

## COURTHOUSE

The clerk of the court was ordered "to post notices for the letting to the lowest bidder for a courthouse on the 3rd day of next June term (1839) of the following demensions to wit: one story high 20 by 36 feet finished in ordinary manner". It was to be built on the 123 x 44 lot donated by John Anderson which is the present site of Emerson Williams' law office.

On June 4 the sheriff was ordered to "let contract for a courtroom to Henry Dishon whose bid was \$604, payable in bonds of \$302 due in 18 and 36 months at 12% interest".

At the September meeting examination of the new building revealed there was no hardware. The building was accepted on condition that Dishon purchase and place two common knob locks, a latch and bolt to the remaining door and bolts on all windows. Dishon was to be allowed half of the value of the material and labor. This allowance was \$3.93. At the same time the clerk was instructed to make a contract to have the new courthouse underpinned and chimneys built for the accommodation of two stoves.

## THE CIRCUIT RIDERS

The decade of the eighteen forties saw the heyday of the circuit riding lawyers and among these lawyers who came to Clinton at that time were men of rarest talent and a brilliance unsurpassed at anytime. By decree DeWitt County was placed in the Eighth Judicial Circuit which at the beginning consisted of fourteen nearby counties. These men, many of whom rose to eminence, rode on horseback from county seat to county seat over untracked and bridgeless roads stopping at inns where food was bad and beds were worse.

We catch a glimpse of hardships endured from a letter written by Leonard Swett to his sister, Rose, in Maine, preserved in the Illinois Historical Society Library in Springfield. "Yesterday I went on horseback to Marion and I think I never did, even in Illinois, see mud as deep as then. I would say that my horse sank at least six inches every step for more than half the way and often a foot."

Leonard Swett, one of the greatest lawyers of the time, moved to Chicago after practicing in Clinton for several years. He practiced cases over the United States even representing the government in a land dispute with Mexico. He is reputed as playing an important part in getting the presidential nomination for Abraham Lincoln.

Judge David Davis, Bloomington, after presiding over the 8th District Circuit Court with distinction, became a Justice of the Supreme Court and then United States Senator from Illinois. When Liberal Republicans became disenchanted with President Grant in 1872, they scheduled their own convention in Cincinnati. It was only by a margin that Davis lost the nomination to Horace Greely.

Lawrence Weldon moved to Bloomington to practice law after leaving

Clinton. He was appointed Judge in the Court of Appeals and spent much time in Washington.

Stephen A. Douglas resided in Chicago at the time of his death which occurred soon after the inauguration of President Lincoln. His strength was expended in his endeavors to preserve the Union on which subject he made countless speeches. Stephen A. Douglas was the United States Senator from Illinois.

The best known of all who rode the Circuit is Abraham Lincoln. From the courts of the 8th Circuit destiny took him to the trying years of the Presidency of the United States and on to immortality.

Twice a year, in March and October, Judge David Davis with his coterie of lawyers arrived in Clinton to hold a three or four day session court. The cases most frequently heard concerned larceny and assault charges, note payment failures and liquor. One, with no names mentioned, contained a charge against four prominent citizens for gaming.

Lincoln, Douglas, Gridley, Swett and David Davis boarded at the hotel kept by Dr. John Warner and Harry Merriman for one dollar and fifty cents a week. Lincoln is known to have stayed at the Argo House at 138 South Railroad Street. Alexander Argo built the house in 1842 of material hauled overland in a three day trip from Pekin. The twelve room house has hand hewn oak timber, pegged together, hand beveled panels in the doors and hand wrought iron door latches.

Clinton people of those days must have enjoyed court weeks and sometimes used them purposely.

During court week, the Presbyterian ladies held a festival so that lawyers and those in town on legal business would come and help the church building fund.

Inside were two long tables, made of boards placed on horses, bearing an array of good food, including pyramid cakes decorated with icing and peppermint drops.

Mrs. Elizabeth Kent was a member of the reception committee and stood at the entrance when a tall, rather shabbily dressed person entered. She stepped forward to hear the man say, "I have valuable papers." He reached up and placed his hat, with the papers inside, above an unfinished beam. Of course, Lincoln was the man with the long reach.

Years later in Washington when Abraham Lincoln rose to deliver his first inaugural address and looked around for a place to put his hat, Stephen A. Douglas arose and graciously took it. Douglas was not acting as the U.S. Senator from Illinois, but as a man who had jostled with the incoming President for years in the county courts of the Eighth Circuit in Illinois.

## ROADS

The first roads in the county usually followed a path taken by animals,

grading the road bed for the Illinois Central and for furnishing wood to be used as fuel for the early locomotives. It was at this time the brothers acquired large tracts of land.

