JUDGE ISAAC NAYLOR, 1790—1873.

AN AUTOBIOGRAPHY.

[The following autobiographical sketch is contributed by Mr. Morris W. Phillips, of the *Lafayette Morning Journal*. He found it among Judge Naylor's papers together with the Judge's description of the Battle of Tippecanoe, which was published in this magazine, December, 1906 (Vol. II, No. 4). According to Mrs. Mary Naylor Whiteford, daughter of Judge Naylor, this sketch was written in 1852 for *Harper's Magazine*, but not published at that time. The introductory and concluding notes are from Mr. Phillips, who, in work upon his lectures on early Indiana history, has become thoroughly familiar with this ground. The article was printed in the *Lafayette Sunday Leader*, June 24, 1907, and is published here because of its account of early times in this State, and because there is no extended life of Judge Naylor in the various collections of Indiana biography. —EDITOR.]

JUDGE NAYLOR was for years circuit judge of the district comprising the counties of Tippecanoe, White, Montgomery, Benton, Jasper and Fountain. He was well known all over the State, and respected not only as an able lawyer and judge, but as a student of history, and a veteran of the Indian wars and the War of 1812. He located in 1833 at Crawfordsville, Ind., where he remained until his death, on April 26, 1873, and where he is buried in the Masonic cemetery. He was an intimate friend of the late Jonathan W. Gordan, of Indianapolis, General Lew Wallace, of Crawfordsville, and other famous Indianians of his time. The autobiography follows:

I was born in Rockingham county, in the State of Virginia, on the 30th of July, 1790. My parents were born and reared in the same region. In the spring of 1793 my parents emigrated to the State of Kentucky, and made a short residence in Bourbon county, eight miles from Paris, having landed at Limestone, now Maysville, on the same day that General Wayne and his army passed on their way to Fort Washington, now Cincinnati. My memory reaches back to the latter part of this year, and from this period my recollection of facts is clear and vivid.

Having lived in the country three years, my father changed his residence to Harrison county and settled on the Blue Lick fork of Licking river, twelve miles from Cynthiana, the county seat. Here my father began farming, amid a dense forest of gum, beech, oak and poplar timber. Here I began my physical education at the age of six years. Here I learned to swim, to fish, to paddle and pole the canoe. Here I saw many flatboats passing up and down the river, freighted with the surplus products of the country. Here our neighbors were composed of pioneers, many of whom were hunters and Indian fighters. Our long winter evenings were usually spent in hearing and telling stories of ghosts, of hunting, of Indian skirmishes and Indian campaigns.

There were no schools in my vicinity until I was nearly ten years old. Having learned to spell at home in three syllables, I was sent to my grandmother's in Woodford county, ten miles from Lexington, where I went to school for six months and learned to read and to write a small hand. I then came home and was destined to hard labor on the farm for three years except one month, during which I went to school. I was then sent to the place where my father first located, in Bourbon county, and there I went to school three months, and learned the elementary rules of arithmetic. In the spring of 1805 my father emigrated from Kentucky and settled in the county of Clarke, Indiana Territory, thirteen miles from the Falls of the Ohio. Here we commenced making another farm; here in about three years I graduated in the science and art of chopping, rolling and hewing logs and building log cabins. In the meantime I went to the school about four months. Having improved my handwriting, and having learned the principal rules of arithmetic, I became a clerk in a small store which belonged to one of my uncles, a brother of my mother. This was the first store located at Charlestown, the county seat of the county of Clarke, Indiana. I was employed in this store six months, during which time I studied the English grammar under the tuition of the Rev. John Todd. There never was a better man, and to him I owe much gratitude, and to him I am indebted for my present position as jurist.

Having acquired a taste for literary studies, and having a strong desire to receive a classical education, by my father's consent I left home to earn the money to accomplish this object. At the age of nineteen I made a contract to work as a hand on a flatboat to New Orleans. On the 6th day of January, 1810, in company with my employer and another hand, I crossed the Falls of the Ohio on our voyage to our port of destination, where we arrived on the 10th day of the ensuing month of March.

