# HENRY CLAY DUNCAN.

*BY JAMES ALBERT WOODBURN.*

[A paper read before the Monroe County Historical Society at its February meeting, 1911.]

WHEN I assumed the duties of the presidency of the Monroe County Historical Society in the fall of 1909, it became my office to speak of the life and work of one of the society's most valued members. I refer to Mr. Williamson B. Seward, who had died the previous summer. Mr. Seward was present at the organization of this society, and he may, therefore, be called one of its charter members. He was constantly and actively interested in its work. The death of such a man is a distinct loss to such an organization, whose active friends seem to be limited to only a faithful few.

Since the last meeting of the society another of its original members has been removed by death. This time it is the honored president of the society, whose sudden removal from our association and from this community we are called upon to mourn.

It is certain that not one of us was more deeply interested in the work and welfare of this historical society than was Judge Henry Clay Duncan. No one has been more constant, more faithful, or more efficient in promoting the interest and success of our meetings and of our primary purpose. No one has contributed more, or more valuable material, to the papers and proceedings of the society. It seems, therefore, fitting and proper that some expression of our appreciation of his worth and services, and a brief sketch of his life's work, should be placed upon our records as a part of our proceedings to-day.

Henry Clay Duncan was born on a Lawrence county, Indiana, farm five miles east of Bedford, January 16, 1845. He died suddenly, without warning to family or friends, on January 30, 1911, having just entered upon his sixty-seventh year. He was the son of pioneer parents, of sturdy, substantial stock. His father, Judge William Duncan, of Lawrence county, of

Scotch-Irish stock, was born in Jefferson county, Kentucky, February 16, 1803. He came to Indiana in 1826 while the country was new, and, as he and his kind had to hew out their homes in the wilderness, they may be said to have helped to lay the foundations of the State. The elder Duncan was a public-spirited citizen, honest, sturdy, straightforward, always commanding the confidence of his neighbors, ever alive to the interest of the community in which he lived and ready to co-operate for its moral and material advancement. He was honored repeatedly with public positions in Lawrence county, being probate judge for twenty-five years, county surveyor and county assessor.

Judge Henry Clay Duncan's mother was Mary Haws Malott, also born in Jefferson county, Kentucky, in 1807, about twelve miles east of Louisville. She was of mixed French Huguenot and German descent, French on the side of her father, Hiram Malott, and German on the side of her mother, Mary Haws, who was educated wholly in the German language and followed her Bible reading and worship in that tongue alone.

William Duncan and Mary Haws Malott were married on September 24, 1824. They emigrated to Indiana and settled on their Lawrence county farm in 1826. Their oldest son, Bolivar Duncan, was born in Kentucky in 1825. The other seven children were born on the Lawrence county homestead, about a mile from the old Leatherwood Christian Church. The father died in 1872, the mother in 1887. They were frugal, thrifty, industrious people, the father saving the dollars and the mother the dimes, and, as such people usually do, they prospered in this world's goods. They were not rich as riches are counted to-day, but they were forehanded and provided well for the material, moral and intellectual needs of their children, and left them at last the far richer heritage of exemplary lives and characters.

Henry Clay Duncan was the youngest of the eight children. He was educated in the country schools, and for one term attended the old Northwestern University, now Butler College, and in January, 1864, at the age of nineteen, he entered Indiana University. While he was a young student in the university he

enlisted among the "boys in blue" in the army of the Union, for the hundred days' service. His regiment was the One Hundred and Thirty-sixth Indiana Volunteers, in command of Colonel John W. Foster.

After serving the hundred days for which he had enlisted, young Duncan re-entered the university and graduated with the class of 1868, and later from the law class of 1870. In 1869 he was enrolling clerk in the Indiana Legislature. He read law with the Hon. Moses F. Dunn, of Bedford, and in 1872 formed a partnership with Dunn. In 1874 he came to Bloomington and formed a partnership with John W. Buskirk. After the death of Buskirk, Duncan formed a partnership, in 1888, with Ira C. Batman, then a young lawyer only three years out of college, and this law partnership continued until the death of Judge Duncan a few weeks ago,—a period of twenty-three years. Mr. Batman speaks of him with the warmest regard, recognizing in him a lawyer of the highest efficiency, loyal, faithful, and untiring in the cause in which he had enlisted; with honorable conceptions of duty to his client and to the public; with strong, combative, though straightforward, qualities that made him an opponent worthy of the stoutest antagonist at the bar.

