

insure a competence in fifteen or twenty years; and it is a property of substance accumulated in farming, that, unlike fortunes acquired in mercantile pursuits, it lasts through life.

"Few thrifty, industrious farmers die poor; few prosperous merchants who continue in business die rich. The farmer's profits come in slow and small, it is true; and often he does not find himself in comfortable circumstances till middle age. But it is in middle and old age he most needs the comforts of independence; and if he is wise enough to keep out of debt the moderate competency which he has managed to accumulate through his better years will come unscathed through the storms and convulsions that sweep away

towering fortunes in the business world."

We trust the reader will not understand us as saying, in the common cant of the flattering demagogue, when he prates about "the sturdy honest farmer," that it is of itself, intrinsically and inherently, the only one great avenue of goodness and true nobility. On the contrary it is not. Indeed, where ignorance rules, it is dull, hopeless drudgery, and there is nothing more ennobling about it than there is in the routine life of a galley slave. Stupidity and ignorance are punished here as well as in any and every other place in life. In the struggle for existence it is overmatched, and its superiors trample it most mercilessly under foot.

## CHAPTER II.

ORGANIZATION OF THE COUNTY—THE FACTS THAT LED TO THE SAME—ACT OF THE LEGISLATURE—ESTABLISHMENT OF THE COURTS—THE FIRST OFFICERS—REMOVAL OF THE SEAT OF JUSTICE—THE CENSUS—PRECINCT ORGANIZATION—LAWYERS—SCHOOLS, CHURCHES, ETC., ETC., ETC.

THE early history of Pulaski County, as we have stated elsewhere in this volume, has been written in connection with that of Union and Alexander up to the date of its organization as an independent county in 1843. As a part of Alexander County, it was separated from Union in 1819, and so remained for nearly a quarter of a century. In the meantime, the population had increased to an extent that required, or at least admitted of, a division of the territory known as Alexander County. The following act, dated November 3, 1843, was passed by the Legislature:

AN ACT FORMING PULASKI COUNTY.

SECTION 1. *Be it enacted by the people of the*

*State of Illinois represented in the General Assembly,* That all that tract of country within the following boundaries shall constitute the county of Pulaski, viz.: Beginning at a point on the Ohio River in Range line between 2 and 3 east, of the Third Principal Meridian, and running north with and on said line to Cache River; thence down and with said river to the Alexander County line; thence north on said last-mentioned line to the southeast corner of Union County; thence west along said line to Mill Creek; thence along and down said creek to Cache River; thence down and along the west bank of said river to the Ohio River, and thence up and along said river to the place of beginning.

The remaining sections of the act, which is a rather long one, are omitted. These, when divested of the "said whereases," with which they are encumbered, require the people to meet at the usual places of voting



*Yours Respectfully*  
*W. A. Hight*

within the specified territory, and vote upon the question as to whether "the said county shall be so constituted." It further stipulated that the election returns should be made to the County Commissioners' Court of Alexander, the Clerk of which should send a copy of the proceedings, in the event the vote was favorable to the formation of the county, to the Secretary of State, and to the proper officers of Massac County. It further stipulated that the Clerk of Alexander County should furnish a copy of the proceedings to Henry Sowers, Thomas Lackey, Jr., and Thomas Howard, who are named in the act as Commissioners to locate the seat of justice of the said county.

These Commissioners were required to meet at the house of Thomas Forker, and proceed to examine the different eligible sites, and to decide upon the one best adapted for the county seat. A donation of not less than ten acres of land was the condition upon which the site was to be accepted as the seat of justice of the new county. The report of the Commissioners was to be made to Thomas Forker, and the general election was to be held at Caledonia. William A. Hughes was appointed for the occasion, and authorized to act as County Clerk, and, as such officer, the election returns were to be made to him. The county was assigned to the Third Judicial District. The public debt of Alexander County was to be divided between it and Pulaski, and the school fund distributed according to population. The new county was to vote with Union and Alexander for State Senator, and with the latter for Representative in the Lower House of the Legislature.

