

Standard Form For Members of the Legislature

Name of Representative Rothrock, James Harvey Senator _____
Represented Cedar County, Iowa

1. Birthday and place 1 June 1829 Milroy, Mifflin County, Pennsylvania

2. Marriage (s) date place

Austia, Linn County, Iowa 18 Oct 1855 Millsboro, Ohio

3. Significant events for example:

A. Business Admitted to the Ohio Bar in 1854

B. Civic responsibilities

C. Profession Lawyer; Chief Justice of the Iowa Supreme Court

4. Church membership Episcopal

5. Sessions served 9th General Assembly 1862

6. Public Offices

A. Local

B. State Judge of the District Court 1866; Supreme Court judge 1876-1896;

C. National

7. Death 14 Jan 1899 Cedar Rapids, Iowa; buried Oak Hill Cemetery, Cedar Rapids, Iowa

8. Children Edward, E.; James H., Jr.; Georges

9. Names of parents Joseph and Sarah (McKinney) Rothrock

Rothrock, James Harvey

10. Education Educated in the common schools of
Adams County, Ohio

11. Degrees Parker's Academy, New Richmond, Ohio where he
prepared for college at Franklin University at New Athens;
Studied law in West Union, Ohio in 1852

12. Other applicable information

- In 1838, with his parents, he moved to Adams County Ohio
- He began practicing law in Highland County, Ohio in 1854
- 1860 moved to Iowa settling at Dipton, Iowa and opened his
law practice.
- Military service - Civil War - 35th Iowa Infantry - appointed
Lieutenant Colonel
- After the war, he returned to Dipton and his law practice
- During his youth he worked on the farm and in a tannery
- He left home in 1847 to enter Parker's Academy at New Richmond, Ohio
and prepared for college at Franklin College in New Athens but left
after 2 years to study law with Hon. E. P. Erwin of West Union, Ohio.
- In 1881 he moved to Cedar Rapids, Iowa and practiced law

Sources Log For Legislation Entries

Applicability

Source	Non Applicable	Applicable	Information obtained
- Obituary -			<u>The Cedar Rapids Daily Republican, Cedar Rapids, Iowa, Sun. Jan. 15, 1899, p. 1, col. 7 and p. 4, col. 1, 2, 3, 4, 5</u>
- Photo -			<u>The original photo is located in the archives at the State of Iowa Historical Library, 600 E. Locust, Des Moines, Iowa</u>
- GAR Record			<u>Findagrave.com (accessed 27 Oct 2010)</u>
			<u>Iowa Judicial Branch - judiciary.state.ia.us (accessed 27 May 2007)</u>
			<u>The Biographical Record of Linn County, Iowa 1901, p. 786.</u>
			<u>Ancestry.com (accessed 27 Oct 2010)</u>
			<u>Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa 1916, p. 961-962</u>
			<u>The Courts and Legal Profession of Iowa Vol. II 1907, p. 799-802</u>
			<u>Iowa, Its History and Its Prominent Citizens 1916, p. 992-994</u>
			<u>The Bench and the Bar 1911, p. 462</u>
			<u>The United States Biographical Dictionary, Iowa Volume, 1878, p. 772-773</u>



Jac. H. Pottswolk
St. Col. 35 Iowa Inf.
V.V.

RATS

General Castellanos also boarded the transport. There is general rejoicing among the Cubans over the departure of the Spaniards.

FOREIGN CONSULS TAKE ACTION

Will Endeavor to Avert Bloodshed in Bolivia.

Lima, Peru, Jan. 14.—Advices from Bolivia say that General Camacho, head of the federalist troops, left Lapaz with 2,000 men and has taken up a position at Quenep, two leagues from Lapaz, on the heights on the road to Ouro.

President Alonzo's troops were outflanked by the federalists and his advance guard was defeated.

The foreign consuls at Lapaz have decided to act as mediators between the government troops and the insurgents, with the view to averting bloodshed.

ALLISON KEEPS HIS OLD PLACE

Will Still be the Watchdog of Appropriations Committee.

Washington, D. C., Jan. 14.—Senator Allison has practically decided to remain at the head of the committee on appropriations and not take the chairmanship of the committee on finance to which he is entitled by the right of seniority. This decision will make Senator Aldrich to the chairmanship of the finance committee and will promote Senator Spooner to the chairmanship of the committee on rules.

Williamsburg's Fair

Williamsburg, Jan. 14.—Special: The fair association here, which held what all conceded, who saw it, the most successful fair given last fall in the state, have selected Sept. 5, 6, 7 and 8, as the date for next fall's meeting and promise to excel even last fall's exhibition, and to run the fair on the same high grounds of giving a straight exhibition of country products, good racing and first class attractions of all kinds, but to allow no gambling of any character or kind. Success to them in their undertaking. There will also be held on the fair grounds here, the 4th and 5th of July a race meeting with large purses and plenty of good races. The one-half mile track, which last fall was extremely fast, will be much faster then and it is expected to see the track record, made by Medeyone of 2:1½ made still lower.

Victims of a Nemesis

Clinton, Jan. 14.—Charles Peterson of this county has just been indicted for criminal assault upon a young girl who lived near him. Peterson is one of three persons who were, a few years ago, charged with murder. They were finally acquitted. A strange fatality has overtaken all the persons charged with connection with the murder. One man was killed out west, a second went insane, and now Peterson is under indictment for a crime near where the murder occurred one year ago.

Chicago Debaters Successful

Chicago, Jan. 14.—The University of Chicago to-night defeated the University of Minnesota in the semi-final Central debating league. The question was, "Resolved, That an amendment to the constitution should be secured whereby the United States

JUDGE ROTHROCK DEAD

Iowa's Most Distinguished Jurist Succumbs to Heart Disease.

HIS LAST END WAS PEACEFUL

Had Been Ill Several Months and Suffered Much in the Last Days.

A LONG AND EMINENT CAREER

Was for Twenty-One Years Member of the Iowa Supreme Court--Nine Years Service on the District Bench.

Hon. James H. Rothrock died at his residence in First avenue at 5:20 p. m. Saturday, of heart disease.

The announcement of his death will come as a surprise to his friends throughout the state and to not a few in Cedar Rapids. Owing to the fact that up to within a day or two he insisted upon reading the newspapers, no announcement of his serious illness has been made.

For some time Judge Rothrock has known that he had a weak heart. A few months since the trouble was announced to be organic, and since then there has been gradual decline and increased weakness, though death was not expected so soon, until within the past two weeks. For several days previous to his passing away Judge Rothrock suffered intensely. All day Saturday he was unconscious, and the last end was peaceful.

At his bedside at the time of his death were all the members of his family, which consisted of his eldest son, Ed Rothrock, and his wife, James H. Rothrock, Jr., and George Rothrock. A brother, Joseph W. Rothrock, of Washington Court House, Ohio, and a sister, Mrs. Connell, of Cincinnati, Ohio, are still living, but were not present in the city when he died.

The deceased is also survived by a half brother, John M. Gray, who lives at Washington Court House, Ohio.

The funeral will be held from Grace Episcopal church Tuesday afternoon at 2 o'clock, Rev. Dr. Green officiating. The interment will be in Oak Hill cemetery.

HIS LIFE A BENEDICTION

As Citizen, Soldier and Jurist, Judge Rothrock Was Respected and Beloved.

James H. Rothrock was born in 1829 in one of the most picturesque little villages in the central part of the state. It lies nestled in the heart of a rugged mountain

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JUDGE ROTHROCK DEAD

Continued from Page 1.

man and at once became engaged in the Vicksburg campaign. Col. Rothrock was much of the time in command of the rear guard of the army, and frequently was what was called "Officer of the day." He was in command of his regiment on the 22nd day of May, when the famous assault was made upon the rebel fortifications. General William L. Davis of this city was a member of the thirty-fifth regiment. Some years ago, in writing up a description of that assault, he used this language: "When the signal gun was fired, Col. Rothrock sprang to the front, ordered the regiment to charge and taking the lead with sword in one hand and hat in the other the Thirty-fifth went into that shower of lead and iron. The line was repulsed with fearful slaughter. Following the Vicksburg campaign, the colonel was taken with a terrible attack of typhoid fever which left him in such a weakened condition that he was forced to resign. He returned home in the fall of 1863, weighing but 120 pounds, but his sterling qualities were amply tested and no braver man ever drew a sword or won greater affection from his men than the present chief justice of the supreme court of Iowa."