Judge Duncan was married on December 11, 1872, to Sadie Cummings, a daughter of Dr. A. F. Cummings, one of Bloomington's leading physicians, whose home was on the west side of North College avenue between Seventh and Eighth streets. Five children were born to this union, four of whom survive. The son, Frank C. Duncan, was the efficient secretary of this society for a number of years.

In 1880 Judge Duncan was elected prosecuting attorney for the judicial circuit composed of Monroe, Lawrence, Orange and Martin counties. In 1888 he was the Republican candidate for Congress in the old Democratic Fifth Congressional District, but was defeated by the Hon. George W. Cooper, of Columbus, who represented that district for three terms in Congress.

In 1890 Duncan was appointed by Governor Hovey as judge of the Tenth Judicial Circuit to fill out the unexpired term of

Judge Pearson, who had died. In his candidacy for re-election Duncan was defeated by Hon. R. W. Miers.

In 1894 Judge Duncan was elected as State Senator to represent the counties of Monroe, Brown and Bartholomew—normally a strong Democratic district. During his service in the Legislature he helped to secure the passage of the maintenance tax bill for the support of the State institutions for higher education, to take the place of the precarious and vacillating biennial appropriations. He also drew the bill converting the southern Indiana prison into a reformatory. After the adjournment of the Legislature Judge Duncan was appointed by Governor Mount a director in that institution, and served in that capacity for four years.

Judge Duncan was not only prominent and efficient in public affairs, but he was, as I have indicated, an active and busy lawyer. Not only was he vigorous and successful as a practicing attorney, occupying as he did for more than a quarter of a century a leading place at the bar, but he was prominent and helpful in many of the important business enterprises of this city. He was a director of the First National Bank for thirty years, since 1880, and at the time of his death was vice-president of that important institution. He was president of the Workingmen's Building and Loan Association, one of the oldest and most reliable of our financial institutions. He was a devoted and life-long member of the Christian Church, joining at the age of sixteen, and he was an elder and trustee of the church at the time of his death.

Last June Judge Duncan was elected president of the Monroe County Historical Society and at its first meeting for the year last September, he read a strong plea for a larger and more intelligent public interest in the history of the county and its people. The last paper presented to this society at its January meeting, 1911, was by Judge Duncan on "Monroe County in the Mexican War," and those of us who heard the paper will bear testimony to its interest and value. Other papers presented by Judge Duncan within the last few years were on "James Hughes," "The White Caps in Monroe County," "The New

Harmony Settlement," and "Austin Seward." It was the intention of Judge Duncan to collect those papers in typewritten form, bind them and present them in durable shape to the society. It is to be hoped that this may still be done, for these papers are among the most interesting and valuable contributions that the society has produced.

No one had a better sense or appreciation than Judge Duncan of the useful function and possibilities of a local society like this. He had the historic spirit as well as a fine historic scent. He pursued a subject with a keen intelligence, and what he found and put on paper had substance and value to it. He had an unusual appreciation of values. By this I do not mean that he knew the value of dollars and cents, or of real estate, or that he succeeded in business. He did all this, but the values that Judge Duncan appreciated most highly were higher and more lasting than material things. He knew what was worth preserving. He knew how precious to a people is the record of its past and a spirit that cares for its past. He thought of how that past can best be preserved, and it was his deep conviction that no people, national or local, can ever come to much in its posterity who has no concern for its ancestry. He saw the local past fading into forgetfulness. He sought to rescue it, give it a record, and make it secure. He was interested in tradition, but he knew how uncertain and fleeting are the memories of men, and he therefore sought to sift and to save in permanent form, the essential facts, the actual deeds and achievements of our worthy men and women in State and neighborhood life. This was one of his chiefest interests. It is the chief interest of this society, in whose life and aim Judge Duncan was so large a part. It is but right that the name and worthy services of Henry Clay Duncan should ever be preserved and recognized in the society's annals. He gave his services to the community in other ways, but what he did for local history alone is sufficient to give him a place and a name in the life and history of southern Indiana.