

see in dim and shadowy outline the pioneer shouldering his trusty rifle, and bidding wife and children good-by, going westward to intercept the approach of the savage before his bloody trail shall strike his own settlement. This moves on, and in its place we see the sons of these pioneers forming by squad and company and battalion and regiment, and going forth by hundreds, yes, thousands, to defend the flag of the country which has given them a government, under whose fostering care all these later scenes have been made accomplished facts. We look upon the serried ranks as they move forward, shoulder to shoulder, against the deadly blast of war. The cannon and musketry of traitors in arms thin their ranks, but forward they bear the colors of the Union, reflected in their blood-stains every step of the weary way from Bull Run to Appomattox. Homeward they turn when victory is secure and the Union has triumphed, their columns gaping from the havoc of shot and shell and the disease of the camp and prison-pen, and their colors ragged and torn, but proud and defiant as ever. One grand ovation to the living, a sad wailing requiem for the dead, and the remnant left of the brave thousands who went forth to do battle for the right settle back into the busy routine of the private citizen, and the war-clouds pass away and gentle Peace covers all with her wings. Well has the poet said:—

“And step by step, since time began,  
We see the steady gain of man!”

## CHAPTER X.

### THE BENCH AND BAR.

BY JAS. H. BROWNLEE, M. A.

**L**AWYERS have in all ages formed an influential body of men, animated by the spirit and love of liberty; and the student of history finds that much of the freedom which men enjoy to-day has been won and preserved by their efforts. When bold blows were needed for the right, and against oppression, they have ever been foremost in the battle.

It was Ulpian, the Roman lawyer, who lost his life in aiding his prince to put the army below the law. D'Aguesseau, the Frenchman, facing an enraged king unflinchingly in behalf of his country, and recalling the noble words of his wife, “forgot that he had a family to ruin, and remembered only that he had France to save.” “Coke flung the language of eighty years in the face of the first Stuart in defence of the people.” Who has not heard the motto of the great Selden: “Before all things else, liberty.” It was Lord Chief Justice Mansfield who declared: “Slaves cannot breathe in England; if their lungs receive our air, that moment they are free.” It was the eloquence of the great advocate, Erskine, that in “spite of the III. George made it safe to speak and print in England.” In our own country the part taken by the lawyers has been equally honorable. It was the silver-tongued eloquence of James Otis of Boston that first breathed into the colonists an heroic spirit of resistance to British oppression. The clarion voice of Henry, of Virginia, gave courage and hope for the contest. Jefferson's hand drafted the “Great Charter” of our liberties, the Declaration of Independence. John Adams was the colossal spirit of the Revolution. Alexander Hamilton, it was, who “touched the dead corpse of Public Credit and caused it to spring upon its feet.” In a later day, the matchless Webster expounded the Constitution to his countrymen, and gave to that great instrument the *national* interpretation. The eloquent Clay, by his efforts to promote har-

mony between the North and the South, won the proud title of the “Great Pacificator.” It was an Illinois lawyer, Abraham Lincoln, who was called to save his country from anarchy and dissolution. And the names that have conferred the greatest and most lasting glory upon this great state are those of two lawyers, Abraham Lincoln and Stephen A. Douglas.

#### THE BENCH.

A glance over the list of judges, who have presided over the courts in Macon county, will show a great array of talent. The first court was held in Decatur in May, 1830, at which Samuel D. Lockwood, of the Supreme bench presided. Until 1835, the judges of the Supreme bench were required to do circuit duty. In that year a law was enacted severing the duties of Supreme and Circuit judges. Judge Lockwood presided from 1830 until the change in the law. This distinguished jurist came to Illinois at an early period, and was a prominent actor in its history for many years. He was a man of stainless purity of character, and in ability the peer of the ablest of his associates on the bench.

Stephen T. Logan of Springfield, on the change in the law being made, was elected judge of this circuit by the legislature, and succeeded Mr. Lockwood in the circuit. He has one of the most brilliant legal intellects in the entire West, and has won a high reputation in law and politics. This county then constituted a part of the *first judicial district*. Thomas Ford, afterwards governor of the State, at Logan's request, held the September term of 1835.

Judge Logan resigned his seat on the bench early in 1837, and William Brown of Jacksonville was appointed to the vacancy by Gov. Duncan. Judge Brown was a native of Kentucky, and a man of culture and agreeable manners, and at the time of his elevation to the bench was about twenty-five years of age.

He was followed on the bench by Jesse B. Thomas, for whom he held the October term of 1837. Justin Harlin held the May term for him. Judge Harlin was a large, fine-looking man of polished bearing. He was courtly and dignified, and it was a treat to a young lawyer to hear him deliver the opinion of the court. Judge Thomas was on the bench but a short time, being succeeded in his office by S. H. Treat, who presided from 1839 till the adoption of the new constitution in 1848. This eminent man has, during the greater part of his life, sat upon the bench. He is now the Judge of the United States District Court at Springfield, and by his great legal learning and impartiality ornaments that high office, and his judicial ermine is free from stain.

