preceding twenty-six years. Quincy and Adams County are therefore especially proud of his prominence and stalwart personal character.

Colonel and Senator Richardson, for he was fairly entitled to both designations, was a Kentuckian born in Fayette County in 1811. He was a graduate of Transylvania University, Lexington, and was quite liberally educated for one of that period before he studied law. Soon after his admission to the bar, in 1831, he located at Shelbyville, Illinois, but had not secured any business of consequence before he felt called upon to volunteer for the Black Hawk war. After serving thus about four months, he located at Rushville, the county seat of Schuyler County, where he continued to reside until 1849, when he moved to Quincy. This period of fifteen years—from the time of the Black Hawk war to the year of Mr. Richardson's coming to Quincy—was bristling with events. In 1835 he was elected state's attorney of Schuyler County, resigning that office in the following year to take his seat in the Assembly. He was sent to the State Senate in 1838; was a presidential elector in 1844, and in 1846 raised a company in Schuyler County for service in the Mexican war. As captain of that organization, he joined the Illinois troops at Alton and was placed in the first regiment under command of Col. J. J. Hardin. During the war the regiment saw considerable active service, and at the battle of Buena Vista he was promoted from the captaincy of his company to the lieutenant-colonelcy of the regiment.

In 1847, as stated, Colonel Richardson was elected to Congress and continued to serve in that body until 1856. In the latter year he resigned his seat to canvass the state for the governorship, but owing to the unpopularity of the Kansas-Nebraska bill, which he defended, he was defeated by 4,000 votes in a total poll of 240,000. And that was his first and only political defeat. In 1857 President Buchanan appointed him governor of Nebraska; and he found the territory in the wildest confusion; as neither civil nor criminal laws were in force. Before leaving his difficult post, however, he had the satisfaction of establishing in that troubled country the criminal code of Illinois and the civil practice of Ohio. In 1860 Governor Richardson returned to Quincy and was re-elected to Congress from that district, which he served until called to the United States Senate in 1861 to succeed the lamented Douglas. At the expiration of his senatorial term in 1865 he resumed his residence in Quincy, and among his last public acts performed was, as county supervisor, in using his

potent influence to permanently retain the seat of justice at Quincy. The last effort to remove the county seat was made only a few months before his death.

A character of great personal magnetism, a powerful and compelling speaker and a stalwart democrat, Senator Richardson was, nevertheless, so tolerant of the opinions of others and so considerate in both his mental and physical bearing toward those who differed from him, that while he raised up many opponents in the course of his long and active career, he passed away with few enemies. His strength and his influence for good spread over a wide area of the country, from Quincy as the home center, and no personality who has woven himself into the progress of Adams County is remembered with more profound respect than that of William A. Richardson.

WILLIAM G. EWING

Mr. Ewing, who was admitted to the bar at Bloomington, came to Quincy in 1863. He was elected city attorney in 1866 and the city council appointed him superintendent of public schools in August of the same year. Mr. Ewing was re-elected city attorney and in 1868 prosecuting attorney for the district comprising Adams and Hancock counties. In the early '80s he moved to Chicago where he also held judicial positions.

COL. WILLIAM H. BENNESON

But Col. William H. Benneson was generally designated as the last member of the old Adams County bar to survive. He died at his home near Quincy January 27, 1899. He was a native of Delaware, and in 1843, after receiving a collegiate education in that state and teaching for several years in Virginia, was admitted to the practice of the law and opened an office in Quincy. His first partner was Stephen A. Douglas, who in June of that year had resigned from the Supreme bench of Illinois, and was being drawn into his remarkable career of politics and statesmanship. The close friendship thus formed continued through life. In 1849 Mr. Benneson went to California, mined for three years, and then resumed practice at Quincy. From 1853 to 1861 he was master in chancery under Judges Skinner and Sibley, and during the Civil war Governor Yates appointed him colonel of the Seventy-Eighth Illinois Infantry. Ill health compelled him to resign and he resumed his law practice. He was not active either in professional work or public life during his last ten or fifteen years, but he had already made a reputation for substantial ability which endured to the last.

