

## SECOND COURT HOUSE.

The second court house was built of brick and was about forty feet square. It was erected in 1839, on the southeast corner of "the square," now Lincoln Square. The building as the years rolled on became inadequate and in 1870, the county having by that time become largely populated, this temple of justice was found to be altogether too small and rooms were rented in the Powers block, where part of the county's business was transacted until 1892, when the present building was occupied.

The present court house was built, on the corner of Water and Wood streets, in 1891. The cost was about \$100,000 for the building, and probably \$10,000 has been spent on furniture. The building is of rough stone, three stories in height, with a tower on the corner, and is one of the many imposing and attractive structures of the city.

## MACON COUNTY JAILS.

Macon county has had three jail buildings. The first was erected in November, 1832, and was of hewed logs about twelve inches square. The building itself was about twelve feet square and had two rooms, one above the other. It was located on the northwest corner of Water and Prairie streets. Later, the building was moved to the northwest corner of Wood and Church streets and four years thereafter was destroyed by fire.

The second building erected for a jail was constructed of brick in 1843, there having been no place of confinement for the unruly from the burning of the old one up to this time. This second building was a brick one, two stories in height and contained two cells. It stood on the same corner as the first one. In 1868 another building was erected, the second one (having outgrown its uses for county purposes when it) was turned over to the city for its delinquents. This third jail was built of stone and in dimensions was fifty feet long and forty feet wide. It had twenty-four cells. The cost of this building was \$45,000. Adjoining the jail a residence for the sheriff, or jailor, was built. A large and substantial addition has been made in later years.

## THE BENCH AND BAR.

The men who knew the first lawyers of Macon county are getting very scarce, and consequently tradition must be depended upon.

Charles Emmerson is said to be the first lawyer who settled in this county. He survived and was for a long time on the circuit bench and there are yet living older lawyers who practiced before him. He was a most excellent judge; a man of distinguished ability as a lawyer. He was a member of the convention of 1870, which formed the present constitution of the state of Illinois, and left the impress of his character on that instrument. The bar of this county and the lawyers who practiced at it have given it state wide reputation. It has been marked for its ability. In the earlier days distinguished men bore a part in its



MACON COUNTY COURTHOUSE COMPLETED IN 1891

proceedings—Stephen A. Douglas, Abraham Lincoln, John F. Logan, David Davis, and others.

There are one or two men still living and still practicing, who were in this bar as early as 1857, and a little later. Among earlier practitioners were Oglesby, Wait and Gallagher, all dead now. R. J. Oglesby became a man of national reputation, twice governor of Illinois, and once United States senator. A. J. Gallagher went to the bench in the circuit and made a most excellent judge. Captain Joel S. Post was an early member of the bar, a man of rare qualities and an excellent lawyer. A. B. Bunn was a little later a man distinguished for his ability as a lawyer and orator. His nephew, D. L. Bunn, came later and was a fine lawyer. He filled the office of state's attorney when the state's attorney was elected for the whole circuit, and did so with ability. H. C. McComas was another lawyer who filled that office, as did also Colonel James P. Boyd, the two Tappers, N. W. and Ansel, and S. S. Good. All were in the Federal army. Lieutenant Colonel Ansel Tupper was killed at Shiloh; Colonel N. W. Tupper died of exposure and disease contracted in the army; Colonel Boyd died of the effects of a wound received in battle.

Eliser M. Thorpe was an early member of the bar. He still survives, living in the northwest. Judge William Prather and others not now recalled were early members.

William E. Nelson came to the bar as early as 1857, from Tennessee, and yet goes regularly to his office, though a man of advanced age. He served as a commissioner, with two others, for the revisal of the statutes under the constitution of 1870 by appointment of Governor Palmer. He also served one term in the house of representatives, also the short term as circuit judge, and two terms as county judge.

Among the older lawyers now living in Decatur may be mentioned Nelson, Hugh Crea and Isaac C. Buckingham. A younger set includes Judge William C. Johns, now for a second term on the bench as circuit judge; C. C. LeForgee, Andrew H. Mills, D. C. Corley, William C. Outten, John Fitzgerald, James T. Whitley, James J. Finn, Albert G. Weber, James M. Gray, W. T. Cussins, David Hutchinson, Judge James Lee, Ex-Mayor E. S. McDonald, A. McIntosh, C. C. Walters and Jacob Latham.

Edward P. Vail practiced here for a considerable time. He was state's attorney one term and went to the bench in the circuit. He has now removed to Chicago and established an excellent practice.

Kirby Benedict was one of the very earliest members of this bar, and deserves mention as a man of marked ability. He is believed to be still living somewhere in the west.

This brief sketch is written from memory, without reference to past records, and doubtless omits names of men either dead or removed, all worthy of mention.

The younger members named in the list of the present bar are all young men of learning, ability and promise, and will doubtless maintain the character of the bar. It may truthfully be said of the Macon county bar that it has held, and holds rank with any county in Illinois.

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author of a history of this county, written and published in 1876, one of the best ever written.

It should be mentioned, too, that after leaving the supreme bench of the state, Judge Anthony Thornton was a member of the bar for some time. It may be properly mentioned, too, that this bar has furnished to the bench of the circuit five judges within the last half century.

This brief sketch would be incomplete did not the name of Isaac R. Mills appear in it. He came to Decatur a young man, in 1879, and soon acquired standing at the bar and rapidly grew to be a commanding force in the politics of the county and in central Illinois. He was a man of talent, learned in his profession. He filled the office of city attorney for three successive terms of two years each, and was the efficient state's attorney of the county for twelve years. He became revenue collector for the district in 1901 and was exercising the office at his death. He was killed July 3, 1904, in a railroad accident at Litchfield, Illinois. His death was a loss to the bar of the county and the community, and was universally deplored.