David Davis, of Bloomington, was his successor, and presided from 1849 to 1853, inclusive. The career of Judge Davis is familiar to all, and is honorable to himself and his state. In all public trusts, as Judge of Circuit, as one of the justices of the Supreme Court of the United States, as U. S. Senator from Ill., he has proved himself able, worthy, and high-minded. The May term of his last year in this Circuit was held for him by Charles Emmerson, who, in 1854, became his successor in office.

Charles Emmerson, the first resident lawyer of Macon county, was a native of New Hampshire. He came to Illinois in 1833; for one term attended Illinois College, and then, removing to Springfield, began the study of law under Judge Keys. On being admitted to practice he settled in Decatur, in the spring of 1834. In 1841 he married Nancy Harrell, who died in 1866. From '47 to '50 he resided in Paris, Illinois. On his return to Decatur he was elected to the legislature, and on the expiration of his term was re-elected. In June, 1853, he was elected Circuit judge, and held the office till 1867. In 1869 he was elected to the constitu-

tional convention. He attended the early part of the convention, but was then suffering from a severe cold, which, settling on his lungs, ended his life in April, 1870.

"As to his judicial career his memory needs no comment; his mind was evenly balanced, and he held the scales of justice so impartially that few dared to question the correctness of his decisions; he seemed absolutely unbiased. \* \* \* His mind was broad and grasping; the intricacies of the law he could comprehend readily, and solve the most difficult questions of law and fact with scarcely a moment's reflection. He had the power of presenting his views succinctly and in such a way that those who heard him, in making a decision, at once acknowledged the justness and correctness of his position in the matter in question. He was charitable, modest and unaffected, and possessed not one particle of personal vanity; he had no desire for display, and no ambition for admiration."

He was a man of the highest intellectual powers, combined with singular simplicity of deportment and dress. In his public and private life he was a worthy model for imitation. He loved his profession, and honored it by his vast ability and his entire rectitude of life.

"His life was gentle;  
And the elements so mixed in him  
That nature might stand and say to all the world,  
This was a man."

He had seven children, only one of whom, Leora M., of Decatur, lives in the county which is so proud of his memory.

Judge Arthur J. Gallagher, who succeeded Judge Emmerson, on this circuit, was a native of Ireland. He came to America when a boy, and, with his relatives, first settled at Philadelphia. He soon left there, and coming west, attended for a time the Catholic College at St. Louis. On the outbreak of the Mexican war, he threw aside his books and enlisted as private in the 2d Illinois volunteers, Col. Bissel commanding. He served out his term of enlistment—one year—and participated in the battle of Buena Vista. Returning to the States in the spring of 1847, he began the study of law in the office of Lyman Trumbull at Belleville, Illinois. In 1848 he was admitted to practice, and opened an office in Vandalia. In 1852 he was elected to the legislature from his district, and was afterwards appointed, by President Pierce, register of the U. S. Land Office at Vandalia, which position he filled until his removal to Decatur in 1856, where he soon took high rank at the bar, and rose in time to its head. He formed a co-partnership with R. J. Oglesby and Sheridan Wait, and the firm had a large and lucrative practice. In 1862 he raised a company—of which he was made captain—for the 7th Illinois cavalry, Col. Wm. Pitt Kellogg (now Senator from Louisiana) commanding. Ill health compelled him to resign after a year's service. He married, in 1865, Miss Rachel Smith, eldest daughter of Hon. E. O. Smith. In 1867 he was elevated to the bench of the old sixteenth circuit, without opposition, serving till 1873, when he resumed practice. He died suddenly in the summer of 1879.

Judge Gallagher was a man of towering intellect and remarkable perceptive faculties. His grasp of legal questions was intuitive, and he possessed the power of exact and luminous statements. Though not an orator, in the popular acceptance of the term, no man surpassed him in his ability to make his meaning clear to a jury on the most intricate points of law. He was peculiarly fitted for the office of judge. "He was a fair man." "No judge ever held the scales of justice more evenly poised than he." He was honorable and upright in all relations of life, affectionate in his family, and had hosts of friends, who were drawn and bound to him, as by hooks of steel.

Judge Gallagher was succeeded by C. B. Smith, of Champagne. Judge Smith is a native of Western Virginia, but was brought to his parents to Bellefontaine, Ohio, when a year old. When reaching early manhood he chose the legal profession, and pursued the study of law in the office, and under the tuition, of Gov. Benjamin Stanton. In 1860 he was admitted to practice and opened an office in Bellefontaine, where he remained one year. He then removed to Illinois and settled in Newton, Jasper county, where he remained three years, at the end of which period he removed to Champagne, where he has since resided. He enjoyed, before his elevation to the bench, a large practice. He was elected circuit Judge in 1873, and in 1879, was re-elected. Judge Smith is a man of fine social and conversational powers, of excellent knowledge of the law, and of untiring industry, and worthy of his high office.