Such was the estimate of the man of the soldier of his command.

Col. Rothrock returned to Tipton, and resumed the practice of law as soon as his health would permit, forming a partnership with the late judge William P. Wolf, which partnership continued until 1866, when he was nominated and elected judge of the district court. The convention which resulted in his nomination was held in this city. There were a number of candidates and a number of ballots were taken before the result was decided. After this Judge Rothrock never had to make a contest for a nomination or an election, renominations coming by acclamation and an endorsement by the opposite party following that. It was a large district over which he presided, the most populous in the state. It consisted of Cedar, Linn and the sessions lasted from and Linn counties. The old district attorney system was then in vogue. The first district attorney was Scott, now the famous "Great Scott" of Omaha. He was succeeded by Major William G. Thompson, now judge of the eighteenth judicial district, and he by Col. Milo P. Smith. For a number of years before the circuit court was established, the duties of the district judge were exceedingly arduous. The country was new. There was much litigation and considerable criminal business. Court was held almost continually and the sessions lasted from eight to ten hours daily. The famous Jones County Calf Case originated in Judge Rothrock's court. It may not be generally known but it is a fact that when Bob Johnson, the principal figure in the Jones County Calf Case was brought before the grand jury in Jones County, Judge Rothrock advised against his indictment, but the indictment followed, notwithstanding.

In 1876 the legislature added a fifth judge and Governor Kirkwood ap-

pointed Judge Rothrock to the supreme bench, which position he has held until the last day of the December, 1886. Judge Rothrock has served therefore, twenty-one years as a member of the state's highest court, making a longer term of service than has been accorded to any other one man. His first opinion appears in Vol. 42, and was the case, Woodbury vs. Maguire. He was helped to write the remaining volumes which when published will number about fifty-eight.

Only once did Judge Rothrock have to make a contest for renomination. All the nominations save this one were by acclamation and there would have been no exception if the rule had not been for the passion engendered in the contest over the prohibitory law. Judge Rothrock was one of the judges who concurred in the decision, which declared the prohibitory amendment null and void. Judge Day who wrote that decision, was defeated for renomination the following year, and Judge Rothrock encountered opposition along the same line, but he had more than two-thirds of the delegates and was nominated on the first ballot. One of the most notable opinions written by Judge Rothrock grew out of the prohibitory agitation and was the opinion touching the case of Littleton vs. Fritz. Following the setting aside of the prohibitory amendment, drastic prohibitory legislation was enacted by the legislature touching injunctions and imprisonments, the injunction feature denying the right of trial by jury. The question involved in the case of Littleton vs. Fritz was the validity of this injunction law. The opinion upholds the validity of the law and this is an argument in support of the same general principle which was brought to issue in the injunction cases against the Debs riot.

It is most impossible for any layman to appreciate the work Judge Rothrock has done from the bench. During the twenty years he has been a member of the court a large portion of our laws have been interpreted, and in all this he was a most important factor. One of the most learned members in the profession in Iowa, speaking to the writer the other day, regarding Judge Rothrock's work in the supreme court, stated that it was painstaking and thorough to a degree. He never wrote an opinion, said this authority, without the most conscientious research. He did his best every time, and to his indefatigable labor, the state is indebted beyond its power to comprehend.

Like every other strong man, Judge Rothrock possessed a great fund of common sense, and in his interpretation of the law he used his common sense together with his knowledge of technicality and precedent and it was this common sense quality that made him specially strong. Since 1881 he has been a citizen of Cedar Rapids. Day in and day out he has come amongst us as a model officer and a just and an upright citizen. Though removed as no other official was, from the people; he continued one of them to such a degree that it can be truthfully said that no man more thoroughly understood or more deeply sympathized with men as they are than he who for more than thirty years, by virtue of his judicial career has been somewhat removed from active

participation in the ordinary affairs of life.

This judicial career might have been continued indefinitely. Judge Rothrock retired voluntarily and at a time when another unanimous renomination was within his grasp. But he did not retire to be idle. He associated himself with the firm of Rothrock & Grimm, making the firm Rothrock, Rothrock & Grimm, and was able to be of much assistance to the young practitioners, although he took little active part in court room work.

TRIBUTE FROM A FELLOW JURIST

Judge Hubbard's Sketch of His Friend Judge Rothrock.

Cedar Rapids, Iowa, Jan. 14, 1899, 4 p. m.

Editor Republican: Judge Rothrock is dying. A few hours hence and he will have crossed the river.

About the first of September last, he was taken ill with heart trouble. Soon afterwards he received a note from Mr. Nelson W. Evans of Portsmouth, Ohio, with whose father Judge Rothrock studied law many years ago. Mr. Evans is writing a book giving a short account of all the lawyers who have ever lived in Adams county, Ohio. Judge Rothrock referred him to Hon. H. H. Trimble, Hon. Smith McPherson and myself. I wrote the following character sketch of the judge's career in Iowa and submitted to my friends Trimble and McPherson, and it was approved by them as a fair, truthful analysis of Judge Rothrock's character and ability. I then submitted it to Judge Rothrock himself something over a month ago and in his modest way, he barely said, "It is satisfactory."

Business of pressing importance calls me away from him and from home tonight. When my friend shall have passed away, please publish this with the character sketch attached. Yours truly,

N. M. HUBBARD.

James H. Rothrock came to Iowa in 1860 and settled in Cedar county. He at once acquired good standing at the bar. In 1861 he was elected to the legislature and was a prominent member of that body. He was noted as a young man for his good judgment, candor, dignity and fairness.

In 1862 he went into the military service and was appointed lieutenant colonel of the Thirty-fifth Iowa volunteer infantry. He took part in General Grant's Vicksburg campaign, was at the battle of Champion Hills, Black

River Bridge, the charges of the 18th and 22nd of May, 1863, and at the siege of Vicksburg. He was most of the time in command of his regiment, as his colonel commanded a brigade. He was a gallant and able officer.

Soon after the siege of Vicksburg, he had typhoid fever of a very severe character which left him in so weak physical condition that he was honorably discharged from the service. He came home and resumed the practice of the law.

In 1866 he was nominated without opposition and elected by a very large majority to be district judge of the

appointed one of the state a nominated and to be supreme judge by acclamation have been so not only for the extra the supreme amendment to the as the prohibitory void for irregular was renominated on the first ballot.

He voluntarily declined a renomination served nine consecutive judge and supreme judge.

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Soon after the siege of Vicksburg, he had typhoid fever of a very severe character which left him in so weak physical condition that he was honorably discharged from the service. He came home and resumed the practice of the law.

In 1866 he was nominated without opposition and elected by a very large majority to be district judge of the Eighth judicial district. He was twice renominated and re-elected to the office.

appointed one of the supreme judges of the state and was three times nominated and elected by the people to be supreme judge. He was nominated by acclamation twice and would have been so nominated the third time only for the excitement on account of the supreme court having held the amendment to the constitution, known as the prohibition amendment, to be void for irregularities. As it was, he was renominated by a large majority on the first ballot.

He voluntarily retired from the bench on January 1, 1897, having declined a renomination, and having served nine consecutive years as district judge and twenty-one years as supreme judge.

When it is remembered that Iowa was settled by the choicest young men and women from the eastern and middle states, this short story of his rise to one of the first places in the state testifies to his ability and worth.

I have known Judge Rothrock quite intimately during all his life in Iowa. His chief characteristics are probity, strong common sense and an unbiased judgment. The words "unbiased judgment" need definition. Men are much swayed by their passions and sentiments. When a man FEELS stronger than REASONS, his judgment is not safe. Judge Rothrock, as a judge, never FELT—he REASONED, and his judgment was sound.

One of the panegyrists of Lord Mansfield said: "It is the business of a judge, not only to determine controversies betwixt man and man, but also to satisfy the beaten party that he got justice, to the end that he should have contentment and ease of mind." Judge Rothrock came nearer possessing this remarkable quality than any other judge I ever knew. In all the thirty years I practiced before him, I never knew him to show the least feeling. When zealous, and sometimes angry, counsel RAVED, he REASONED. And thus it was, at the end, the defeated party generally felt that he had been justly beaten.

