

## **Reuben Moore Benjamin (1833-1917)**

Reuben Moore Benjamin was born on June 29, 1833 in Chatham Center, Columbia County, New York (20 miles southeast of Albany). His grandfather, Ebenezer Benjamin, had been a captain in the American Revolution while his father, Darius Benjamin, was a private in the War of 1812. His mother was Martha Benjamin and he had five brothers, including one who died in infancy.

Reuben grew up on the family farm in Chatham and attended a local school until the age of fourteen when he enrolled at Kinderhook Academy in Kinderhook, New York. He then moved on to become an honors graduate from Amherst University in 1853. After graduation he took a job as the principal of Hopkins Academy in Hadley, Massachusetts. A year later, in 1854, he left the academy to attend Harvard Law School until 1855 although it is not known whether or not he graduated from there. He returned to Amherst University in the fall of 1855 and served as a tutor while obtaining his master's degree.<sup>1</sup>

After his father's death in 1850, Benjamin's mother and four brothers moved to Bloomington. They wrote letters back to Benjamin which described the area as a land of opportunity, enticing him to join them. So Benjamin left Amherst University and arrived in Bloomington on April 24, 1856.<sup>2</sup> Shortly after Benjamin settled in Bloomington he began studying law by serving as a legal aide in the law office of Asahel Gridley and John Wickizer. On September 5, 1856 Benjamin passed his bar examination. This examination involved an oral interrogation by three men, one of whom was Abraham Lincoln. It was also said that Lincoln himself wrote Benjamin's certification to the bar.<sup>3</sup> Lincoln and Benjamin remained in contact long after that though it is not known how close their relationship truly was. According to the Benjamin family, Lincoln visited their Grove Street home frequently before becoming President though when Benjamin himself spoke publicly about Lincoln, he never mentioned any kind of personal relationship.<sup>4</sup>

Benjamin had purchased a beautiful home at 510 E. Grove Street. This house was first built by John L. Routt who later became the governor of Colorado. This house was one of the first houses built on the north side of Grove Street.<sup>5</sup> Benjamin continued to live in this home until his death 71 years later.

Benjamin then traveled back to New York to find a wife. On September 15, 1856 he married Laura Woodin in Chatham, New York. After traveling out east for several weeks after their marriage, they came back to Bloomington and moved into the home on Grove Street on October 10, 1856. Benjamin and Laura had no children though by all accounts they enjoyed a long and happy marriage.

Upon his return to Bloomington, Benjamin entered into a partnership with his former employers, Gridley and Wickizer. This lasted for two years until Gridley retired and the partnership became Wickizer and Benjamin.<sup>6</sup> This partnership lasted until

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<sup>1</sup> "Veteran Justice Called," *The Daily Pantagraph*, August 6, 1917

<sup>2</sup> "Fifty Years in Bloomington, Fifty Years Wedded," *The Daily Bulletin*, September 16, 1906

<sup>3</sup> "Fifty Years in Bloomington, Fifty Years Wedded."

<sup>4</sup> David Alan Walitschek. "Historic Archaeological Investigations at the Reuben Benjamin House," December 1988. 2-3

<sup>5</sup> "Mrs. R.M. Benjamin Is Taken By Death," *The Daily Pantagraph*, January 1916

<sup>6</sup> "Veteran Justice Called."

