

## Charles C. Craig 1913-1918

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The son of Illinois Supreme Court Justice Alfred M. Craig (1873-1900) and Elizabeth Proctor Harvey Craig, Charles Curtis Craig was born in Knoxville, Illinois on June 16, 1865.

Descended from Scotch-Irish immigrants, his paternal grandparents were David Craig of Philadelphia, Pennsylvania, and Minta Ramey Craig of Lexington, Kentucky. Maternal grandfather Curtis Kendall Harvey, a native of Barnett, Vermont, became a lawyer in Galesburg, Illinois, served in the 1847 Illinois Constitutional Convention, and married Hanna Key Craig of Lebanon, Maine.<sup>1</sup> “From this parentage,” recalled a fellow attorney, “the boy drew his interest and background in the law.”<sup>2</sup>



After attending Knox County public schools and Dr. Bangs private academy, Charles Craig studied at Knox College and Notre Dame University. In 1883, he gained an appointment to the United States Naval Academy but upon graduation, with “no liking for that life in time of peace,” resigned his commission to study law at Columbia University in New York City.<sup>3</sup> There, in addition to educational curriculum, he learned the fundamentals of football.

Returning to Illinois because of an illness, Craig entered Illinois Wesleyan Law School, Bloomington, in February 1887. “I was passing the college building one day” that spring, he recalled years later, “when some of the boys were practicing with a new football. It rolled out my

way and I picked it up and returned it with a long drop kick, which was apparently new to them.” Students from Wesleyan and the neighboring Illinois State University asked him to help organize a team according to rules used by eastern colleges. “Prior to that time, football had been played in the western high schools and colleges with an inflated round rubber ball and the rules, if any, were different at different places. Generally speaking, any number could play on a side, and there was no regular distance between goals or bounds.”

Craig helped fellow students mark off the bounds and erect goal posts, and he officiated as coach and referee. With the fall 1887 semester, the Wesleyan team practiced on vacant lots near the campus; “we were careful of our diet, not to leave anything on the table but empty plates.” Craig played quarterback and captained the 1887-1888 team against Illinois State, winning two of their three games. “Wesleyan was not a large college then but the student body of co-eds made up in quality what they lacked in numbers; they were as fine a set of boys and girls as I ever knew, mostly from the farms and small towns of northern and central Illinois, honest, capable and high spirited. It takes some brains even to play football and they were the kind that would attempt anything and generally succeed.”<sup>4</sup>

While a student, Craig studied law with Stevenson & Ewing in Bloomington, whose senior member was Adlai E. Stevenson. Admitted to the bar in 1888,<sup>5</sup> Craig began practicing law in Galesburg and, as a Democrat, lost the election for Knox County States Attorney. On July 12, 1893, he married Louise Dary, daughter of Eugene and Sidonia Benedict Dary of New Orleans, Louisiana.

In 1897, Craig organized and became Captain of the Illinois National Guard Battery B, First Artillery. Although volunteering for the Spanish-American War, his unit never engaged in combat service. He commanded troops at Pana and Virden during coal miner riots in autumn

1898, receiving “the thanks of the Governor for his successful control of the situation.”

Continuing in the National Guard for several more years, by 1912 Lieutenant Colonel Craig became Third Brigade ordnance officer and supervisor of rifle instruction for all state militia in the northern counties of Illinois.<sup>6</sup>

His career in public office began with service for two terms, 1899-1902, as Forty-third District Representative in the Illinois General Assembly. He served on the Judiciary Committee during each legislative session and in 1904 chaired the Illinois Commission’s Committee on Agriculture at the vast Louisiana Purchase Universal Exposition in St. Louis. “Visitors were advised to plan a stay of two weeks,” reported one historian, “in order to see everything since in the agricultural building alone a spectator could walk past nine miles of different sights.”<sup>7</sup>

Nominated in 1909 for the Illinois Supreme Court from the Fifth Judicial District, Craig lost the election by a small margin. Four years later, in October, 1913, he won election to the Court, succeeding the ailing John P. Hand.<sup>8</sup> Craig served on the Supreme Court for five years, “a period in which an unusual number of vitally important questions arose and were decided,” recalled Supreme Court Justice Clyde E. Stone. Craig “took a deep interest” in the significant cases, “and his opinions in those in which he wrote, show careful consideration and independent thought as do his dissents in some of them.”<sup>9</sup>

