

## MEMORIAL SERVICES

HELD IN THE SUPREME COURT OF ILLINOIS ON THE DEATH  
OF THE HON. ALONZO K. VICKERS.

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On Monday, April 19, 1915, at three o'clock in the afternoon, which hour had been set apart for the purpose, the following proceedings were had:

Mr. CHIEF JUSTICE CARTWRIGHT:

This hour has been set apart for the purpose of commemorating the life and service of the late Justice Alonzo K. Vickers. A memorial is to be presented by Mr. L. O. Whitnel, a member of the St. Clair County Bar Association.

Mr. L. O. WHITNEL:

*May it please the court*—The bar associations of St. Clair county and the city of East St. Louis, where lived Justice Vickers, made and passed resolutions in memory of him. I have been requested by and on behalf of the associations to submit these resolutions to this honorable court. They are as follows:

“Whereas, the bar association of St. Clair county feels deeply the loss, through the solemn avenue of death, of our brother, Justice Vickers; and whereas, for a period of more than a quarter of a century Justice Vickers rendered devoted, consistent and distinguished service to the people of this commonwealth as a member of the circuit, Appellate and Supreme Courts, and was at all times an able and earnest devotee of sound law and its fearless and upright administration, and likewise ever the sturdy and able advocate of purity and faithfulness in the administration of govern-

ment, and as a citizen he was just, charitable and public spirited, a believer in and advocate of the higher ideals in all lines of life:

*"Therefore be it resolved* by the members of the St. Clair County Bar Association, that in the death of Justice Vickers our county, our State and the profession have suffered a great and enduring loss; that his family is deprived of a loving, kind, indulgent husband and father; that his friends have lost an earnest, faithful and ever worthy friend and his community an influential and trustworthy citizen.

*"Resolved further,* that the judiciary of this great State in his departure loses one of its ablest, safest and most profound expounders of the law, the legal fraternity one of its safe directors and guides, and this association one of its wisest counselors and most faithful members.

*"Resolved further,* that we feel and appreciate the great loss occasioned by the passing away of this self-sacrificing and devoted man, and that we extend to his widow and children the sincere sympathy of this association.

*"Be it further resolved,* that a copy of these resolutions be presented to the city court of the city of East St. Louis, the circuit court of St. Clair county and the Supreme Court of Illinois; also a copy thereof to the family of the deceased."

*May it please the court*—We come to you to-day on a mission filled with sadness. It is such as stirs anew sorrow for you and opens afresh an avenue of grief for us; and yet that which occasions the gloom could not be averted, and we are tearfully thankful that it is not a task to speak the praises of the honored dead.

In the year 1853, just at a time when great agitation was rife and troublesome questions confronted the country,—a day when superb statesmanship was exerting its influence to pacify the stern and growing demand for legislation to expel human slavery from our borders and when prayers were offered to postpone severance of this nation,—away down in that part of Illinois designated Egypt, in the foot-hills near the Ohio and at a place overlooking old Fort Massac, Alonzo K. Vickers was born. The home that welcomed him was indeed an humble one,—a lowly cabin, upon a poor and meagerly equipped farm consisting of a few acres. His parents, pioneers, had joined other sturdy and noble people in the

work of developing a new country, and this undertaking was attended with hardships and privations, in which this home had in full-rounded measure its portion. Those were times that tried the steel of men and the patience of women and tested the metal of boys. There is a kind of romantic grandeur in viewing such life from afar. The little cabin in the clearing, surrounded by the primitive forest; the crude pole-barn, where the one horse and the crumpled-horned cow are kept; the faithful dog that keeps at bay the wolves and protects the poultry from the attack of the cunning fox; the tired, worn-out father, who with axe and fire makes war on the dense timber, extending the clearing; the good mother, with loom and wheel in the single room by the open fire, working the while and combining her well known lullaby with the motion of the box-cradle in which her little one sleeps. All this well furnishes a theme attractive to the poet; but to be born there, to live there, to join in the struggle and meet such stern realities, is to pass through a crucible which never failed to separate the gold from the dross. In the very midst of such surroundings was passed the childhood of Justice Vickers.

