

## Thomas Ford 1841-1842

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Thomas Ford served only a brief term on the Illinois Supreme Court before accepting the Democratic Party nomination for Governor of the state. A Uniontown, Pennsylvania native, Ford was born to Robert and Elizabeth Logue Ford on December 5, 1800. Four years later, he moved with his widowed mother and siblings to a rented farm in the area that became Monroe County, Illinois.<sup>1</sup>



With assistance from his elder half-brother George Forquer (who later served in the Illinois General Assembly, as secretary of state, and as attorney general), Ford studied law for one term at Transylvania University in Lexington, Kentucky. He then returned to Illinois, where he farmed, taught school, and continued the study of law under Daniel Pope Cook, later a Congressman from Illinois. Ford began his law practice in Waterloo before moving to Edwardsville. In 1828, Ford married Frances Hambaugh of Kentucky, and they would become the parents of five children.<sup>2</sup>

Moving to Galena in 1829, Ford edited the *Miners' Journal* and became a supporter of Andrew Jackson and active in the Democratic Party. The next year, he was named state's attorney for Illinois' Fifth Judicial Circuit in western and northern Illinois.

In 1835, Ford became judge of the Sixth Judicial Circuit, covering the northern counties of Illinois. He served briefly as a municipal judge in Chicago, and later as judge of the Ninth Judicial Circuit, comprising the Rock River area. He was a defense counsel in the 1833 Senate impeachment trial of Supreme Court Justice Theophilus W. Smith.<sup>3</sup>

Ford described the administration of justice in Illinois during the early 1830s as “without much show, parade, or ceremony,” in contrast with British courts. He considered most Illinois judges as men of “considerable learning and much good sense,” who, whenever possible, avoided deciding questions of law. “They did not like the responsibility of offending one or the other of the parties,” Ford explained, “and preferred to submit everything they could to be decided by the jury.” Moreover, the justices rarely gave instructions to the jury, he complained, which he attributed to a lack of confidence in their own abilities and a fear of public censure for mistakes.<sup>4</sup>

With expansion of the state Supreme Court in 1841, the Democratic General Assembly elected Ford as one of the five new justices. Assigned to the Ninth Judicial Circuit, he moved with his family to Ogle County. Serving during the final reign of the Banditti of the Prairie, a gang of northern Illinois horse thieves and murderers, Ford denied that he unofficially recommended subjecting the criminals to bullwhip lashings.<sup>5</sup>

Ford had a brief career on the state’s highest bench and only wrote a handful of opinions. In *Rogers v. Hall*, Ford commented on the importance of evidence as the appellant failed to file a proper bill of exceptions. Since the evidence was not certified to the Supreme Court and there was no error in the proceedings, “we have no means of judging upon the whole case. If it now fails to appear that injustice has been done, it is the fault of the plaintiff himself, in not stating, as he might have done, the whole of the

testimony in his bill of exceptions. The party guilty of the omission must be the sufferer, and not the opposite party.”<sup>6</sup>

Historian Robert P. Howard described Ford as “an able jurist, one of the best in Illinois. He reasoned clearly and might have had an eminent career on the Supreme Court . . . if he had not transferred to the executive branch.”<sup>7</sup> With a reputation for “judicial probity and party loyalty,” Ford resigned from the Court in 1842 to become the Democratic candidate for governor. Defeating Whig nominee Joseph Duncan, Ford assumed his first and only popularly elected office. Ford served as an effective governor, salvaging the state’s credit after its enormous internal improvement debt, closing failed state-chartered banks and expediting completion of the Illinois and Michigan Canal. He is also remembered, however, for the violent Hancock County conflicts with Mormon settlers and his failure to prevent the 1844 murders of Mormon leaders Joseph and Hyrum Smith.<sup>8</sup>

At the end of his term, Ford resumed the practice of law. Poor and in ill health, he moved his family to Peoria, where wealthy residents provided him with food, clothing, and bedding.<sup>9</sup> Hoping to leave a legacy for his children, Ford wrote the posthumously published *History of Illinois*. “Approaching the period of the state’s history through which he had lived as an example of the futility of American politics,” explained historian Theodore C. Pease, “he dissected with a merciless scalpel both politicians and political methods. . . . To him the period was one of little measures and little men.”<sup>10</sup>

A few days following the death of his wife, Ford died of tuberculosis on November 3, 1850.<sup>11</sup> Anonymous acquaintances paid for his burial in the Peoria

cemetery. The body was later removed to Springdale Cemetery in Peoria, where the state erected a monument in 1895. Ford County, organized in 1859, was named in his honor.<sup>12</sup>

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Thomas Ford Papers: Abraham Lincoln Presidential Library and Museum, Springfield, Illinois.

<sup>1</sup> Newton Bateman and Paul Selby, eds., *Historical Encyclopedia of Illinois* (Chicago: Munsell, 1900), 168; Robert P. Howard, *Illinois; A History of the Prairie State* (Grand Rapids, MI: Eerdmans, 1972), 227; *Illinois Biographical Dictionary* (New York: Somerset Pub., 1993), 62; Robert P. Howard, *Mostly Good and Competent Men; Illinois Governors, 1818 to 1988* (Springfield: Illinois Issues, 1988), 84.

<sup>2</sup> *Illinois Biographical Dictionary*, 153.

<sup>3</sup> Thomas Ford, *History of Illinois, From its Commencement as a State in 1818 to 1847* (1854, rpt. Ann Arbor, MI: University Microfilms, 1968), xix, xxvi.

<sup>4</sup> John W. McNulty, "Sidney Breese, the Illinois Circuit Judge, 1835-1841," *Journal of the Illinois State Historical Society*, 62 (1969), 177.

<sup>5</sup> Robert P. Howard, *Mostly Good and Competent Men; Illinois Governors, 1818 to 1988* (Springfield: Illinois Issues, 1988), 84.

<sup>6</sup> *Rogers v. Hall*, 4 Ill. (3 Scammon) 5 (1841).

<sup>7</sup> Ford, xix; Howard, *Mostly Good and Competent Men*, 79.

<sup>8</sup> Theodore Calvin Pease, *The Frontier State, 1818-1848* (1918, rpt. Urbana: University of Illinois Press, 1987), 352.

<sup>9</sup> General Usher F. Linder, *Reminiscences of the Early Bench and Bar of Illinois*, (Chicago: Chicago Legal News Co., 1879), 106.

<sup>10</sup> Theodore Calvin Pease, *The Story of Illinois* (1925, rpt. Chicago: University of Chicago Press, 1949), 128.

<sup>11</sup> *Illinois Daily Journal* (Springfield), 4 November 1850, 3.

<sup>12</sup> Howard, *Mostly Good and Competent Men*, 87; Bateman and Selby, *Historical Encyclopedia*, 168.