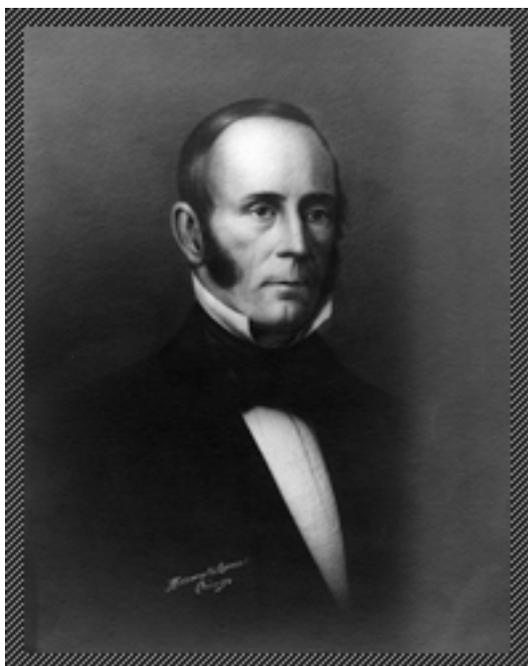


## James Semple 1843

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Green County, Kentucky native James Semple served part of one term on the Illinois Supreme Court, before accepting an appointment by Governor Thomas Ford to



the United States Senate. Born on January 5, 1798, the eldest of nine children of John Walker and Lucy Robertson Semple, James received a basic education in Greensburg, Kentucky, schools, supplemented by legal courses in Louisville. In 1814, at age sixteen, he joined the Kentucky militia and became active in Kentucky politics as early as 1817.<sup>1</sup>

A lifelong Democrat, Semple moved to Edwardsville, Illinois, in 1818, but soon returned to Kentucky. In 1820, he married Ellen Duff Green, sister of journalist and Democratic politician Duff Green. The couple moved to Chariton, Missouri, where Semple served as assistant postmaster and then land office commissioner, while also commanding a regiment of the Missouri militia. After the death of his wife, Semple returned to his home state, resumed the study of law, and was admitted to the Kentucky bar.<sup>2</sup>

In 1828, he again moved to Edwardsville, where he maintained a successful law practice. “He was diligent and careful,” wrote John M. Palmer, “and, being a man of magnificent presence and fine manners, he rose rapidly to distinction.”<sup>3</sup>

During the 1831-1832 Black Hawk War in northwestern Illinois, Semple served on the staff of General Samuel Whiteside. In late summer 1832, he won election to the Illinois House of Representatives from Madison County, beginning a long record of public service. He briefly held the office of Illinois Attorney General before returning to the legislature.<sup>4</sup>

In 1833, Semple married Mary Stevenson Mizner, a widowed niece of Shadrach Bond, the state's first Governor. The Semples became the parents of two daughters and a son. From 1834 to 1838, he served as Speaker of the Illinois House. A colonel of the Eighth Illinois Militia, Semple was commissioned brigadier general in 1835, "a title he enjoyed for the rest of his life," reported biographer William L. Burton.<sup>5</sup>

At the urging of senators and representatives from Illinois, President Martin Van Buren appointed Semple the Minister to Columbia, a position he held from 1837 to 1841. "On his return from Bogota," recalled fellow attorney Usher Linder, "I being a member of the legislature, heard him deliver many interesting lectures in reference to that country."<sup>6</sup>

Semple returned to Edwardsville, and on January 14, 1843, the legislature elected him to the Illinois Supreme Court to succeed Sidney Breese. Three months later, however, Governor Thomas Ford appointed Semple to fill the unexpired term of deceased U.S. Senator Samuel McRoberts.<sup>7</sup> "It is difficult to predicate as to the judicial merits of Judge Semple," explained Palmer, "as he remained upon the bench but for a short time. He was bold, outspoken and frank; as a politician he was fearless, never hesitating to commit himself to any line of policy which his judgment approved. He was

prompt in his decisions, assumed all the responsibilities of his place, and was popular with the bar and the public.”<sup>8</sup>

In Semple’s short few months on the Supreme Court bench, he authored the opinion in at least four cases and dissented in one. In *Bradley v. Case*, Case had sued Bradley in the circuit court and recovered payment from a promissory note. In his appeal to the Illinois Supreme Court, Bradley claimed that the consideration of the note had failed because of a conflict between federal and state laws on selling certain sections of land for school purposes. In his opinion affirming the judgment, Justice Semple compared at length federal and state legislation, concluding that these “considerations are, in my opinion, proper for investigation here. They form part of the history of the country. They throw light on the compact itself, and show conclusively, that the true construction to be given to the compact, is, that the lands were to be leased, or sold, as the state legislature, the sole manager of them, should think most beneficial to the people of the country.”<sup>9</sup>