The county was named in honor of Count Pulaski, a Polish nobleman, born in 1747, and a soldier of renown. He took a conspicuous part in the war for the liberation of

Poland, and when further resistance became hopeless he went to Turkey and thence to France, where he offered his services to Benjamin Franklin, our representative then at the court of Louis XVI. He arrived in Philadelphia in the summer of 1777, and entered the service of the United States as a volunteer, but was afterward made a Brigadier General by Congress, and appointed to a command of cavalry. He was one of the most brilliant cavalry officers in the war of the Revolution, and continued in that branch of the service until his death, which occurred October 11, 1779. No excuse is deemed necessary for this digression. It is always of more or less interest to the reader to learn the origin of the names of places he reads about, particularly those of historical significance. The name of Count Pulaski will ever be venerated by American citizens, for the assistance rendered us in the dark hours of our struggle for independence.

According to the provisions of the act for the formation of the county, the Commissioners appointed to select the seat of justice met, and after "mature deliberation," decided upon the town of Caledonia. The required donation of land was made by Col. Justus Post, and the first deed recorded in Pulaski County is from "Justus Post and Eliza G., his wife;" and the consideration is "the permanent establishment of the seat of justice on the premises." It "bargains and grants," in the town of Caledonia, Blocks No. 2, 3, 25, 26, 35, 36 and Water Blocks F and G, embracing one .70 acres of ground, which was accepted in lieu of the originally required ten acres. The deed for the same is acknowledged before Thomas Forker, Justice of the Peace. A court house was erected on the land donated by Col. Post. Building court houses in those days seems to have been a great undertaking, as, in the

case of this one, the county was authorized by an act of the Legislature in 1847 to borrow \$600, "to finish the court house of Pulaski County. It further authorized the county "to levy a tax to build a jail." At first the county officers, we learn, did not keep their offices at the county seat; just where they did keep them we did not learn. Like the first Postmaster of Effingham, they kept them, perhaps, in their hats. At any rate, the Legislature, by an act passed February 21, 1845, legalized the official acts in the "portable" offices of Pulaski County. In the same year (1845), the records of Johnson and Alexander Counties were ordered, so far as pertaining to this county, to be transcribed and certified.

The records of Pulaski County are very imperfect. In November, 1879, a fire occurred in Mound City, the present county seat, in which a large portion of the records were destroyed; in fact, nearly all of them, up to 1860, were lost by this calamity.

The first term of the Circuit Court convened in Caledonia in May, 1844. Hon. Walter B. Scates, Judge; J. M. Davidge, Clerk, and B. B. Kennedy, Sheriff. The following were the first grand jurors, as returned into court by the Sheriff: Isaac Dement, Samuel F. Price, Joseph Evans, John Steen, Charles Stephenson, William Echols, George W. Howell, N. M. Thompson, Leaman T. Philips, Thomas Tucker, John C. Etherton, Samuel Parker, Daniel Arter, D. Thornton, J. B. Sanders, George Augustine, A. F. Young, J. B. Malin, Elijah Axley, A. Youngblood, Hugh McGee and C. R. Vanderbett. On the traverse jury were H. R. Thomas, William Byrd, S. F. Rand, John C. Meyer, John Benton, J. M. Timmons, Henry Castol, A. B. Bankston, Aaron Ather-ton, George Tucker, M. K. Concine, A. Hunsaker, James Dillow, James Hughes, Will-

iam Murphy, Eli Morris, Moses Kitchell, George Boyd, Reuben Cain, William Forkner and Hiram Boren.

Willie Allen was Prosecuting Attorney. The first Common Law case tried was Wiley Davidson *vs.* Jones & Davis, in which John Dougherty appeared as attorney for the plaintiff. A judgment was taken by default. In the second case, W. A. Denning was an attorney. Gilbert Leroy was also an attorney at this term of the court. — Davis and Timothy Barlow also appeared as attorneys. The Judge appointed J. M. Davidge Master in Chancery.

At the term of court held in September, 1847, Hon. William A. Denning, Associate Judge of the Supreme Court, presided; S. S. Marshall was Prosecuting Attorney; James M. Davidge, Clerk, and Henry M. Smith, Sheriff. In 1849, Hugh Worthington was Sheriff. In 1852, W. K. Parish was Prosecuting Attorney, and Henry M. Hughes, Sheriff.