His written opinions contained in sixty-one volumes of Iowa Reports are models of compact statement, clear analysis, which march with irresistible force to an irresistible conclusion. There is a perspicuous method of stating the material, leading facts of a case that points to a just conclusion.

When you have read his STATEMENT of a case, you know how it is to be decided, and you do not have to look at the end for the words "Affirmed" or "Reversed." His language is plain, simple, terse, vigorous Saxon, without Latin quotations. If he wants to say anew, he does not say DE NOVO. He is not a great scholar, nor a man of any considerable literary attainments. He has devoted his life to the elucidation of truth from varying human testimony, and to the faithful administration of justice.

His opinions and judgments show painstaking labor to master the facts, and a steady searchlight of judgment to discern the truth.

Iowa, for so young a state, has produced many eminent jurists, among them Justice Samuel F. Miller, Judges Dillon, Love, Cole, Wright and others, but for clearness of analysis, freedom from dicta, absence of feeling, and the presence always of strong, unimpaired reasoning, the written judgments of Rothrock will stand in the

estimation of the future bar of this country on an eminent equality with those of any American judge.

He has given to the state thirty years of devoted service such as few men have, the robust physical and mental capacity to endure. He is still with us, but in somewhat broken health from his long successful labors.

In his prime he stood six feet, weighing 230 pounds, with a massive brain at the top. He is a good talker, a better listener, and withal of rare judicial bearing, indicating honesty, patience and all the attributes of a wise and just judge. The people of Iowa, without dissent, honor him as one of her first citizens and jurists.

The members of the Linn County Bar association are requested to meet in the city hall at 7:30 o'clock Monday evening to take action relative to the death of Judge Rothrock and make preparations to attend the funeral.

La Grippe is again epidemic. Every precaution should be taken to avoid it. Its specific cure is One Minute Cough Cure. A. J. Sheperd, publisher Agricultural Journal and Advertiser, Eldon, Mo., says: "No one will be disappointed in using One Minute Cough Cure for La Grippe." Pleasant to take, quick to act. Holt's Pharmacy, Grand hotel; J. F. Whelhan.

A Bible Translation.

From a discussion by letters in the New York Sun:

To the Editor of the Sun—Sir: The frequent references lately made in The Sun to the miracle at Cana have reminded me that the accepted translation from the Greek of one part of that text is, I think, wrong. Mary says to Jesus: "They have no wine." Jesus replies: "Woman, what have I to do with thee?" This answer, to what Mary said, is not only surprisingly unfilial, but it also totally irrelevant. The Greek text, word for word, is as follows: "Wine they do not have." Saith to her Jesus: "What I do and to thee?" Now the words "thee" and "me" are in the dative, and the dative, in Greek, after verbs signifying "to be" denotes possession. But, in the text, "me" and "thee" both being in the dative and joined by the conjunction "and" must have the same relation to the verb and therefore one cannot be, as it were, subjective and the other objective, as they are in the accepted version. Then the correct translation, should read: "Woman, what is that to me and thee?" or, "What have I and thou to do with that?" and not "What have I to do with thee?" We thus have a filial and pertinent reply to what Mary said, for He and Mary were only guests at the wedding and not in any way responsible for the lack of wine.

The text of the accepted version of the Bible is not to be dealt with

lightly and I give my view text with all humility.

To the Editor of The Sun little knowledge is a thing." Had your correspondent Q." been more familiar with Greek he would scarcely have had to impugn the scholars' translators of the New Testament translation of John II, 4, what have I to do with the solutely correct. In Mark same Greek words ("Ti em are used by an unclean sp will readily be seen that dering as "S. Q." sugges to me and to thee?" wo case be peculiarly inapprop extreme literalness wou miliar French idiom, "Il y "It there has." Instead of Greek, however, was no uage commonly spoken by His Disciples. They used or Aramaic, vernacular o and the first of the synop was originally written in In Mrs. Lewis' translation Gospels from the Syrac o tic Paltmpsect, the man which was discovered by years ago in St. Katherine It is explained that fitee the second chapter of Joh the text in question) were missing sheets. Mark, v. reads, "What have I to do thus confirming the accu revised translations of the

To the Editor of The Sun—Your correspondent "S. Q." relating John II, 4, "What I do and to thee?" There is no "that" in the original. H

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THE UNITED STATES
BIOGRAPHICAL DICTIONARY

AND

PORTRAIT GALLERY

OF

EMINENT AND SELF-MADE MEN.

IOWA VOLUME.

CHICAGO AND NEW YORK:
AMERICAN BIOGRAPHICAL PUBLISHING COMPANY.
1878.

Against his protest his party ran him for the lower house of congress in 1850, in a strong democratic district, where the best he could do, and what he did do, was to reduce the usual majority. He aided in forming the republican party in Iowa, and it is to his influence and that of a few other candid, conscientious and eloquent speakers, that the party owes, in a great measure, its strength in the state.

But while Senator Wright has been largely identified with the politics of Iowa for the last thirty years, he has done much good service to the state in other respects. From 1860 to 1865 he was president of the State Agricultural Society, and worked zealously for the widening and strengthening of its influence. His annual addresses delivered during those years showed that he had given no inconsiderable attention to other subjects besides law and politics.

In the autumn of 1865 he and Judge C. C. Cole organized, at Des Moines, the Iowa Law School, which, three years later, was removed to Iowa City and made a branch of the State University. In educational matters generally he has taken a lively interest; has done valuable work at sundry times on the local school board, and is president of the board of trustees of Simpson Centenary College, a Methodist institution located at Indianola, Warren county.

He has long been connected with the Methodist Episcopal church, and is one of its leading laymen in Iowa. No man in the state, of any denomina-

tion, has a higher moral and religious standing. He is a christian statesman of the noblest type.

Superior natural abilities, extensive legal learning and a broad and liberal culture, combined with rare practical sagacity, have concurred to make him prominent among the foremost lawyers and jurists of the country. A ready and comprehensive grasp of cases, with the quick discrimination and rapid analysis with which he at once separates and seizes upon the vital and material points, enable him as a lawyer almost intuitively to comprehend the merits and demerits of every cause or question presented to him. As a judge, with unswerving integrity and unyielding firmness, he invariably cut his way to what seemed the very right of a case, regardless alike of specious technicalities on the one hand and false sentimentalism on the other, detecting at a glance all chicanery and artifice, and quietly brushing away all sophistries and fallacious reasonings.

The wife of Senator Wright he found in Iowa: Miss Mary H. Dibble, of Van Buren county, daughter of Judge Thomas Dibble, formerly of New York. They were married on the 19th of October, 1843, and have had seven children, six of them yet living. Thomas is married, and is one of his father's law partners; Craig also has a wife, and is an attorney in Sioux City, Iowa; Mary is the wife of Frank H. Peavy, of Sioux City; the other three, Carroll, Lucia H. and George G., are single.

HON. JAMES H. ROTHROCK,

TIPTON.

JAMES HARVEY ROTHROCK, now on the supreme bench of Iowa, is a native of Millroy, Pennsylvania, and was born on the 1st of June, 1829. He is a son of Joseph Rothrock, a tanner and farmer, and Sarah McKinney. The Rothrocks were Huguenots, driven to Holland and came thence to the United States in the early part of the colonial period. The maternal great-grandfather of James H. was a captain during the revolutionary war. Joseph Rothrock moved to Adams county, Ohio, when his son was about nine years old, and there the latter was reared on a farm and in a tan-yard. He fitted for college at Felicity, Ohio; entered Franklin College, New Athens, and left at the commencement of the junior year; read law with E. P. Evans, of West Union, Ohio, and was admitted to the bar at Colum-

bus in February, 1853. He practiced six years in Greenfield, Highland county, and one year at Hillsboro, in the same county, and in July, 1860, settled in Tipton, Iowa. Here, after two years' practice, he enlisted in his country's service, going into the army in August, 1862, as lieutenant-colonel of the 35th Iowa Infantry. At the end of one year, owing to disability, he was obliged to resign. Returning to Tipton, he resumed practice and continued it until January, 1867, when he went on the bench in the eighth judicial district. He was reelected twice, and during his third term, in February, 1876, he was appointed to the supreme bench in pursuance of an act of the legislature increasing the number of judges of the supreme court. He was elected by the people in the autumn of the same year. As a jurist he is re-

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markable for his strong common sense and practical ideas. Probably no man has a nicer discrimination between right and wrong. His experience for ten years as nisi prius judge was an excellent preparatory school for the supreme bench. His decisions made while a district judge were the result of a clear head and a cool judgment, and were rarely reversed.

