

Norman L. Jones
1931-1940

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Norman Lemuel Jones was born in Patterson, Illinois, in Greene County, on September 19, 1869, into a pioneer family of that area. His father was John Jones, a Civil War veteran and Greene County school superintendent. His mother Minerva Patterson Jones was from a Welsh family of early settlers dating to the time Illinois was a territory.¹

The Jones family had two sons and three daughters. After graduation from the local schools, Jones enrolled in Valparaiso University in Indiana in 1888. He was there for only one year when he was appointed to the United States Military Academy at West Point. He was compelled to drop out when his father's health failed, and he had to return home.²



Back in Carrollton, he became involved in politics and in 1890, at the age of twenty-one, was elected to the Illinois House of Representatives as the youngest member there. "Born, reared, and trained a Democrat," his distinguished career of public service was intertwined with the law. While serving in the state legislature, he read law in Carrollton in the office of H. C. Withers and was admitted to the bar in 1896 at age twenty-five. Subsequently, he was city attorney for Carrollton from 1902 to 1910, then State's Attorney for Greene County for a period of two years, beginning in 1912 and ending with his resignation in order to run for the circuit court in 1914. During this time, his law partner was Henry T. Rainey, Democratic congressman

from Illinois who would become the powerful Speaker of the House during the early days of Franklin Roosevelt's New Deal legislative program. The partnership was dissolved when Rainey was elected to Congress and Jones was elected to the bench.³

With his career well under way, Jones married Almeda Pegram in 1906. They had one son, Norman Pegram Jones. When Jones sat on the Supreme Court years later he had the pleasure to administer the oath admitting his son to the bar.⁴

After almost a decade and a half in state and local politics, Jones was elected judge to fill a vacancy on the Seventh Judicial Circuit. He was reelected for a full term in 1915, 1921, and 1926. In all these judicial elections he ran unopposed. In 1921, he was appointed to the appellate court for the second district, which met in Ottawa. While on the appellate bench, he decided to run for governor in the 1924 general election.⁵

Jones was prominent in the Democratic Party. With connections from his own career in state and local politics and his relationship with Rainey, he won the Democratic nomination in the 1924 election. Illinois Republicans had been split and battered as a result of embezzlement charges against incumbent Governor Len Small. Many good-government Republicans defected to Jones, including life-long Republicans such as Jane Addams; even the staunchly Republican *Chicago Tribune* endorsed Jones when their original candidate failed to unseat Small in the primary. Nevertheless, in the Coolidge Republican national landslide of 1924, Jones came out behind Small. Even so, Jones won over a half-million votes more than the rest of the Democratic ticket.⁶

If he could no longer claim statewide leadership of his political party, he at least retained the respect of it, as, for instance, when he was invited to be an honorary pallbearer at the funeral of assassinated Chicago Mayor Anton Cermak.⁷ In 1931, Justice William Farmer of Vandalia

resigned from the Supreme Court due to failing health, leaving a vacancy for which Jones sought election. He won the special election for the partial term handily and took his seat on the Supreme Court bench in September 1931. He was so well-respected that the *Chicago Tribune* took the trouble to congratulate him on his ascension to the bench in an editorial. One of his friends would later remark in reference to his defeat in the gubernatorial election that “what the executive branch lost, the judicial branch gained.”⁸ He was reelected for a full term in the 1932 general election, this time a Democratic landslide with Franklin Roosevelt leading the ticket. The election gave the Democrats a five-to-two majority in the Supreme Court and thirty-six of the state’s fifty-one circuit benches. Jones held the title of Chief Justice in 1934 and again in 1940. He served only a few months as Chief Justice in his second rotation when he was taken ill and died before completing his term.⁹