The war of the rebellion came upon the country when our friend was just past seven. He well remembered the enlistment of his father and his elder brother, and most vividly described his childish feeling as they went away, leaving behind his weeping mother. I have heard him relate the story of his visits to Fort Massac, where these relatives were in training. How his faithful mother, with him behind her, rode a horse to the camp, carrying an old feed basket filled with home-cooked bread, ginger cakes and doughnuts, to distribute among the soldier boys. It is no wonder that the bugle sound and trumpet blast aroused in him a high sense of patriotism, for he had learned the meaning of their call amid the real scenes of a cruel insurrection. The situation thus created cast upon him burdens and cares far beyond those usually assumed by boys of his age. Of necessity, such labor as he could perform was required in assisting his mother.

In those days in that community educational facilities were only apace with general conditions. The little log school house, with its scant equipment, its one teacher for all grades, the blue-backed speller, Harvey's Grammar, Ray's Arithmetic, and the few books accessible, constituted the opportunity for an education;

and this was laden with the drudgery of work morning and evening, after and before the long walk to and from this seat of learning. It was in such a school, amid such surroundings, that our deceased friend, as a child, commenced the search for knowledge. His experience, coupled with his achievements, presents a strong argument in support of his contention that privation and hardship in youth are altogether more of a blessing than a curse to a boy, and that they build the sinews of self-reliance and determination, which cannot be overcome or conquered by opposition in the battle of life.

Having spent the allotted time in the country school young Vickers arranged to attend school at Metropolis, the county seat. He later taught in the country schools, at the same time prosecuting the study of law. Judge McCartney tendered him the use of his office and became his preceptor, and this kindness was never forgotten by the student, who, with a zeal self-sacrificing, later rendered effective aid to this friend of his youth.

It is almost impossible to describe the real experience of a young man destitute of means, scantily clad, measuring the way from a meagre education throughout those three long years to the time when he receives the license of this court authorizing him to practice the profession of law. Only he who has had the experience can appreciate the task. The long hours of study; the floor-pacing, mingled with clouded effort to comprehend; plodding through Blackstone, Kent, Chitty, Greenleaf, Parsons, Pomeroy, Bishop, and other law books, with repeated visits to Bouvier; the reading of statutes and Moore's Criminal and Civil Law, and ever anxiously relying upon Puterbaugh for forms; and all in the presence of that ghost, the landlord, who is waiting for board and room money at the close of the week. Even these embarrassments are not all, for the limited wardrobe is becoming more and more faded and worn, and the student is face to face with the duty of foregoing study to do manual labor in order to procure the indispensable necessities of life. In such case it is with sore regret that he leaves the books and goes to the shop or field, but the return is attended with joy.

Such was the stony pathway over which our friend passed with honor, patience and determination in reaching that station, in 1882, where he passed the bar examination and was admitted

to practice. No doubt he dreamed of universities and colleges. In his vision were great schools of law afar off, beyond his grasp, and in that day, as after, he had profound respect for these and those who used them, but it is not to his discredit to say that his first entry over the threshold of a law college was for the purpose of delivering a lecture on constitutional law. It would be expected that he who had passed through such privations from birth to manhood, and from young manhood to the forum of his chosen calling, would bear the imprint of seriousness.

Having received authority to practice his chosen profession, Judge Vickers looked for a field of labor and selected as such the little city of Vienna,—the county seat of the county adjoining the county of his birth. There he was confronted with the opposition furnished by a strong, active bar made up of skilled lawyers,—fighters,—who never failed to appear with well prepared briefs, supported by determination and zeal. But such only added zest to the well-known "starving period" through which every young lawyer must pass. However, our friend was undaunted. He was himself a fighter. He knew not failure, and had learned the lesson embraced in the old adage, "Where there is a will there is a way." He opened an office and devoted himself earnestly to the work necessary to transact the business tendered him. He also found time to edit a newspaper there. That paper is remembered yet in that city. It reflected the character of its editor. Bravely it recorded his convictions upon public questions. Brooking great opposition and at the risk of making lasting enemies he printed at the top of the editorial page the motto, "Hew to the line, let the chips fall where they may," and from thence until now there has been no question but that the first editor of that paper religiously lived up to that motto. Quickly, so to speak, his ability and worth were recognized, and ere long those in need of legal services sought him. He soon afterwards became associated with Judge Spann under the firm name of Spann & Vickers, and later was associated with George B. Gillespie under the firm name of Vickers & Gillespie. This firm continued until 1890. He served as city attorney of his home city, and his services in this position gained for him the reputation of being a fearless, honest as well as most capable public official. In 1886 he was elected to the Illinois legislature, where he at once forged to the front as one of

the leaders of the house. In 1891 he was elected to the circuit bench, and here commenced his career as a jurist. Prior to this he had been a devout student of the law. As a practitioner he was a man of marked ability. He cherished the memory of many important cases in which he had appeared. He tried cases with such lawyers as Duff, Allen, Green, Inscore, Linegar, Lansden, Spann, Gregg, Damron, and a score of other sages of the bar, and all recognized him as an adversary worthy of their keenest wit, knowledge and skill.