George W. Powers was one of the early practitioners at the bar in Decatur. He was admitted to the bar in 1843 and died in the fall of 1848.

S. G. Malone, a native of Ohio, was admitted to the bar of Indiana in 1848 and subsequently became prosecuting attorney of Vermilion county in that state. He came to Macon county in 1856 and settled in Decatur, forming a partnership with William S. Freese. Mr. Freese retired from the firm and Judge Prather became a member.

K. H. Roby came to Illinois in 1858 from the state of New Hampshire, first making his home at Salem, in Marion county. There he read law in the office of Bryan & Shaffer. He came to Decatur in 1860 and finished his preparation for the practice of law in the office of Tupper & Nelson. He was admitted to the bar in 1862. Mr. Roby afterward formed a partnership with Judge William E. Nelson, which continued until Judge Nelson was elevated to the bench.

Brice R. Sterritt was a native of Pennsylvania and came to Decatur in the fall of 1867, where he entered the office of Emmerson & Smith. He was admitted to the bar in the fall of 1868 and afterward formed a partnership with John W. Smith.

Thomas Lee came from the county of Limerick, Ireland, in 1855. He removed from New Jersey in 1860 to Springfield, afterward studied law in Decatur in the office of S. F. Murphy, and was admitted to the bar in 1869.

C. A. Ewing was a native of Kentucky, removing to Illinois in 1850. He graduated from the Albany Law School in 1869 and subsequently became a member of the law firm of Crea & Ewing, of Decatur.

A. G. Harris was born in New York in 1857, attended law school at Bloomington, Indiana, and afterward read law in the office of Nelson & Roby, in Decatur. He was admitted to the bar in 1870 and opened an office in Macon.

Edward Park, also a native of New York, came to Illinois in 1856, settling in Belleville, where he began the study of law in 1857. The subsequent year he was admitted to the bar. He came to Macon county in 1860, taught school in Decatur and was elected county superintendent of schools, which office he filled for six years. He began the practice of law in 1870.

E. K. Eldridge was an Indianian and came to Illinois in 1856. He was admitted to the bar in 1870 and in May of that year came to Decatur, where he began the practice of his profession.

Josiah M. Clokey, an Ohian by birth, became a member of the bar of Decatur in 1873.

I. D. Walker was an Ohian, who came to Illinois in 1861. In 1875 found him in Macon county and that year he began the practice of law at Maroa, but the next year took up his residence in Decatur. He subsequently formed a partnership with Thomas Lee.

J. C. Hostettler was a native of Indiana and removed to Decatur in 1857. He read law in the office of Eden & Odor. He was admitted to the bar and began practice of the law in 1875, forming a partnership with E. K. Eldridge.

John A. Brown, a native of Massachusetts, came to Macon county in 1865, and was admitted to the bar in 1876.

Zach. T. Hundley was a native of Virginia and came to Illinois in 1869, taking up his residence in Macon county in 1871. He was admitted to the bar in 1877, and in July of the same year opened an office in Maroa. In 1879 he opened an office in Decatur and the same year formed a partnership with Judge William E. Nelson.

Harvey Pasco became a resident of this county in 1862, and in 1871 he was admitted to the bar, after which he opened an office in Decatur.

## PRESENT MEMBERS OF THE MACON COUNTY BAR.

W. H. Black, W. Nay Boggess, Baldwin & Carey (James S. Baldwin and W. J. Carey), Buckingham & Gray (I. A. Buckingham and J. M. Gray), Lee Boland, C. M. Borchers, Ralph Bauer, J. M. Clokey, D. C. Corley, Hugh Crea, W. T. Cussins, C. A. Dennison, Argenta, Ralph Dickinson, C. F. Evans, John Evans, J. J. Finn, R. E. Gray, Gilbert & Wierman (S. W. Gilbert and E. V. Wierman), Fred Grady, Hutchison & Park (David Hutchison and E. S. Park), Hugh W. Housum, J. C. Hostettler, Henson & Albert (James A. Henson and J. M. Albert), Claire Hutchin, Hill & Drew (D. D. Hill and T. F. Drew), Jack & Deck (T. B. Jack and Jesse Deck), J. M. Lee, LeForgee & Vail (C. C. LeForgee and Robert Vail), John C. Lee, John H. McCoy. For a long time an efficient Justice of the Peace. E. S. McDonald, A. McIntosh, McGinley & Wiley (W. J. McGinley and F. R. Wiley), P. L. Miller, Henry H. Morey, McMillen & McMillen (Rolla C. and Clark A.), J. W. Montgomery, Mills Brothers (A. H. and Walter H.), L. A. Mills, John A. Montgomery, W. E. Nelson, Outten & Roby, Ewing & McCullough (W. C. Outten, F. C. Roby, C. A. Ewing and W. G. McCullough), H. Pasco, Redmon & Hogan (W. E. Redmon, state's attorney, and John Hogan), B. F. Shipley, Maroa, O. W. Smith, county judge, C. E. Schroll, A. T. Summers, H. H. Scurlook, L. H. Shelley, Chester A. Smith, P. L. Van Cleve, Blue Mound, Walters & Latham (C. C. Walters and Jacob H. Latham), A. G. Webber, Whitley & Fitzgerald (J. T. Whitley and John R. Fitzgerald), C. M. Weilepp, Jacob L. Walden.

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CITY OF  
**Decatur and Macon County**  
ILLINOIS

A Record of Settlement, Organization, Progress and Achievement

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HON. WILLIAM E. NELSON

Editor

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

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