

labors they had wrested from a state of nature, and had made beautiful and fruitful as the "Garden of the Lord."

We who have entered so largely into the results of their labors and sacrifices and have benefited so much from them, do well on such occasions as this to recall their memories and bestow the tribute of our gratitude and kindly remembrance.

### THE BENCH AND BAR.

Judicial proceedings began very early in the history of De Kalb county, and through a long and most honorable career they have been conducted upon a plan that has been at once the pride of our citizens and the envy of surrounding jurisdiction. The story of our courts has added lustre to De Kalb county history and honor to a high calling.

The first session of the court was held at the house of Rufus Colton in Coltonville, on the 9th day of October, 1838, Judge John Pearson presiding. The first suit was that of Erasmus Walrod vs Stephen Sherwood. This case was an appeal from a justice court, and the judgment of the lower court was sustained. There were twenty cases on the docket at this term. The June term of the circuit court convened at Coltonville, with Judge Thomas Ford presiding. While the court was in session the board of county commissioners ordered its clerk to notify the Judge that the new court house was ready. Captain Eli Barnes served the notice upon the Judge. Judge Ford decided that the court must remove to Sycamore. According to Boise, "Judge Ford took his record under his arm, States Attorney Purple bundled up his papers, the sheriff, lawyers, jurors, parties and witnesses followed suit, and, led by Capt. Barnes on that well known spotted horse that he rode upon all public occasions for more than twenty years later, all took up their line of march through the thick woods and across the green prairies, to the new seat of empire at Sycamore." Judge Ford presided at each session of the circuit court from 1839 to 1841 inclusive. He was followed by Hon. J. D. Caton of Chicago, from 1842 to 1849. Judge T. Lyle Dickey of Ottawa, followed in 1850. He was succeeded by Judge Isaac G. Wilson of Geneva, in 1851. Hon. Allen C. Fuller, of Belvidere, next discharged the duties

of that office. He remained on the bench but a short time, however, resigning to receive the appointment of Adjutant General, and Hon. T. D. Murphy of Woodstock, was elected to succeed him in 1862. He was re-elected June 27, 1867, and served until 1879.

By the act of 1877, three judges were elected to each circuit, and Judges Clark W. Upton of Waukegan, Isaac G. Wilson of Geneva, and Chas. Kellum of Sycamore, were commissioned for this circuit; they were followed by Geo. Brown of Wheaton, H. D. Willis of Elgin, and Chas. A. Bishop of Sycamore, who are still on the bench.

Every bar has a number of natural born leaders of men, advocates skilled trial lawyers, brilliant orators, and DeKalb county bar form no exceptions. The first lawyer to take up the practice of his profession in DeKalb county was Mr. Crothers, who located in Coltonville when the village was laid out in 1837, and remained until the county seat was removed to Sycamore, when he moved to Ottawa, where he became associated with T. Lyle Dickey. Mr. Crothers was a man of great natural abilities and desired a wider field for work. Andrew J. Brown was the second lawyer to locate in DeKalb county. He was soon followed Messrs. Masters, Favor, E. L. Mayo, and W. J. Hunt. E. L. Mayo, however, was the only one of them to practice law successfully, the others either giving up their profession and entering other lines of business or moving to some other location. The names of members of the bar during the earlier history are John L. Beveridge, who is located in Sycamore and opened a law office in 1849, but removed to Evanston in 1854, he was afterward governor of Illinois; Jacob A. Simon, who removed in the 60's to Missouri Valley, Iowa; A. C. Allen, who in the second decade of our county's history had a larger practice than any lawyer in the county; D. B. James, Zelotus B. Mayo, William Fordham, O. S. Webster, A. C. Bryant, Gilbert Winters, Volney Owen, Chas. Balliette, F. P. Partridge, Mr. McBroom, Geo. Kretsinger, J. H. Sedgwick, L. E. Hay, J. J. McKinnon, R. L. Divine, J. Frank Meeker, O. J. Bailey and A. C. Babcock. Among the members comprising the bar during the last three decades, are from Sycamore: Luther Lowell, Chauncey Ellwood, George S. Robinson, H. A. Jones, George Brown, Frank E. Stevens, D. J. Carnes, J. B.

