8-2-1861

The Autobiography of David McDonald

Ella Venable

Follow this and additional works at: http://www.repository.law.indiana.edu/mcdonald

Part of the Legal Biography Commons, Legal History Commons, and the Legal Profession Commons

Recommended Citation

http://www.repository.law.indiana.edu/mcdonald/4

This Writing about David McDonald is brought to you for free and open access by the Law School Deans at Digital Repository @ Maurer Law. It has been accepted for inclusion in David McDonald (1842-1852) by an authorized administrator of Digital Repository @ Maurer Law. For more information, please contact wattn@indiana.edu.
Indianapolis, August 2, 1861.

To Mary G. Venable,

My dear daughter,

I think proper to give you the following account of my family and myself. And I expect you, at your death, to transmit it to your oldest surviving son. Your other children can take copies of it, if they please.

My father, Francis McDonald, was born in 1754, near Basco Bay, Maine. Soon after his birth, his parents removed with their family to the city of New York, where they died, leaving my father an orphan lad.
The name of my paternal grandfather was David McDonald. He was, for some time, before the American Revolution, a Clerk of one of the Courts of the city of New York. The maiden name of my paternal grandmother was Cole - her Christian name I do not know. My father had one sister, Catharine, and two brothers, Hugh and Alexander. Of these, I know nothing but their names.

My father's family were members of the Church of England; and he was brought up to that faith. Before the Revolution, he, being an orphan, was seized by a press gang [1], and placed on board a British ship of war, on which he was detained for several years. After he was released therefrom he took up his residence in Frederick County, Maryland. In the meantime the war had scattered the family, so that my father never afterwards could hear of any of his relatives.

In 1789 my father and mother were married in Frederick County, Maryland. There they lived till 1795, when they emigrated to Bourbon County, Kentucky. There with a hundred pounds, English Money, he bought 100 acres of land, on which he resided rearing his large family, till 1817 when he emigrated to Daviess County, Indiana, where he bought and improved 160 acres of land on which he lived and died.

My father became a subject of the "great revival" in Kentucky in 1800. He then joined a church which that revival produced, sometimes called "The Christian Church", and called by their opposers "New Lights". In that church he lived and died a pious man.
My father was about six feet high, slender, rather stoop shouldered; his complexion was very fair, his eyes and hair exceedingly black. He had a noble face, a lofty forehead, a large well formed head. Undoubtedly he was a man of talents and genius; but his excessive modesty and timidity prevented him from being much noted beyond his own neighborhood. He had a poetical genius and a brilliant wit. For a farmer, he was well informed and well educated. He wrote a beautiful hand—much finer than any of his sons ever could write. He had a tender and kind heart. I never knew an honester man. On his death bed, the last words I remember of his speaking to me were "My son, be an honest man." He died August 27, 1832, aged 78 years; and his remains rest in the family graveyard on the farm which he owned at the time of his death. I do not doubt that he is happy in heaven.

My mother was born March 12, 1771, in Frederick County, Maryland. Her maiden name was Eleanor Hamilton. Her father was James Hamilton. Her mother's maiden name was Mary Green. I never saw either. I suppose they died in Maryland before I was born. My mother had several brothers and sisters, Mary[,] John, Rebecca, Robert, Benjamin, all of whom lived to a good old age—Benjamin is now (1861) living near Salem, Indiana.

The Hamiltons were a Presbyterian family. But my mother went with my father in 1800 to the "Christian Church", and remained in it till she died. My mother's family claimed relationship, through her father, with Alexander Hamilton [2] and, through her mother, with General Green [3]. But as to these matters, I have no certain
My mother was a small woman, well formed, straight as an arrow, brisk, keen, vivacious. She was "a notable woman", sensible, well informed, good, kind, affectionate, charitable, true. Wherever the distressed and afflicted were found, she was near - ever a ministering angel to all such. Besides, she had a taste for good books. I well remember her pointing out to me the beauties of Milton when I was a child. From my earliest recollection of her till her death, she was a faithful, pious, pure woman. She died in Daviess County, Indiana, September 17, 1847, aged 76 years. God bless her memory. I cherish her "dear idea" as a holy amulet.

Both my parents possessed strong, vigorous constitutions. The fruits of their marriage were 12 children, all of whom, except one, lived to mature age. They were as follows:

1. Nancy, born in Maryland, April 12, 1790. She never married. She died a Christian in Daviess County, Indiana, March 30, 1818.

2. James, born in Maryland, April 11, 1791, and died September 22, 1850. He was married in 1816 to Mary Johnson, by whom he had a large family of children. He was a good, true, wise man.

3. Mary, born in Maryland, February 3, 1793, and died in Daviess County, Indiana, May 24, 1832. She was married to Elisha Perkins, by whom she had several children. I believe she died a Christian.