While a resident of Ohio, in 1855, Judge Rothrock was elected prosecuting attorney for Highland county, and served one term. He was a member of the lower house of the general assembly of Iowa in the regular session of 1862 and the war session of the same year, enlisting at the close of the latter session. Although a new man in the state in 1861, when he was nominated for member of the legislature, that nomination was made by acclamation. He had stumped the county in the autumn before, the farmers had become acquainted with him and he was their first choice. He proved to be a wise and efficient legislator.

The father of Judge Rothrock, a Presbyterian

elder for many years, and a man of strong religious and humane feelings, was an abolitionist and a Birney man in 1844. Living in southern Ohio, he had many opportunities to aid bondmen to escape, and was always prompt to lend them a helping hand. The son imbibed his father's political sentiments, and in more than a hundred instances aided fugitives in their flight from the cruel taskmaster. Judge Rothrock voted the abolition ticket till the great party of freedom arose and finally, with Abraham Lincoln for a banner bearer, overthrew the slave power.

On the 18th of October, 1855, Miss A. L. Foote, of Granville, Ohio, was married to Judge Rothrock, and has borne him three children, all yet living.

Judge Rothrock has long had a passion for agricultural pursuits, and regards it as a noble occupation to improve land. He has a small farm adjoining the city of Tipton, and two large farms farther west, in Sac county. Financially, he has been moderately successful.

HON. JOHN F. DILLON,

DAVENPORT.

JOHN F. DILLON, judge of the United States circuit courts for the eighth judicial circuit, was born in Washington county, New York, on the 25th of December, 1831. His father was Thomas Dillon. His paternal and maternal grandfathers were each born in Ireland, and emigrated to this country at an early age and settled in the State of New York, from whence his father immigrated to Iowa.

In 1838, when he was little over seven years old, his parents removed from Herkimer county, New York, to Davenport, in the then territory of Iowa, in which city he has resided constantly ever since. He commenced the study of medicine at seventeen years of age, under the direction of Egbert S. Barrows, M. D., then the leading physician of Davenport. He attended two courses of medical lectures at the Keokuk Medical College, and graduated at the age of twenty-one years. He entered upon the practice of his profession, but finding, after a trial of a few months, that it did not accord with his tastes, he commenced reading law in the office where his sign as a physician was displayed. He was licensed as an attorney in Scott county, Iowa, in 1852, and at once commenced the practice of his new profession. This

year he was elected prosecuting attorney for Scott county.

In 1858, when twenty-seven years of age, he was elected by a majority greatly exceeding the majority of his party as the republican candidate for judge of the seventh judicial district of Iowa, a district then composed of the four populous counties of Scott, Muscatine, Jackson and Clinton. The first work he did after his election was the giving of a close, critical study to all the then reported decisions of the supreme court of the state. This resulted in the preparation of his first legal work, "A Digest of the Decisions of the Supreme Court of Iowa." In 1862 he was reelected without any opposition, the bar of the district, without distinction of party, uniting in a request to him to continue in the office. During the year following his second election he was nominated by the republican party of his state for one of the judges of the supreme court, and was elected for a term of six years, taking his seat on the 1st of January, 1863. In 1869 he was unanimously renominated and reelected for another term of six years without any considerable opposition, but before he qualified under his second election, and while still holding the

THE
BIOGRAPHICAL RECORD

OF

LINN COUNTY

IOWA.

ILLUSTRATED.

"A people that take no pride in the noble achievements of remote ancestors will never achieve anything worthy to be remembered with pride by remote generations."—MACAULAY.

CHICAGO:
THE S. J. CLARKE PUBLISHING COMPANY.
1901.

to make the city and county of his adoption rank among the brightest and best of all composing this great commonwealth.

JOHN W. MOHN.

John W. Mohn, a reliable and intelligent young farmer residing on section 1, Franklin township, Linn county, was born in Jones county, Iowa, on the 7th of October, 1875, and is a son of Philip and Sarah (Fink) Mohn, natives of Germany and Iowa, respectively. They were married in this state, and when our subject was only three years old took up their residence on a farm in Franklin township, Linn county, where the father still continues to make his home. There the mother died July 21, 1887, and was laid to rest in the Lisbon cemetery. In their family were three children, namely: Ida, who died at the age of six years; George, who married Lena Muller and resides on the old homestead farm, and a sketch of whom will be found on another page of this work; and John W., our subject.

During his boyhood and youth John W. Mohn attended the district schools of Cedar county, and on completing his education, at the age of eighteen, he aided his father in the operation of the home farm for four years. He then took charge of a part of the place, and now has one hundred and forty acres on section 1, Franklin township, which he has put under excellent cultivation and improved by the erection of good buildings. He raises a high grade of cattle, hogs and poultry for the market, and is one of the most progressive young farmers of his neighborhood. He attends the Evangelical church of Lisbon, and is held in

high regard by all with whom he comes in contact either in business or social life.

At Lisbon, December 1, 1898, was celebrated the marriage of Mr. Mohn and Miss Sally Frutchey, and they now have one child, Willis McKinley, born July 3, 1899. Mrs. Mohn was born in Monroe county, Pennsylvania, July 8, 1875, of which state her parents, Alfred and Eliza (Busch) Frutchey, were also natives. In June, 1876, her family came to Iowa, and first located in Linn township, Linn county, but subsequently settled northwest of Mt. Vernon, and still later removed to Jones county. There Mrs. Frutchey died May 3, 1892, and was buried in Lisbon. Her husband is still living and now makes his home with his daughter, Mrs. Albert Daubennier, at Lisbon. Their children were Albina, wife of Edward Henry, of New Hampton, Iowa; Lewis, who died at the age of twenty-four years; Henry, who married Lydia Kramer and resides on a farm northeast of Martelle, Iowa; Charles, who married Laura Binninger and lives on a farm in Franklin township, Linn county; Maggie, wife of Edward Hanley, of Solon, Iowa; Clyde, who married Emma McCall and makes his home in Savannah, Illinois; Oscar, who married Lizzie Clark and is engineer for a laundry company in Mt. Vernon; Anna, wife of Albert Daubennier, of Lisbon; Edwin, a resident of Leadville, Colorado; and Sally, wife of our subject.

JUDGE JAMES H. ROTHROCK.

It is an important public duty to honor and perpetuate, as far as possible, the memory of an eminent citizen,—one who by his blameless and honorable life and

distinguished career, reflected credit not only upon his city and state, but also upon the whole country. Through such memorials as this at hand the individual and the character of his services are kept in remembrance, and the importance of those services acknowledged. For many years Judge Rothrock was one of the most distinguished lawyers and jurists of Iowa, and was honored and respected wherever known.

The Judge was born in Milroy, Mifflin county, Pennsylvania, June 1, 1829, a son of Joseph and Sarah (McKinney) Rothrock. His ancestry were among the early Huguenots who were driven from France on account of their religious belief and sought shelter in Holland, whence they came to America in colonial days. They bore an important part in the Revolutionary war as soldiers of the Continental army, and our subject's maternal great-grandfather was also among those who fought for the independence of the colonies.

Judge Rothrock spent the first nine years of his life in the picturesque little village where he was born, it nestling in the heart of a rugged mountain district in the central part of Pennsylvania. In 1838 he accompanied his parents on their removal to Adams county, Ohio, where in the midst of the forest he grew to manhood. During his youth he worked on the farm and in a tannery, and attended school for about three months during the winter. On leaving home, in 1847, he entered Parker's Academy at New Richmond, Ohio, where he prepared for college, and later was a student at Franklin College, New Athens, that state, for over two years, but left that institution in the middle of his junior year to take up the study of law with Hon. E. P. Evans, of West Union, Ohio. He was ad-

mitted to the bar by the supreme court at Columbus, in 1854, and began practice at Greenfield, Highland county, Ohio, where he remained six years, during which time he served as prosecuting attorney of the county one term.

