

Corydon Beckwith 1864

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Although serving only briefly on the Illinois Supreme Court, Corydon Beckwith earned the reputation of a skilled jurist. Born in Sutton, Caledonia County, Vermont, on



July 24, 1823, Beckwith was the son of John and Matilda Shaw Beckwith.¹ Acquiring a rudimentary education in the vicinity of his home, young Beckwith pursued scientific and classical courses in Providence, Rhode Island and Wrentham, Massachusetts. After studying law for three years, he was admitted to the Vermont bar in 1844 and formed a partnership with a distinguished area attorney, Frederick A.

Schley.² Five years later, in 1849, Beckwith married Mary Ann Smith of St. Albans, Vermont.³

In the spring of 1853, the Beckwiths and their three children moved to Chicago, where he became associated with prominent attorneys Van H. Higgins and Bolton F. Strother, under the firm name Higgins, Beckwith & Strother.⁴ The partners brought prominent cases in both state and federal courts. Beckwith “was remarkably successful,” recalled one associate, “and was rarely beaten. If he found he was on the wrong side he would advise a settlement. He was never willing to go to a trial and expose his clients’ interests where the chances were strongly against him.”⁵

When John D. Caton decided to retire from the Illinois Supreme Court in early 1864, Governor Richard Yates accepted Caton's recommendation of fellow Chicagoan Beckwith to complete the term. As Caton's successor, Beckwith served from January to June 1864.⁶ "Some of his decisions," reported the *Chicago Tribune*, "are models of brevity and are renowned for strength of statement."⁷

In *Miller v. Young's Administrator*, Beckwith delivered the Court opinion reversing a lower court decision. William H. Young had sued in the Logan County Circuit Court to rescind his purchase of what he contended was a fraudulent patent-right contract for the manufacture of cast iron cemetery tombs of a unique ornamental design. In payment for the contract, Young had conveyed 160 acres of land in Logan County to Reuben Miller, agent for the owner of the cemetery tomb patent. Young's attorney contended that the patent was void because not only was the design "of no utility" but also that it was not "novel," and that cast iron tombs made according to the design "were not as durable, saleable, and could not be manufactured as cheaply" as Miller represented. Circuit Court Judge David Davis ruled on behalf of Young and ordered Miller to re-convey the 160 acres of land.

In reversing the decree, Justice Beckwith cited an 1842 Congressional act in determining that a valid patent design "should be a new and an original one, but the law does not require that it should be useful." He further found that "the representations as to the durability and probable sale of the tombs" as "mere matters of opinion," not sustained by the evidence.⁸

Beckwith also delivered the opinion in *Happy et al. v. Morton et al.*, an unusual case involving a central Illinois church. Joseph Morton and several other members of the

Jacksonville Church of Christ sued their preacher, Walter S. Russell and his supporters, in the Morgan County Circuit Court. Morton charged that Russell did not hold to “the Bible doctrines as taught by the Christian church throughout the United States,” and that he did not profess the theological views of the Jacksonville Church of Christ espoused by its founders in 1832. The circuit court found for Morton and the other complainants, transferring to them the church edifice and other property. Russell died in 1863, but some of his adherents, including William H. Happy, appealed the decision. In the January 1864 term of the Illinois Supreme Court, Justice Beckwith delivered a ten-page opinion reversing the lower court. “The original bill alleges that the property in question was purchased for the purpose and with the intention of erecting thereon a suitable building for the use of the Society called the Church of Christ, in which to worship Almighty God according to the teachings of the Christian or Reform Church,” he wrote, “but it does not allege what the teachings of the Christian or Reform Church were, nor in what particulars these teachings had been departed from.”

Beckwith enumerated five “alleged doctrines” of the congregation, then explained that he could find no substantial departure from those doctrines. “Before this court can declare the teachings of the Rev. Mr. Russell in this regard an abuse of the trust in question, the complainants must show a distinction between such teachings and their standard of faith, so that a difference can be perceived. . . . Mr. Russell considered his views essential, and undoubtedly he told his congregation that he so considered them, but they were not made a test of church membership or fellowship.”⁹

Following his brief Supreme Court tenure, Beckwith partnered with Benjamin F. Ayer and F. H. Kales in Chicago. In 1873, he became general solicitor for the Chicago,

Alton & St. Louis Railroad. “This appointment did not prevent him from engaging in a general practice,” Ayer recalled. “He never confined his attention to any special branch of the law, but enjoyed a large general practice.” Beckwith served as counsel for several large corporations, with a number of cases involving corporate rights and liabilities.¹⁰ “Cases in which there are no precedents,” wrote one biographer, “and in which he originates or discovers the necessary legal principles, are the cases in which he excels.” Another writer described Beckwith as a remarkable attorney who “could originate lines of offense or defense better than any lawyer in Chicago at his time.”¹¹

Beckwith joined another former Supreme Court justice, Charles B. Lawrence, and prominent attorneys Robert G. Ingersoll and Orville Hickman Browning in representing three large railroads in an 1875 appeal to the U.S. Supreme Court. The U.S. Circuit Court had refused to uphold an Illinois Supreme Court decree that sustained an 1872 statute regarding the collection of corporate taxes. The federal circuit court ruling resulted in the suspension of corporate tax collections, seriously crippling the state’s finances. In *State Railroad Tax Case*, the U.S. Supreme Court reversed the circuit court, a decision that established the right of the state to tax corporations under provisions of the 1872 law.¹²

Benjamin Ayer conjectured that Beckwith “earned more money in the practice of law” than any contemporary lawyer in Illinois. “He was always at work and gave himself no rest. I hardly ever knew him to take a vacation He has had a great deal to do with shaping the law of this State.”¹³

Beckwith died on August 18, 1890 at Highlands, his home near the Chicago suburb of Hinsdale. Following Episcopal services at the home, he was buried in the family lot at Rosehill Cemetery in Chicago.¹⁴

¹ *Chicago Tribune*, 19 August 1890, 3.

² A. T. Andreas, *History of Chicago . . .* Vol. 2, (Chicago: A. T. Andreas Co., 1885), 465.

³ *Chicago Tribune*, 19 August 1890.

⁴ *Chicago Tribune*, 19 August 1890.

⁵ *Chicago Tribune*, 19 August 1890.

⁶ John Dean Caton, *Early Bench and Bar of Illinois* (Chicago: Chicago Legal News Co., 1893), 194.

⁷ *Chicago Tribune*, 19 August 1890.

⁸ *Miller v. Young's Administrator*, 33 Ill. 354 (1864).

⁹ *Happy v. Morton*, 33 Ill. 398 (1864).

¹⁰ Andreas, 465.

¹¹ *Biographical Encyclopaedia of Illinois of the Nineteenth Century* (Philadelphia: Galaxy Pub. Co., 1875), 267; Frederic B. Crossley, *Courts and Lawyers of Illinois* (Chicago: American Historical Society, 1916), 254.

¹² Crossley, 374-75; *Taylor v. Secor*, 92 U.S. 575 (1875).

¹³ *Chicago Tribune*, 19 August 1890.

¹⁴ *Chicago Daily News*, 20 August 1890, 2.