In 1877 the legislature changed the law governing circuits (which heretofore had been single circuits) consolidating two into one, and providing for the election of a new judge, in addition to the two holding over. One of the three judges of the circuit was selected by the Supreme court as judge of the appellate court, created by the same act, and he, in addition to his duties as appellate judge, performs circuit duty.

Judge Smith and O. L. Davis, of Danville, being judges of adjoining circuits at the time of the passage of the act above mentioned, held over, and William E. Nelson, of Decatur, was chosen by the people as third judge of the enlarged circuit. Wm. E. Nelson was born in Sparta, White county, Tennessee, on June 4, 1824. He read law in the office of his father, and, after thorough preparation, was admitted to practice in 1844. He moved to Illinois in 1857, and in June of that year, settled in Decatur, where he has since lived. In 1869 he was appointed one of a commission to revise the statutes of the state, and discharged the duties of that office, until he took his seat as member of the 27th General Assembly in 1871. In August, 1877, he was elevated to the bench as one of the judges of the fourth judicial circuit, and filled the entire term of his office, after which he resumed the practice of his profession. Judge Nelson is a man of education, and possesses a fine command of language; of great industry and irreproachable morality. He has been a hard student and knows the law. He has a large practice, and the interests of his clients are carefully guarded by him. His legal ability and uprightness have won the respect and esteem of all who know him.

The general election for the three judges in 1879 resulted in the re-election of C. B. Smith and O. L. Davis, and the election of J. W. Wilkin, of Marshall.

#### PROSECUTING AND COUNTY ATTORNEYS.

1830-35.....	John H. Pugh.
1836-40.....	D. H. Campbell.
1840-44.....	Josiah Lamborn.
1844-48.....	John A. McDougall.
1848-52.....	David Campbell.
1852-56.....	Elam Rust.
1856-60.....	J. R. Eden.
1860-63.....	*J. P. Boyd.
1863-68.....	D. L. Bunn.
1868-72.....	M. B. Thompson.
1872-76.....	C. C. McComas.
1876—.....	J. A. Buckingham.

#### THE BAR.

##### NON-RESIDENT LAWYERS.

In early times, owing to an almost entire absence of litigation, attorneys found it necessary, if they would gain support from their

\* Resigned and D. L. Bunn appointed.

practice, to travel with the court from one county seat to another. The terms of the court began usually on Monday in one county and on Thursday in the adjoining county; thus, as the courts held ordinarily but one or two days, it gave the court and attorneys ample time to ride from one county to another.

It is a mistake to suppose that the lawyers of that day were lacking in legal or intellectual ability. This is far from the truth. On the contrary, the bar comprised men whose names are now household words. Abraham Lincoln, "the world's most illustrious son," who began the study of law in Macon county, and Stephen A. Douglas, "the little giant," both destined to be life-long political opponents, came regularly to Decatur in the practice of the law. Here, too, was heard the surpassingly eloquent voice of E. D. Baker, who commanded an Illinois regiment in the Mexican war, was afterwards a Senator from Oregon, and fell in his country's service at Ball's Bluff early in the great war for the Union. Then also came U. F. Linder, witty and eloquent in a marvelous degree, and won high reputation in criminal law and politics. Here, too, practiced Josiah Lamborn, at one time State's attorney for the district. An able lawyer, and in the estimation of lawyers who conducted a defence, a very dangerous prosecutor. Another lawyer who came regularly to Decatur in practice of his profession was Benjamin S. Edwards, of Sangamon, who had high legal ability and reputation. Still another was John A. McDougall, who held the office of State's attorney from 1844 to 1847 inclusive, a man of varied and brilliant attainments. He went west and became a United States Senator from California. Still others were Leonard Swett, the friend of Lincoln, who now stands at the head of the Chicago bar; and Hon. O. B. Ficklin, of Coles, who represented his district in Congress for many years; a well-read lawyer, whose mind is a vast storehouse of recollection and anecdote of the early history of the state and of her mighty dead. Yet another was Hon. John T. Stewart, a native of Kentucky, and a lawyer of first-class ability. He ran against Douglas in 1836 for Congress, and defeated him. William L. D. Ewing, of Vandalia, was another attendant. He was a good lawyer and a very accomplished gentleman, of fine social qualities, and of unusual grace and dignity of demeanor. Still another was Judge Horatio Vandever, of Christian county. He had a large practice, and inherited a vigorous and capacious intellect. Judge Davis was another attorney who practiced here, but of him we have spoken in another section of this chapter.