Stephens, G. H. Denton, J. L. Pratt, J. H. Kenyon, Chas. A. Bishop, George W. Dunton, J. J. Flannery, W. C. Kellum, L. F. Hodge, A. H. Waterman, H. S. Earley, C. D. Rogers, Walter Langlois, Thos. W. Cliffe, Adam C. Cliffe, J. W. Cliffe, J. N. Finnegan, H. T. Smith, John Faisler and E. M. Burst; from DeKalb, E. B. Gilbert, Thos. M. Hopkins, W. L. Pond, W. L. Rathbone, I. V. Randall, D. E. Reed, C. A. Boise, J. E. Matteson, A. G. Kennedy, H. W. Prentice and J. S. Orr; from Sandwich, E. G. Coe, W. W. Sedgwick, S. B. Stinson, J. I. Montgomery, J. B. Castle, Eugene Randall and John W. Blee; from Genoa, G. E. Scott and A. S. Hollenbeak, and from Somonauk, C. B. Olmstead.

Among the members of the DeKalb county bar who have served as county judges are: Hon. E. L. Mayo, three terms, being elected in 1849, serving till 1857; Judge George H. Hill of Kingston (who was not admitted to the bar) presided on the bench till 1861, when E. L. Mayo served another term; Hon. D. B. James, who served from 1865 to 1869; Hon. Luther Lowell, whose term extended from 1869 to 1877; Hon. Geo. S. Robinson, who served from 1877 to 1882, resigning on account of business which needed his attention in Vermont. In July, 1882, Hon. S. B. Stinson of Sandwich, was appointed by Governor Cullom to fill the unexpired term of Judge Robinson, and was elected at the following election, but he was compelled by poor health to resign the judgeship in February, 1883, and April 3, 1883, Judge Luther Lowell was elected to fill the vacancy; C. A. Bishop served from 1886 to 1897; W. L. Pond, present county judge, was elected to fill vacancy caused by Judge Bishop's resignation in 1897, and was re-elected in 1898.

As a learned profession, the law is justly ranked foremost in our county, and the story of the men who have made its history in DeKalb county is the story of men who have been foremost in our history and progress. Among some of the most influential are the following with a short sketch of their lives:

Richard L. Divine was born September 27, 1832, in Fallsburg, Sullivan county, N. Y. He was educated in the common and a select school. He studied law for a time in Monticello, N. Y., and afterwards with Hon. E. L. Mayo in Sycamore, and was admitted to the bar in this state

in March, 1860, and practiced in Sycamore until he died, in August, 1882. He had a large practice, although he devoted a part of his time to the banking business, in which latter business he accumulated a fortune. He was a man of strong will, wonderful energy and great application, and as a trial lawyer ranked with the best in this part of the state. He was a Republican, but did not give much attention to politics or society. He devoted his energies to the law and to his banking business, in each of which he was very successful.

Hon. Luther Lowell was born May 14, 1827, at Brookfield, Orange county, Vermont. He is a graduate of Middleburg College, Vermont, and spent his younger years in teaching. He came to Sycamore in 1856, studied law with the firm of Mayo & James, and was admitted to the bar in 1857. He commenced practice in partnership with his preceptors, and afterwards at different times was in the firms of James, Lowell & Ellwood, Lowell & Sedgwick, Lowell & Meeker, Lowell & Carnes and Lowell & Pond. As mentioned in another part of this article, he was for many years county judge, an office for which he was by nature peculiarly fitted, and he brought the probate practice in that court to a high standard of excellence. He was for several years, master in chancery of the circuit court of this county, where again his habits of thought and business methods made him a valuable and efficient officer. He was never engaged extensively in litigated business, and was not what is termed a jury advocate, but in chancery, probate and office business he ranked with the best lawyers, not only of this county, but of this part of the state. He is still living at Sycamore, but because of poor health has retired from practice.