Craig, along with Justices William Farmer and George Cooke, wrote strong dissents in the 1914 *Scown v. Czarnecki* Constitutional issue. William J. Scown filed a bill in Cook County Superior Court to restrain the Chicago election commissioners, including Anthony Czarnecki, from expending funds for ballots and ballot boxes for women, as provided in the 1913 Woman’s Suffrage act. His attorneys argued the act violated the Illinois Constitution by modifying or repealing existing statutes regarding voter qualifications. Justice Frank Dunn delivered the

majority opinion that affirmed the rights of women to vote in “any election.” In the dissent, Craig maintained that the Constitution specified voter qualifications. “No one except those designated in section 1 of the suffrage article of the constitution,” he wrote, “is entitled to vote for any office specifically provided for by the constitution. That section limits the right of suffrage to male citizens above the age of twenty-one years.”<sup>10</sup>

Craig served as Chief Justice from 1915 to 1916. In the 1916 *Nice v. Nice*, he delivered the Court opinion in affirming a DeWitt County Circuit Court decision regarding legal rights of a step-child’s descendants. Erastus Nice made a will in 1888 that bequeathed his DeWitt and Macon county lands to his wife, Mary Elizabeth Nice, and at her death to be divided among his children as “equal heirs.” His step-daughter, Mary Emiline Bailey, daughter of his wife, died in 1903, and after Mary Nice died in 1915, Bailey’s children sought their mother’s portion of the estate. The Circuit Court agreed a special master in chancery that although Erastus Nice intended that Bailey should have the status and all the rights of a child, “the devise was to her, only, and she having died before the testator, and not being a child or grandchild of the testator and not having the status of a child or grandchild under the language of the will, the devise to her necessarily lapsed” at her death.<sup>11</sup>

Retiring from the Court in 1918, Craig returned to his Galesburg law practice and, with his brother Dr. Harvey Craig engaged in extensive farming and business interests. A Knox College trustee, from 1918 to 1930 he served the Bank of Galesburg as director and then president. He held memberships in the Knox County Bar Association, Galesburg Club, Elks, Masonic Lodge, Knights of Pythias, and Knights Templar. He was an honorary member and senior counselor of the Illinois State Bar Association.<sup>12</sup>

In failing health for several years, he withdrew from many of his former activities. On August 25, 1944, at age seventy-nine, Charles Craig died at his Galesburg home of an acute heart attack. His sole survivor was Louise Craig, his wife of fifty-one years. Following services at Hinchliff and Wilson Funeral Chapel, he was buried in Hope Cemetery.<sup>13</sup>

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<sup>1</sup> Newton Bateman and Paul Selby, *Historical Encyclopedia of Illinois and Knox County*, Chicago: Munsell, 1899, pp. 770-71.

<sup>2</sup> 389 Ill. 11-18.

<sup>3</sup> *Chicago Tribune*, Oct. 21, 1913, p. 2.

<sup>4</sup> Craig to Fred Young, Daily Pantagraph, Bloomington, Nov. 29, 1940 (Craig, 1888, Charles Curtis, "First Football Team" (1940). *History*. Paper 2). [http://digitalcommons.iwu.edu/athletics/athletics\\_hist/2](http://digitalcommons.iwu.edu/athletics/athletics_hist/2).

<sup>5</sup> Bateman and Selby, p. 771.

<sup>6</sup> *History of Knox County, Ill.*, vol. 2, Chicago: S. J. Clarke, 1912, p. 591; *Daily Register-Mail* (Galesburg), Aug. 25, 1944, p. 2.

<sup>7</sup> Paul C. Nagel, *Missouri; A Bicentennial History*, Nashville, Tenn.: American Association for State and Local History, 1977, p. 29.

<sup>8</sup> *Chicago Tribune*, Oct. 21, 1913, p. 1.

<sup>9</sup> 389 Ill. 17.

<sup>10</sup> 264 Ill., 305-80.

<sup>11</sup> 275 Ill., 397-401.

<sup>12</sup> 389 Ill. 14.

<sup>13</sup> *Daily Register-Mail*, Aug. 25, 1944, p. 2.