#### FORMER RESIDENT LAWYERS.

Kirby Benedict came from the state of his nativity, Connecticut, in March, 1836, and settled in Decatur and opened a law office. He was the second resident attorney in the county, Charles Emmer-son being the first. He lived here until 1849, when he removed to Paris, Illinois. In the fall of 1853 he was appointed one of the associate justices of the territory of New Mexico, in which capacity he served for three years, when he was made chief justice, which place he held until removed by Andrew Johnson in 1866. He then engaged again in the practice of the law, and also was editor and proprietor of the *New Mexico Union*, until his death in 1874. He was a man of ability, and was distinguished for his fine literary taste, and for his great power as a popular orator.

George W. Powers was admitted to the bar in 1843, and died in the fall of 1848. He possessed a superior literary education, and was exceedingly polished in his bearing; both honorable and cultured in the highest degree. He came from Mobile, Alabama, and was a member of the Illinois Senate before he began practice.

Sheridan Wait in 1852 became a resident of Decatur, and formed a co-partnership with Charles Emmer-son, and afterward with

Richard J. Oglesby. He was well read, and a very safe counsellor. He was General Oglesby's Adjutant-General during the war, and had held the office of canal commissioner. He died in Leadville, Colorado, and was buried in Decatur.

Col. Nathan W. Tupper was born in Washington county, New York. When about twenty years of age he moved with his father to Wisconsin, where he taught school and engaged in farming. He read law in that state, and in 1854 removed to Decatur, where he at once took high rank at the bar.

In 1862 the 116th Regiment of Illinois Volunteers were raised and mustered into the service, and Mr. Tupper was commissioned its colonel. The record of Col. Tupper's regiment, which consisted almost entirely of Macon county boys, is exceptionally brilliant; and its gallant commander won high reputation for capability and bravery as its officer. Col. Tupper died of disease, induced by hardship and exposure, at Decatur, March 10th, 1864. Col. Tupper was a very strong, able lawyer, had no superior at the bar, and was a high-minded and honorable gentleman in all things.

Ansil Tupper was a brother of Col. Tupper, whom he equalled in intellectual power and knowledge of law. He was hasty and impulsive in temper and disposition, and his passions were strong; but, nevertheless, he was highly popular. He entered the army, and was Lieut.-Col. of the 41st Illinois Volunteers, and fell at the head of his regiment at Shiloh.

Eleazar Thorpe, now a resident of Chariton, Iowa, was a well-read lawyer of strong native talent for his profession. He was admitted to practice in 1854.

James P. Boyd was a native of Ohio, and his early manhood was spent in teaching. He was well-educated, and a man of pure character. He was admitted to the bar in this state. He became a resident of this county in 1855, and was soon after his arrival elected county-surveyor. In 1860 he was elected prosecuting attorney, and served as such until 1862, when he resigned to enter the service as Lieut.-Col. of the 116th Regiment of Illinois Volunteers. At the siege of Vicksburg he was shot through the lungs, but recovered. He went to New Orleans at the close of the war and practiced his profession there. He returned to Decatur, where he died from the effects of his wound in 1869. He was a diligent student of law.

Hon. John R. Eden, of Sullivan, resided in this county for a short time. He is a strong man and an able lawyer, widely known in political circles, and has represented his district in Congress a number of times.

John W. Smith, now a member of the bar in Chicago, was born in this county, February, 1843. He graduated at the Albany Law-School in New York, and began practice here as junior member of the firm of Emmer-son & Smith. He is well known in the county as the author of a history of Macon county. He is a man of fair education and versatility of talent, and a well-read lawyer.

#### PRESENT MEMBERS OF THE BAR.

Undiscriminating praise is worthless, and empty adulation is out of place in speaking of the dead, much more when speaking of the living. Refined and sensible men place, justly, a light estimate upon either. It can be truthfully said, however, that the Macon county bar is able and worthy. It comprises young men of promise and ambition, and those who have attained great eminence in a difficult and honorable profession, and whose history is an incentive to those who are to follow them. We speak of the members of the bar as nearly as possible in the order of time they began practice in this county.

Capt. Joel S. Post, the oldest practitioner of the Macon county

bar, was born in Wayne county, New York, April 27th, 1816. In 1828 his father emigrated to Michigan territory. Here Mr. Post remained with his father until his twenty-third year. In 1839 he removed to Decatur, and in the next year began the study of law in the office of Charles Emmerson, and in 1841 he was admitted and began practice. In 1846 he enlisted for the Mexican war in the 4th Regiment Illinois Volunteers, Col. E. D. Baker commanding. He was soon appointed quartermaster, with the rank of captain. In 1856 he was elected to represent his district in the State Senate, and served two sessions. During his term of service he was mainly instrumental in securing the passage of the law establishing the State Normal University at Normal, Illinois.