## COURTHOUSE

The original courthouse was soon inadequate for the needs of the county. In 1847 a movement was started for a new building. Commissioner Maxwell went on record as opposing the movement. He said "The people are already oppressed by taxation and the county is already some twelve or fourteen hundred dollars in debt. The people who ever rule have not been consulted on the subject."

At the December 1847 term a petition was presented by a group of citizens who had raised, by subscription, \$1,000 for building the new courthouse. Of this amount \$500 was to be paid when the walls were erected and \$500 when the two story, 32' x 44' brick building was completed and accepted. J. D. Woodard was to be paid 3% of all subscription money collected by him. The original contract for \$3,00 was revised to include a cupola and bell. The additional cost of \$265 was paid by individual subscriptions.

The new building, built on the public square, was dedicated in 1850. "Uncle Dick" Oglesby, Clerk of Piatt County and later Governor of Illinois, assisted in the ceremony.

The financial status of the county had not improved. A statement dated June 1851 showed bonds on the first courthouse issued in 1839 still outstanding in the amount of \$604 and accrued interest at 12% amounting to \$843.53. Due on the old jail bonds, issued March 1841, \$300 plus 6% interest of \$184.50, were still unpaid. The old courthouse had been sold to the highest bidder for \$118.

The first courthouse was in use in the 1940's. Located in the 800 block of East Woodlawn it was used as an automobile repair shop by the late Elmer Leinweber. The building was demolished in the spring of 1951.

## COUNTY JAIL

Another building which has played a prominent part in the county is the jail.

In October, 1840, the court ordered "advertising for the letting of a jail to lowest bidder on 3rd day of next term of court-- Dimensions: 14' square in the clear, 2 story high. Lower story to be 8' high -- Upper story 7'. The lower story to be built of Timbers 12" square -- two walls with an interval of 4" between said walls. Said interval to be filled with timbers 12" square. On the second floor the timbers are also to be 12". The second story is to be composed of one wall, timbers 12" square."

In December, William Dishon was awarded the contract to build the jail before June 1841. The site is now 215 West Jefferson Street.

at Kankakee or Jacksonville. If a patient was adjudged incurable by the hospital he was replaced by another patient from the county and returned to the county pauper farm. Many of these patients were kept under lock and key in a separate building.

In 1967 the voters of DeWitt County approved a referendum to levy a \$.10 tax to aid the mentally ill and those in need of treatment.

## CHANGES IN COUNTY GOVERNMENT

Until 1849 the civil government of the county was conducted by the three member board of the county commissioners. Then in 1849 the administrative duties of the county devolved on a county judge and two associate justices.

Daniel Robbins, the county judge, William Danner and John Maxwell, associate justices, held the first term of this court in December 1849. Under this administration for the first time, in 1850, bridges were built over Rock Creek, the big slough southeast of Mt. Pleasant, Salt Creek at its crossing of the road between Clinton and DeWitt, and the South Fork of Salt Creek near Mt. Pleasant, spending the munificent sum of \$375 in their erection.

Seeking wider representation for county government, in 1859, by popular vote (1424 to 308) the township organization was established. The governing board was composed of elected supervisors, one from each township. The county clerk, acting as clerk for these meetings, this form of county rule has endured to the present time.

On June 6, 1859 the Board of Supervisors met in the court room for the purpose of organizing the first group under the new form of government. George A. Hume, Wapella Township, was elected chairman. Other members were: John D. Hutchin, Tunbridge; Willson Allen, Texas; Benjamin Lisenby, Creek; Hiram Chandler, Nixon; A. A. Eads, Barnett; William B. Smith, Clintonia; James Willmore, Harp; Edward O. Day, DeWitt; Thomas C. Robb, Waynesville; Chas. S. Cain, Wilson; Jonathan Pearson, Rutledge; and Robert R. Knight, Santa Anna.

Shift of land sections here and there made permanent boundary lines for the thirteen townships. Six of them, Waynesville, Tunbridge, Clintonia, DeWitt, Creek and Santa Anna retained the names bestowed on the locality by the early settlers. Texas Township was so-called from the fact that Daniel Newcomb, a citizen of Clinton sold out with the intention of going to Texas, changed his mind and located within the limits of this township, saying it was good enough for him and as far into Texas as he wanted to get. The joke was perpetuated in the bestowal of the name on the township.

Five townships took their names from families who settling in their boundaries, remained to break the sod and to establish permanent homes. Barnett Township bears the name of the Barnett family -- Franklin Barnett

of a different kind. The harness shop has gone, the grocery store seeks a wider space for its limitless stock to be self-serviced and an even wider parking lot.

Yes, it is not only a far changing, but a fast changing old world.