It would be error to assume that at the time Justice Vickers was elevated to the circuit bench he was uneducated. It is true that in his youth the force of circumstances denied to him school facilities and that there was but scant aid tendered him in his efforts to attain an education. In measuring his capacity and knowledge at the time he was elected circuit judge, however, we must take into account the character, disposition and determination of the boy and the man, and we must not forget that wealth, colleges and universities are not indispensable requisites in acquiring knowledge. Such are only aids. With those, alone, learning does not come to him in whose reach they are, and without them a very thorough education may be acquired.

Justice Vickers, when a boy, was zealously anxious to succeed. He was physically strong and robust. He realized his situation. He understood the obstacles in his road and the difficulties confronting him. Even then he seems to have formed the firm determination to overcome and conquer those things which stood in his way. It was said of him that he did not like menial labor, and this furnished a basis for the belief entertained by some that as a boy he was not industrious. Such is a mistake. He was, indeed, a most industrious and untiring worker. He eagerly read books,—all the books he had access to,—and his thirst for knowledge never ceased. It is also true that he early formed the habit of thoroughness, and this trait was permanent with him. He was fortunate in possessing a retentive memory and a strong analytical mind, combined with the capacity for clearly expressing his thoughts. He was quick of comprehension. He was also liberal in the matter of inviting discussion and was a good listener as well as a forceful advocate. While the love of the law was ever his favored theme, yet he was interested in the old and new things

in science. He loved the stars, and possessed, in a general way, a knowledge of astronomy. He likewise was interested in flowers and plants and knew much of botany. He could discuss in an interesting way animal life,—the habits, home and customs of the inhabitants of the forest and stream. He was well versed in history and geography, and loved dearly the biographies of great men who had rendered service to mankind. He was a student of statecraft. He was well informed in the matter of government, well grounded in a knowledge of the different forms of government, and knew thoroughly the history of parties and party principles in his country. At the age of thirty-eight, when his judicial career commenced, he was recognized as a leader in his profession. Not only did he stand in the front rank as a lawyer, but he was easily the greatest, most logical and eloquent political campaigner that rendered service to his party in southern Illinois. In politics he was a partisan republican, strong and uncompromising. He espoused the cause of his party fearlessly, openly and ably. He believed in fighting to the finish, but never did he seek undue advantage. In like manner he was devoted to the cause of christianity. He was not a doubter. He had none of the misgivings of the skeptic. He felt more than certain,—even doubly secure,—in his religious convictions. He was among those who believed that the inspiration of the gospel, the spiritual endowment of Jesus, salvation for man and a future existence were established and indisputable. He called every fact in science, every discovery, all the myriad phenomena of nature, with history, ancient, mediæval and modern, and in convincing order presented all as establishing the monumental certainty of man's future existence. He was devoted to his church, and those who were close to him know of the sacrifices he made for its support.

Thus known and equipped, twenty-four years ago, at the age of thirty-eight, he whose loss we mourn entered upon his duties as judge of the circuit court in the first judicial district. Over this court for fifteen years he presided. He held circuit court not only in his own district but in many counties in the State, from Cairo to Chicago, and was known as an able, accurate and honest presiding judge. Having tried many cases in the circuit court where he presided, I can bear witness that his judicial temperament was such that as a judge he knew neither friend nor foe.

During three and one-half years of the period of his service as circuit judge he served as one of the justices of the Appellate Court. His assignment by the Supreme Court to the Appellate Court was a well deserved recognition of his eminent services on the circuit bench, and he most gratefully appreciated the appointment. In this position at Ottawa he was associated with able jurists, and the record he made there appears in many opinions of the Appellate Court, which constitute enduring evidence of his ability. There, as elsewhere, he devoted himself assiduously to the work necessary to the proper performance of his duty. I think it may be said of him that he thoroughly understood and comprehended the meaning of a selection to a public position. He realized that such selection added, instead of diminished, responsibility and labor, and with this high conception he accepted public office.