Shortly after assuming the Supreme Court bench in 1831, Jones wrote the opinion in *Graham v. City of Chicago*. Elise Graham had fallen on an icy sidewalk, injuring herself. The ice had formed when the city of Chicago purposefully flooded an area in a playground for children to ice skate, but the water had overflowed onto a sidewalk and froze. Graham sued the city and obtained a \$16,000 judgment. Justice Jones asserted that “a city is not liable for injuries resulting from the general slipperiness of its streets and sidewalks due to the presence of ice and snow which have accumulated as a result of natural causes.” In this case, however, the ice did not accumulate naturally but by an act of the city. The city failed to remedy the problem for at least thirteen days and it “would have been no unreasonable undertaking...to have removed the ice...and the city should have used reasonable care to eliminate the danger.” The court affirmed the judgment.¹⁰

While chief justice, Jones affirmed the validity of a will in which a testator wrote the will and signed the name of the witnesses. The lower court had invalidated the will because it was not properly attested. The will had a codicil that was properly attested, and the question posed to the Court was whether the proper attestation of the codicil validated the improper attestation of the original will. Chief Justice Jones agreed that it did and that “there was no proof of fraud, compulsion, or other improper conduct in the execution of the instrument offered for probate.”¹¹

While serving on the high court Jones was active in court reform serving on judicial advisory councils, which instituted changes to expedite the process of justice. Some of the changes included allowing jury waiver in criminal cases and strengthening the principle that juries could judge only the facts of a case and not the law.¹² During his tenure on the court, the state legislature passed the Civil Practice Act of 1933, which called for changes to all the rules of the Supreme Court. Jones played a significant role in developing the new rules because of his broad experience gained from being in private practice, serving as a public prosecutor, spending two decades on the bench, and working as a state legislator. Jones was more widely known than any other justice in the state as a result of his service in the legislature and as a candidate for governor. Senator J. Hamilton Lewis included Jones’ name on a short list of candidates for a vacancy on the United States Supreme Court.¹³

On December 15, 1939, as a result of a recurring abdominal ailment for which he had been treated since the previous September, Justice Jones collapsed during a court session. He continued to decline and on November 15, 1940, he died at Our Saviour’s Hospital in Jacksonville two months after his seventy-first birthday. He was buried in the Carrollton Cemetery. Jones had spent fifty years, his entire adult life, in public service, including twenty-four years on the bench. His funeral was attended by Republicans and Democrats alike.

Dignitaries came from all over the state, as befitting a person of his position, yet it appeared that genuine respect rather than protocol was the reason that hundreds of people turned out to say their goodbyes. As if to return the favor, a year after his death, Carrollton's Boyd Memorial Hospital was built on land that Jones had quietly donated for that purpose.¹⁴

¹ *Carrollton Gazette*, 22 November 1940, 1.

² 376 Ill. 11 (1941).

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*; *Chicago Daily Tribune*, 23 August 1931, 9.

⁶ *Chicago Daily Tribune*, 20 October 1924, 8; *Chicago Daily Tribune*, 24 October 1924, 4.

⁷ *Chicago Daily Tribune*, 9 March 1933, 1.

⁸ Memorial of Gilbert H. Hutchins of Carrollton, 376 Ill. 11.

⁹ *Chicago Daily Tribune*, 10 September 1931, 18; *Chicago Daily Tribune*, 16 November 1940, 12; *Chicago Daily Tribune*, 7 June 1933, 7.

¹⁰ *Graham v. City of Chicago*, 346 Ill. 638 (1931).

¹¹ *Eschmann v. Cawi*, 357 Ill. 379 (1934).

¹² *Chicago Daily Tribune*, 10 September 1931, 18; *Chicago Daily Tribune*, 16 November 1940, 12; *Chicago Daily Tribune*, 7 June 1933, 7.

¹³ *Chicago Bar Record*, v. 18 (1936-1937), 231.

¹⁴ 376 Ill. 11; *Carrollton Gazette*, 22 November 1940, 1; *Carrollton Illinois 1818-1968* (Carrollton: Carrollton Business and Professional Women's Club, 1968), 3.