Charles Gilman was also a member of the pioneer bar, who was cut down by the cholera scourge of 1849 as a young man of great promise. He had already made a name as a leading local practitioner and through his record as a reporter for the State Supreme Court.

Capt. Wellington S. Lee, a soldier of two wars, practiced in Quincy for some time previous to the War of the Rebellion. He was born on a Pennsylvania farm and, as a youth, served in the Mexican war before locating in that city during 1850. In the summer of 1861, after practicing for more than a decade, he enlisted in Company F, Third Illinois Cavalry, and within the succeeding two years was promoted to a captaincy. He died August 21, 1863, from the effects of the accidental discharge of a pistol in the hands of one of his own men. His only regret at his approaching death was thus expressed: "Oh, why could I not have fallen in battle?"

GEN. JAMES W. SINGLETON

Gen. James W. Singleton did not practice law in Adams County for many years; he loved excitement and the rush of active politics too much to confine himself to any one profession. He was a Virginian, but in early life moved to Schuyler County, Illinois, where he practiced medicine and studied law. General Singleton represented that county twice in the State Legislature and as a delegate to the Constitutional Convention of 1848. During the Mormon troubles, he had charge of the military at Nauvoo, probably as brigadier general in the state service. In 1852 he became a resident of Quincy; constructed the railroad from Camp Grant to Meredosia; served a term in the Legislature from Adams County; was an emissary of President Lincoln to the Southern Confederacy on a peace mission; was defeated for Congress in 1868, elected in 1878 and failed of a re-election for the succeeding term. He died in Baltimore, Maryland, April 23, 1892, admired for his versatile talents, respected for his integrity, and loved for his generosity and warm personality. During the years of General Singleton's residence in Adams County, there was no spot within its limits which was more the center of charming hospitality and unaffected friendliness than Boscobel, his country home just east of Quincy. If such was his brand of politics, it was certainly of the elevating kind.

JOSEPH N. CARTER

"Joseph N. Carter was born in Hardin county, Kentucky, March 12, 1843; graduated at Illinois College at Jacksonville, in 1866, and entered the law Department of the Michigan University in the fall of the same year; graduated in that institution in 1868; was admitted to the bar in this city in 1869; elected to the State Legislature from this county at the November election, of 1878; Republican in politics and senior of the firm of Carter & Govert, attorneys at law."—Murray, Williamson & Phelps' History of Adams County (1879).

Judge Joseph N. Carter: "Quincy has given many eminent men to the public service of the state and nation, and among these is Joseph N. Carter, chief justice of the Supreme Court of Illinois. Judge Carter

is a quiet and unostentatious gentleman, always the same to friends old and new, and yet he ranks as one of the ablest jurists in the country.

"Judge Carter is a republican in politics, and in 1878 was elected as a member of the lower house, &c.

"In 1894 Judge Carter was nominated by the republicans of the Fourth supreme judicial district as their candidate for the supreme court to succeed Judge Simeon P. Shope; the district was democratic by 12,000, being composed of twelve counties. Judge Carter's abilities were so fully recognized and his personal popularity was so great that that majority was overcome and he was elected by 4,500. The campaign attracted attention all over the country, and Judge Carter at once sprang into national fame. His services on the supreme bench have been brilliant, and in 1898 he became chief justice of that august tribunal."—Wilcox's Representative Men, 1899. He died on February 6, 1913, as the ultimate result of a stroke of apoplexy suffered five years before.

Rufus L. Miller, a native of Maryland, came to Quincy in his boyhood, and was admitted to the bar in 1854. During the Civil war he served in an Iowa regiment, but afterward returned to Quincy and practiced there until his death in 1881.

BERNARD ARNTZEN

Bernard Arntzen, a Prussian, came to Quincy with the rush of German revolutionists in 1849 and established a drug business. But he had a legal mind and political ambitions, studied law, was graduated from the Cincinnati Law School and was admitted to the bar in 1857. Mr. Arntzen was elected city attorney in 1858; was the democratic candidate for state auditor in 1860 and in 1874 was elected state senator, serving in the last named capacity for four years. Afterward he was appointed special agent of the Interior Department to allot lands to Indians, and while engaged in that line of work in Nevada had a physical break-down. During his last years he lived in Duluth, Minnesota, where he died in 1895.