Eli B. Gilbert was born in Laurens, Osage county, N. Y., April 12, 1822, and died in DeKalb August 30, 1895. He had an academic education. He came to DeKalb county in 1847 and was admitted to the bar in 1858, and practiced law in DeKalb until the time of his death, which occurred in 1895. He did a large office business, and was for many years justice of the peace in DeKalb. He never sought or enjoyed the contests incident to the practice of a trial lawyer, but was regarded as a good counselor, and was highly esteemed at the bar and in the community in which he lived.

Ira Vail Randall was born at Mount Holly, Vermont, March 2, 1820, and died in DeKalb January 12, 1897. He had an academic education; was admitted to the bar at Rutland, Vermont, in 1847. In 1856 he came to DeKalb, where he practiced his profession until his death. In his later years he was not in very active practice, because of failing health. At an earlier date he had a large practice and a good reputation as a trial lawyer. He was a man of very gentlemanly demeanor. A Republican in politics and a good public speaker, and devoted considerable of his time to public speaking on various topics.

George S. Robinson was born June 24, 1824, in Derby, Orleans county, Vermont, and died in Sycamore in 1894. Was admitted to the bar in 1846 in Vermont. He spent a part of his earlier years in teaching, and practiced his profession for several years in the south. In 1866 he moved to Sycamore and entered into a partnership with Charles Kellum, which lasted four years. He afterwards practiced here until 1887, when he was elected county judge, which office he held five years. He also held the office of master in chancery for a number of years, and was for many years a member of the State Board of Charities. Judge Robinson was a gentleman in every respect and very highly esteemed in the community where he resided. He had a large acquaintance among the public men of this state, all of whom held him in high regard. He was a very pleasing public speaker and filled every office to which he was called with credit to himself and to the satisfaction of the people. He never entered largely into what is known as jury business, but gave his attention to other branches of his profession and to his private business, which in later years became quite extensive, and was always a much esteemed and respected member of the bar.

Edward L. Mayo was born April 7, 1807, in Moretown, Washington county, Vermont, and died November 16, 1877, at DeKalb, Illinois. He had an academic education and studied law at Montpelier, Vermont, and was there admitted to the bar in 1835. In 1841 he came to Sycamore and was in practice there until a few years before his death, for several years holding the office of county judge, as will be seen by reference to other parts of this article. He ranked high among the lawyers of this part of the state during his

active business years. Law books were then not numerous and the practice did not involve large interests. He had no taste for speculation, but had a fine legal mind and was an excellent lawyer, both from the lawyer's and layman's standpoint. He never acquired a large property, because there was no opportunity except in speculation and investments to acquire one in this county in his profession in his day, but he left an enviable reputation at the bar that will long survive him.

Charles Kellum was born in Dimock, Susquehanna county, Pa., March 16, 1821. He is a self educated man and has an academic education. He was admitted to the bar in LaPorte, Indiana, and came to Sycamore in 1842, where he engaged in the practice of his profession, a part of the time in the firms of Kellum & Robinson, Kellum & Balliet, Kellum & Carnes and Kellum & Stephens. He was three times elected circuit judge of this judicial circuit, as noted in another place in this article, and was at one time state's attorney for the circuit, when the duties of the state's attorney extended to the whole circuit instead of being confined to this county as now. For many years he was engaged in substantially all the important active litigation of this county. He excelled as a jury advocate and was what is known among lawyers as a "legal mind." Few men have so broad comprehension and clear expression of propositions of law as Judge Kellum. He was an ideal trial judge. In the days of his active practice the amounts involved in litigation were small. He was always moderate in his charges of fees, and never engaged in speculation and business, in which field many lawyers of his day acquired wealth. He is a Republican in politics, but not a politician, and successive elections to the office of circuit judge were due entirely to the esteem in which he was held as a lawyer and a man by the bar and the people of the circuit. He is still engaged in the practice, though not actively.