## **CITY GOVERNMENT**

An act was passed by the Illinois General Assembly in 1910 under which any city (other than Chicago) or any village of the state, may organize what is termed commission form of government. Clinton adopted this form, February 28, 1911. On the third Tuesday in April, 1911, and every four years thereafter, Clinton had held a general municipal election, at which time there were elected a mayor and four commissioners without regard to wards. Political parties have no place in the primary or in the election.

## **THE THIRD COURT HOUSE**

By the year 1876, the county business had again outgrown the courthouse. The board of supervisors was meeting in Rundle's Hall. In 1879, J.T. Snell presented proposals and plans for a building for a courthouse. It specified rental of \$1200 per year on a 10 year lease. The proposal was tabled.

Pressure for a new building was mounting as shown by a resolution of the Board in March 1883. "Subject to building or renting a new courthouse or court room be referred to the People of DeWitt County and when the People petition or otherwise ask this board to build or hire a house that then and not until then this Board will act". Judge Geo. B. Graham was authorized to rent room for use of his office and county court at \$150 per annum.

In 1887 the States Attorney, Wm. Booth, requested the grand jury to examine and report the condition of the courthouse with reference to safety and suitability as a public building for court and office purposes. It was found unsuitable as there were no fire proof vaults. The jury recommended that the building of a new courthouse be submitted to the voters at the next election.

In December 1890 the Building committee "did not recommend building new vaults because of the county indebtedness. Also, because the necessity of building a new courthouse is at no distant day". They recommended that a night watch to care for the building and contents was all that was necessary at the time.

In September 1891, a group appeared before the board and asked that the courthouse be examined and if pronounced safe have the circuit court held there. Court had been held in the Opera House. This building on the south side of the square now houses the Famous Cash and Sharp's stores.

In March 1893 the building committee was appointed: S.A. Graham, chairman; Emerson Hartsock, J.E. Hartsock, J.T. Maddox and G.W. Scott.

They were authorized to dispose of the old courthouse and secure temporary office rooms. W.B. Rundle purchased the old buildings.

Henry Elliott, of Chicago and Jacksonville, was awarded the contract for the new building in the amount of \$34,690 in May 1893. The corner stone was laid on August 31, 1893 with an impressive Masonic ceremony.

The building was accepted from the contractor on July 2, 1894. The total cost was \$44,312 which included \$3,878 for furniture, \$1,125 for decorating and \$300 for pictures. The building was dedicated on July 4, 1894.

The courthouse has played an important part in the social, religious and political life of the community. After the organization of the county the courtroom was used for the first school. In March 1850, the Clinton Division of Sons of Temperance No. 216 was granted use of the court room on Saturday evenings each week unless it was being used for court purposes. They were to make good all damages the room might sustain by them. Rent of \$5 would be remitted on condition that Sons of Temperance repair what injury the house had sustained from their holding meetings in the court room--repair broken benches, replace new glass in lights and plaster around stove pipes.

In July, 1895 the supervisor's minutes state: "The courthouse shall be used for all legitimate purposes for any political meeting, church, farm and school meetings, etc. The parties shall be held responsible for the care of the building and pay the expense of lighting and heating". Later it was noted "The courthouse shall not be used for ice cream socials or any gathering where eatables are sold or disposed of in any manner".

In the summer of 1902 a severe windstorm struck Clinton and damaged the Presbyterian Church which stood on the corner of Washington and Madison streets, the present site of the Washington Inn. In September, Messrs. Fuller and Ingham, members of the church, offered to donate the clock formerly in the tower of the church if the county would pay for the care of it. The Clinton Gas Company offered to donate the expense of placing the lights behind the clock face. Later, Mr. J. H. Schmith, a local jeweler, contracted to care for the clock for \$25 per annum.

In March 1903 the Presbyterians asked and were granted permission to use the court room to hold prayer meetings.

Miss Wagner used the jury room for a kindergarten class for the school year 1904-05.

The majestic, gray stone building in the center of the public square was a land mark for many years. In the 1940's it was feared the tall steeple, because of its age and height, was unsafe. The tower was removed and the clock returned to the Presbyterian Church.

As the need of office space had outgrown that available in the building the north porch and corridor were converted into a vault for the county clerk's office. The south corridor is now a part of the office of the circuit clerk.

**THE HISTORY**  
**OF**  
**DEWITT COUNTY,**  
**ILLINOIS**  
**1839-1968**

Under the auspices of the Board of Supervisors, DeWitt County's story has been written by a group of citizens grateful for their heritage.

Errors or omissions may have resulted from pressure of time and lack of space. Such are unintentional.

Sesquicentennial Committee

Ray North

Paul Huber

Harry Andes

James E. Ely, County Clerk