My employer was a farmer, and after he had sold a large portion of his boatload he returned home. He employed me to sell the residue of his load. Having sold out the residue of the load, I left New Orleans about the 1st of May, and arrived home on the 1st day of June, having received nearly a hundred dollars for my services. In traveling home I passed through many Cheyenne and Chickasaw tribes of Indians. In the journey home I walked about eight hundred miles, swimming across streams, wading through swamps, and sleeping in the open air on the ground. When I arrived home I found a good linguist teaching a school in Charlestown, and by the advice of my good friend, Rev. Mr. Todd, I commenced the study of the Latin language under this teacher. His name was Graham. He was an Irishman, and distinguished for his classical learning.

After reading a few elementary books in Latin, I commenced Ovid's Metamorphosis. Having read a considerable portion of this work during the summer and fall of this year, I found my funds nearly exhausted, and it became necessary that I should procure funds to enable me to prosecute my studies for the ensuing year. Early in the year 1811, I made another contract to work as a hand on a flatboat to New Orleans, for the sum of sixty dollars. We commenced our journey in January and arrived at New Orleans in February. I received my wages and walked home again. I then read Virgil under Mr. Graham, and continued my Latin studies until September.

I had resolved when a small boy to accomplish two objects if I had the opportunity to do so. I had determined to go to New Orleans on a flatboat, and to go on a campaign against

the Indians. Having accomplished the former object, I had an opportunity of accomplishing the latter. Indian tribes on the upper Wabash had assumed a hostile attitude under the influence of Tecumseh and his brother, the Prophet. The President of the United States placed under the command of General Harrison the Fourth Regiment of U. S. Infantry, and authorized him to call to his aid such portion of the Indiana militia as he might deem necessary to check the hostile movements of Tecumseh and the Prophet.

I laid Virgil aside and became a volunteer member of a company of riflemen. On the 12th of September we commenced our march toward Vincennes and arrived there in about six days, marching 120 miles. We remained there about a week, and then took up the march to a point on the Wabash sixty miles above Vincennes, on the east bank of the river, where we erected a stockade fort that we named Fort Harrison, the city of Terre Haute now being located three miles below this fort. The name of this fort was given by Colonel Joseph H. Davies, a distinguished lawyer from Kentucky, who commanded the dragoons, with the rank of major. Upon this occasion he delivered a beautiful and eloquent speech. He was one of Kentucky's most gifted orators. He fell in the Battle of Tippecanoe, gallantly charging the Indians. Peace to his ashes.

The glorious defense of this fort nine months after it was erected, by Captain Z. Taylor, was the first step in the brilliant military triumph that made him President of the United States.

The army arrived at the Prophet's Town on the 6th of November, in the evening. We slept on our arms. Two hours before daybreak, on the morning of the 7th, the battle commenced. The result is a part of American history. Whilst the leaden messengers of death were doing their fatal deeds in every part of the encampment, I felt a strong mental impression that the God of Battles would preserve my life.

I mention this fact because many persons who fell in the battle had presentiments of their deaths. Such was the case with a young man who fell at the fire where we both slept.

Such presentiments belong to the science of the philosophy of our nature. They are facts not to be accounted for by us.

I returned home late in November and taught school during the winter of 1812, and studied algebra; in the fall of the same year I studied languages. In 1813 and 1814, I taught school nine months in Woodford county, Kentucky, and studied Montesquieu's Spirit of Laws. In the summer of 1814 I taught school in Louisville, Ky., and boarded at the home of my old friend, Rev. Mr. Todd. During the year of 1816 I was a clerk in the store of John Dauthill, in Charlestown. I read this year Dr. Paley's Moral Philosophy and his Natural Theology.

In the year 1817 I read law in Gallatin county, Kentucky, six months in the office of Samuel Todd, Esq., who has since been a circuit judge. I am pleased to acknowledge my obligation to this gentleman for his kindness and friendship while I was under his tuition. During the residue of the year I studied law with the Hon. James Scott, one of the first judges of the Supreme Court of Indiana. He was the registrar of the land office at Jeffersonville, in Clark county.