JACKSON GRIMSHAW

Jackson Grimshaw, a partner of Archibald Williams in 1857, the year of his coming to Quincy, was a Philadelphian, and in his youth and early manhood a railroad engineer on the New York & Erie line. In 1843, soon after his admission to the bar, he located for practice in Pike County, whence he moved to Quincy, as stated. He was a leading member of the Bloomington convention of 1856 which organized the republican party; was collector of internal revenue from 1865 to 1869, after which he resumed the practice of his profession. His death occurred at Quincy in 1875.

STERLING P. DELANO

Capt. Sterling P. Delano was another promising young lawyer of the Quincy bar whose record was closed by the stern hand of war. When nine years of age his parents brought him from Vermont to Indiana, and in 1848, then a youth of eighteen, he went with the family to Hancock County, Illinois. In 1855 he located at Quincy and entered the law office of Browning & Bushnell, while in 1858 he formed the law partnership with E. H. Buckley. During the Civil war he enlisted in Captain Mead's Home Guards, of which he was afterward elected captain. He died in 1862 from the effects of a wound accidentally received while in the military service of his country.

ACTIVE LAWYERS IN 1869 AND AFTER

In his "History of Quincy and Its Men of Mark," Pat. H. Redmond, son of that prominent and sturdy pioneer, Hon. Thomas Redmond, gives a list of the men who were engaged in professional activities at Quincy in 1869, the year of the publication of that work. The attorneys at law then active were Arntzen & Richardson, Benneson & Janes, Browning & Bushnell, E. H. Buckley, J. M. Cyrus, Duff & Tyrer, Emmons, Butz & Prentiss, W. G. Ewing, Goodwin & Davis, Jackson Grimshaw, E. B. Hamilton, U. H. Keth, J. H. & J. W. McGindley, E. Prince, G. J. Richardson, Scoggan & McCann, Skinner & Marsh, J. C. Thompson, R. K. Turner, Warren & Wheat, Wheat & Marcy, J. H. Williams, Henry Asbury, G. W. Fogg, F. S. Giddings, C. Greely, H. H. Jansen, R. L. Miller, I. M. Moore, H. T. Patten and A. Wheat, Jr. This list is re-published, as 1869 seems to be a sort of a half-way post between the old order and that of today. A new generation of lawyers—several generations almost—has been raised up since the lawyers mentioned were the strength of the Adams County bar. None of those mentioned are now living.

Among the attorneys of that generation, and perhaps the last to pass away was Albert A. Wells, who came from the State of New Jersey and located in Quincy in 1870, and soon after formed a partnership with Lawrence E. Emmons which partnership continued as Emmons & Wells to the death of the latter which occurred in 1897. Mr. Wells was twice elected to the Legislature from this district and also to the State Senate of which body he was a member at the time of his death. Mr. Wells had a splendid physique and was a fine looking man. He was a good lawyer and an able advocate. He preferred office duties rather than the excitement of the court room. He is better known and will be remembered longer for the work he did in the Legislature and Senate. He was the father of the Labor Day Law in Illinois.

There are doubtless others of broad caliber and stanch professional fiber, who threw their fortunes with the Adams County bar at a comparatively early day. In fact, several are recalled before this sentence

is fairly complete—Abraham Jonas, a Kentuckian, who served in the Legislature of that state before he came to Quincy, repeated that part of his record in the Illinois House, was also master in chancery and died in 1864; J. H. Richardson, the Indiana lawyer, who practiced in Quincy from 1862 until his death in 1891, was city attorney and served in the State Senate; Judge Joseph C. Thompson, who occupied the county bench with credit from 1873 to 1877, who had practiced law for fourteen years before coming to Quincy in 1868, was a leading democrat and at the time of his death in 1893 was serving as post-master; Col. W. W. Berry, who had made a brilliant military record as commander of the Louisville Legion of the Army of the Cumberland before he located in Quincy as a lawyer and afterward became commander of the Illinois Encampment of the Grand Army of the Republic and an influential republican leader; Ira M. Moore, who resided in Quincy for a third of a century as a member of the local bar, a representative of the Legislature, justice of the peace and author of several standard legal works, who died in 1905; and George A. Anderson, a Virginian who located at Quincy soon after his admission to the bar in 1879, was a lawyer of rare ability, city attorney and member of the Fiftieth Congress. Mr. Anderson died in 1896.