Stephen B. Stinson was born October 3, 1829, in Boston, Mass., and died in Sandwich, Ill., in 1899. He was a graduate of Dartmouth College. Was admitted to the bar at Albany, N. Y., in 1850. In 1856 he came to Sandwich, where he practiced his profession until the time of his death, in 1899, being at one time county judge of this county. He never engaged in litigated prac-

tice to any great extent, but was a good office lawyer and safe adviser, and as such a very valuable man to the community in which he lived. He was very much esteemed by the other members of the bar and was very much of a gentleman with literary taste and tendencies that impelled him to a quiet life rather than to the active bustle of such professional work as the country afforded in his younger days.

Chauncey Ellwood was born December 14, 1816, in Minden, Montgomery county, N. Y., and died at Sycamore, Illinois, in 1897. He had an academic education; was admitted to practice in Illinois in 1858, and practiced at Sycamore a few years in the firms of James, Lowell & Ellwood and Owen & Ellwood. He was by nature a business man more than a lawyer. He took an active interest in public affairs and held many public offices. His private business was always large, and he acquired a considerable fortune in its management. Though for more than twenty-five years before his death he did not practice his profession, he always took a great interest in the bar and attended its meetings, and was much esteemed by the members of the bar, as well as by the community generally.

Harvey A. Jones, nestor of the DeKalb county bar, is of Scotch and Irish and Welch descent, opened his eyes first in the Hoosier state in 1837, and was a boy of the farm. He entered Wabash College and two years later Lombard University. He, like most lawyers of his day, began his active work for himself as a pedagogue. He studied law with Hon. A. M. Harrington, Geneva, Ill., and finally graduated from Law Department of the Michigan University. Mr. Jones first formed a partnership with Hon. Dan. B. James, which lasted three years. In 1880 he formed a partnership with C. A. Bishop, which continued until the latter became county judge, and at present he is senior member of the firm of Jones & Rogers. Mr. Jones is distinctly a trial lawyer, a tireless worker, and an antagonist at the bar whom the opponents always consider dangerous. His success as a practitioner in the appellate and supreme courts has been marked. Mr. Jones is an omnivorous reader, a staunch Republican, a presidential elector in 1888, was a strong advocate of temperance, and strange perhaps to many it may seem, but no less true, a theologian. He once

preached a sermon of such force and power that even the speaker himself was surprised at the religious fervor created. Mr. Jones has fought his way to prominence and now, in his three score and ten years, enjoys the fruits of his successful struggle.

Thos. M. Cliffe, senior member of the firm of Cliffe Bros., was born in 1866, educated in the Sycamore schools, graduating in 1883. He entered the office of Jones & Bishop, and later graduated from the Union Law School, Chicago. He immediately demonstrated his ability as a trial lawyer and at present has no superior at this bar. He has also shown marked ability as a criminal lawyer and has won many notable cases. He is an effectual campaigner, and has done loyal service for the Republican party. At present he is master in chancery. Mr. Cliffe is still a young man, with a bright future that will answer to his bidding.

Geo. W. Dunton of the firm of Carnes & Dunton, was born in Belvidere, Ill., in 1854, was a student of the Belvidere schools and at the age of 17 entered the University of Iowa, graduating in 1875. He entered Union College of Law in Chicago and two years later was admitted to the bar. His father was a man of splendid business capacity. Mr. Dunton inherits those qualities and his career as a business man has been as successful as his work at the bar. He is a man of New England heritage, possesses those qualities of thrift and industry common to many descendants of those states, poor in soil, but rich in a vigorous, honorable manhood.

In the firm he has assisted to prominence he was known as the silent member, not often taking part in trial cases. His work was none the less efficient, however. He is a deep and thorough student and goes to the bottom of whatever he turns his hand to. As a counselor, a business lawyer, a man of profound mind and strong character he has no superiors in our part of the state.

D. J. Carnes, one of the foremost practitioners of his profession in Northern Illinois, is of New England origin, having the blood of the three vigorous races that constitute the nationalities of the British Isles: but for over two centuries his immediate ancestors have been residents of the land of the Puritans and Mr. Carnes himself exhibits a truly New England flavor.