I was licensed to practice law by the Supreme Court of Indiana, in October of 1818. I resided in Charlestown and practiced law in many counties, north and west. The settlements in those counties were new, and having but few roads and no bridges across the streams, I was therefore under necessity of swimming these streams on horseback, whenever too high to be forded. How changed is this country now. In the region of Indiana where I swam these streams, one railroad is completed, and two more are being rapidly constructed. Those works are the enduring monuments of the industry and enterprise of the citizens of Indiana.

On the 27th day of April, 1826, I was married by Rev. George Bush, now of New York City, to Miss Mary Anderson, a daughter of Captain Robert Anderson, a soldier of the Revolution.

In the spring of 1833 I settled at Crawfordsville, Ind., where I have lived since, having a family of daughters and no son to transmit my name to coming generations. All thinking men desire immortality in some form.

In December, 1837, I was elected by the Legislature of Indiana the present judge of the first judicial district circuit. In December, 1844, I was re-elected, having been in office fourteen years. By a new constitution I was continued in office until I was superseded by the general election in October. Having a constitution unimpaired, I presided in all the courts in my circuit at every term except in the county of Benton, where there was so little business that I only attended at the fall term. This statement is qualified by the fact that I exchanged courts with another judge twice, he presiding in my circuit and I in his. I mention this fact to show the importance of training the physical as well as the intellectual power of man. There is important truth in the Latin maxim, *mens sana in corpore sano.*

When I commenced the practice of law in the spring of 1818 I found the besetting sin of the members of the bar to be intemperance and gambling. About nine-tenths of the members of the bar were slaves and victims to these vices. Many of these men were distinguished by their talents and legal attainments. It is a melancholy reflection to me that almost all these men have gone prematurely to their graves, at a period when their profession and usefulness should have been in its meridian of splendor. I escaped the blighting and destructive influences of these vices by early moral training by religious parents. I am pleased to state the fact that not more than one in twenty of the members of the bar of this circuit is guilty of intemperance or of gambling. The great moral and social reform of the last few years has done a mighty and glorious work among the bar of Indiana.

This reform is essential with, and necessary to the proper standing and character of this honorable profession. They grow and flourish only in the soil of civil and political liberty. They find no place in the region of despotism; they gave an irresistible impetus to the cause of our glorious Revolution. Twenty-four of the fifty-six immortal signers of the Declaration of Independence were lawyers. How indispensible, therefore, is the obligation of the members of the bar to obey the moral and physical laws of man's nature. The victims of intemperance and gambling

are the most abject slaves in all God's moral universe. These vices are usually the first steps in the pathway of infamy, and the heralds of the inevitable ruin of their victims.

As before stated, I had formed in early life two purposes, one to be a merchant and the other to be a classical scholar. I had abandoned the former to accomplish the latter. The latter was defeated by the War of 1812. The war demanded my services in defense of the frontier inhabitants of Indiana, and my own relatives and friends. At the close of the war I was advised to read law and become a member of the legal profession by my very good friend, Mr. Todd. I followed his advice. The result is already stated. I. NAYLOR.

Crawfordsville, Ind., March 16, 1852.

The wife of Judge Naylor was a Catharine Anderson, the daughter of Captain Anderson, who was with General Washington at Valley Forge. Judge Naylor, at the time of the Pigeon Roost massacre, was a boy working in the field of his frontier home near Charlestown, Ind., and in response to a messenger telling him of the massacre then going on, mounted his horse and rode to the scene rifle in hand, to avenge the death of his neighbors. He also served in the ranks of the American army during the War of 1812. The following children of this famous old Indian fighter still live, and are located as follows: Mrs. Elizabeth Briar, aged seventy-six, Spokane, Wash.; Mrs. Mary Naylor Whiteford, Marion, Ind., aged seventy-one; Mrs. Catherine Anderson Briar, aged sixty-nine, Oakland, Cal.; and Mrs. Virginia L. Hay, aged sixty-six, Evanston, Ill.