In June, 1906, Judge Vickers was elected one of the justices of this eminent court. Prior to that time the First Supreme Judicial District of Illinois had been represented here by none save able and learned judges. It had to its credit such men as Breese, Koerner, Mulkey, Baker and Boggs, all of whom had served on this court with great credit and ability. To succeed these great men and preserve in its strength and grandeur the reputation they had established for the district was a task that fell to the lot of our dead friend. He realized that this undertaking was not easy of accomplishment. He did not halt in the presence of or on account of the magnitude of this work but approached it with the determination to do well his part. That the work would be arduous and unceasing he knew, but he was acquainted with work. He was neither ashamed nor afraid of labor. He had the capacity for judicial toil, and those of you who served with him here know better than others how well he performed his duties as justice of the Supreme Court. For almost nine years he devoted his entire energies, working long hours during vacation that he might render an accounting to the people of this great commonwealth through the decisions prepared by him. That he was an able, industrious member of this distinguished court is the judgment of the bar and the people of this great State. He well preserved, maintained and handed to his successor, unsullied, the great reputation of those who had served before him, to which were added in rounded measure the strength and wholesomeness resulting from



his labor. You who served with him know with what fealty and fidelity he loved and honored you. To him the great future and reputation, the honor and the good name, of the Supreme Court of Illinois were as sacred as his life. You who served with him know better than I his deep devotion to and unlimited affection for the members of the court. To each of you his heart went out as to a brother, and he was ever ready to lend his energies and his aid to do all that could be done in order to reach a righteous decision of every case. The record of his labors on this court will be found in the printed volumes of the Reports, and hence his record as a justice of the Supreme Court has become fixed and established as part and parcel of the history of this commonwealth. His friends and the people of the great district from which he came are distinctly proud of that record. It is worth far more than glittering gold, is more lasting than wealth, and has attached to it a value as stable and continuing as the mountains themselves.

It has been said by a friend that from his birth to his death Justice Vickers lived in a caldron of opposition. While we do not agree literally, nevertheless it is true that his aspirations and his progress politically were resisted at every step by organized opposition. This is not to his discredit. It speaks in most potent language his merit and strength, and I am proud to say that his endorsement was by a voice from the source of government. However, it is most gratifying that at the close, when he properly sought an endorsement and approval of his eminent services here on this great court, there was no opposition.

Judge Vickers was poor in this world's goods. Wealth, dollars, property, accumulation, were not his forte. He knew but little of the art of trade. He lived in a greater zone,—in an intellectual vineyard,—and there he became so absorbed and enveloped that he could not give time to the mastery of finance. It can be truthfully said that he never neglected his public duty in the effort to increase his personal holdings, and herein those he served owe him an additional debt of gratitude. He was in the highest sense public spirited. He was always ready to aid in the promotion of every good work in the upbuilding of his city and his country, and never failed to fearlessly and openly espouse the cause of such progress. He was a lover of music, oratory, art and litera-

ture, and believed that through these the world was growing constantly better.

Judge Vickers left surviving him his widow—she whom in his young manhood he had wooed and won and who for more than thirty-four years had been his faithful companion. There also survive him his son and two daughters. In his death these have been deprived of a faithful, devoted and loving husband and father, and our hearts go out to them in sincere sympathy.

There may be those who say Judge Vickers had his faults. As his friend who loved him I seek not here to blot out his shortcomings. He had his faults, but compared and measured by his true worth they were small ones. He was human. He made no claims save those of a man, and a man among his fellows he was. In his case, as in the case of all great, self-sacrificing men, the history of the future will blot out any minor faults which he may have possessed and record in lasting words the invaluable services which he rendered to mankind.

Our friend has passed from among us. The worries, anxieties and troubles which filled an active life have been lifted from his patient shoulders. His labors here have ceased, but the people, State and country whom he so faithfully served will continue to remain his debtors, for all are the beneficiaries of his splendid work. On a bleak winter afternoon, January 21, 1915, the final summons came, and he who had so gallantly met the adversities of youth, the opposition in manhood and the labors of a useful life, in honor surrendered to accept a peace to which he was justly entitled. We took him tenderly to the little city that he so much loved,—to the scenes of his young manhood in that community where he had builded his home, claimed his bride and where his children were born,—and there, in the beautiful cemetery on the hill top, overlooking the court house where he had fought his first legal battles, attended by members of this court and eminent jurists and lawyers, surrounded by the humble people who loved him and mourned his loss, we placed him in his tomb and upon his grave deposited a bower of flowers in token of our affection. There may he sleep in peace in his windowless palace of rest until that gentle springtime when He who spoke to Moses from the rock on Sinai's dizzy heights shall speak again to raise and to bless.