Capt. Post is noted for his kindness of heart, and few men have more warm friends than he. His kindness to young attorneys beginning practice is proverbial. He has the respect and esteem of the community in which he has lived so long; is a good lawyer, safe as a counsellor, and strong as an advocate; and has enjoyed a good practice. His assistance in the preparation of this chapter, as well as other parts of the work, has been of especial value and is gratefully appreciated.

A. B. Bunn is a native of Ohio. In 1844 he came to Illinois, and settled at Mt. Pulaski. After residing there four years he went to Iowa city, and in '49 began there the study of the law in the office of Gilbert Folsom. In July, 1850, he moved to Decatur, and entering the office of Capt. Joel S. Post continued his preparation for his profession, frequently conducting cases in the courts of justices of the peace. In September, 1851, he went to Bloomington and applied for examination to Judge David Davis, circuit judge. Judge Davis appointed Charles Emmerson, C. H. Moore, and David Campbell as a committee to examine him. Mr. Emmerson, who had frequently contested law points with him in the justices' courts, and who held a high opinion of his ability, gave it as his belief that the young man was worthy of his license, and thus vouched for, he was granted his license to practice without examination. Mr. Bunn was elected to the legislature in 1866. He has held the office of assessor of internal revenue, which he resigned, and has also served the city of Decatur as its attorney and clerk. He is a thoroughly educated lawyer, and one of the best special pleaders ever at the bar. Master of his profession, he is equally strong before a jury and the court. His standing for many years in his profession has been high.

S. G. Malone, a native of Ohio, studied for his profession in Indiana, where he was admitted to the bar in 1848. He pursued the practice of law in Vermilion county of that state for seven years,—four years of that period filling the office of prosecuting attorney. He came to Macon county in 1856, and settled in Decatur, forming a co-partnership with William S. Freese, a highly respected and popular young man. Judge Prather was not long after taken into the firm, and Mr. Freese soon thereafter retired. Mr. Malone is a careful, pains-taking lawyer, and a very safe counsellor.

Hon. Richard J. Oglesby, was born in Kentucky in 1824. He came to Decatur with his uncle, Willis Oglesby, in 1836. In 1844 he began the study of law in Springfield, and in 1845 was admitted to the bar. He opened an office in Sullivan and remained there until the spring of 1846, when he volunteered in the Mexican War, and was commissioned 1st Lieutenant in Company C. 4th regt. Ill. volunteers. On his return he resumed practice, this time in Decatur, but in 1849 went to California in search of a fortune. In 1852 he returned and again resumed his profession. In 1856 he made a tour of Europe, Asia and Africa, and returning, became one of the firm of Gallagher, Wait and Oglesby. In 1860 he was elected to the State Senate. In 1861 he was elected Colonel of the

8th Illinois infantry. At the battle of Ft. Donelson he was in command of a brigade. He received, at Corinth, as a memento of rebel affection, an ounce ball in his body which he still retains. He had been promoted Brigadier-general in April. After partial recovery he was promoted to major-general, for valiant services, his commission dating from Nov. 1862. Owing to inability to perform the duties of his position from the effect of his wound, he performed his resignation in July, 1863, which was not accepted, and he was detailed on court-martial duty at Washington. In May, 1864, he returned home and was elected Governor of Illinois. In 1872 he was re-elected to that office, but resigned on being elected to the Senate of the United States in 1873.

Senator Oglesby is a man of great natural ability, and had he devoted himself exclusively to the law there is no question but that he would have attained as great eminence in that profession as he has reached in military and political circles. His popularity is great, and his oratorical powers are of a high order. His fame as a soldier and orator and statesman is national, and the citizens of Macon county, irrespective of party, are proud of his achievements.

D. L. Bunn was born in McLean county, Ill., in 1837, and in 1855 became a citizen of Macon county. He read law in the office of Capt. Post, in Decatur, and in the fall of 1862 was granted license to practice. The same year he was appointed prosecuting attorney by Gov. Yates, to fill out the unexpired term of James P. Boyd. In 1864 he was elected by the people to the same office, and served out his term of four years. He received his literary education at Lombard University.

Hugh Crea, one of the leading members of the Macon county bar, was born near Port Hope, Canada West. His father was a man of education, and was influential in the establishment of a good system of schools in Canada. Mr. Crea left home before he reached his majority, and came to the United States. He subsequently read law and was admitted to the bar in Indiana, but on account of poor health made no attempt till 1860 or 1861, when he came to Illinois. He opened an office in Decatur in the fall of 1862, and soon acquired a large and profitable practice. Among his prominent characteristics as a lawyer is a thorough knowledge of the common law. He possesses a mind of superior logical powers. For the last few years in connection with a general practice, he has devoted considerable attention to railroad law, in which he has been very successful.