4. Catherine, born in Kentucky, March 8, 1795. She was married
to George A. Waller about 1818, with whom she now lives in Washington, Indiana. She has several children. She is a sensible, prudent, pious, excellent woman.

5. Eleanor, born in Kentucky, December 31, 1797. She was married to John Parsons, and has several children. She now lives a widow in the state of Illinois.

6. Henrietta, born December 25, 1799, in Kentucky. She was married to Jacob Ruggles, by whom she had several sons and a daughter. She died October 1, 1847, in Daviess County, Indiana. She was an uncommonly good, religious woman.

7. Elizabeth, born in Kentucky, November 25, 1800. She was married to Abraham Snyder, by whom she had one son, David Snyder. She died, April 6, 1828 in Daviess County, Indiana, a Christian.

8. David, born May 8, 1803, in Bourbon County, Kentucky.

9. Silas, born March 27, 1805 in Bourbon County, Kentucky. He went to Louisiana, where he married. He died there August 14, 1832, childless. He was a man of extraordinary genius.

10. Francis, born January 8, 1807. He was married to Asenath Allen, by whom he had a son and several daughters. He died October 5, 1847, in Daviess County, Indiana. He was a noble, good, Christian man.

11. Cephas, born in Kentucky, June 16, 1809. He married Zepporah Allen, and now (1861) lives with her in Daviess County, Indiana. He has a family of very worthy children.


Of all these my brothers and sisters, I believe I may truly
say that, though none of them were ever greatly distinguished beyond the neighborhoods in which they respectively lived, yet they were virtuous, honest, affectionate, sensible persons, with natural endowments far above ordinary. But of all the 12, only 4 are now (1861) living. The dead are, I hope, in heaven. The bodies of all of them, except Benjamin and Silas, rest with my father and mother in the family grave yard, in Daviess County.

I was born on McBride's run 5 miles North East of Millersburgh in what was then Bourbon County though it is now a part of Nicholas. During the first 14 years of my life, I remained there on a farm with my father. As soon as I was old enough, I worked on the farm through the crop seasons, and went to a county school in the Autumns and Winters. In that school nothing was taught but spelling, reading, writing, and arithmetic. There, I always stood first, or among the first in my class. I think no one could outspell me. My parents were proud of my attainments. Once when I had first begun to learn to read, I remember I carried my spelling book with me as I went with my father into a "clearing" to burn brush; and there while we were resting, I went behind a tree, and read. My father, who observed it, boasted of it afterwards in my hearing. About that time I wrote a song concerning my sister Eleanor and her sweetheart. It was shown to my father. The thing was wholly my work; but he would not believe it. He said I could not write so well. I knew I could. I have ever thought I had some poetic genius; and I have written many pieces of poetry, which I have preserved in a manuscript book; but they have never seen the light; though I think some of them are tolerable. This turn I in-
herited from my father; for he sometimes perpetrated poetry.

After we removed to Indiana in 1817, I never went to school but 12 weeks. About 1820, I studied Murray's Grammar and Blair's Rhetoric in a school in Washington, Indiana, taught by Cyrus McIntire, a young Presbyterian clergyman. Whatever else I have learned, has been without a teacher.

At Washington, Indiana, 6 miles from my father's residence, there was established about the year 1820, a small County Library. I got a dollar by hard work, and with it purchased the privilege of the Library for a year. I read nearly all the books in it. They were few, but good—such as Hume's England, Rollin's Ancient History, Josephus, The Spectator, Pope's Works, Robertson's Works, and a few others. This reading I did at nights, on rainy days, and at intervals in the days when the plough horses were resting and eating. Here my taste for books and for good compositions took form and permanence, though I had long before read and to some extent appreciated Milton and some other poets. Milton was the first poet I ever read. Milton was my favorite; Shakespear was the favorite of my brother Silas.

When I was some 17 years old, the "New Lights" had a great religious revival in our neighborhood. They were not orthodox; but they were a sincere, zealous, pious people. They denied the Trinitarian Doctrine, and the doctrine of the vicarious suffering of Christ; and they discarded all human creeds. They were numerous then in Indiana, Kentucky, and other states; but they are since
mostly merged with "Campbellism" [4].

This "New Light" revival led me to serious thoughts, and to "conversion" as it was called. In short I became a "New Light", and so remained till 1828. Within most of that period, I strove hard to live religiously. I was often in prayer, and in fastings oft, - sincere and zealous, at least.

In the meantime, I thought I had "a call to preach", as we termed it. I was very reluctant to obey the call; for I knew I lacked learning and experience; and I was a bashful, modest boy. However, I finally attempted it. At first I made a poor out; but by degrees I came to think better of my abilities; and the people seemed to think me "a very smart preacher". I rode over Indiana and Illinois for several years proclaiming our gospel, and fighting the orthodox doctrines. Considerable effects followed. I thought I was doing right, and I still think so; nay, I wish I had continued in it till this time.