On the 18th of October, 1855, Judge Rothrock was married in Millsboro, to Miss Anstie L. Foote, and to them were born three sons: Edward E., James H., Jr., and George. In 1860 they removed to Iowa and settled in Tipton, the county seat of Cedar county, where the Judge practiced his profession until after the Civil war broke out, and also represented his district in the general assembly of the state, being elected to that position in 1861, and serving as speaker *pro tem*, a part of the time. During the summer of 1862 an extra session was held for the purpose of passing a law allowing soldiers to vote on the field, and at that time Judge Rothrock was appointed lieutenant-colonel of the Thirty-fifth Iowa Infantry, and went into camp at Muscatine without returning home. The regiment proceeded to the front the following October, and the winter was spent in Tennessee and Kentucky, and at Cairo, Illinois. In the spring they were attached to the Fifteenth Army Corps under General Sherman and took part in the Vicksburg campaign. Colonel Rothrock was much of the time in command of the rear guard of the army, and frequently was what was called officer of the day. He was in command of his regiment when the famous assault was made on the rebel fortifications, May 22, 1863, but soon afterward suffered from a severe attack of typhoid fever, and was forced to resign his commission in the fall of that year and return home. His sterling qualities as a soldier had been amply attested,

however, and no braver man ever drew sword or won greater affection from his men.

The Judge resumed practice in Tipton as soon as his health permitted, forming a partnership with the late Judge W. P. Wolf, which connection continued until 1866, when he was elected judge of the district court. So capably and satisfactorily did he fill the office that he was renominated by acclamation and endorsed by the opposing party. In 1876, when the legislature added a fifth judge, Governor Kirkwood appointed our subject to the supreme bench, and the following fall was elected by the vote of the people. His ten years' experience as district judge was an excellent preparation for the supreme bench, and he served as chief justice until the last day of December, 1896, when he voluntarily retired, having declined a renomination. As a jurist he was renowned for his common sense and practical judgment, and his judicial work was distinguished for a display of those characteristics. He possessed remarkable quickness and correctness of apprehension and always dealt directly with the point at issue, using great discrimination in the selection of his analogies. He was an indefatigable student.

In 1881 Judge Rothrock removed with his family to Cedar Rapids, and on his retirement from the bench associated himself with the firm of Rothrock & Grimm. Although he took little active part in courtroom work, he was of much assistance to the younger members of the firm, and was associated in business with them up to the time of his death, which occurred January 14, 1899. In his prime he was six feet in height and weighed two hundred and thirty pounds. He was a good talker, a better

listener, and withal of rare judicial bearing, indicating honesty, patience and all the attributes of a wise and just judge. His life was singularly simple, and he mingled with his fellow men in all the walks of life, as an equal, yet without loss of dignity. He was fond of the companionship of those younger than himself, and it will never be known how many young men have been encouraged by his kindly interest, his wise counsel, and his beneficent and indulgent friendship. His home life was very happy from the beginning until the end, though the death of his wife in 1893 was a bitter experience. As a husband and father he was indulgent, but not recklessly so. He served his country with distinction in the Civil war, and his professional career was an uninterrupted success from the beginning. His memory will be a sacred inheritance to his children, and will be cherished by a multitude of friends.

MICHAEL WALKER.

Among the leading citizens and prosperous farmers of Bowlder township is the gentleman whose name introduces this review. Although of foreign birth, the country has no more patriotic or loyal citizen, his love for his adopted land being manifested during the Civil war by his service in the Union army. He was born in Bohemia on the 15th of December, 1845, and in 1859 came to the new world with his parents, William and Mary Walker. The family first located at Hopkinton, Iowa, but after residing there for three months they removed to a farm near Monticello, Jones county, where the following two years were

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THE BENCH AND BAR

OF

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CHICAGO AND NEW YORK
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1901

HISTORICAL DEPARTMENT
OF IOWA

In 1869 he married Miss Hinda H., a daughter of Mr. Benjamin P. Marlow, of Keosauqua. They have three sons and three daughters.

LORE ALFORD.

WATERLOO.

Lore Alford was born at South Hope, Me., March 8, 1838. He was educated at Kent's Hill Seminary (Me.) and at Union College, Schenectady, N. Y. During the Civil War he served as a private in the Sixteenth New York volunteers; as sergeant in the signal corps; first lieutenant and captain in the Eighth Maine regiment; on the staff of General Turner and as judge advocate. He located at Waterloo in 1866 and served as a member of the seventeenth and eighteenth general assemblies of Iowa, being chosen speaker of the house at the latter session. Besides being prominent in his profession he was engaged in various business enterprises. He was a stockholder and director in the Union Mill Company, as well as of the First National Bank, both of Waterloo. To the foregoing may be added this testimonial from one of the judges of the State Supreme Court:

"Mr. Alford was a man of exceptionally high character and standing. Distinguished in his profession and no less able to win distinction in the political field, as he had shown, when yielding on occasion to solicitation, he sought and won high civic honors. It was as a lawyer that I knew him best, and I think it was as such he would care to be best known. He was one of the leaders of our bar." He died March 30, 1900.

JAMES H. ROTHROCK, JR.

CEDAR RAPIDS.

James H. Rothrock, Jr., member of the firm Rothrock & Grimm, Cedar Rapids, was born in Tipton, Cedar county, that state, April 4, 1869. He is a son of the late Hon. James H. Rothrock, ex-chief justice of the Supreme Court of Iowa. He was educated at Racine College, Wisconsin, and in June, 1890, graduated from the law school of the State University of Iowa. Upon graduating in the law, he at once commenced practice at Cedar Rapids, associating himself with John M. Grimm.

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THE
COURTS AND LEGAL PROFESSION
OF
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VOLUME II.

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HON. CHESTER C. COLE, HISTORIAN
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ILLUSTRATED

CHICAGO, ILL.
H. C. COOPER, JR., & CO.
1907

"The bank must have all the money, for my client has none of it." When it came to a case of circumstantial evidence, Col. Preston could illustrate, make comparisons, and so instill prejudices that the jury would fail to convict. Once it was said Preston got the worst of it. He had left the court room for a minute, and the judge asked the witness what he had to offer for defence. The man supposed he had to answer, replied, "Nothin', your Honor. I had twenty dollars and Lawyer Preston took that." Preston shone in the justice's court as well as in the highest court of the state, and it mattered little what kind of a case he was employed in, he wanted to win the jury at all hazards, and then fight it out with the courts later, as best he knew how.

In an assault and battery case, where Preston's client had mauled the state witness into a jelly, the trial was on when the state witness told how the defendant had hit him with a bottle. Preston broke in and said, "Wait a minute, let me tell how my poor client was first assaulted with the contents of that bottle by that man." (Pointing his finger at the witness), "He began to heave beer, bologna, crackers and oysters right into my client's shirt bosom, when he had a right, under the law of this state, to defend himself from such unlooked for attack from such quarters."

Judge J. H. Rothrock was born in Ohio in 1829, and admitted to practice in his native state, removing to Tipton in 1860. He entered the army, and, on his return from the front, entered into a partnership with Judge W. P. Wolfe, which lasted till he was nominated for judge in 1866. Governor Kirkwood, his old friend, appointed him to a seat on the supreme bench in 1876, which position he held till his retirement in 1896. He passed away in 1899, beloved and respected by all on account of his scholarly attainments as well as on account of his kindness of heart. His son, James H. Rothrock, Jr., has for a number of years

been a judge of the superior court of Cedar Rapids, and has attained to an honorable place.