K. H. Roby was born in the State of New Hampshire, and came to Illinois in 1858. He first made his home at Salem, Marion co. There he became a student of law in the office of Bryan and Shaffer. He removed to Decatur in 1860, and continued his preparation for practice in the office of Tupper and Nelson. He passed the required examination, and was admitted to the bar in 1862. After Col. Tupper went into the army, he was associated in practice with Judge Nelson, and remained in partnership with him until his elevation to the bench. Mr. Roby is unassuming and gentlemanly in his bearing, and is an able lawyer and safe counsellor.

Samuel F. Greer, who has filled the office of county judge continuously since 1861, is a native of Ohio. He came to Decatur in 1854, and studied his profession here. He was admitted to practice in January, 1862, but his time has been mostly occupied with his official duties. He has been a member of the board of education and has represented his ward in the city council. Mr. Greer is honest and upright, and discharges the duties of his office most creditably. His knowledge of real estate law is very thorough.

J. A. Buckingham, the present prosecuting attorney, was born in Hamilton county, Ohio, in July, 1840. He attended Farmer's

College, Ohio, and then read law in the office of Tilden and Caldwell, in Cincinnati. He was admitted to the bar in April, 1863, and in September of the same year came to Decatur. He entered into a co-partnership with Capt. J. S. Post, and has practiced his profession here, since. He has held the office of city attorney for four years, and in 1876 was elected to the office he now fills. Mr. Buckingham possesses a strong intellect, and is conceded to be a very able lawyer. He has by study and untiring application won his way to the front in his profession.

Brice I. Sterrett, of Decatur, was born in Pennsylvania, and was educated, classically, at Dickinson College, at Carlisle, graduating in class of '67. In July of that year he began the study of law in Carlisle, and in the fall of the same year moved West, and settled in Decatur. Here he entered the office of Emmerson and Smith, and continued his studies until Aug. 1868, when he was granted license to practice. Since that time he has been a member of this bar. After the death of Judge Emmerson he was associated for two years with John W. Smith. He belongs yet among the junior members of the bar; is a well-read lawyer, and an honorable, high-minded gentleman.

Thomas Lee is a native of county Limerick, Ireland, and emigrated therefrom in 1855. Until 1860 he lived in New Jersey. In that year he removed to Springfield, Illinois, and graduated in the High School of that city. He studied law in Decatur, in the office of Hon. F. S. Murphy, and in Aug. 1869, was admitted to the bar. Mr. Lee is a man of great industry; manages his cases skillfully, and is a successful practitioner.

C. A. Ewing was born in "old Kentucky," and moved to Illinois in 1850. He attended the Albany Law School, graduating in 1869. The same year he began his career at this bar. He is one of the law firm of Crea and Ewing, and devotes himself exclusively to the practice of his profession. He is well-educated, and is an able lawyer and upright man.

A. G. Harris, of Macon, was born in New York in 1847. He attended law school at Bloomington, Indiana, and afterwards read in the office of Nelson & Roby, of Decatur. He was admitted to practice in 1870, and opened an office in Macon. His education is fair and his natural abilities are good, and he has read law to good purpose.

Edwin Park is a native of New York. He emigrated to Illinois in 1856, and settling in Bellville, began in 1857 the study of law. He was admitted in 1858, but engaged in teaching for a year in St. Clair county. In 1860 he came to Macon county, and taught in the Decatur schools until elected county superintendent, which office he filled for six years. It was in January, 1870, that he began practice in this county. Mr. Park is an honorable man, well-read in the books, and a safe lawyer.

W. C. Johns was born in Ohio, but came to Illinois in 1849, when very young. He was graduated from the literary department of Michigan University in 1869 and from the Albany Law School in 1870. In the fall of the same year he opened an office in Decatur and began practice. Mr. Johns possesses energy and pluck. He is intellectual, ambitious, and successful in practice.

E. K. Eldridge was born in Indiana and moved to Illinois in 1856, settling first in Tazewell county. He attended Eureka College and completed the course of study in 1869. He began the study of law in Livingston county, and was admitted to the bar at the January term, 1870. His first experience in practice was gained in Fairbury, Livingston county. In May, 1870, he removed to Decatur, and has since been a member of the Macon county bar. Mr. Eldridge has a vigorous mind, and ranks among his brethren as a good lawyer.

William T. Coussins is a native of Ohio, and was prepared for college at Miller Academy of that state. In the fall of 1862 he came to Illinois. In the fall of next year he entered Eureka College and was graduated in the classical course in June, 1869. The same year he began in the office of Bunn & Bunn, in Decatur, the study of law, and at the spring term of the supreme court 1871, he was duly licensed to practice. He first opened an office in Maroa, but after six months returned to Decatur. He has done service in the schools of the state, having been principal of the Bement public schools. He was tutor of Latin during his last two years at college, and one year was in charge of Harristown Academy. He has been a diligent student of the principles of law.

