

Alfred M. Craig 1873-1900

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An Illinois native of Scotch-Irish descent, Alfred M. Craig was born in Paris, Edgar County, on January 15, 1831. His father, David Craig of Philadelphia,



Pennsylvania, had moved to Lexington, Kentucky, and married Minta Ramey, daughter of a friend of Daniel Boone and other frontiersmen. “Like thousands of the middle class in the southern States who were not slave holders and did not depend on the institution of slavery,” wrote a family biographer, the Craigs moved from Kentucky, north to Illinois.¹

Shortly after the birth of son Alfred, the Craigs relocated to a Fulton County farm near Canton, in the Military Tract. A millwright, David Craig built several mills along Spoon River, providing flour and feed for the early settlers. Alfred attended to farm chores while also attaining a common school education. He later enrolled in an academy in Canton, and in the fall of 1848 entered Knox College in Galesburg. Graduating with honors in 1853, he began the study of law in Lewistown under prominent attorney William C. Goudy.²

Admitted to the bar in 1854, Craig became a partner in firm of Manning, Douglas & Craig, located in the Knox County seat of Knoxville. “By close application and determination he built up a large practice in a few years’ time, riding the circuit as was

customary in those days,” wrote a Knox County historian. “It was not unusual for him to make the trip on horseback and on reaching Spoon river he would have to swim that stream astride his mount.”³

In 1855, Craig succeeded Goudy as State’s Attorney for the circuit comprising Knox, Henry, Mercer, Warren, Henderson, and Fulton counties. Two years later, in August 1857, Craig married Elizabeth Proctor Harvey, daughter of Curtis K. Harvey, a Galesburg attorney and delegate to the 1847 Illinois Constitutional Convention. The couple became parents of a daughter and three sons.⁴

In 1861, the Union Democrat Craig was elected Knox County judge, serving one four-year term. He unsuccessfully ran for state representative in 1868.⁵ A year later, he served as a county delegate to the convention that framed the 1870 Constitution. “Judge Craig’s familiarity with county affairs rendered him especially qualified to deal with township and county matters,” explained his biographer. “He was on the committee of electoral and representative reform, along with Joseph Medill, O[rville]. H. Browning, Milton Hay and others; likewise a member of the committee on railroad corporations and on the committee on legislative apportionment.”⁶

In the 1873 state Supreme Court election, Craig garnered support from Fifth Judicial District farmers to defeat decisively Chief Justice Charles B. Lawrence, who had delivered a Court decision that favored railroads against farmers.⁷ Craig would be reelected in 1882 and 1891. During his twenty-seven-year tenure, he “never missed a single term of court nor failed to do his full share of the work of the court. During all that time he was recognized by his colleagues as an able coadjutor.”⁸

The 1874 *Chase et al. v. Stephenson et al.* case involved whether school directors held the right to discriminate between white and black children by providing separate schools. The Supreme Court affirmed a McLean County Circuit Court ruling that, although a board of school directors had large and discretionary powers in the management and control of schools, the board had no power to make class distinctions, nor could it discriminate on the basis of color, race, or social position.

“The conduct of the directors in this case,” wrote Justice Craig, “in the attempt to keep and maintain a school solely to instruct three or four colored children of the district, when they can be accommodated at the school house with the other scholars of the district, can only be regarded as a fraud upon the tax-payers of the district, any one of whom has a right to interfere to prevent the public funds from being squandered in such a reckless, unauthorized manner.”⁹

In the 1882 *People v. Wabash, St. Louis and Pacific Railway Company* case, Craig wrote the Court opinion that brought him national fame.¹⁰ The case resulted from farmers’ complaints that the Wabash railroad charged \$65 for shipping a carload of grain from Gilman, Illinois, to New York; whereas, the charge on a carload from Peoria to New York, a longer distance, was only \$39. In reversing the Ford County Circuit Court’s decision favoring the railroad, Craig declared that “the State must be permitted to adopt such rules and regulations as may be necessary for the promotion of the general welfare of the people within its own jurisdiction.”¹¹ The railroad appealed the case to the U.S. Supreme Court, which upheld Justice Craig’s decision, firmly establishing that a state has power to regulate transportation within its borders.¹²

In 1898, he delivered the Court opinion in another railroad case, *Illinois Central Railroad v. The City of Chicago*, on appeal from the Cook County Superior Court. The Illinois Central, seeking to use submerged lands of Lake Michigan for railroad purposes, claimed its rights to the land under provisions of its charter.¹³

Craig affirmed the superior court decision, declaring that the language of the charter “does not authorize the company to enter upon and take possession of any lands, waters and materials belonging to the State, as seems to be supposed, but the authority is to enter upon ‘any lands, streams and materials.’ The last clause of the section has an important bearing, showing that the authority conferred related to streams, and not to the lake.” Craig’s decision, according to one historian, “saved the lake for Chicago and kept it from being filled with roundhouses and other railroad structures and its announcement was hailed in Chicago with great pleasure.”

In 1900, Craig ran for re-election but lost his to Republican judge John P. Hand. Craig then became involved in area businesses. He owned several farms, became president and the largest stockholder of the Bank of Galesburg, and helped establish several private banks in neighboring communities. He served as a trustee of Ewing Female University in Knoxville, on the executive committee of the Knox College Board of Trustees, and reluctantly accepted appointment by Illinois Governor Charles S. Deneen to the State Tax Commission.¹⁴

Following the death of his wife, Elizabeth, in August 1904, Craig in July 1908 married Mary Davis of Galesburg. He died of pneumonia on September 6, 1911, and was buried in the family lot in the city’s Hope Cemetery.¹⁵ One of his sons, Charles Curtis Craig, won election to the Illinois Supreme Court in 1913.

¹ 253 Ill. 9-10.

² Newton Bateman and Paul Selby, eds., *Historical Encyclopedia of Illinois and History of Knox County* (Chicago: Munsell, 1899), 719.

³ *History of Knox County; Its Cities, Towns and People*, Vol. 2 (Chicago: S. J. Clarke, 1912), 258; John M. Palmer, ed., *The Bench and Bar of Illinois; Historical and Reminiscent* (Chicago: Lewis Pub. Co., 1899), 61.

⁴ Bateman and Selby, 719; 253 Ill. 11.

⁵ Chas. C. Chapman & Co., *History of Knox County, Ill* (Chicago: Blakely, Brown & Marsh, 1878), 418-19.

⁶ 253 Ill. 11.

⁷ Edward F. Dunne, *Illinois; The Heart of the Nation*, Vol. 2 (Chicago: Lewis Pub. Co., 1933), 130.

⁸ 253 Ill. 12.

⁹ *Chase v. Stephenson*, 71 Ill. 383 (1874); *History of Knox County*, 259-60.

¹⁰ *People v. Wabash, St. Louis, and Pacific Railway Co.*, 104 Ill. 476 (1882); *History of Knox County*, 258-59.

¹¹ 104 Ill. 476.

¹² *History of Knox County*, 259.

¹³ *Illinois Central Railroad v. City of Chicago*, 173 Ill. 471 (1898).

¹⁴ 253 Ill. 12, 15; Chapman, 598-601.

¹⁵ 253 Ill. 13, 16; *Galesburg Evening Mail*, 7 September 1911, 2, 9 September 1911, 1-2.