The first County Judge was Richard C. Hall, who served until 1847, when he was succeeded by James M. Davidge. In 1857, N. M. Thompson was elected County Judge, and M. R. Hooppaw and Isaac R. Baker, Associates. Ephraim B. Watkins succeeded Davidge as County Judge in 1861, with George Minnich and Caleb Hoffner as Associates. Washington Hughes was School Commissioner. In 1864, George Minnich was elected Sheriff, and Hugh McGee District Justice. In 1865, A. W. Brown was County Judge, and W. L. Hambleton, Associate. George S. Pidgeon came in as County Judge in 1869, and Obadiah Edson and Caleb Hoffner, Associates, and E. B. Watkins, County Clerk. In 1872, Henry M. Smith was State's Attorney; Benjamin Glen, Circuit Clerk, and A. M. Brown was appointed County Judge, to fill vacancy caused

by the resignation of Judge Pidgeon. In 1873, G. L. Tombelle was County Judge; John Weaver, County Treasurer; Daniel Hogan, County Clerk, William M. Hathaway, County Superintendent of Schools, and Romeo Friganza, William B. Edson and J. S. Morris, County Commissioners. In 1875, D. J. Britt was Assessor and Treasurer, and E. B. Stoddard, Surveyor. In 1875, Robert Wilson was Sheriff; James R. Drake, Coroner; B. L. Ulen, Circuit Clerk; Louis C. Smith, State's Attorney, and Louis F. Crane Assessor and Treasurer. In 1877, A. M. Brown was County Judge; Daniel Hogan, County Clerk; A. S. Colwell, County Superintendent of Schools; John Weaver, County Treasurer; Albert Wilson, Sheriff. In 1879, N. M. Smith, County Judge; John Weaver, County Treasurer, and Henry Lentz, Surveyor. In 1880, Louis F. Crane, Sheriff; Reuben Wilkins, Coroner; James Anderson, State's Attorney, and B. L. Ulen, Circuit Clerk. In 1881, Joseph P. Roberts, States Attorney, and S. A. Hight, County Superintendent of Schools. In 1882, the following officers were elected, and are, at the present writing (1883), still in office: Louis F. Crain, Sheriff; Henry M. Smith, County Judge; John A. Waugh, County Clerk; Mrs. Hettie M. Smith County Superintendent of Schools; John Weaver, County Treasurer, and Samuel H. Graves, Coroner. We could not suggest a most appropriate name for Coroner, for truly it is a *grave* office.

The second instrument recorded in the Clerk's office is one signed by Jesse Richardson. It is "the last will and testament" of Mr. Richardson, and is a solemn document, as all such papers should be. It is draped in a funeral pall, so to speak, and begins with the solemn invocation:

"In the name of God, Amen.

"I, Jesse Richardson, of the county of

McCracken, State of Kentucky, being at this time of perfect mind and memory, but in a low state of health, and calling to mind that, it is 'appointed unto all men once to die, and after death to come to judgment,' and having, therefore, settled all my worldly affairs," etc. He then proceeds to liberate his slaves, and gives them liberally of his worldly goods, that they "may live free and independent, and become prosperous and happy;" all of which was quite right and proper.

Deeds, wills and assignments are, at first, miscellaneously recorded together. Owing to the imperfect state of the records, caused by the fire already alluded to, we can give but few extracts that would be of any interest to our readers. As a general thing, however, the court records are not thrillingly interesting reading matter to any not immediately concerned with them, or to those "learned in the law." More copious extracts will be given in the chapter devoted to Mound City, from the time the seat of justice was moved to that city.

Caledonia remained the county seat until 1861. On the 13th of February of that year, the Legislature passed an act, authorizing the removal of the capital to Mound City, and Caledonia shared the fate of Unity, America and Thebes, and became another deserted metropolis. Few moldering relics now remain of its former grandeur to mark the spot where erst it stood. The eddying waters of the Ohio, as they roll by, sing its requiem, and the murmuring winds, sweeping over its deserted courts, howl the refrain of its departed glory. A sketch of all the dismantled and abandoned towns of Union, Alexander and Pulaski Counties, would form an interesting chapter in the history of Southern Illinois.

Pulaski County remains under the original

precinct system of county government, persistently eschewing the township system of organization. The wisdom of their choice is a debatable question, and one we shall not attempt to decide. There are strong arguments in favor of both systems. While the County Commissioners' Court is a smaller, and therefore, as a rule, a more controllable body, by outside influences, there is little doubt that a Board of Supervisors is not only more directly expensive, but also that a thousand and one petty claims, of every conceivable character, having no foundation in law or justice, aggregating no insignificant sum, are constantly presented, loosely investigated and tacitly allowed. The strongest argument in its favor is, that no county, having once adopted township organization, has ever been known to go back to the precinct system.

