

Caswell J. Crebs
1969-1970, 1975-1976

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Caswell Jones Crebs was born January 14, 1912, in Carmi in the southeastern part of the state. He was the son of Stewart L. and Dorothy Jones Crebs, both from locally prominent families. One of his grandfathers, William Caswell Jones, was a circuit court judge, and the other, John M. Crebs, was an officer in the Civil War and a United States congressman.¹ When he was six years old his family moved to California, where he attended elementary and high school in Los Angeles. He completed his undergraduate degree in political science from the University of California at Los Angeles in 1932 and earned a Master of Arts degree the following year. He completed his first year in law school at the Law School of Southern California, but transferred to the University of Illinois, graduating from the college of law in 1936. He was admitted to the bar the same year.²



He entered the practice of law at Robinson, the seat of Crawford County, where he would reside the rest of this life. He formed a partnership with Hanby Jones in 1940. Here he would also begin his life of public service in 1941 when he served as an Assistant Attorney General until 1945. In 1941, he briefly served as supervising conciliation commissioner of the United States District Court for the Eastern District of Illinois. During World War II, Crebs served as

chairman of the Crawford County Red Cross, War Bond drives, and as a member of the Federal Rationing Board.³

His career as a judge began in 1945 when he was elected circuit judge in the Second Judicial Circuit. At that time he was the youngest circuit judge in the state. He was reelected in 1951 and in 1957. In the last election he was so popular that no Democrat wanted to run against him, and no one in his own Republican Party wanted to challenge him for the nomination. As a result he was nominated by both political parties in that election.⁴ He earned a reputation as a lawyer's judge that preferred settlements to rancorous lawsuits. On several occasions lawyers arrived at settlements for court costs when he tossed his own money on the bench and offered to pay the costs himself. Each time the embarrassed attorneys settled quietly.⁵ He voluntarily resigned from the bench in 1964 after serving as chief judge in the circuit. After an interval of private practice he would return to the bench, but not in trial courts.

In 1969, the Supreme Court appointed him to fill a vacancy created by the death of Justice Byron O. House. House's death precipitated a potential constitutional crisis for the Supreme Court. The constitution set a quorum at four of the seven members. Two had resigned and House had died. The court could carry on provided that every decision by the remaining four members were unanimous. However, Justice Daniel P. Ward, one of the four, had served as Cook County State's Attorney prior to his elevation to the court. Consequently, Ward had to excuse himself from any case in which his State's Attorney's office had been involved. Since no election could be held until the following year, the court had to take the unprecedented step of appointing temporary justices in order to avert a crisis. Crebs served on the court from October 1969 to December 1970, when the regular judicial election was held. He was later appointed to the Supreme Court a second time to fill a vacancy created by the resignation of Justice Charles

H. Davis. His term was from October 1975 to December 1976. Between his appointments to the Supreme Court, the high court also appointed him to the Fifth District of the Illinois Appellate Court, serving from April 1971 to December 1974.⁶

Among the opinions he wrote, *People v. Ward* is of special interest as it was a test of the state's obscenity statute. In this case appellant Ward, the operator of a Peoria bookstore, was convicted at a bench trial of selling obscene literature in 1971. He was sentenced to one day in jail and fined \$200. Ward argued that Illinois's obscenity law was unconstitutionally vague and did not meet the guidelines for obscenity as expressed by the United States Supreme Court. Crebs wrote the court's opinion denying Ward's assertions and upholding the state law. Ward took the matter to federal court where the United States Supreme Court affirmed Crebs's opinion on all points.⁷

In addition to his career as a jurist and lawyer, he served as chairman of the board of directors of the First National Bank of Robinson, Lieutenant Governor of the Kiwanis Club, president of the Quail Creek Country Club, and Exalted Ruler of the Robinsons Elks Lodge. He was a founding member of the Robinson High School Academic Foundation and an ordained elder in the First Presbyterian Church of Robinson. In 1978, the Robinson Chamber of Commerce named him man of the year. He received the Masonic Thirty-third Degree and was named Illinois Mason of the Year in 1985.⁸

His civic work extended beyond Crawford County. He had served as president of the Alumni Advisory Board of the University of Illinois Law School and established and funded in his name as scholarship program for minority students. He was member of the University's President's Council and co-chairman of his district for the University of Illinois Foundation.⁹

Some years after his last and final retirement, Caswell Crebs died March 5, 1988, at age seventy-six in Pacifica Hospital in Huntington Beach, California, of a heart attack while visiting his daughter and son-in-law in adjacent Fountain Valley. He became ill the previous evening and died in the hospital the following morning. His funeral was held in Robinson on March 9 with interment in the Robinson New Cemetery.¹⁰

He was survived by his wife, Mary, two daughters Catherine Ferrell of Fountain View California and Mary Correll of Robinson. He had five grandchildren.¹¹

¹ *Robinson Argus*, March 10, 1988, p. 1; 129 *Illinois Reports* 2nd Series xxvii-xxxiii.

² *Ibid.*

³ *Ibid.*; *Robinson Daily News*, March 7, 1988, p. 1; *Robinson Argus*, March 10, 1988, p. 1

⁴ 129 *Illinois Reports* 2nd Series xxvii-xxxiii.

⁵ *Ibid.*

⁶ *Ibid.*; *Illinois Issues*, January , 1976, p. 29.

⁷ 63 Ill. 2nd 437 (1976); *Ward v. Illinois*, 431 U.S. 767 (1977)

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Robinson Daily News*, March 7, 1988, p. 9.

¹¹ *Ibid.*