Among the judiciary of the state, many stories are told of Judge Rothrock and I shall only mention a few of these to give the readers an idea of the man. As the judge was assigning cases one day in court, he came to the name Tom Corbett, who appeared in a cause assigned for his trial. The judge asked Mr. Corbett, who had just arrived from the East and was a total stranger, if that was his name. As Mr. Corbett arose to speak, Judge Hubbard blurted out, "Jot it down plain 'Tom,' that's enough." Mr. Corbett blushed crimson, and whispered to another young lawyer that he would get even some day. Judge Hubbard many a time afterward became the prey to Corbett's heartless raillery, his sharp retorts and pungent wit. Mr. Corbett removed later to New York city, having attained to a high eminence at the Iowa bar.

During the trial of the assignments of the Daniels' Bros., G. W. Wilson came into court with all the books of the firm, which amounted to nearly a wagon load; Rothrock was calling the case, when he stopped proceedings and asked what all those books were brought in for, and Wilson replied that "it was to show the assignment case up." "Well, well," replied Rothrock humorously, "don't you really think that this assignment is entirely due to too much bookkeeping?"

One day matters did not go along very smoothly, as the lawyers had been quarreling, and he asked one of the attorneys what he was sitting here for. The attorney, quick as a flash replied, shaking his head, "You got me now, judge, I don't know." After his retirement from the bench, Judge Rothrock was sometimes called in to assist in the trial of cases, and it used to be a standing joke among the members of the bar, when they found cases in which he had written the opinion which held opposite to what he contended for. They were certain to rub it in.

Among the young men who came to the county to engage in the general practice of the law, after the war, and who became one of the leaders in a comparatively short time, was Frank Hormel, who passed away in the early nineties at the age of forty-eight. Mr. Hormel literally starved out, and was about to go west and enter into the grocery business, when Dr. Mansfield came to his rescue and offered him free office room till he could get on his feet. When he did get a start, his rise was meteoric, for, like Erskine, he arose one morning to find that "from nothing he had an income of ten thousand a year." Mr. Hormel was lank and lean in appearance, a student who devoted the nights to old "Father Antics," the law. He argued to the court with much success, and he was discreet and dexterous before a jury. He was kindhearted, generous to a fault, and attracted friends by the brilliancy of his conversation, and ruled them afterwards. It is said that only a week before his death, and while he was in excruciating pain, he appeared before the court in an important case, arguing legal principles, detecting analogies with the same readiness as when in his prime.

Mason P. Mills, who died in 1896, had been a partner of Hormel, and was a brilliant lawyer of many parts. He was born in Connecticut, coming west at eighteen, and in a few years fitted himself for the bar. He was more or less engaged in politics, and connected with corporations and railroad litigation. Mr. Mills for many years was in partnership with C. B. Keeler who, like Hormel, rose to a prominent place at the bar. Mr. Keeler is a person of small stature, and nervous; who when he turned on an opponent in a law suit, filled the court room with bitter invective, scorn and fearless denunciation. He removed to Chicago ten years ago as counsel for the Milwaukee Railway, and at once took a leading place at the front rank as an attorney who could hold his own before the court as well as before the jury.

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IOWA

*Its History and Its Foremost
Citizens*

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VOLUME III

CHICAGO
THE S. J. CLARKE PUBLISHING COMPANY
1916

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was for some time a teacher in the high schools of the state and was very successful in her professional work.

Professor Palmer is a member of the Baptist church, in which he is a deacon, and his fraternal affiliation is with the Knights of Pythias. He gives himself unreservedly to his work as superintendent of schools and his own enthusiasm has inspired the teachers to greater zeal. He has also succeeded in securing in a greater degree the active interest and cooperation of the parents of the children. The true teacher must always place the welfare of those under his care above his personal desires and must be content to give much without material reward for so doing, but he finds compensation in the knowledge that he is not only aiding in making individual lives more efficient and more happy but that he is also a factor in molding the life of his community and, perchance, of his state and nation. Professor Palmer has the added reward of the high esteem, confidence and goodwill of the people of Marshalltown.

JUDGE JAMES H. ROTHROCK.

The life record of every honorable man constitutes a valuable contribution to the world's work, and the record of Judge Rothrock contributed in large measure to the upbuilding of his state, to the maintenance of its political and legal status, and to the advancement of its standards in many ways. His immediate ancestors were Americans, but back of the colonial period in American history was a Holland ancestry, connecting the family with the land of dikes. However, representatives of the name took active and helpful part in the colonization of the new world and among the number were those who served in the Continental army.

Judge Rothrock was born in Milroy, Mifflin county, Pennsylvania, June 1, 1829, his parents being Joseph and Sarah (McKinney) Rothrock. In the mountainous section of Pennsylvania, Judge Rothrock spent the first nine years of his life, but in 1838 his parents removed with their family to Adams county, Ohio, and there he was reared amid the wild scenes and environment of pioneer life. During his youthful days he worked upon the home farm and in a tannery, and his education was acquired through attendance at the district schools for about three months during the winter seasons. In 1847, however, he had opportunity to continue his education as a student in Parker's Academy at New Richmond, Ohio, and there he prepared for college, subsequently attending Franklin College at New Athens, Ohio, for more than two years. In the middle of his junior year, however, he left that institution in order to become a law student in the office and under the direction of Hon. E. P. Evans of West Union, Ohio, and after a thorough preliminary course of reading he was admitted to the bar at Columbus in 1854. He then opened a law office in Greenfield, Highland county, Ohio, where he practiced for six years and during that time also served as prosecuting attorney of the county for one term.

Before leaving the Buckeye state Judge Rothrock was married on the 18th of October, 1855, at Millsboro, to Miss Anstie L. Foote, and they became the parents of three sons: Edward E., James H. and George. In 1860 Judge Rothrock brought his family to Iowa, making Tipton his destination, and there he engaged

in law practice until after the outbreak of the Civil war. There came to him almost immediately appreciation of his worth and ability in the line of his profession and as a citizen, and he was elected to represent his district in the general assembly in 1861. While a member of the house he served for a part of the time as speaker pro tem. During the summer of 1862 an extra session was called for the purpose of passing a law allowing soldiers to vote when on the field, and at that time Judge Rothrock was appointed lieutenant colonel of the Thirty-fifth Iowa Infantry. Without returning home he went into camp at Muscatine and in the following October proceeded to the front, spending the winter months in Tennessee, Kentucky and Cairo, Illinois. In the spring of 1863 the command became a part of the Fifteenth Army Corps under General Sherman and participated in the Vicksburg campaign. Much of the time Colonel Rothrock had command of the rear guard of the army and frequently served as officer of the day. He commanded his regiment in the famous assault on the rebel fortifications May 22, 1863, and soon afterward became so ill with typhoid fever that he was forced to resign and return home. He had proven a brave and loyal soldier, never faltering in the face of any danger, and he inspired the men under him with much of his own courage, valor and loyalty.

As soon as he had sufficiently recovered, Judge Rothrock once more engaged in law practice in partnership with the late Judge W. P. Wolf. In 1866 he was elected to the bench of the district court and made such an excellent record in office that he was renominated by acclamation and indorsed by the opposing party. It is not difficult to read between the lines in this instance and know that his decisions were strictly fair and impartial and that he stood as the embodiment of the highest type of justice.

In 1876, when the legislature provided for a fifth judge on the supreme bench, Governor Kirkwood chose Mr. Rothrock for the position and in the following fall he was returned to the office by popular suffrage. His ten years' service on the district bench had well qualified him for the still more onerous duties that devolved upon him as supreme court judge. He served as chief justice until the last day of December, 1896, when he voluntarily retired, having declined to again become a candidate for the office. He was always an indefatigable student and his knowledge of the principles of jurisprudence was comprehensive and exact. He displayed, too, a rare combination of talent, learning, tact, patience and industry. He was a man of well balanced intellect, of comprehensive general information, thoroughly familiar with the law and practice and possessed of an analytical mind and a self-control that enabled him to lose his individuality, his personal feelings, his prejudices and his peculiarities of disposition in the dignity, impartiality and equity of the office to which life, property, right and liberty must look for protection.