The county, as at present laid off, embraces the following precincts: Mound City, Burkville, Villa Ridge, Pulaski, Ohio, Ullin, Wetaug and Grand Chain.

At the time of the organization of the county, in 1843, its population was probably about 1,500 souls. The census of 1850, the first after it became a county, shows its population to be 2,264. In 1860, it had 3,943; in 1870, it had increased to 8,752, and in 1880 to 9,507. Its largest increase was during the decade from 1860 to 1870, its population more than doubling in those ten years. Its increase from 1870 to 1880 is but 755, a great falling off, when compared to that of the preceding ten years.

The Clerk of the Circuit Court was Algeron Sidney Grant, who, it will be remembered, figured in the organization of the town of America. His rank of seniority among resident lawyers of what is now Pulaski County seems quite well determined. He was here when the territory was taken

from Union and became Alexander County, and by reference to the early history of that county it will be seen he was one of the first Clerks of the Circuit and County Court.

Of the lawyers, the first were Alexander P. Field, Judge Richard M. Young, Jephtha Hardin, Henry Eddy, William J. Gatewood, John Dougherty and Mr. Grant and a man named Boswell. Of a later date were Willis Allen, W. J. Allen and Henry W. Billings.

The Circuit Judges, from the creation of the county, were in the following order: Thomas C. Browne, Jephtha Hardin, Walter B. Scates, William A. Denning, Alexander M. Jenkins, Wesley Sloan, John Olney, J. H. Mulkey, William H. Green and David J. Baker.

In the early Circuit Court records of every county in Central and Southern Illinois, occurs the name of Judge Thomas C. Browne. He was one of the Supreme Judges who were required to do Circuit Court duties, and, judging from the records of these many counties, Judge Browne must have led an active and laborious life, as small as his salary was for the immensity of the travel and labor he was required to perform.

Jephtha Hardin held courts and practiced law in nearly all the counties of Southern Illinois. A. P. Field and Richard M. Young are noticed at some length in the chapter on the bench and bar of Union County. Judge Walter B. Scates was a resident, for many years, of this portion of Illinois. He became largely interested in coal mines, near Collinsville, and eventually was the principal owner of the Western Telegraph Company. He resigned his position as one of the Supreme Judges of the State, and became a resident of Evanston, near Chicago, where he improved a magnificent estate, and attached to it was his noted deer and elk park, that for many years was a place for the

interested visitors to Evanston until finally, we understand, the Judge came near losing his life from a furious stag.

Judge Jenkins is noticed in the history of Cairo, and an account of his death may be found in the Alexander chapter on the bench and bar.

Judge Wesley Sloan was intimately known to the people of Pulaski as a great Judge and an upright citizen. When he left the bench he retired to private life, taking with him the esteem and confidence of all.

The early judiciary of Illinois was marked as furnishing a higher order of talent—larger minded men—than are to be found in the early political history of the State. Many of these early jurists will take their proper place in history as among the country's best men. From the now old and desolate town of Kaskaskia, they radiated out over the sparse settlements of the county, like rays of light and sunshine. They mingled with the rude people, assisting, advising and counseling them for their own good and benefit. They forecast and laid well the foundations for the superstructure of the civil polity of the State; and in looking into the imperfect records of their lives that are now attainable, the student of history is impressed with the fact that here, indeed, was Illinois most favored and fortunate.

In the history of Cairo and the Illinois Central Railroad, in this volume, we had occasion to tell much of the life and acts of Justin Butterfield, of Chicago, who was Commissioner of the Government United States Land Office in Washington, at the time of the building of the Illinois Central Railroad. It was much upon an idea of his, uttered in a speech in Chicago at a railroad meeting in which lay the key to the construction of that most important enterprise. Something of the man may be gleaned from the

following anecdote, as related by Hon. I. N. Arnold at a meeting of the State Bar Association of 1881.