Josiah M. Clokey is an Ohioan by birth, and in 1869 came to Aledo, Mercer county, Ill. He studied law previously in Springfield, Ohio, and attended lectures in the law department of Michigan University. He was admitted to practice at March term, 1868, and after one year's practice in his native state, came, as above stated, to Illinois. In September, 1873, he became a member of the bar of Macon county. Mr. Clokey understands the law, and is a gentleman of capacity and character and enjoys a fair share of the practice.

I. D. Walker was born in Ohio, and in 1861 came to Illinois, settling first in McDonough county. From thence he removed to Piatt county. He was a member of the first class (that of '75) that graduated at the Bloomington Law School. He came to Macon county the same year and began practice at Maroa, but the next year became a resident of Decatur. A few days before his graduation at the law school he had been admitted to the bar on examination before the supreme court. He is in partnership with Thomas Lee. Mr. Walker is upright and ambitious. His ideal of what a lawyer should be is high, and he understands the value of time and the necessity of labor.

J. C. Hostettler is a native of Indiana, who moved to Decatur in 1857. He was educated at Union College, New York, graduating in the class of 1871. He read law in the office of Eden & Odor, and was on examination by supreme court, found worthy, and admitted to practice in January, 1875. He formed a copartnership with Mr. E. K. Eldridge, and at once entered upon the practice of his profession.

These gentlemen associated the distinguished Judge Thornton with them in November, 1879. Mr. Hostettler has good intellectual ability and is considered a safe and good business lawyer.

U. C. Outten is a native of this state. He came from Cass to Macon county in 1853, and since has resided here. He was graduated from the law department of Michigan University in 1875, was granted license the same year, and began practice in Decatur. He is promising and determined to rise high in his profession, to which he devotes all his energies.

John A. Brown was born in Massachusetts. He came to Macon county in 1865 and engaged in school-teaching. Afterwards he was for a period of three years connected with the press. Mr. Brown, after due preparation, was admitted to the bar in 1876. In 1873 he was appointed master-in-chancery, which office he still holds, having been appointed for three consecutive terms. He makes the chancery branch of the law a specialty. He possesses a keen, incisive intellect, and has studied his profession diligently.

Edward P. Vail was born in this state, and studied for his profession at Rushville during the years '68 and '69, and his license to practice was granted him the next year. After admission to the bar he began practice at Rushville, where he remained for seven years, four years of which time he held the office of public prosecutor for Schuyler county. In 1877 his name was enrolled on the

list of attorneys of this county. His perceptive faculties are excellent; his command of language first-rate; and he is an honorable gentleman in all things.

Albert G. Webber is of German extraction, having been born in Wurtemberg. He emigrated to this country in 1863. He read law for four years at Keokuk, Iowa, and then applying for examination was admitted to the bar in November, 1879. He is in partnership with Mr. A. Brown, and is especially fond of the common-law practice. Mr. Webber has a strong intellect, and is bound to rise in his calling. He is highly energetic and ambitious.

A. R. Arbuckle, whose name yet remains on the list of attorneys, but who has decided to abandon the law for journalism, is a native of Ohio; studied law in the office of Gen. Ira J. Bloomfield, and in June, 1871, became a member of the Macon county bar. He is now engaged in editing *The Tomahawk*. Mr. Arbuckle when in practice was known as a logical reasoner and an effective advocate.

Zach. T. Hundley was born in the Old Dominion, came to Illinois in 1869, and became a resident of Macon county in 1871. He is a graduate of the law department of Wesleyan University, class of '77. He was admitted to practice, on his diploma, at the June term of the Supreme Court of the same year, and in July opened an office in Maroa. He removed to Decatur in June, 1879, and in October of the same year formed a co-partnership with the eminent lawyer, Judge Nelson. Mr. Hundley has good intellectual ability, and attends carefully to business intrusted to his care. He promises to become an excellent lawyer.

I. R. Mills is a native of Illinois. He attended Lincoln University, and graduated at that institution in 1876. He read law in Chicago in the office of Dent & Black. In May, 1879, he was admitted to practice. He is in partnership with Josiah M. Clokey. Mr. Mills is well-educated and attentive to business.

David Hutchison was brought up in Andover, Mass., and was prepared for college at Phillip's University in that place. He came west in 1870; attended the Albany Law School, from which he was graduated May 15th, 1877. On July 25th of the same year he began practice as an attorney at the Macon county bar. Mr. Hutchison is yet a young man, being but twenty-six years of age. He possesses legal ability and scholarship.