In 1881 Judge Rothrock removed with his family to Cedar Rapids and upon his retirement from the bench became senior partner in the law firm of Rothrock & Grimm. He did not enter actively upon the work of the courtroom, but his opinions were of the greatest possible assistance to the younger members of the firm and his association with them was maintained until the time of his demise, which occurred January 14, 1899. Judge Rothrock was a man of fine physique, being six feet in height and weighing two hundred and thirty pounds when in his prime. He talked entertainingly upon any question which he discussed and kept silent if any point was raised with which he was not familiar. In this way he gained the opinions of others and was constantly broadening his own knowledge. He read

widely and thought deeply, and while his mental powers placed him above the great majority of his fellows, they never felt any condescension in his attitude toward them; on the contrary, he was always appreciative of the worth in others and endeavored to bring out the best in those with whom he was associated. He was devoted to his family and found his greatest happiness in ministering to their pleasure and welfare. It is difficult to find one who in so many relations measures up to the highest standards, but such was the career of Judge Rothrock, and the high and honorable course which he marked out for himself was always closely followed. Sixteen years have come and gone since he passed away, yet many who were his associates still cherish his memory, and his example remains as a guiding influence in the lives of some with whom he came in contact.

A. F. PIKE.

For a number of years A. F. Pike, of Eden township, Marshall county, has been actively interested in the improvement of the live stock raised in the county. He was born in Polk county, four miles south of Maxwell, Story county, on the 31st of January, 1877, a son of Francis Pike, who was born in Franklin county, Pennsylvania, in 1833 and when twenty-one years of age removed to Illinois. In 1870 he took up his residence in Polk county, Iowa, upon the farm where he now lives surrounded by all the comforts of life and honored and esteemed by those who have been associated with him. He married Miss Sarah Ann Nally, who was born in Hagerstown, Maryland, in 1837, and when quite young accompanied her parents to Illinois, when her marriage occurred. To Mr. and Mrs. Pike were born five children: A. F., of this review; Elizabeth, who died in infancy; Mrs. Mary Catharine Turner, who is living south of Maxwell; Mrs. Lulu Minear, of Medford, Oregon; and Mrs. Emma May Funk, who lives at Mitchellville, Polk county. All of the children were born and reared in the last named county.

A. F. Pike grew to manhood in his native county and there attended the public schools. Under the instruction of his father he early became familiar with the work that falls to the lot of the farmer and stock-raiser and when twenty-three years of age removed to State Center township, Marshall county, where he remained until the spring in 1907. He then purchased the Eden View Stock Farm in Eden township, Marshall county, and has since devoted himself assiduously to the cultivation of the soil and the raising of fine stock. He owns a herd of full blooded shorthorn cattle, as well as other grades of cattle, and also raises good Poland China hogs. As all of his stock is of superior quality it finds a ready sale and brings an unusually good price. He is enterprising and progressive and has contributed not a little to the development of the county along agricultural lines, especially as regards its stock-raising interests.

Mr. Pike was married on the 10th of January, 1900, to Lulu Florence Walker, who was born in Illinois on the 22d of September, 1877, a daughter of Charles F. Walker, an early settler of Marshall county, who was born on the 1st of August, 1834, and whose death occurred at Rhodes, Iowa, in 1901. He married Miss Mary Jane Thomas, a native of Pennsylvania, born July 19, 1845, who is still living and is making her home with Mr. and Mrs. Pike. To Mr. and Mrs. Walker were

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Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa

Belonging to the First and Second
Generations, with Anecdotes and
Incidents Illustrative of the Times

By

EDWARD H. STILES

For many years a member of the Iowa Bar; member of its House of Representatives, 1863-1864; member of its Senate, 1865-1866; Reporter of its Supreme Court, 1867-1875; author of Complete Digest of its Decisions from the earliest Territorial period to the 56th Iowa Reports.

"In old age alone we are masters of a treasure of which we cannot be deprived, the only treasure we can call our own. The pleasures of memory and the retrospect of the varied images which in an active life have floated before the mind, compensate, and more than compensate, for the alternate pleasures and cares of active life."—SIR ARCHIBALD ALLISON.

"Personal anecdotes, when characteristic, greatly enliven the pages of a biography."—SAMUEL SMILES.

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THE HOMESTEAD PUBLISHING CO.
1916

CHAPTER XXXVII.

GENERAL SKETCHES.

James H. Rothrock, LaVega G. Kinne, L. L. Ainsworth, Philip P. Bradley, John B. Booth, John Hilsinger, P. Gad Bryan, Lewis Todhunter, Hugh W. Maxwell, Gideon S. Bailey.

James H. Rothrock and *LaVega G. Kinne* were both distinguished judges of the Supreme Court of the State. In personal appearance they were similar, rather large of stature and robust in person. While they were opposites in this respect, they were opposites in politics, for Judge Rothrock was a Republican of the old school, while Judge Kinne was a Democrat and a dominant leader of his party. Both of them led strenuous lives of useful public service. Neither of them lived to a great age—Judge Rothrock dying when he was seventy, and Judge Kinne in his prime, at the age of sixty.

Judge Rothrock was a native of Pennsylvania where he was born in 1829. The family removed to Ohio in 1838 and made a farm out of the wilderness. On this farm he worked and was reared, attending school during winter months only. He managed, however, to fit himself for entrance to the Franklin University at Athens, where he received his higher education. He subsequently adopted the law as his profession and was admitted to the Ohio Bar in 1854. He commenced the practice in Highland County, of that State, and was soon elected Prosecuting Attorney of that County and served one term. He came to Iowa in 1860, settling at Tipton in Cedar County. In 1861 he was elected to the House of the State Legislature of the Ninth General Assembly. He became a leading and influential member of that body and favorably known to the people throughout the State. Rush Clarke, of Iowa City, was Speaker of the House, but by reason of indisposition, was unable for a time to serve, and Rothrock was elected Speaker pro tem. His kindly ways and prompt decisions made him exceedingly popular with the members. He served in the extra session of 1861, and was subsequently tendered by Governor Kirkwood, the Colonelcy of the Thirty-Fifth Iowa Infantry. This appointment he declined, preferring to accept that of Lieutenant Colonel of that regiment and entered the service. In the fierce and disastrous charge on Vicksburg, May 22,

1862, he led his regiment with such skill and conspicuous gallantry as to win the general favor of his comrades. He subsequently became the victim of a severe attack of typhoid fever, which left him in a condition which obliged him to resign. Upon his recovery he resumed his law practice in partnership with Hon. William P. Wolfe, and here I desire to say a word of Mr. Wolfe. I served with him as a fellow member of the Tenth General Assembly in 1864. He was a very active and efficient member. He had a useful future before him, for in 1867 he was elected to the State Senate, serving in the Twelfth and Thirteenth General Assemblies; in 1870 he was elected to Congress; in 1881 again elected to the House of the State Legislature, and re-elected in 1883, and was chosen Speaker of the House and served with ability and general satisfaction; in the fall of 1894 he was elected Judge of his Judicial District, and continued to occupy that position until his death in 1896.

The firm enjoyed a successful practice. In 1866 Colonel Rothrock was elected District Judge of his District, serving nine years on that bench, when he was appointed Judge of the Supreme Court of the State to fill a vacancy, and was continued in that position by repeated elections until 1896 when he declined a further election and retired. His judicial service on both benches extended over a period of thirty years. He died in a few years after his retirement at Cedar Rapids in 1899. The last time I saw him was in a casual meeting on a railroad train not very long before his death. He was on the way to some health resort.

Judge Rothrock was a noble man, as well as an able and faithful servant to the State. He was a learned and industrious judge, and his opinions will bear a favorable comparison with those of his time. His character was of the highest order, while his kindly personal traits and accommodating disposition attached to him everyone with whom he became acquainted. His death was universally lamented.

Judge LaVega G. Kinne, who, as before indicated, died in his prime, was one of the most laborious and serviceable men to the State. I have said that he was a Democrat and a dominant leader of his party; as such, however, he was a statesman, rather than a politician. His views and policies were broad and patriotic. In view of the general overwhelming Republican majority that prevailed in the state during his time, his political successes were marked. This was owing not only to his superlative activities, but to his high character and usefulness. He was a close friend and political ally of James B. Weaver after the latter left the ranks of the Republican Party.