Gen. E. B. Hamilton, who died March 20, 1902, was a Civil war soldier and officer from Hancock County, Illinois, and in 1866 moved to Quincy. He was admitted to practice in 1869 and in 1877, in recognition of his services as colonel of the Eighth Illinois Infantry at the great railroad strike in East St. Louis, was commissioned brigadier general. He was afterward inspector general of the Illinois militia. General Hamilton was an eloquent orator and an able lawyer. He died March 20, 1902.

Frederick V. Marcy, a Dartmouth College young man, came to Quincy before his admission to the bar. After completing his studies with Wheat & Groves he became a member of the firm. He was a classical scholar and a broad-minded attorney. He died July 14, 1884.

Other members of the Quincy bar who have practiced law in Adams County and have won for themselves more or less distinguished records and who are now deceased—and whose history for lack of space, cannot be given in detail here, are:

Thos. H. Brooker, J. E. Balthorpe, L. H. Berger, C. A. Babcock, W. Clay Crewdson, Sterling P. Delano, Isaac M. Grover, Chas. M. Gilmer, John F. Gilmer, Abraham Jonas, H. H. Jansen, Geo. M. Janes, Aaron McMurray, Ira M. Moore, Edward Prince, Geo. J. Richardson, Jas. N. Sprigg, Jos. A. Roy, Almeron Wheat, Jr.

THE QUINCY BAR ASSOCIATION

With very few exceptions the lawyers of Quincy have numbered the leading attorneys of Adams County; so that they have never felt called upon to formally extend the scope of their organization. As

it is provided in the constitution, however, that "judges of courts of records in Illinois and members of the Bar of Illinois, may likewise become members," no lawyer of good standing in the county is really barred from participation in its deliberations.

The certificate of incorporation of the Quincy Bar Association was filed by Joseph N. Carter, Hope S. Davis and Rufus L. Miller, on the 18th of January, 1876. It is stated that its particular 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." The names of the managers selected for the first year were Orville H. Browning, Alexander E. Wheat, Frederick V. Marcy, William Marsh, John H. Williams, Ira M. Moore and Henry Asbury. Mr. Browning was the president; Messrs. Marsh and Wheat, vice-presidents; Rufus L. Miller, secretary, and James F. Carrott, treasurer.

After a considerable period of official life, the association became inactive, but was reorganized April 5, 1902. Since that year Joseph N. Carter and Samuel Woods have served as its presidents. Its first vice president is F. M. McCann; second vice president, John E. Wall; secretary, Walter H. Bennett; treasurer, George W. Govert.

The following are the names of the present members: J. L. Adair, Albert Akers, Edward P. Allen, Charles L. Bartlett, Walter H. Bennett, A. J. Brockschmidt, M. F. Carrott, L. E. Emmons, Sr., L. E. Emmons, Jr., Carl E. Epler, W. G. Feigenspan, J. Frank Garner, William H. Govert, George W. Govert, Joseph H. Hanly, S. A. Hubbard, John T. Inghram, Roy D. Johnson, U. H. Keath, W. E. Lancaster, W. P. Martindale, F. M. McCann, Lyman McCarl, F. B. McKennan, W. Miller, S. B. Montgomery, F. W. Munroe, Frank J. Penick, Elmer C. Peter, Thomas P. Petri, T. C. Poling, Arthur R. Roy, Thomas A. Scherer, P. J. Schlagenhauf, William Schlagenhauf, H. E. Schmiedeskamp, Maurice Vasen, R. M. Wagner, John E. Wall, George H. Wilson, J. M. Winters, Fred Wolfe, C. H. Wood, Samuel Woods.