The committee, Bruce A. Campbell, Robert McMurdy and James M. Graham, appointed by the Illinois State Bar Association to prepare and present on its behalf a memorial to the Supreme Court upon the life and character of Judge Vickers, presented the following tribute to the man and jurist:

"It is always hard to break the ties which bind us to those with whom we have been associated, but our sorrow is augmented when death not only takes from us a friend and associate, but deprives the State of a public servant whose service has been great and who also gave us the promise and the hope of even greater and more valuable service in the future. Alonzo K. Vickers was such a man. Fifteen years as a trial judge and three years upon the Appellate bench gave him a splendid training for the work of this court. In addition he was equipped with a splendid legal mind, an ability and inclination for hard work, indomitable energy and a deep knowledge of the law, which, when combined with his knowledge of life and of the strength and of the weaknesses of the human race, rendered him peculiarly fit for the position which he held at the time of his death.

"Judge Vickers was not content to stand still, but desired, above all, each day to be a better judge than he was the day before, and it can truthfully be said that in this he accomplished his desire. He never felt, in cases submitted to this court, that he should be limited to the points and authorities suggested by counsel, but he studied his cases from every viewpoint and every angle, even, when necessary, conducting independent investigations of the legal questions involved. His mind was always open and his sole endeavor was to form a right conclusion. When his opinion was once formed he tenaciously held to it until convinced that it was wrong, but he had no pride of opinion, and was ready to admit his error when he found that he had committed one. He had great reasoning powers and nothing suited him better than to take a difficult case and apply to it his knowledge of the law, his sense of natural justice, his experience and his common sense and reason out the just result. He knew men, their common experiences, their joys and their sorrows and the motives that actuated them. From that knowledge, in many cases, he in-

tuitively knew where the right lay. He was a lawyer above all things, and did not believe in the overturning of precedent or in the disregarding of prior decisions of the court. He at all times had the courage of his convictions. His neighbors and friends always knew his position upon public questions, and he did not trim his sails to meet the storm of public opinion but always measured his course by the dictates of his own honest convictions. His opinions while a judge of this court reflected the man. They were always clear, vigorous and well prepared. The language used was of that kind that men knew and understood. When one read his opinions he was impressed with their finality and with the idea that the last word upon the subject had been written.

"Judge Vickers loved the law, both as a profession and as an institution. He believed that the settled law of the land was the result of the best efforts of the profession and of the bench to establish rules of natural justice and to lay down principles of judicial interpretation for the future. In his intercourse with his fellow-men,—judges, lawyers and laymen,—he was courteous and genial; a friendly man, who made friends and who loved to mingle with them. He thoroughly enjoyed the work of the Illinois State Bar Association and of the local bar associations. He rarely missed a meeting of the State association, and when time permitted he was always ready and willing to attend meetings of the bar, address the members upon timely subjects, mingle with them and exchange ideas for the betterment and improvement of all. He loved his work—in fact, lived with it. He properly appreciated the dignity of this court and of his position upon it, but he did not allow this to interfere with his relations to his friends, his neighbors and his fellow-lawyers. Summing it all up, he was a real man, a splendid citizen, a deep lawyer and a great judge. What more can be said of any member of our profession?

"The Illinois State Bar Association desires to express and record its appreciation of his qualities as a judge and as a man, to express its sincere regret at his untimely death, and its grief at the great loss to the State and to the profession by reason thereof, and to this end this memorial is presented to the great court which he loved, honored and respected and as a judge of which he rendered such inestimable and valuable service."

## MR. CHIEF JUSTICE CARTWRIGHT:

Again by the death of a judge of this court the sacred trust committed to him has been returned to the people to be delivered to another. They gave into his hands the constitution and exacted from him a solemn oath to support it, in order that it should remain as it had been,—a shield and a protection to liberty against the exercise of arbitrary power, either against an individual or by a majority against a minority, and that its guaranties should neither be weakened nor destroyed. They committed to his care the laws governing the rights and relations of individuals among themselves and between the citizen and the State, to be construed and administered for the maintenance of right and justice and the protection of life, liberty and property. His record is closed, and after the close of his service to the people and the State we turn aside at this hour from other duties to recall how well and with what ability, force and fidelity he performed his duties as a judge and fulfilled the obligations to the people which he assumed. Mr. Justice Cooke will respond on behalf of the court to the memorial presented and what has been said in connection with it.