He was born in New York near Syracuse in 1846. He was a graduate of both the literary and legal department of the University of Michigan. He adopted the law as his profession and entered upon and continued in the practice for some time at Mendota, Illinois. In 1869 he came to Iowa, locating and entering the

IOWA JUDICIAL BRANCH

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James H. Rothrock (1876 - 1896)

Served on the Iowa Supreme Court from February 24, 1876, when he was appointed in compliance with a legislative Act increasing the personnel from four to five members, until December 31, 1896. For four years he was Chief Justice.

Born in New York in 1829, the family moved to Ohio in 1838. He was graduated from Franklin University and admitted to the Ohio bar in 1854. In 1860 he came to Tipton in Cedar County, from which county he was elected to membership in the House of Representatives of the Ninth General Assembly. He was speaker pro tem of that session, He was also a member of the Ninth Extra General Assembly.

He served as a lieutenant colonel in the Civil War and took part in the siege of Vicksburg. In 1866 he was elected Judge of the District Court, which position he continued to hold until coming

on the Supreme Bench.

Justice Rothrock died in Cedar Rapids in 1899.

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Department of Iowa
Grand Army of the Republic

Veteran's name Rothrock, James Harvey War
 Residence Chief Justice Supreme Court Battles, etc.
 Occupation Book Keeper Judge, Lawyer Nearest relatives Huguenot Ancestry
 Date birth Je 1, 1829 Place Penn Milroy Father Joseph Nativity
 Date death 14 Ja 1899 Place Cedar Rapids, Ia Mother Nativity
 Cause Oak Hill Cem Place burial " Wife Austie L. Foote died 1893
 Large granite monument with war record Children
 War record Lt Col, 35 Iowa Inf. ✓
 Rank Company Regiment State Organization
 Age 31 Res Tipton nat Penn
 Enlisted Appointed Lieut Col Aug 10, 1862; must Sept 10, 1862
 Date Place
 Resigned Aug 7, 1863
 Discharged Date Service 2yrs 11 mo Place
 Sources
 Roster Iowa Soldiers; James H/ Ex-Soldiers Living Iowa 1886: Cedar Rapids/ Trans Card Post No 113// Lt. Col Rothrock, J. H.//

Department of Iowa
Grand Army of the Republic

Veteran's name Rothrock, James H.
 Offices of honor in G. A. R.
 Jun. Vice Commander-1883
 Commander-1884

Record Membership and Dues Paid
 113(14) Hansen Dec 28 1888
 Tr. Apr 2 1888
 Post name T. Z. Cook
 Post No. 235(37) Cedar Rapids 20 N '83
 Date Joined

Member-at-Large
 Year Date Paid Amount

Year Date Paid Amount Year Date Paid Amount
 Camp No. 3 Sons of Union Veterans, Cedar Rapids named
 J. H. Rothrock Camp in his honor. Cedar Rapids Gaz Mond Jan 16, 1899
 in Graves Reg. record. 4 page typed obituary
 Says was born Milroy, Pa.
 Descriptive Book Post 235: born Penn.

Suspended

Died

Department of Iowa
Grand Army of the Republic

Veteran's name Rothrock, James H.



1880 United States Federal Census

Name: **James H. Rothrock**

Home in 1880: **Tipton, Cedar, Iowa**

Age: **51**

Estimated birth year: **abt 1829**

Birthplace: **Pennsylvania**

Relation to Head of Household: **Self (Head)**

Spouse's name: **Austie L. Rothrock**

Father's birthplace: **Pennsylvania**

Mother's birthplace: **Pennsylvania**

Neighbors: [View others on page](#)

Occupation: **Supreme Judge**

Marital Status: **Married**

Race: **White**

Gender: **Male**

Cannot read/write: **Blind:** [View image](#)

Deaf and dumb: **Otherwise disabled:**

Idiotic or insane:

Household Members:	Name	Age
	James H. Rothrock	51
	Austie L. Rothrock	40
	Edward E. Rothrock	20
	James H. Rothrock	11
	George L. Rothrock	8
	Tilly Kopp	22

Source Citation: Year: 1880; Census Place: Tipton, Cedar, Iowa; Roll: 331; Family History Film: 1254331; Page: 123C; Enumeration District: 351; Image: 0451.

Source Information:

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Ancestry.com and The Church of Jesus Christ of Latter-day Saints. 1880 United States Federal Census [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc, 2010. 1880 U.S. Census Index provided by The Church of Jesus Christ of Latter-day Saints © Copyright 1999 Intellectual Reserve, Inc. All rights reserved. All use is subject to the limited use license and other terms and conditions applicable to this site.

Original data: Tenth Census of the United States, 1880. (NARA microfilm publication T9, 1,454 rolls). Records of the Bureau of the Census, Record Group 29. National Archives, Washington, D.C.

Description:
This database is an index to 50 million individuals enumerated in the 1880 United States Federal Census. Census takers recorded many details including each person's name, address, occupation, relationship to the head of household, race, sex, age at last birthday, marital status, place of birth, parents' place of birth. Additionally, the names of those listed on the population schedule are linked to actual images of the 1880 Federal Census. [Learn more...](#)

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James H. Rothrock

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Birth: Jun. 1, 1829
 Milroy
 Mifflin County
 Pennsylvania, USA

Death: Jan. 14, 1899
 Cedar Rapids
 Linn County
 Iowa, USA



Added by: [Ken Wright](#)

Chief Justice, Iowa Supreme Court. Son on Joseph Rothrock and Sarah McKinney. Married Austie L. Foote, on October 18, 1855. Parents of Edward, James, Jr and George. Studied law with Hon. E.P. Evans, West Union, Ohio. Admitted to the bar of Ohio in 1854. Served as Prosecuting attorney of Highland County, Ohio from 1855 to 1857. Elected to the Iowa legislature and served as Speaker pro tem in 1862. Appointed Lieutenant Colonel in the 35th Iowa Volunteer Infantry in 1862. Fought in the Battle of Vicksburg. Discharged for typhoid fever. Appointed Judge of the Iowa District Court and served from 1867 to 1876 when he was appointed to the Iowa Supreme Court by Governor Kirkwood. Served on the Supreme Court from 1876 until 1897 when he retired as Chief Justice.



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Record added: Feb 10, 2007

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State of Iowa.

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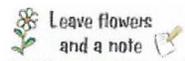
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Grand Army of the Republic.

- [Ken Wright](#)

Added: Feb. 10, 2007



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James H. Rothrock

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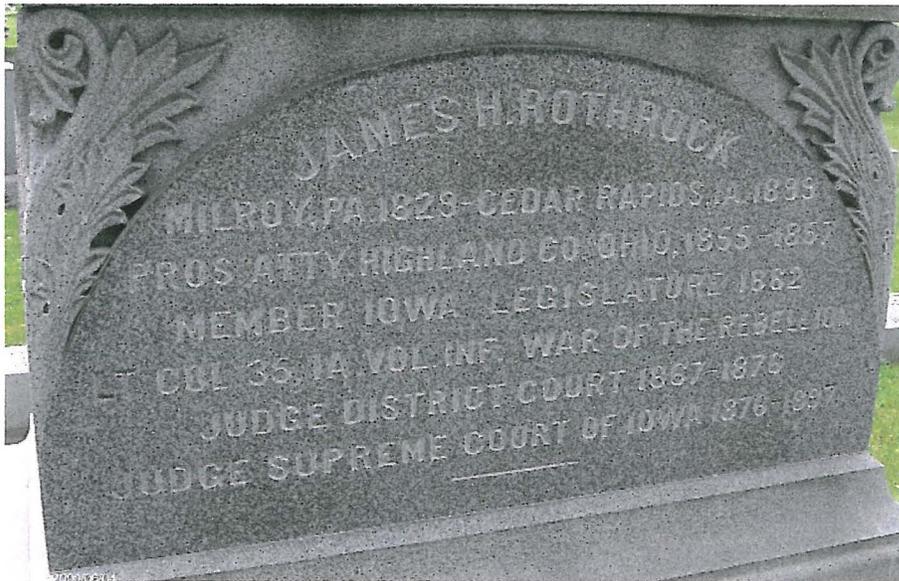


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Birth: 1835
 Death: 1893
 Married to Hon. James H. Rothrock on October 18, 1855. Parents of Edward, James, Jr., and George.

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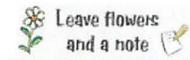


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Austie L. Foote Rothrock

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