URIAH H. KEATH, OLDEST LIVING LAWYER

Uriah H. Keath, with one exception the oldest practitioner at the Quincy bar, was born in Jacksonville, Illinois, November 3, 1831. His father, Gabriel Keath, was born in Montgomery County, Kentucky, October 13, 1807, and died in 1865. He was a farmer and stock-raiser. He first visited Illinois in 1828, but afterwards returned to Kentucky and it was not until 1832 that he became a resident of Adams County, locating at Columbus. There he remained until the spring of 1834, when he removed to Ursa Township, where he purchased a farm, residing thereon until his death. There he reared his family and in the management of his farming interests he displayed good business ability. He was a member of the Methodist Episcopal Church, in which he served as elder and in the work of which he took an active and helpful part. His early political support

was given to the whig party and upon its dissolution he joined the ranks of the new republican party. He married Lucinda Randolph, daughter of James Randolph and a cousin of John Randolph of Roanoke. She was born in Kentucky and it was in 1879 that she was called to her final rest at the age of seventy-eight. Gabriel and Lucinda Keath were the parents of eight children, four sons and four daughters.

To the public school system of Adams County Uriah H. Keath is indebted for the early educational privileges he enjoyed. In 1849 he entered McKendree College, at Lebanon, Illinois, and on leaving that institution in 1852 he went to Kentucky, where he was engaged in teaching for several months. Following his return to Adams County, he again taught school for a time and then took up the study of law in the office of Archibald Williams and C. B. Lawrence of Quincy, being admitted to the bar on the 5th of February, 1855. He began practice at Sigourney, Keokuk County, Iowa, and was thus engaged at the outbreak of the Civil war in the spring of 1861. He was then commissioned by Governor Kirkwood as a recruiting officer and assisted in raising three regiments. He was made first lieutenant of Company F, Fifth Iowa Infantry, under the command of Col. W. H. Worthington, and a year later was promoted to the rank of captain in September, 1862, having command of his company until mustered out of service on the 27th of October, 1864, at Atlanta, Georgia. He served in all of the campaigns in Missouri under Generals Fremont, Pope, Hunter and others and during the greater part of his connection with the army was with the Fifteenth and Seventeenth Corps. He was in twenty-one battles, among which may be mentioned New Madrid, Island No. 10, Iuka, Corinth, Vicksburg, Knoxville, siege of Corinth, Missionary Ridge and the Atlanta campaign, and he did his full duty as a soldier, being most capable and loyal in the discharge of every task that devolved upon him.

“On leaving the army Mr. Keath returned to his home in Iowa, but in 1865 became a resident of Quincy, where he at once opened a law office and has since practiced in all the courts. He enjoys the enviable reputation with court, counsel and client of a practitioner scrupulously accurate in statement and in every action or position governed by the nicest sense of professional honor. His political support is given to the republican party and he has exercised considerable influence in political circles. He served as United States deputy collector of revenue under President Harrison, being appointed in 1889, and was assistant superintendent of the public schools of the county from 1865 until 1869. He served for several terms as chairman of the republican executive committee of Adams County and has been a member of the state central committee. * * * His time and attention, however, have been principally devoted to the practice of law and he is today the oldest member of the Quincy bar in continuous practice with the exception of Hope S. Davis (Editor: Mr. Davis has since died). As a man he is of genial nature and social tastes and

these qualities have won him a host of warm and devoted friends."—Wilcox's Representative Men.

(Since the death of Judge Williams and Mr. Davis, Mr. Keath is the oldest living member of the bar. He is still living, May 20, 1918—Note by W. A. Richardson.)

VETERAN LAWRENCE E. EMMONS

"Lawrence E. Emmons was born in New York city, October 1, 1836; was married to Miss Eliza H. Fletcher in 1856; she was born in Savannah, Georgia; they have two children, Lawrence E. and Lilly F.; he studied law in the Chicago Law School; was admitted to the bar in 1861; and removed to Bristol, Kendall county, where he practiced law until 1865, when he was commissioned First Lieutenant of the 147 Regt. Illinois Infantry, with which regiment he served until the spring of 1866; after being mustered out he came to Quincy and engaged in the practice of his profession, and has, by close attention, built himself up an enviable reputation and very lucrative business. He is Republican, and a member of the Episcopal Church."—History of Adams County, 1879.

