

a number of young men went to O'Brien's place for whisky. At this time the elder O'Brien and his wife were both in the county jail, serving out a sentence for selling liquor in violation of law, and young O'Brien was in charge of the place. The young men, it is claimed, tried to get him to sell them whisky, but he refused and went to a justice and entered complaint against the men. When he returned, the men were still in possession of the premises. O'Brien went into the house, seized a loaded gun and went to the door. McCoy, it is said, attempted to seize the gun, and in the scuffle that ensued was shot and killed. O'Brien was by the jury found guilty, and as he was but 17 years of age was sentenced to one year in the county jail.

In 1877 the General Assembly divided the State into thirteen Judicial Circuits, with three Judges in each Circuit. Ogle County was placed in the 13th Circuit. Those who have served the Circuit from that time to the present are Wm. W. Heaton, Wm. Brown, Joseph M. Bailey and John V. Eustace.

The criminal case of the greatest importance tried since 1874 was that of the People vs. John and Menlo Arends.

#### Probate Court.

**T**HE General Assembly, in 1837, passed an act creating the office of Probate Justice of the Peace, the Justice being vested with the same powers and jurisdiction in civil cases as other Justices of the Peace, and were subject to the same rules of law. All probate matters were committed to their trust. The first Probate Justice of the Peace in this county was S. C. McClure, who served in 1837-8, and was succeeded by Dr. W. J. Mix, who served four years. P. R. Bennett was the next incumbent, also serving four years, being succeeded in 1847 by J. B. Chaney, who was in office when it was abolished in 1849.

#### County Court.

**B**Y an act of the General Assembly, approved Feb. 12, 1849, a court of record was formed to be styled the County Court, and the office of County Judge was created. Under the act the County Court was vested with all the powers and jurisdiction of the Probate Court. The act further provided that the

County Judge, with two Justices of the Peace, to be known as Associate Justices, should sit as a County Court and have all the powers vested in the County Commissioners' Court, the latter being abolished by this act. J. B. Chaney was the first County Judge and served until 1853. In 1850, and during the term of office of Judge Chaney, the county adopted the township organization law, and the powers originally belonging to the County Commissioners' Court were taken from the County Court and vested in that of a Judge vested with only such powers as that of a Judge of Probate.

The General Assembly, in 1872, passed an act by which County Courts, in addition to their probate powers, were to have concurrent jurisdiction with Circuit Courts in all civil cases where the value of property in controversy, or the amount claimed, should not exceed \$500, and in criminal cases where the punishment is not imprisonment in the penitentiary or death. No appeals, however, are allowed from Justices of the Peace to the County Court.

Spoooner Ruggles succeeded Judge Cheney and served two years. E. Wood was the next incumbent, also serving two years. V. A. Bogue followed, serving eight years, and being succeeded by J. M. Webb, who served one term of four years. A. Barnum was elected in 1870 and served about three years, when, dying, F. G. Petrie was appointed to fill the vacancy, served out the unexpired term and was elected for the full term of four years. A. Woodcock served one term after Judge Petrie, and was succeeded by Geo. P. Jacobs, the present incumbent.

#### The Ogle County Bar.

**I**N 1837 two attorneys permanently located in the prospective county-seat of Ogle. They were Judge Thomas Ford and E. S. Leland. Judge Ford continued to make Oregon his home until his election to the office of Governor, when he removed to Springfield, and subsequently to Peoria, where he died. He was the first Commissioner for the sale of the town lots of Oregon, and, it is understood, came here as the agent or attorney of the owners of the claim on which the town was to be located. Few men are better known to the pioneers of Ogle than Gov. Ford.

E. S. Leland remained here some years and was

quite active in the punishment of the Driscolls. He moved from the county to Ottawa, where he became quite distinguished as a lawyer and a Judge.

W. W. Fuller came in 1839, and continued to reside here until his death in 1849. He was born in Princeton, Mass., in 1792, graduated at Harvard in 1813, and was admitted to the Bar in 1817. While residing in the East, he gained considerable prominence, but desiring to better his condition, at the earnest solicitation of Judge Ford, he came to Oregon. He was a fine lawyer, possessed of fine mental endowments and genial manners; and gained a host of friends.

Henry Roberts came in 1841. He had but little practice and did not aspire to prominence in his profession. He served for a time as Postmaster.

H. A. Mix also came in 1841. A fine sketch of Mr. Mix appears on a preceding page.

John B. Chaney was from Maryland. He located here in 1845, studied law with Fuller, was admitted and practiced his profession until he left the county. In 1846 he was elected County Judge, or Probate Justice, and served about five years. He then, in company with several others from the county, started overland to California, dying while on the way. Judge Chaney was a man of more than ordinary ability and gave promise of future usefulness.

James C. Lucky located in Polo about 1855, and was admitted to the Bar a year or two later. He was an active man, a good collector, but never did much before the Courts. He died very suddenly, a few years ago, in Forreton.

F. Oliver Baird was at Polo a short time in 1855, but was hardly known as a lawyer while there.

James W. Carpenter came from New York in 1856, located at Polo, and entered into partnership with John D. Campbell. He was a bright young man, a good pleader, well read in law, and very skillful and sharp in handling cases. Mr. Carpenter died in 1862.

Thomas J. Hewitt resided at Forreton some years, but left about 1878. He was a man of good ability as a lawyer. Mr. Hewitt now resides in Nebraska.

Mr. Halsey also resided at Forreton for a time, leaving there in 1884.

W. W. Levett was raised near Forreton and was admitted to the Bar at Oregon in 1875. He was State's Attorney four years, and now resides in Pipestown, Dakota.

Samuel M. Samples came in 1843 from Maryland. He had but little practice and some years after moved to Watertown, Wis., where he died.

The present Bar of Oregon is composed of the following named: E. F. Dutcher, Joseph Sears, Geo. P. Jacobs, R. C. Burchell, James H. Cartwright, John C. Seyster, Henry P. Lason, Francis Bacon, Guilford McDaid, D. Smith and E. A. Ray. Sketches of most of these gentlemen appear in other parts of this work.

At Rochelle, the present Bar is composed as follows: M. D. Hathaway, H. O. Rogers, D. W. Baxter, Wm. B. Litch, Geo. D. O'Brien and E. A. Ward.

At Polo the Bar is represented by John D. Campbell, M. D. Swift and James W. Allaben.

At Forreton is Frank Wertz.

At Mt. Morris, A. Q. Allen.

At Leaf River, Geo. E. Johnson.



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