In Washington, D.C., Senator Semple enjoyed the friendship of fellow former Supreme Court justice Stephen A. Douglas, a newly elected Illinois Congressman. “I am glad we will spend the winter in Washington together,” Douglas wrote to Semple, “and propose that we make a mess of the entire delegation. They are all good fellows and would make pleasant companions.”<sup>10</sup>

With the outbreak of the Mexican War in 1846, Semple sought a commission as brigadier general. President James K. Polk adamantly rejected the request, confiding in his diary that the solicitation was “disreputable” and stating that as a matter of policy he would not nominate members of Congress for military commissions. A month later, as

Semple prepared to leave Washington to deal with a personal financial situation in Illinois, the Senate prepared to vote on a tariff bill supported by Polk. Without Semple's vote, the measure would be lost. At a White House meeting, the President appealed to Semple's patriotism and party loyalty; the Senator remained in Washington and helped pass the bill.<sup>11</sup>

In the fall of 1846, Semple announced that he would not be a candidate for the Senate seat. "I was never so sick in all my life as at present," he wrote shortly after Congress adjourned. "We have not yet heard a word of who is likely to take my place here, but suppose it will be Douglas." The Democratic caucus of the Illinois legislature unanimously nominated Douglas for the seat, which he won by a large margin over the Whig candidate.<sup>12</sup>

Semple retired to Edwardsville. There he created a model "prairie car," a steam-powered carriage that would operate on the open prairie, "with no rails or elaborate right-of-way," explained biographer Burton. Lacking the necessary financial resources, Semple eventually abandoned the venture that came to be known in folklore as "Semple's Folly."<sup>13</sup>

Financially depleted, he settled with his family in Jersey County. In 1852, he became postmaster at Jersey Landing, on the banks of the Mississippi River, and joined a partnership to operate a ferry to St. Louis. A year later, Semple began developing a new town, named Elsah, at the Jersey Landing location. To encourage settlement, Semple offered free lots for home construction and built his own imposing residence. The town flourished, with grain-storage and shipping facilities, a distillery, and flour mill. In 1857, Semple erected a stone schoolhouse for the community.<sup>14</sup>

He died at Elsah on December 20, 1866 and was buried at historic Bellefontaine Cemetery in St. Louis. “Optimism and ambition informed Semple’s public career,” wrote Burton, “his experimentation with the prairie car, and his enthusiastic town building. He was representative of the class of men who moved in and out of public office and who capitalized on experience and personal contacts to promote business enterprise.”<sup>15</sup>

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James Semple Papers: Abraham Lincoln Presidential Library and Museum, Springfield, Illinois.

<sup>1</sup> John M. Palmer, ed., *The Bench and Bar of Illinois; Historical and Reminiscent* (Chicago: Lewis Pub. Co., 1899), 41; William L. Burton, “James Semple, Prairie Entrepreneur,” *Illinois Historical Journal* 80 (1987), 67.

<sup>2</sup> Burton, 67; Susan Krause and Daniel W. Stowell, *Judging Lincoln; The Bench in Lincoln’s Illinois*, rev. ed. (Springfield: Illinois Historic Preservation Agency, 2008), 48.

<sup>3</sup> Palmer, 42.

<sup>4</sup> Burton, 68.

<sup>5</sup> Burton, 68, 82-83.

<sup>6</sup> Usher F. Linder, *Reminiscences of the Early Bench and Bar of Illinois* (Chicago: Chicago Legal News Co., 1879), 219.

<sup>7</sup> Frederic B. Crossley, *Courts and Lawyers of Illinois* (Chicago: American Historical Society, 1916), 388.

<sup>8</sup> Palmer, 42.

<sup>9</sup> *Bradley v. Case*, 4 Ill. (3 Scammon) 585 (1842).

<sup>10</sup> Robert W. Johannsen, *Stephen A. Douglas* (New York: Oxford University Press, 1973), 124.

<sup>11</sup> Burton, 72-73.

<sup>12</sup> Johannsen, 187-89.

<sup>13</sup> Burton, 74-80.

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<sup>14</sup> Burton, 81-82.

<sup>15</sup> Burton, 83.