

CHAPTER SEVEN

PROFESSIONS

WABASH COUNTY BENCH AND BAR

Prior to the granting of statehood to Illinois in 1818, the Illinois Territory consisted of three Judicial Circuits, with the territory now composing Wabash County being located in the third circuit. The first circuit court to be convened within the territory of what is now Wabash County, was held at Palmyra, on the Wabash River north of Mt. Carmel, which was then the county seat of the territory comprising Edwards County and Wabash County, on July 11, 1815, with Judge Stanley Griswold presiding. Judge Griswold and Judges Thomas Towles and Jephtha Hardin, who presided at the Circuit Courts until Illinois attained statehood in 1818, were federal judges appointed directly by President James Madison. At the term held in 1816, Thomas Towles was on the bench. From 1817 to 1818, Jephtha Hardin was on the bench; 1818 to 1819, Thomas C. Browne; William Wilson, from 1819 to 1825; James O. Wattles from 1825 to 1827, when Thomas C. Browne, as a Justice of the Supreme Court, was again on the circuit bench, serving one year, and being succeeded by William Wilson, also of the Supreme Court, from 1828 to 1835; Justin Harlan from 1835 to 1841, when by a change of the State law increasing the number of Supreme Judges, William Wilson again returned to the circuit bench, serving until 1849, and being succeeded by Justin Harlan, as Circuit Judge, from 1849 to 1851; Samuel S. Marshall was then elected, serving until 1854, when he resigned, and Downing Baugh served one year; Edwin Beecher served from 1855 to 1861; Samuel S. Marshall, from 1861 to 1865, when James M. Pollock succeeded him, serving until 1873.

By act of Legislature on March 28, 1873, the State was divided, exclusive of Cook County, into twenty-six judicial circuits, and at the election in June, 1873, one Judge was elected for each circuit, for the term of six years, Edwards and Wabash Counties then forming a part of the Twenty-fourth District. Tazewell B. Tanner was elected Judge of the Circuit, and Lawrence County forming a part of the Twenty-first District, James C. Allen was elected in that circuit.

In 1877, the Legislature, in order to increase the number of Circuit Judges, and to provide for the origination of the Appellate Courts, consolidated the Twenty-six Judicial Circuits into thirteen, thereby giving each circuit two judges, and provided for the election of one additional judge for each circuit in August, 1877, for two years, making three judges in each judicial circuit. In the September following, the Supreme Court appointed twelve of the circuit judges to appellate court duty, the remaining judges presiding over the Circuit Courts in their respective districts. By this change of the judiciary system the Twenty-fifth and Twenty-fourth Districts were united, to be known as the Second Judicial Circuit.

In those districts, Tazewell B. Tanner and James C. Allen were already serving on the bench, and John H. Halley was elected to make the requisite number. Under the above act, they presided until 1879, when Chauncey S. Conger, Thomas S. Casey and William C. Jones were elected. In 1885, Chauncey C. Conger, Carroll C. Boggs and William C. Jones were elected; in 1891, Judge Boggs was re-elected with Edward Youngblood and S.Z. Landes as his colleagues; in 1897, Judge Youngblood was re-elected with P.A. Pearce and

E.E. Newlin as new incumbents; in 1903, Pearce and Newlin were re-elected with J.R. Creighton; and in 1909, Newlin and Creighton were re-elected with William H. Green, new incumbent.

In 1916, three circuit judges served Wabash County; they were Charles Miller of Benton, J.C. Eagleton, of Robinson, and Julius Caesar Kern of Carmi. The circuit judges were responsible for serving the needs of ten counties, which now comprise the Second Judicial Circuit, as well as Wabash County, and held court in Wabash County, only in two terms. The first term commenced on the third Monday of April of each year, and the second term commenced on the third Monday of November of each year. The terms of court generally were only two weeks in length and it was often difficult to complete the court's business within that length of time. Special terms or sessions of court were rarely called and only to determine matters of extremely serious or notorious nature. This form of court organization existed until 1962, when the latest Illinois Judicial Act created an additional circuit judgeship for each county, with the circuit court being in session throughout the year, rather than only during terms. Several of the able judges who have served Wabash County in the twentieth century as county judges or circuit judges are Silas Z. Landes, 1902-1906; John A. Lopp, 1906-1912; M.J. White, 1912-1914; Clarence E. Partee, 1938-1942; Frank Fornoff, 1942-1954; Eugene White, 1942-1962; and Clarence E. Partee, 1962 to present.

Wabash County was organized by an Act of the Illinois Legislature on December 27, 1824, with the first court house completed and occupied at Centreville, on June 5, 1826. There have since been four other court houses constructed for Wabash County. The second was constructed at Mt. Carmel on the occasion of the moving of the county seat from Centreville to Mt. Carmel and was occupied in 1831, until it was destroyed by a fire in 1857. The third court house was built in 1857, and occupied until destroyed by a cyclone in 1877. The fourth court house was occupied in 1881, and was occupied until its replacement by the present Wabash County Court House in 1959. The Wabash County Court House has been situated at its present location since 1831.

