

Francis S. Wilson
1935-1951

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At a testimonial dinner upon the occasion of Francis Wilson's election to the Illinois Supreme Court, a journalist pointed out that Wilson "was once a law partner of Clarence Darrow and Edgar Lee Masters, the poet, an alliance calculated to greatly instruct a man or to land him in nervous prostration." The firm of Darrow, Masters and Wilson, in the closing years of the nineteenth century, however, was only one phase in Wilson's long career.¹



Francis Servis Wilson was born in Youngstown, Ohio, on February 7, 1872, the only son of David M. and Griselda E. (Campbell) Wilson. His father maintained a successful law practice and at one time served in an Ohio constitutional convention. His mother studied voice and became a voice teacher after the death of her husband. Later, his mother moved to Chicago to live with her son, and she passed away in 1949 at the age of 103.²

Wilson attended the public schools in Youngstown, then the Hudson Academy, a boarding school that is now the Western Reserve Academy, in Hudson, Ohio, about fifty miles west of Youngstown. He was a student and played football in Cleveland at Western Reserve University, now Case Western Reserve University, and received his Bachelor of Laws there in 1895. He was admitted to the Ohio bar in his home town the same year.³

Instead of entering a law office he went to work for the *Youngstown Vindicator*, the local newspaper owned by John H. Clarke, who also was a lawyer and whom Woodrow Wilson would

appoint to the United States Supreme Court in 1916. In 1896, Clarke sold his interest in the newspaper and moved to Cleveland. Apparently not wishing to remain on the newspaper staff without Clarke's leadership, or perhaps no longer needed at the newspaper without Clarke, Wilson moved to Chicago in 1897 and joined the law firm that with his arrival took the name Darrow, Masters and Wilson, whose two others partners were already well known in the legal community. "His partners," according to a friend, "were both colorful and spectacular, while . . . Wilson was the quiet and scholarly, yet none the less famous, member of the firm." Wilson probably got the job with the famous partners because Darrow's then-wife was Wilson's cousin. In any case, this extraordinary first experience in a law firm undoubtedly helped him to develop "a temperament and understanding of both people and the law which eminently fitted him for the bench" in the future.⁴

Wilson claimed that starting out as a young fellow he had "no idea of where he was going except that he didn't want to be a lawyer," yet upon moving to Chicago it was clear that the law would be his career. Having settled in Chicago he married Caroline E. Siegfried in November, 1903. They had two children, David M., named after his father, and Francis, junior. Both sons remained in the Chicago area, one finding a career in telecommunications and the other in finance.⁵

His public service began barely one year out of law school when he was elected probate judge in Mahoning County, Ohio for which Youngstown is the seat. In Chicago, he went to work for the county attorney's office in 1911 and 1912, after which he returned to the private sector as the junior partner of Eli B. Felsenthal, who was fourteen years his senior, in the firm of Felsenthal and Wilson on Washington Boulevard, just a few blocks from the county courthouse and his former law partners.⁶ As the nation prepared for entry into World War I, Illinois

Governor Frank O. Lowden made Wilson the legal advisor to the draft board in the Woodlawn community on the south side of Chicago. When the United States entered the war, Wilson enlisted and served as a captain in the army's Judge Advocate's Office at Camp Sherman in Ohio, leaving with the rank of major. After the war he was instrumental in establishing the Hyde Park American Legion Post in his Chicago neighborhood.⁷

Wilson attempted to gain a seat on the bench of the Cook County Circuit Court when he ran as a Democrat with the backing of the William Randolph Hearst-sponsored Independence League and other civic reform organizations, including the Chicago Bar Association, to defeat Chicago Mayor William Hale Thompson's corrupting domination of the Cook County judiciary. From the 1890's to the 1920's, reformers in both political parties struggled to take politics out of judicial elections. The effort was a major movement in local politics, and it consumed much of the bar's time and energy in those decades. He failed to win initially but was elected to the circuit court to fill a vacancy in the important upset of the Thompson machine in 1920. He was re-elected in 1921, 1927, and 1933 for six-year terms. The Supreme Court appointed him in 1927 to serve as a judge in the Appellate Court's First District.⁸ In 1935, he was elected to fill a vacancy on the Supreme Court left by the death of Justice Frederick R. DeYoung, whose term still had seven years remaining in it.⁹