"Mr. L. E. Emmons, the eminent attorney, was born in New York City, but came west when quite a boy, and was reared on a farm near Bristol, Illinois. He went to the district school in the winter time, and attended two terms at Mt. Morris Seminary. At twenty-three he commenced the study of law in the law department of the old Chicago University, graduated in 1861, and was admitted to practice by the supreme court the same year. He practiced his profession in Kendall county until 1864, when he enlisted in the army and helped to organize the One Hundred and Forty-seventh Illinois Infantry. He was commissioned First Lieutenant, but was assigned by the department to detached service as ordnance officer, subsequently as assistant commissary, in which position he served until discharged in March, 1866. He was married to Miss Fletcher in Marietta, Ga., in May, 1866, and came to Quincy in September of that year. He at once opened a law office and has been in active practice here ever since, rising to a most eminent position at the bar, a place which has been won by his comprehensive knowledge of the law and his conscientious care of the interests of his clients. His first partners were Gen. B. M. Prentiss, the hero of the battle of Shiloh, and M. R. Butts. In 1873 Mr. Emmons formed a partnership with the late Senator Albert W. Wells, which continued to the death of the later in 1896, and he then took his son, L. E. Emmons, Jr., as a partner."—Wilcox's Representative Men, 1899. Mr. Emmons is still living.

WHEN BENCH AND BAR WERE PICTURESQUE

Gen. John Tillson, whose fame is more of a military, literary and public man than that of a lawyer, nevertheless practiced among the

earlier members of the local bar, and is well qualified, from close contact and broad observation, to give a picture of the pioneer period of the bench and bar. He has thus laid on the rich colors in his "History of Quincy": "Well was, and is it known that during 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 advantages, 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 past reading, but mainly the readiness and aptitude with which legal principles, drawn from rudimentary reading or educated 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 sudden 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, 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 were 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 traveled 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 those 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 the ‘tongue fellows it is safest to give business to, or vote for the Legislature.’ A pretty good idea of how universal was the gathering, of necessity at the county seat 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, yarn and repartee, 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 toward 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 in 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.”

THE PHYSICIANS

The character of the physicians who first settled in Quincy and throughout the county was fully up to the best standard of the country doctor of the West; and no more faithful soul could anywhere be found in that wilderness country. As with the lawyers, the cream of the medical and surgical profession gathered at the county seat—the Rogers brothers, Doctor Hornsby, Dr. J. N. Ralston, Dr. Richard Eels and others.

Dr. Samuel W. Rogers, the elder of the brothers, was the first physician to settle in Quincy, if not in the county. Like most members of his profession in a new country, if possessed of really strong character, he became prominent in the public affairs of the locality. He was a democrat of radical convictions and considerable influence and held the Quincy postmastership for some time. Doctor Rogers died about 1900 at his daughter's residence in New Hampshire. He commenced practice at Quincy in 1829, and lived to a venerable age.

Dr. Hiram Rogers, the younger brother, was also a physician of education and skill, and came from New York to Quincy in 1843. He first engaged in the drug business with Dr. J. N. Ralston, who had been residing at the county seat for more than a decade. This Doctor Rogers was register of the land office from 1845 to 1849 and died in Quincy about twenty years ago. He married a daughter of Capt. Nathaniel Pease, the Boston merchant and capitalist who came to Quincy in 1833 to embark in the packing business and, after making a great success of it and forming many warm friendships in the town and county, died in 1836. His daughter, the widow of Dr. Hiram Rogers, lived in Quincy many years after the death of her husband.

Dr. Joseph N. Ralston was a native of Bourbon County, Kentucky, and spent his early manhood as a farmer. At the death of his first wife he commenced the study of medicine and after attending medical lectures at Lexington obtained his license to practice, and in 1832 settled at Quincy for that purpose. For nearly forty-five years, or until his death in June, 1876, he gave a large measure of his strength and talents to the practice of his profession, and during that long period always maintained an acknowledged leadership both as a practitioner and a public spirited citizen of practical worth and high ideals. He was one of the founders and the first president of the Adams County Medical Society and was re-elected to that position several times afterward. From its organization in 1850 until the year

QUINCY
AND
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History and Representative Men

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