The first resident attorney in Wabash County, to the best of anyone's knowledge, was Edward H. Mundy, who settled in the Friendsville Precinct in 1820. He practiced law in or around Wabash County until 1830, when he was elected to the Illinois Legislature. Several years afterward, he moved to Michigan, where he was elected Lieutenant Governor. Edward J. Elkins settled in Mt. Carmel in 1826, but left after staying only a few years.

Col. Orlando B. Ficklin located in Mt. Carmel in 1830 and stayed until 1834, when he also was elected to the Illinois Legislature. During his years in Mt. Carmel, Col. Ficklin was a tavern keeper, newspaper man, lawyer and ultimately, a statesman. Among the other attorneys located in early Mt. Carmel and when they located here are James McDowell, 1836; Charles Constable, 1839; Joseph G. Bowman, 1839; Joseph C. Orth, 1844; Robert Bell, 1855; S.Z. Landes, 1864; M.H. Mundy, 1879; Robert Bell, 1859; and Judge Edward P. Green, 1860.

Judge Edward P. Green was, in 1890, appointed by President Benjamin Harrison, as the first chief justice of the territory of Oklahoma in which post he served until 1898, when he returned to Mt. Carmel to practice law with Theodore Risley under the name of Green and Risley. This firm was later joined by Ben Townsend and is a predecessor to the existing law firm of Townsend, Townsend and Keenan.

In 1921, the firm of Green and Risley was located at 526 Market Street, at the present location of the offices of Townsend, Townsend and Keenan. M.H. Mundy's law offices

were located on the second floor over what is now the Denton Drugstore. The offices of H.M. Phipps, were located over what is now Dean's Office Supply. The offices of P.J. Kolb and, subsequent to 1921, also of M.J. White, were located in what is now the rear of the Security Bank and Trust Co., building on West Fourth Street. Shortly thereafter, these offices were moved to the building now occupied by Cloris Worlow's beauty shop, on East Fourth Street.

In 1926, the Wabash County Bar consisted of 8 law firms, the firms of: P.J. Kolb and M.J. White; M.H. Mundy, B.A. Harvey, who was engaged primarily in the preparation of abstracts; Charles Schafer; Frank Fornoff and Winfield Scott Wilhite; H.M. Phipps; Theodore Risley and Ben Townsend; A.W. Stoltz and J.A. Lamkin.

Theodore Risley spent much time travelling about the nation speaking on behalf of the Republican Party and various Republican causes, was popularly known as the "Silver-tongued orator of the Wabash," and was rewarded for his efforts on behalf of the Republican Party by being appointed Acting Secretary of Labor for Immigration Affairs during the Warren G. Harding administration.

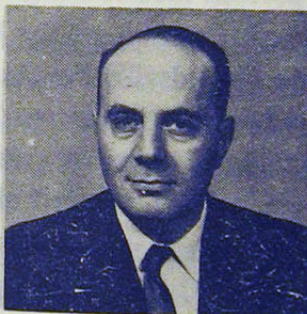
Several of the States Attorneys who have ably served Wabash County throughout the years are P. J. Kolb, 1904-1912; H. M. Phipps, 1912-1920; Ben Townsend, 1920-1936; Walter Kolb, 1936-1940; W. S. Wilhite, 1940-1944; Ben Townsend, 1944-1948; Walter Kolb, 1948-1952; Joel Townsend, 1952-1956; George Schaffer, 1956-1964; John L. Aulvin, 1964-1968; George W. Woodcock, 1968-1972; Dale A. Allison, Jr., 1972 to present.

The present Wabash County Bar is composed of Dale A. Allison, Jr., John L. Aulvin, Albert A. Barnhard, Alan M. Hux, Robert M. Keenan, Jr., Richard L. Kline, Leonard M. Koger, Jr., Jack D. Fowler, Thomas E. Price, Lawrence A. Sadlek, Albert A. Scriber, Ben H. Townsend, Joel W. Townsend, C. Michael Witters, George W. Woodcock, Roland J. DeMarco, and Clarence E. Partee.

Local Practicing Physicians



C.L. Johns, M.D.



Ernest E. Lowenstein, M.D.



Roger L. Fuller, M.D.



Young, T.R.



Alan D. Cato, M.D.

HISTORY
of
WABASH COUNTY,
ILLINOIS

New and Updated
1976

A Bicentennial Project
of
The Heritage Committee
of
The Wabash County Bicentennial Commission
The Wabash County Historical Society
and
The Mt. Carmel Public Library