December 1862 when Wickizer accepted a position as colonel in the United States Army Quartermaster's Corps during the U. S. Civil War.<sup>7</sup>

Like his partner, Benjamin also answered the call of duty and enlisted in the Union Army. In a letter dated January 21<sup>st</sup>, 1863 Benjamin wrote to his wife about the activities he was involved with during his time in service. The letter documented that he was probably involved with a supply train regiment bringing food and other necessities to Union troops in Memphis, Tennessee. In the letter Benjamin also mentions his former partner, Wickizer, which suggests that his unit may have been under Wickizer's command. Because of Benjamin's poor health he only participated in the War for a few months.<sup>8</sup>

When Benjamin returned from the Civil War in the spring of 1863 he entered into a new law partnership with Thomas F. Tipton. In 1867 Captain J.H. Rowell also joined the firm though he stayed less than two years because he was elected as States Attorney for the 8<sup>th</sup> Judicial Circuit in Illinois. The practice returned to just Tipton and Benjamin until 1869 when Lawrence Weldon joined the firm. This time, it was Tipton who left the firm after he was elected circuit court judge for the 8<sup>th</sup> Judicial District, so that the partnership became known as Weldon and Benjamin. Weldon and Benjamin would remain partners until 1873 when Benjamin was elected a judge of McLean County.<sup>9</sup>

In 1869 the Illinois State government underwent some significant changes. The state decided to hold a constitutional convention in order to make changes to the 1848 constitution to account for issues brought up by the end of the Civil War: corruption in legislation, explosive population, and economic growth. Chicago alone had tripled in size between 1860 and 1870 due to immigration.<sup>10</sup> Benjamin, a Republican, was elected as one of the 85 total delegates in 1869. Although the conference leaders tried hard to avoid partisanship, there was a deep ideological divide between the needs of Chicago and the rest of the state. Out of the 85 delegates elected, 53 were lawyers and, ironically, only 11 of them were native Illinoisans. Also, only five delegates were foreign born and out of those five, not a single German or Irish delegate was chosen even though there were over 400,000 German and Irish people living in the state.<sup>11</sup>

When the convention convened in spring 1870, Benjamin was appointed to the committee on the Bill of Rights, Municipal Corporations, State Institutions and Public Buildings, Accounts and Expenditures, and Schedules. This seemed to be the logical place for Benjamin to serve at the convention because he had very strong feelings about the amount of power that some corporations and businesses had at this time. He was one of the most active delegates at the convention but he is remembered the most for his work on the Bill of Rights.<sup>12</sup> He drafted the Bill of Rights and led in the debates over the draft which "resulted in Article XI, section 12 giving legislation power to establish reasonable maximum freight and passenger rates on Illinois railroads." Benjamin passionately

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<sup>7</sup>"Hon. R. M. Benjamin Has Been a Bloomingtonian For 57 Years," unknown, McLean County Museum of History Archives

<sup>8</sup> Walitschek, "Historic Archaeological Investigations at the Reuben Benjamin House," 4-5

<sup>9</sup> "Hon. R. M. Benjamin Has Been a Bloomingtonian For 57 Years."

<sup>10</sup> Janet Cornelius. *Constitution Making in Illinois 1818-1970*. (Urbana: University Of Illinois Press, 1972) 56-57

<sup>11</sup> Cornelius, *Constitution Making in Illinois 1818-1970*, 60-61

<sup>12</sup> "Fifty Years in Bloomington, Fifty Years Wedded."

believed that the government should have the power to regulate these industries for the public good thus reducing the power of large corporations.<sup>13</sup>

In 1872 Benjamin was hired as counsel for the people in the case *Chicago and Alton Railroad Company vs. the People*. This case helped to outlaw extortion and unjust discrimination by railroad companies. As a result of his efforts, he was then hired as a special counsel for the Illinois State Board of Railroad and Warehouse Commissioners in the *Munn vs. The People* case. *Munn vs. The People* was the lead case of the “Granger Cases,” which granted the states the right to protect the public welfare by regulating warehouse and railroad charges.<sup>14</sup>

He continued to voice his opinions against trusts and monopolies throughout the rest of this life. In 1906 he wrote a series of articles on that subject which were printed in *The Pantagraph* that summer and another large article expressing his opinions against trusts and monopolies in *The Daily Bulletin* on June 23<sup>rd</sup>, 1906. In the June 23<sup>rd</sup> article he stated that the U.S. Congress should adopt an anti-monopoly amendment that would give them “the power to prevent and suppress monopolies throughout the United States by appropriate legislation.”<sup>15</sup> A few years later in 1911 he also helped pass a resolution in the Illinois General Assembly supporting an anti-monopoly clause of the U.S. Federal Constitution.