In December, 1842, Gov. Ford, on the application of the Executive of Missouri, issued a warrant for the arrest of Joseph Smith, the Apostle of Mormonism then residing at Nauvoo, as a fugitive from justice. Smith was charged with having instigated the attempt, by some Mormons, to assassinate Gov. Bogg, of Missouri. Mr. Butterfield had sued out a writ of *habeas corpus* from Judge Pope, and Smith was arraigned for a hearing. The Attorney General of Illinois, Mr. Sanborn, appeared, to sustain the warrant. Mr. Butterfield, aided by B. S. Edwards, appeared for Smith, and moved for his discharge. The Prophet (so-called) was attended by his twelve apostles and a large number of his followers, and the case attracted great interest. The court room was thronged with prominent members of the bar and public men. Judge Pope was a gallant gentleman of the old school, and loved nothing better than to be in the midst of youth and beauty. Seats were crowded on the Judge's platform, on both sides and behind the Judge, and an array of brilliant and beautiful ladies almost encircled the court. Mr. Butterfield, dressed *a la* Webster, in a blue dress-coat and metal buttons with buff vest, rose with dignity, and amidst the most profound silence. Pausing, and running his eyes admiringly from the central figure of Judge Pope along the rows of lovely women on each side of him, he said:

"May it please the court:

"I appear before you to-day under circumstances most novel and peculiar. I am to address the 'Pope' [bowing to the Judge], surrounded by angels [bowing still lower to the ladies], in the presence of the holy apostles, in behalf of the Prophet of the Lord."

Another instance of Mr. Butterfield's infinite and ready wit was an instance occurring in one of the Northern courts, held by Judge Jesse B. Thomas. Mr. B. became irritated by the delay of the Judge in deciding a case, which he had argued some time before. He came into court one morning, and said with great gravity: "I believe, if your honor please, this court is called the 'Oyer and Terminer;' I think it ought to be called the 'Oyer sans Terminer;'" and sat down. The next morning, when counsel were called for motions, Mr. Butterfield called up a pending motion for a new trial in an important case. "The motion is over-ruled," said Judge Thomas, abruptly; "yesterday you declared this court ought to be called 'Oyer sans Terminer,' so," continued the Judge, "as I had made up my mind in this case, I thought I would decide it promptly." Mr. Butterfield seemed, for a moment, disconcerted, but directly added, "May it please your honor, yesterday this court was a Court of Oyer sans Terminer; to-day your honor has reversed the order, it is now Terminer sans Oyer! But I believe I should prefer the injustice of interminable delay rather than the swift and inevitable blunders your honor is sure to make by guessing without hearing argument."

This reminds us of an apt retort made by M. J. Inscore to Judge Dougherty. A case of considerable importance was pending before Judge Dougherty, and attorneys from abroad—among others, Judge Mulkey, Hon. D. T. Linegar and Judge W. J. Allen—were counsel. Several days had been consumed in hearing the testimony and arguments on points raised, and finally it came to the argument of counsel. Judge Dougherty announced they could have thirty minutes on a side and no more. Inscore remonstrated earnestly, insisting there were eminent coun-

sel from abroad, and the case was long, tedious and important, and it would be impossible for counsel to do justice to themselves or their case in that brief time. The Judge was firm and Inscore persistent, when finally the Judge remarked, with much emphasis, that the best speeches of the great English bar had been made in thirty minutes. "Yes," replied Inscore, "I know; but those men are all dead."

The history of the bench and bar of Pulaski County, from the removal of the county seat from Caledonia to Mound City to the present time, will be found in full in Dr. Casey's very interesting history of Mound City in this volume.

✓ *Schools.*—The educational history of the county should interest every reader of this work, more, perhaps, than any other subject mentioned. Nothing adds so much to the prosperity of a community, or to its civilization and refinement, as a perfect system of common schools. The early schools of this county, like the whole of Southern Illinois, were of the commonest kind. After the repeal of what is known as the "Duncan law," the cause of education, for over a generation, was in anything but a flourishing condition, not only in the county but in the State. For nearly a half-century, the schoolhouses, books, teachers and manner of instruction were of the most primitive character, and very different from what they are at the present day. Then, too, there was an uncivilized element on the frontier, who believed education was a useless and unnecessary accomplishment, and only needful to divines and lawyers; that bone and muscle, and the ability to labor, were the only requirements necessary to fit their daughters and sons for the practical duties of life. A proverb then current was "The more book-learning, the more rascals." To quote a



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