During his tenure on the circuit and appellate benches, Wilson ruled in some interesting cases. One of these involved radio station WGES' signal interfering with radio station WGN's signal. WGES beamed from the popular entertainment spot of the Guyon Hotel on Chicago's west side, and its owner, Louis Guyon, was sued by WGN for the interference. Ultimately Wilson put Guyon in jail for ten days for contempt of court for continuing to broadcast against the court's order. The interesting aspect of the case was that Judge Wilson ruled, in the absence

of yet-to-be-devised regulations and statutes concerning broadcasting, that a radio station could hold property rights to a wave length.¹⁰ The Guyon Hotel failed during the Depression, and the radio studios remained vacant until rented in the late 1940s by a fledgling FM radio station, WFMT. In a separate, appellate case that made headlines a few years later, Wilson took the opportunity to rule that boxing champion Jack Dempsey was liable for the Chicago Coliseum Club's \$100,000 loss when Dempsey canceled a scheduled match with Harry Willis.¹¹

Wilson served as Chief Justice of the court for the year beginning June 1939, in accordance with the rotation of the title among the justices. He was re-elected to the Supreme Court in 1942 after running unopposed. Although a Democrat at least as long as his association with John Clarke in Ohio, he had earned the support of both political parties for his Supreme Court election as well as his elections to the circuit court. In declining health after a fall in his home and a later bout with pneumonia requiring hospitalizations, he decided that he would not run for re-election to a second nine-year term in 1951.¹²

On March 14, 1951, as he was preparing to attend a dinner in Springfield by Governor Adlai Stevenson at the Executive Mansion, he died in his apartment in the upper level of the Supreme Court Building. Two days later his funeral was held at St. Paul's Episcopal Church on Dorchester Avenue in Hyde Park, close to his home on Forty-Eighth Street. His widow Caroline and his two sons attended his funeral along with many government officials and civic dignitaries. Although he lived in the south side Hyde Park neighborhood most of his life, he was interred in Memorial Park Cemetery in the northern suburb of Evanston.¹³

Perhaps the best remembrance of Francis Wilson was that offered by Edwin H. Cooke, who was the court's reporter of decisions for almost thirty-five years and knew every justice during his sixty-year period relationship to the court. Twenty-five years after Wilson's death

Cooke could still say of him that “I think he was the most perfect gentleman I ever knew. He had a brilliant mind and a keen sense of humor.”¹⁴

¹ “Francis S. Wilson, Justice of the Supreme Court of Illinois for the Seventh District,” *Chicago Bar Record* 17 (1935-1936), 15

² Memorial by Joseph Hinshaw of the Illinois State Bar Association, 409 Ill. 11-17 (1951).

³ Ibid.

⁴ On Wilson’s relationship to his partners, see *ibid*; on his relationship by marriage to Darrow, see “Mother of Illinois Justice is 100,” *Chicago Tribune*, 22 March 1946; on his relationship to Clarke and his newspaper career, see “Two Illinois Justices Former Newspapermen,” United Press wire service article in *Binghamton (NY) Press*, 20 February 1936, 18.

⁵ 409 Ill. 12.

⁶ Thomas William Herringshaw, ed. and comp., *Herringshaw’s American Blue Book of Biography* (Chicago: American Blue Book Publishers, 1919), 179.

⁷ 409 Ill. 12; *Chicago Tribune*, 18 May 1909, 16; *Chicago Tribune*, 15 March 1951, 1.

⁸ Much has been written about the bench and bar during Thompson’s administration. See, for example, Herman Kogan, *The First Century: The Chicago Bar Association 1874-1974*, (Chicago: Rand McNally & Company, 1974), 99-121; for Hearst’s Independence League and the other organizations roles in elections see especially 113-115. On Wilson, see 409 Ill. 12.

⁹ *Chicago Tribune*, 4 June 1939, 20.

¹⁰ *Chicago Tribune*, 25 November 1926, 32; *Chicago Tribune*, 8 December 1926, 32.

¹¹ *Chicago Tribune*, 17 March 1932.

¹² *Chicago Tribune*, 11 March 1949, 3; *Chicago Tribune*, 1 October 1949, 3; *Chicago Tribune*, 12 April 1942, 5; 409 Ill. 13.

¹³ *Ibid.*; “Justice Wilson Dies,” *Chicago Tribune*, 15 March 1951; “Officials Pay Tribute to Judge Wilson,” *Chicago Tribune*, 17 March 1951, B4.

¹⁴ Edwin H. Cooke, “Sixty Years with the Supreme Court,” unpublished typescript, Box 5, Illinois State Bar Association Collection, Abraham Lincoln Presidential Library and Museum, Springfield, Illinois.