## MR. JUSTICE COOKE:

On behalf of the members of the court I desire to say that we appreciate deeply the spirit which has prompted the offering of these resolutions and all that has been said concerning the life and work of our late associate. Immersed and absorbed as we all are in the intense activities of this age, we are prone to overlook and neglect opportunities to show an appreciation of the unselfish and important work which is being prosecuted in every community for the public welfare and to give due credit to the living who participate in such work. It is therefore fitting that both the bench and the bar should lay aside their usual cares and duties and pay this tribute of respect to the memory of one who has so signally distinguished our profession. In doing his memory this honor we honor ourselves.

To us, who were associated with Judge Vickers so intimately during his service as a member of this court, these proceedings have a peculiarly personal interest. You knew him as the farmer boy ambitious to fit himself to secure and maintain an honorable position in the community; as the school teacher; the editor of

a country newspaper; the lawyer; the judge, to whom you submitted your controversies for decision, and as a neighbor and friend, and you have spoken of him from your viewpoint. As his associates upon the bench we have known Judge Vickers in a different way and more intimately than is possible for many men to know one another. By reason of the nature of the work and our methods of performing it no man can serve nine years as a member of this court without revealing to his associates his true character. All his characteristics, whether they be good or bad, weak or strong, are here sooner or later laid bare. It is my privilege, on behalf of the court, to speak of Judge Vickers from the standpoint of this intimate relationship.

That Judge Vickers, in common with all other men, had faults goes without saying. I would do his memory an injustice to assert otherwise. His faults were not glaring ones, however, and were so overshadowed by his many good qualities and sterling worth as to be passed unnoticed or be easily and speedily forgotten. That he was a man of exceptional ability and extraordinary force of character must be evident from his whole career. By his work on this court, and particularly in the conference room, he has enabled his associates to truly appreciate him in this respect. While he was not always quick to grasp a proposition and his mental processes would sometimes appear to be slow, he was nevertheless possessed of a strong mind and was a sound and logical reasoner. In debate he was an antagonist to be reckoned with, as he drove home the points he desired to make with force and precision. This characteristic, displayed so effectively in the conference room, is reflected in his written opinions, which stand forth as splendid examples of strength, logic and virility. While he was open-minded and was always able and ready to consider and carefully weigh every argument presented on each side of any proposition, when he once arrived at a conclusion he maintained it stoutly and vigorously and was utterly indifferent to criticism of his position from any source. His sense of justice was keen, and the thought always uppermost in his mind was to accomplish natural justice, as nearly as was possible, in every case.

Judge Vickers was not only possessed of a keen sense of humor, which was often pleasantly displayed during the work in conference, but he had the happy faculty of being able to aptly

illustrate a point or to enliven a discussion without creating a digression, by relating some humorous incident which had come under his personal observation while a member of the bar or while serving as a judge of the circuit court. These diversions not only afforded pleasure to his associates, but they served to disclose the method and results of his observations and the accurate insight he had obtained of human nature.

While we have not known Judge Vickers as long as most of you, we are able to say that his whole life has been one of growth. During the years we have served with him he has grown constantly, both in strength and vigor as a member of the court and in appreciation of the importance of the position. In his death the State lost not only a most capable and efficient official, but one who gave promise of even greater achievements.

It is of interest to note that during his service upon this court Judge Vickers was the author of 514 written opinions, 19 dissents and one concurring opinion. These appear in forty-six volumes of the Reports, his first opinion being found in Vol. 222 and the last in Vol. 267. His death was untimely, but his work will remain as a perpetual monument to his ability and his unswerving devotion to duty.

#### MR. CHIEF JUSTICE CARTWRIGHT:

The memorial presented by the bar of St. Clair county, a further memorial of the State Bar Association, with the remarks accompanying the memorial presented in court, and the remarks of Mr. Justice Cooke, will be spread of record in the records of this court and will be published by the Reporter of Decisions.

As a further mark of respect to our departed associate the court will now adjourn.

REPORTS  
OF  
CASES AT LAW AND IN CHANCERY

ARGUED AND DETERMINED IN THE  
SUPREME COURT OF ILLINOIS.

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VOLUME 269.

CONTAINING CASES IN WHICH OPINIONS WERE FILED IN OCTOBER,  
1915, AND CASES WHEREIN REHEARINGS WERE DENIED  
AT THE OCTOBER TERM, 1915.

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SAMUEL PASHLEY IRWIN,  
REPORTER OF DECISIONS.

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BLOOMINGTON, ILL.  
1916.