

James B. Ricks 1901-1906

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James Benjamin Ricks was born on December 23, 1852 on a farm in Christian County, Illinois. His parents were John Bond Ricks and Dorcia B. (Haines) Ricks. He came from a long



line of public servants. John B. Ricks was the sheriff and twice the circuit clerk of Christian County. John Ricks also served two non-consecutive terms in the Illinois legislature. James Ricks' grandfather, William Skinner Ricks, was an early Illinois pioneer and the first sheriff of Christian County. Ricks' great-grandfather was a soldier in the Revolutionary War and an early pioneer of Kentucky.¹

James Ricks received his early education in the Christian County public schools. He continued that education at Wesleyan University in Bloomington, Illinois. On December 23, 1872 when Ricks was 20 years old, he married Pammie L. Geltmacher of Bloomington, Illinois. They had six children, and three survived into adulthood: Agnes (Ricks) Houser who had one son Byron Houser, Jesse J. Ricks who practiced law in Chicago, and Glen A. Ricks, who studied engineering at the University of Michigan. Ricks also had two sisters that survived him: Henrietta I. Ricks and Laura B. (Ricks) Dodge of Boston, Massachusetts.²

After graduating from Wesleyan University, Ricks studied law in the office of Judge Andrew Simpson and John B. Jones in Taylorville. During his apprenticeship, he helped to draft documents to change the village of Taylorville to a city.³ He was admitted to the Illinois bar in 1874, and from 1874 to 1885, he practiced law solo. In 1885, he formed a partnership with J.C. Creighton, who was elected state's attorney. Creighton's health failed while still in office, so Ricks prosecuted the state's attorney's cases.⁴

Along with his law career, Ricks also had a very successful career in public service as a Democrat. From 1889 to 1891, he was the mayor of Taylorville. During his two-year term, he established a system of electric lights and doubled the capacity of the city's water works. In June 1892, Ricks was a delegate to the national Democratic convention in Chicago, and he campaigned in the presidential election for Grover Cleveland. After Cleveland's victory, Ricks was appointed as the supervising examiner of the pension bureau. He spent three years in Washington D.C. with more than one hundred employees under him.⁵ He returned to Taylorville in 1895, continued to practice law and to be active in the Democratic State Committee. Ricks also served as president of the Taylorville Township High School Board, the Benevolent Protective Order of Elks, and was a former grand chancellor of the Knights of Pythias.⁶

On April 12, 1901, Ricks was nominated by the Litchfield convention to the Illinois Supreme Court to fill the unexpired term Jesse J. Phillips, who had died two months prior.⁷ On May 21, 1901, Ricks was elected to the Court, defeating Republican George Cooper of Hillsboro. Ricks was described as "without experience on the bench, but he brought to the performance of his new duties a long and varied experience as a lawyer and legal abilities of high order."⁸

During his short tenure on the Court, Ricks wrote many opinions, but two opinions demonstrated support of large industrial companies. In 1904, the Illinois Supreme Court heard *Lloyd v. Catlin Coal Co.* Lloyd was a farmer who owned acres of surface land, and the Catlin Coal Company had claims to the minerals under his real property. Lloyd sued the mining company in the Vermilion County Circuit Court for damages to sixty acres of land and received a \$6,000 judgment. Lloyd then sued again for an injunction to prevent the coal company from mining the coal in a certain way, demanding that veins be cut to leave half the coal in place for support and that the size of mining rooms be a certain size.⁹ The Vermilion County Circuit Court dismissed Lloyd's bill due to the conflicting evidence "that it is impossible to tell whether the surface of [Lloyd's] land, or any part of it, will subside at all, or if so, when, to what extent, or whether [Lloyd] will be injured at all." Lloyd's case reached the Illinois Supreme Court, which affirmed the injunction's dismissal, stating that the court could not regulate the amount of coal the mining company had to leave behind to support the surface lands. Ricks wrote that "Each [party] has rights that must be recognized and conserved by the courts."¹⁰

The case *Mackey v. Northern Milling Company* was a case that also claimed negligence by a corporation. Thomas Mackey was an employee of the Northern Milling Company. A milling car was pushed onto him, and he died.¹¹ His wife, Lizzie Mackey, sued the milling company for negligence damages and won a judgment for \$5,000, but the company successfully obtained a reversal at the appellate court due to the failure to state a good cause of action in the declaration. Mackie refiled a corrected declaration, but the Northern Milling Company argued that the statute of limitations had expired. The case reached the Illinois Supreme Court to answer the question whether the corrected declaration was a new case or a continuation of the previous case—the answer to which would determine if the statute of limitations expired. The

Supreme Court agreed with the Northern Milling Company. Ricks wrote that this “identical question has been so clearly and repeatedly passed upon by this court that a new discussion of the proposition would seem to be useless.”¹²

Ricks served for five years, with one year as Chief Justice (1904-1905), and announced his plan to run for reelection, but a diagnosis of cancer resulted in the retraction of his reelection bid. He retired from the Court on June 18, 1906, and died a month later on July 23 at his home in Taylorville. He was 54 years old and had suffered from the debilitating effects of cancer of the bowels for seven months. He was buried in Oak Hill Cemetery in Taylorville. Ricks was remembered as being “ambitious for office and power, but the glitter of gold tempted him not.”¹³

¹ *The Daily Breeze* (Taylorville, IL), 23 July 1906, 1.

² *The Daily Breeze*, 23 July 1906, 1.

³ 223 Ill. 10 (1906); *Illinois State Register* (Springfield, IL), 27 July 1906, 1.

⁴ *The Daily Breeze*, 23 July 1906, 1.

⁵ *The Daily Breeze*, 23 July 1906, 1.

⁵ *The Daily Breeze*, 23 July 1906, 1.

⁶ *Illinois State Register* (Springfield, IL), 22 May 1901, 1.

⁷ *The Daily Breeze*, 23 July 1906, 1.

⁸ 223 Ill. 10-12 (1906).

⁹ 210 Ill. 460 (1904).

¹⁰ 210 Ill. 460 (1904).

¹¹ 210 Ill. 115 (1904).

¹² 210 Ill. 115 (1904).

¹³ 223 Ill. 9 (1906); *The Daily Breeze*, 23 July, 1906, 1.