

MATTERS BEFORE THE COURT—OTHER JUDGES WHO PRESIDED—MANY NOTED MEN WHO HAVE PRESIDED IN THIS COURT—PROMINENT MEMBERS OF FAYETTE COUNTY BAR, PAST AND PRESENT—SHERIFFS OF THE COUNTY—COUNTY COURTS—PROBATE COURTS—JUSTICES OF THE PEACE.

The first Circuit Court was held in Fayette County, at Vandalia, on the fifth of July, 1821, and was presided over by the Hon. Joseph Phillips, Chief Justice of the Supreme Court, and Presiding Justice of this Circuit. James Jones was Clerk and Joseph Oliver was Sheriff.

The first Grand Jury consisted of Thomas Cox, Foreman. William Tilford, William Wallace, William Johnson, John Shields, John Evans, William L. Hickerson, Abram Starnes, James Allen, John Haley, John H. Van Vleck, Jacob Neely, Barnett Bone, Henry Walker, Joseph Hynes, John Hall, James S. Dorriss, Abijah Lee, John F. Ross and Aaron Shean.

The first case tried was upon an appeal from the judgment of a Justice of the Peace as follows:

James S. Dorriss, appellant, vs. David Luster, appellee:

The attorney for the appellee moved to dismiss appeal on the ground that the bond was insufficient, which was argued, but the Court not being sufficiently advised, took time, etc.

The first indictment returned by the Grand Jury into Court was:

The People of the State of Illinois, Plaintiff, vs. James Smith, John Wright, James Altom, William Bateman, Sharpe Whitley and John Whitley, for riot.

The second was against Hon. William Lee D. Ewing, who was afterwards Governor and United States Senator, and was for assault and battery, which showed he was a fighter. He was fined One Dollar and costs, paid same and was discharged.

At a special term of the Circuit Court held on Tuesday, July 29, 1823, presided over by Hon.

John Reynolds, one of the Associate Justices of the Supreme Court, the following order was made and entered of record, to-wit:

"Edward Bates, Esq. (afterwards a member of President Lincoln's cabinet), being known to his honor, the Presiding Justice here, as a practicing attorney and counsellor at law, and having been selected and chosen by Russell Botsford, a prisoner under indictment here, for his counsel to defend him under the said indictment, is admitted as the counsel of the said Russell Botsford, to defend him under the said indictment, and to practice as an attorney and counsellor at law in this Court at the present term."

On Tuesday, June 22, 1824, the following appears in the Court Records:

"It appearing to the satisfaction of the Court, that the facts set forth in the following certificate of the Sheriff of Fayette County are true; on his motion

"It is ordered that the same be made a part of this record.

'State of Illinois, Fayette County.

To all to whom these Presents shall come: I, Joseph Oliver, Sheriff of the County of Fayette, State of Illinois, do hereby certify that Jonathan Ward, a free negro, was committed to my custody by John Baugh, a Justice of the Peace for said county, as a runaway negro, and has been dealt with according to law, and no owner appearing or any person claiming the aforesaid negro, I do hereby discharge him from my custody.

'Given under my hand this 22nd day of June, 1824.

"JOSEPH OLIVER,

"Sheriff Fayette County."

At the October term, 1832, the following appears of record:

"In the matter of Henry Ginger. Application for a pension under Act of Congress, June 7, 1832:

"This day personally appeared in open Court,

Henry Ginger, and made a statement under oath of his services in the Revolutionary War, in order to obtain a pension under the Act of Congress. And at the same time appeared the Rev. Francis Brown and William Nichols, residents of the County of Fayette, who also made oath of their belief that the above named applicant was a Revolutionary soldier and served as he states.

"And the Court further certifies that it appears to them that Francis Brown, who has signed the preceding certificate, is a clergyman resident in the County of Fayette, and that William Nichols, who has also signed the same, is a resident of the County of Fayette and is a credible person, and that their statement is entitled to credit."

