The Court Archive:
Sidney Breese's Brushes with Celebrities

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Illinois Supreme Court Justice Sidney Breese is regarded as one of the finest legal minds of the nineteenth century, but he was also a Zelig and Forrest Gump because of his rubbing elbows with larger-than-life characters of his time: the Marquis de Lafayette, John Marshall, and Charles Dickens. Breese also was a first cousin of Samuel F. B. Morse, the inventor of the telegraph and Morse Code (the "B" is for Breese).

In 1823, Breese became the State's Attorney for the Third Judicial Circuit, which included his home of Kaskaskia. In 1824, the Marquis de Lafayette began a two-year tour of the United States and visited Kaskaskia in April 1825. The young state's attorney was a guest at the reception hosted by Governor Edward Coles. Other guests included William S. Hamilton, the son of Alexander Hamilton.

Breese's experience with the Supreme Court began long before he became a justice in 1841. Breese was the reporter for 1 Ill., the very first volume of reported decisions by the Illinois Supreme Court. The volume covered the Court's cases from 1819 to 1831. Breese visited Washington DC in 1834, and while there, presented a copy of 1 Ill., also known as Breese's Reports, to U.S. Supreme Court Chief Justice John Marshall. In his note to the Chief, Breese said that the "design of the author in presenting it, is to offer a slight token of the high regard he has ever entertained for your distinguished talents and eminent public services, and as such he prays you to accept it." Chief Justice Marshall responded the next day with his own note to Breese: "I have just received your letter of yesterday accompanied by Breese's reports. I thank you for this polite mark of your attention and shall value these reports still the more highly because they are presented by the author."

One year later in 1835, the Illinois legislature appointed Breese as a circuit judge, beginning his long career on the bench. Six years later, Breese gained an appointment to the Supreme Court, but maintained his duties as a circuit judge and crossed paths with Charles Dickens, the celebrated author of *Oliver Twist* and *The Pickwick Papers*. Dickens visited the United States in 1841, mainly to see how the young country dealt with societal problems such as poverty that pervaded much of his writing. Dickens also wanted to investigate the lack of international copyright protections that caused his works to be published freely in the U.S.

Dickens was sorely disappointed in his east coast travels during his American visit, particularly seeing the institution of slavery. He had always wanted to see the Great American Prairie and ventured farther west. His original itinerary had him going to growing young city of Chicago, but rough, choppy waves on the Great Lakes caused him to change plans and come to St. Louis instead via the Ohio and Mississippi Rivers. Upon arriving in St. Louis, Dickens crossed the river and traveled to see the Looking Glass Prairie near Lebanon in St. Clair County.

While going there, the St. Clair County Circuit Court was in session in Belleville with Justice Breese presiding. When the case being argued concluded, attorneys James Shields and Gustav Koerner learned that Dickens would like to see the court in action but only if Justice Breese invited Dickens to sit on the bench with him. Koerner returned to the court house and informed Breese of Dickens's request. Koerner wrote that Breese "bristled up" and declared Dickens to be "one of those puffed up Englishmen who, when they get home, use their pens only to ridicule and traduce us. He can come in like any other mortal."

Breese's celebrity brushes stretch from the Revolutionary period with Lafayette, through the early American period with Marshall, and continued into the antebellum period and beyond with Dickens. Breese was also close to Abraham Lincoln despite their political differences. As a lawyer, Breese defended Justice Theophilus Smith's impeachment trial in the Illinois Senate. As a U.S. Senator, he advocated a transcontinental railroad and is called the "father of the Illinois Central Railroad." As a justice, he authored the *Munn* opinion, upholding government regulation of private businesses in the public interest. Breese, like Zelig, was everywhere and apparently knew everyone.