Benjamin was elected a McLean County judge in 1873 and remained judge until 1886 when he retired from county service in order to spend more time on private legal pursuits, teaching, and writing. In 1888 Benjamin established his final law partnership with John Morrissey, one of his former IWU students. He retired from active practice in 1893, six months before his 60<sup>th</sup> birthday, just as he had promised himself years before.<sup>16</sup>

During this time he remained very active in the community. In 1874 he became involved in organizing the Illinois Wesleyan University law school. He taught classes in real and personal property and contracts and constitutional law until 1912.<sup>17</sup> He served as the School of Law’s dean until 1892 when he stepped down to focus more on teaching. Benjamin was also instrumental in establishing the IWU chapter of Phi Delta Phi law fraternity in 1878. Phi Delta Phi was a very prestigious organization established at Michigan University in 1869 with the mission of giving young men studying law the opportunity to find friendship and assistance throughout their academic and professional careers. The IWU chapter was only the second chapter established and it became known as the “Benjamin Chapter” in honor of Judge Benjamin.<sup>18</sup> By 1911 the Benjamin chapter had 81 members many of whom later became members of the Bloomington Bar Association. Benjamin also received an honorary LLD (law degree) from IWU in 1880 in recognition of his work with the law school. He was also a founding member of the McLean County Historical Society, founded in 1892.

After his retirement from teaching in 1912 he spent much of his time writing political opinion articles for *The Daily Pantagraph* and *The Daily Bulletin*, as well as

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<sup>13</sup> “Hon. R. M. Benjamin Has Been a Bloomingtonian For 57 Years.”

<sup>14</sup> “Hon. R. M. Benjamin Has Been a Bloomingtonian For 57 Years.”

<sup>15</sup> R.M. Benjamin, “A Plea For an Anti-Monopoly to the Constitution of the United States,” *The Daily Bulletin*, undated

<sup>16</sup> Walitschek, “Historic Archaeological Investigations at the Reuben Benjamin House,” 8

<sup>17</sup> “Veteran Justice Called.”

<sup>18</sup> “Phi Delta Phi In New Home,” *The Daily Bulletin*, undated

dabbling in writing poetry. Many of his poems and personal essays were never intended for publication.

His home life was quiet and modest, and although he had no children, there were at least five women living in his house throughout his life. They included his mother (Mrs. Martha Benjamin), Miss Kate Woodin (an unmarried sister of his wife), and the three Raycraft sisters, Nellie, Anna, and Ellen (most likely domestic help). The Benjamins would also have guests visit their home from time to time. These visitors included his wife's parents. On one particular visit in August 1870 Laura's mother, Mrs. Sarah G. Woodin, died suddenly of a cholera attack.<sup>19</sup>

While Benjamin's wife, Laura was a devout member of the Presbyterian Church in Bloomington, Benjamin himself was not very religious. He was born a Methodist and believed in Christianity but he continued to become less religious as he grew older and did not attend church often.

On August 4, 1917 Judge Reuben Moore Benjamin passed away in his sleep after his health had been declining for the past two years. He was buried in Evergreen Memorial Cemetery next to his wife who had passed away the year before. In a speech given about him for the McLean County Historical Society the author stated "he lived frugally; he worked steadily, his ambitions high and his career well-rounded."<sup>20</sup>

By: Laurie Peterson, 2008

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<sup>19</sup> Walitschek, "Historic Archaeological Investigations at the Reuben Benjamin House," 13-15

<sup>20</sup> Dwight F. Frink, "Intimacies of the Late R. M. Benjamin," Sept. 1, 1917. McLean County Museum of History Archives.