The following Justices held courts at different periods as follows:

Hon. Thomas Reynolds, Judge pro tem., December Term, 1822.

Hon. John Reynolds, June Term, 1823.

Hon. Samuel McRoberts, April Term, 1825.

Hon. Theophilus W. Smith, April Term, 1827.

Hon. Sidney Breese, January Term, 1835.

Hon. Thomas Ford, pro tem., May Term, 1839.

Hon. James Semple, March Term, 1843.

Hon. James Shields, August Term, 1843.

Hon. Gustavus Koerner, August Term, 1845.

Hon. William H. Underwood, May Term, 1849.

Hon. Charles Emerson, April Term, 1853.

Hon. Silas L. Bryan, May Term, 1863.

Hon. Arthur J. Gallagher, October Term, 1867.

Hon. Charles Steele, March Term, 1870.

Under the Constitution of 1870, the following persons were elected or appointed as Judges of the Circuit Court, in the District embracing Fayette County in its confines, viz:

H. M. Vandever, W. R. Welch, Charles S. Zane, 1873 to 1879.

Charles S. Zane, William R. Welch, J. J. Phillips, W. L. Gross (appointed to succeed Zane, resigned September 1, 1884) 1879 to 1885.

J. J. Phillips, William R. Welch, James A.

Creighton, Jacob Fouke (to succeed Welch, deceased, November 6, 1888), 1885 to 1891.

J. J. Phillips, James A. Creighton, Jacob Fouke, Robert B. Shirley (to succeed Phillips, elected Supreme Judge), 1891 to 1897.

William M. Farmer, Truman E. Ames, Samuel L. Dwight, 1897 to 1903

William M. Farmer, Truman E. Ames, Samuel L. Dwight, 1903 to 1909. (Judge W. M. Farmer was elected Supreme Judge, resigned as Circuit Judge and Hon. Albert M. Rose was elected to fill vacancy).

Hons. J. C. McBride, Thomas M. Jett and Albert M. Rose, 1909 to 1915.

Of the Judges who presided over the Circuit Court held at Vandalia from 1821 to 1845, two were afterwards elected Governor of the State, viz: the Hon. John Reynolds, in 1830, and the Hon. Thomas Ford, in 1842. Four were elected United States Senators, viz: Samuel McRoberts, Sidney Breese, James Semple, and James Shields. Eight were, at the time of their holding Court at Vandalia, Judges of the Supreme Court, viz: Joseph Phillips, John Reynolds, Theophilus W. Smith, Thomas Ford, Sidney Breese, James Shields, James Semple and Gustavus Koerner.

Only two Judges who held court at Vandalia since 1845 have reached the Supreme Bench, viz: Hons. Jesse J. Phillips and William M. Farmer.

Many of the judges and lawyers who have practiced in or presided over the Vandalia courts attained national prominence, and among them may be mentioned: Abraham Lincoln, Edward Bates, Stephen A. Douglas, James Shields, John A. Logan, William Lee D. Ewing; Alexander P. Field, Col. Robert K. McLaughlin, Col. Ferris Forman, James Semple, James T. B. Stapp, Usher F. Linder, Orlando B. Ficklin, H. P. H. Bromwell, Charles Emerson, Philip B. Fouke, John R. Eden, H. M. Vandever, Anthony Thornton, Samuel W. Moulton, John M. Palmer, Jesse J. Phillips, John Schofield, Lyman Trumbull, Gustavus Koerner, James C. Robinson, Arthur J. Gallagher, John P. Van Dorston.

George W. Wall, Michael G. Dale, William M. Farmer. Many of these men have also served in both branches of the Legislature, besides occupying the more lofty positions that have made their names household words.