He was born and reared on a "Vermont farm," where a lazy man finds life unbearable, and no doubt his habits of industry and thoroughness were firmly founded during this period of his life.

His educational training after leaving school was for the profession of teaching and he graduated from the Vermont State Normal, then followed that vocation until he entered the law office of Hon. Charles Kellum, being admitted to the bar in 1875. He formed a partnership with Mr. Kellum and later with Judge Lowell. He next became associated with the firm, known so long and favorably as Carnes & Dunton.

Mr. Carnes' advance in his profession was rapid and he soon took front rank at the De Kalb county bar, and soon appeared in other counties and in the Appellate and Supreme courts, so the field of his practice is as extensive as any lawyer in our part of the state. He is a forceful speaker, a close reasoner, has a philosophic mind and a quick perception, is a strong trial lawyer and a good counselor. He succeeds well in many different lines of legal work so that no particular line of practice gives his legal career special emphasis. He is a man of probity, well read, and possesses the true genius of a typical Yankee.

#### MEDICINE AND SURGERY.

The various branches of medical science are well and ably represented in De Kalb county. From the day when Old Shabbona and his herbs quit the practice of this noble calling in this county, it has been represented by a lot of sterling, self-sacrificing men, and at no time did it stand higher in the estimation of our people than at the present time.

In general, this is a healthy locality, no virulent epidemics are recorded in its history, but what ever emergencies have arisen they have been met by our physicians and conquered.

The progress we are making in all matters sanitary which tend to prolong life and happiness, is largely due to the leadership of our learned doctors of medicine. The illustrations which accompany this sketch, while they do not exhaust the list of those who have and are practicing medicine in the county, are fairly representative of the men who stand in the foreground of one of the most advanced of our learned professions.

Dr. Horatio F. Page, the first permanently located doctor in Sycamore, was born at Hawley, Franklin county, Massachusetts, September 22, 1811. His parents, Levi and Cynthia Macomber Page were both natives of Massachusetts, and they gave their son the advantages of a good education. He studied with Dr. Winslow, in Charlemont, Mass., three years and finished his studies at Williamstown, Mass. In 1837 or '38 he came west to DeKalb county, locating in Genoa, where he remained for about a year and in 1838 or '39 settled permanently at Sycamore. A few years later he went back east, and in 1849 was married to Eliza A. Pratt at Pittsfield, Mass. They lived congenially together, and she died in 1889. Dr. Page was a member of the Congregational church, a Republican in politics and a straightforward man. He was the first physician of Sycamore and lived on what is now the C. O. Boynton place. He practiced medicine at the county seat from 1839 until three months before his death, which occurred June 23, 1873, when he was 62 years of age.

Dr. Stephen Newell Fish was for many years the most celebrated physician in southwestern DeKalb county. His practice extended through the territory between Ross and Melugin's Grove and from Milan to Earlville. He was of Vermont parentage, possessed an academic education and was a graduate of Rush Medical College. His wife was Miss Libbie Cory, of Pawpaw. Two boys were born to them, both of whom sleep by the side of their father in the cemetery at Pawpaw. In early days everybody knew Dr. Fish and loved him for his sterling worth.

Another of the old time physicians of the south part of the county was Col. Ryan of the 15th Illinois Volunteers. He began the practice of medicine in that section in the early 50's, and when the war broke out he went to the front with his regiment, and when he returned settled at Amboy, where he died. Many old settlers of south DeKalb county well remember the kindly ministrations of Dr. Ryan.

Dr. Orlando M. Bryan, lately deceased, was for years a prominent physician of Sycamore and one of the pioneer medicine men of the county. He first saw the light of day in Fairfield, Herkimer county, New York, July 6, 1823, and was a son of Dr. M. L. and Phoebe (Whiteside) Bryan. He

Past and Present  
OF  
DeKalb County, Illinois

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By Prof. Lewis M. Gross

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Assisted by an Advisory Board consisting of

H. W. Fay, G. E. Congdon, F. W. Lowman and Judge C. A. Bishop

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VOLUME I

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ILLUSTRATED WITH HISTORIC VIEWS

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