Judge Anthony Thornton, of Decatur, one of the ablest and most widely known lawyers and jurists in Illinois, was born in Kentucky in 1815. He attended college at Danville for a time, and then became a student at Miami College, Ohio. From this institution he was graduated in 1835. He began the study of law at Paris, Kentucky, and received his license from the Court of Appeals in 1836. The next year he moved to Illinois, settled in Shelby county, and began practice. He was a member of the Constitutional Convention of 1848. In 1850 he was elected a member of the legislature. Three or four sessions were held of this body, it being a period of great excitement about railroads, and charters were granted to the Illinois Central and to east and west lines. In 1864 Mr. Thornton was elected to the 39th Congress, and at the close of his term declined a proffered renomination. In July, 1870, he was elected to the Supreme Court of this state, and served until the first Monday in June, 1873, when he resigned his seat. He removed to Decatur in November, 1879. Judge Thornton is a man of great independence of spirit, of vast and accurate knowledge of the law, a strong advocate, and one of the ablest jurists that ever sat upon the Supreme Bench of Illinois. His practice is very large and lucrative, and he is conceded to be the ablest lawyer in this section of the state. He is unaffected in manner, and in all things gentlemanly.

Charles A. Shirley, now practicing at Blue Mound, is a native of Logan county, Illinois. He entered Lincoln University in the fall

of 1869, and graduated June 5th, 1873, as bachelor of science. In August, 1873, Mr. Shirley began the study of law in the office of Hon. William B. Jones, of Lincoln, Illinois, where he continued until the summer of 1875. In the autumn of '75 he became a student at the Albany Law School at Albany, N. Y., and graduated as LL. B. May 8th, 1876, the class numbering 97. On the 18th of the same month he was licensed to practice by the Supreme Court of New York, and on the 3d of February, 1877, he was granted a license by the Supreme Court of Illinois. Mr. Shirley does a general law and collection business, devoting special attention to settlement of estates, war claims, and chancery practice.

D. C. Corley received his literary education at Wesleyan University, Bloomington, where he was graduated in due course. He read law for a time in Shelbyville, and then moving to Decatur completed his preparatory studies in the office of A. B. Bunn. He was admitted in June, 1880, and is one of the promising young men of the bar.

Harry B. Durfee was born in Decatur, and is a graduate of its High School. He read law in the office of Clay & Ewing, and at the June term of the Supreme Court was admitted to the bar. He possesses energy and ambition, and will succeed.

W. H. Williamson, of Maroa, studied for his profession first in Ohio, where for one year he was a student in the office of Charles W. Anderson, of Greeneville, Darke county. He then attended the law department of Michigan University, where, on the 27th of March, 1879, he received the degree of LL. B. The same spring he became a member of the bar of Michigan. On the 14th of January, 1880, he was admitted to practice in Illinois. He attended school for nearly three years at Lebanon, Ohio, before studying law, and in 1877 took the degree of B. S. His favorite branches are criminal and real-estate law. He is well-read and unassuming.

Harvey Pasco became a resident of this county in 1862. He began the study of law in an office, and then entered as a student the Chicago Law School. He afterwards entered the law department of Michigan University, was graduated in 1871, and shortly thereafter opened an office in Decatur. Mr. Pasco is an enterprising and diligent lawyer.

Harry Crea, who has lately been admitted to practice, is the son of Hugh Crea. He is young, but promises to make a good lawyer.

J. C. Lake and E. S. McDonald, members of the bar, residing in Decatur, have failed, although requested so to do, to furnish any materials for a sketch, and hence can only be mentioned.

This completes the chapter on the Bench and Bar. It has been the object and wish of the publishers to make it full and accurate, and to do justice to all.

## CHAPTER XI.

### THE PRESS.

BY D. MACKENZIE.

THE WEEKLY GAZETTE, CHRONICLE, DEMOCRAT, HERALD, MAGNET TRIBUNE, MAGNET AND TRIBUNE, DECATUR TRIBUNE COMPANY, DAILY EMPRISE, DECATUR TRIBUNE, REPUBLICAN, MAROA TIMES, THE TABLET, MAROA TRIBUNE, MAROA NEWS, MAROA BUDGET, THE MESSENGER, DECATUR DEMOCRAT, PIKES' DEMOCRAT, SUNBEAM, DECATUR REVIEW, MACON TRIBUNE, NIANTIC HERALD, WEEKLY SUN, TIMES, WHIP AND SPUR, TEMPERANCE BUGLE, SUN, DEMOCRATIC ERA, SATURDAY HERALD, TOMAHAWK, YARDSTICK, ZIETUNG, ILLINOIS VOLKSBLAT.

**T**HE history of printing dates back to the fifteenth century. Its discovery was like that of all great industries, the result of an accident. No long research or great study upon any one subject, evolved one great industry, or one grand original idea. It was while searching through the caverns of science and groping in its dark chambers that men

3783  
2

CITY OF  
**Decatur and Macon County**  
ILLINOIS

A Record of Settlement, Organization, Progress and Achievement

---

HON. WILLIAM E. NELSON  
Editor

---

"Local history is the ultimate substance of national history."—Wilson

---

VOLUME I

---

ILLUSTRATED

---

CHICAGO  
THE PIONEER PUBLISHING COMPANY

1910