MEMBERS OF THE BAR.—Among the members of the Bar may be mentioned: Tevis Great-house, Arthur J. Gallagher, Lyman G. Smith, A. C. Reed, Henry C. Bradsby, R. C. Lewis, E. M. Vance, B. W. Henry, Joshua W. Ross, B. H. Chapman, George B. Chapin, W. M. Farmer, W. H. Dawdy, John P. Van Dorston, John McIlwain, Samuel Stevenson, L. C. Hawley, E. M. Ashcraft, Fountain S. Crump, Jacob Fouke, Frank M. Cox, Ferris Forman, Ziba S. Swan, A. J. Gullick, Asa P. West, A. B. McDonald, George R. Fitch, Leonidas M. Smith, John H. Webb, James M. Albert, Arthur Roe, John A. Bingham, Samuel A. Prater, George F. Houston, Frederick Remann, Robert A. Campbell, F. M. Guinn, J. G. Wills, E. B. Spurgeon, H. P. H. Bromwell, W. M. Fogler, Hugh Carroll, George T. Turner, John J. Brown, J. G. Burnside, William P. Welker.

The following were Attorneys General: Hon. David J. Baker, Sidney Breese, James Turney, Alfred Cowles, James Semple and Josiah Fisk.

The following were State's Attorneys: William H. Underwood, William H. Bissell, Harvey Lee, Philip B. Fouke, Elam Rust, John R. Eden, James R. Boyd, B. W. Henry, Amos Watts, D. L. Bunn, M. B. Thompson, John F. Douglas, E. M. Ashcraft, Col. Ferris Forman, William M. Farmer, E. B. Spurgeon, James M. Albert, William P. Welker.

The following were Clerks of the Circuit Court: James Jones, James W. Berry, William Hankins, James F. James, Robert W. Ross, William G. Thompson, Benjamin F. Williams, Carl Dieckman, Lewis Mitchell, J. G. Burnside, John W. Schenker, Otto G. Casey.

SHERIFFS.—The Sheriffs of Fayette County have been: Joseph Oliver, John Enochs, Joseph

Oliver, James Galloway, John Enochs, Claybourn B. Berry, Aiken Evans, James Hankins, Aiken Evans, Alexander P. H. Doyle, Aiken Evans, John T. Donaldson, John Shirley, James H. Fulton, John T. Donaldson, Samuel E. Bailey, Andrew Heiz, James H. Fulton, Henry Sefton, Jesse D. Jennings, Benjamin F. Walker, Andrew J. Taylor, John P. Pealer, Jesse Mays, John Cox, Leroy Washburn, George D. Steinhauer, H. L. Hunt, Charles H. McDonald, David M. Whitten, James W. Eakin (present incumbent).

COUNTY COURTS.—The County Court is presided over by the County Judge, and has jurisdiction in civil cases to the extent of One Thousand Dollars, and, in criminal matters, in all cases of misdemeanors when the punishment is less than a penitentiary sentence.

The present County Judge is John H. Webb, of Vandalia.

PROBATE JUDGES.—The Probate Court is also presided over by the County Judge, its jurisdiction being limited to the settlement of estates and all matters pertaining to the management of the estates of minor heirs, etc. The present County Judge, Hon. John H. Webb, is a very efficient official and is handling the business of his office in an admirable manner.

JUSTICES OF THE PEACE.—Each township has two Justices of the Peace, giving thirty-six to the County.

The present Justices of the Town of Vandalia are George W. Brown and Richard Burrus.

CHAPTER X.

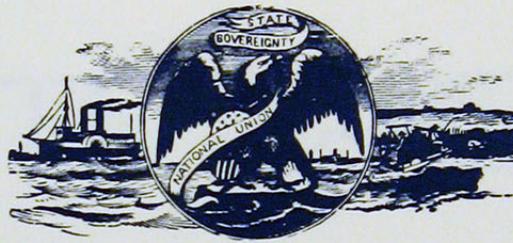
COUNTY REAL ESTATE AND BUILDINGS.

LAND VALUES—COUNTY COURT HOUSE—COUNTY JAIL—COUNTY POOR HOUSE AND FARM.

HISTORICAL
ENCYCLOPEDIA
OF
ILLINOIS

EDITED BY
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AND HISTORY OF
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EDITED BY
ROBERT W. ROSS

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