But in the meantime Alexander Campbell's doctrines began to prevail among us. One of them was that "a special call to preach" was a delusion. In the meantime, too, I began to have some doubts as to the inspiration of portions of the Bible. I did not wish to preach. I had only undertaken it as a duty, supposing God's spirit had so required. If, in this, I was mistaken, I was very willing to quit it. The followers of Campbell said I was mistaken; I thought they were probably right; and so I quit it. Here was my fatal error. I think I ought to have resisted "Campbellism" as an
innovation. Alas, I ingloriously resigned the field to it; and, in so doing, I betrayed my trust. In fine, I quit the pulpit and quit the church. After this, the step was short to infidelity. Soon I doubted the truth of Christianity - then the soul's immortality - then the existence of the Diety. In all this the struggles of my mind were great. It occasions more distress of mind to lose one's religion than to get it - terribly distressing it is to feel one's heart gradually growing cold and hard, and finally to feel that God has withdrawn his Spirit from us, and left us to ourselves and to utter darkness. Whoever reads this, let him take warning. Let no one trust to the delusive doctrine "once in grace always in grace". It is a dangerous heresy.

On the 21st of October, 1828, I was married to Mary R. Miller. I was then a schoolmaster in Washington, Indiana. I was then worth about $100, she about $50. On our small capital, we went to housekeeping in Washington in November, 1828.

About that time, E. H. McJunkin, a young lawyer of the town, advised me to study law, and kindly offered me the use of his books for that purpose. On reflection, I accepted the offer; and I commenced the study on the first day of January, 1829. During that year, I studied 8 hours per day, and taught a school.

In February, 1830, I was admitted to practice. Immediately, I opened a law office, bought $60 worth of books, and commenced [being a] lawyer. The first year was most discouraging. I made about $250 [5] and lost nearly all my cases. But after that year, I had
plenty of business and fair success.

In 1833, I was elected a member of the Legislature from the Counties of Daviess and Martin; and in December of the same year I was licensed to practice in the Supreme Court of Indiana.

The Winter of 1833-4, I spent in Indianapolis as a member of the Legislature. It was time very uselessly spent; and I never wanted to be elected again to the position. There, I ran a great risk of contracting bad habits. Debauchery of every kind prevailed among the members. I never played cards; but I went into one or two "sprees". One night after an affair of that kind - waking or sleeping I know not - I thought my father (then dead) stood by my bedside, and repeated his last words, "My son, be an honest man." Perhaps that saved me.

In December, 1834, (I think) I was elected Prosecuting Attorney of the 7th Circuit, including ten counties; and two years afterwards, I was reelected to the same office. After holding the office three years, I resigned it. In the meantime, my practice increased, and I thought I was doing very well.

But it was most laborious, and growing weary of it, I sought and was elected to the office of Circuit Judge in December, 1838. To this office I was twice elected; and I held it for 14 years.

In September, 1841, I removed to Bloomington, Indiana. There I was soon afterwards elected Professor of Law in the Indiana University, and held the place some 8 years.
My connection with the Indiana University was highly advanta-
geous to me, as it brought me into intimacy with that great and
good man President Wylie [6], and with other learned men. During
that time, I picked up a good deal of learning, and amongst the
rest, I studied Latin.

The new [state] constitution took effect November, 1851. Un-
der it, all Judges were elective by the people. My time as Circuit
Judge was nearly out, and I declined a re-election. But being a
Whig [7], the Whigs put me on their ticket for Supreme [Court]
Judge. As the Whigs were then in the minority, I was defeated, but
I got about 5000 more votes than any other Whig on the ticket.
Thus ended my office holding and office seeking. I was never
beaten for an office before.

Finding myself once more at the Bar, I determined to under-
take the practice at Indianapolis. Accordingly I began practice
there in 1853; and in the Spring of 1854, I removed my family to
my present residence in that city.

I think it was in 1856, the Methodists elected me President
of the Indiana Asbury University at Greencastle [8]. I declined
the office because I was not an orthodox Methodist, and because my
wife was no Methodist at all. Indeed, I never desired College
honors, as I never received a collegiate education. Yet when I
left the Indiana University, that Institution, against my express
remonstrance, conferred on me the degree of L. L. D. - I never
thought I was entitled to any such honors.
My children are as follows:
1. Mary Green, born April 12, 1830.
2. David Hume, born January 14, 1832.
3. Cunan E., born August 20, 1833.
4. Elija (who died at birth) born Oct. 12, 1836.
5. Ella, born December 13, 1838.
6. Alice, born May 3, 1840.
7. Flora, born March 13, 1846.
8. Lilla, born October 5, 1848.

On the 31st of July, 1854, my ever dear daughter Alice died. She was a sweet girl of 14 years old. I do not remember a single act of hers, which I could wish she had not done. A few months before her death, she joined the Presbyterian Church (Old School). She died of flux [9]. Some days before her death, and before she seemed dangerously ill, she told me she was going to die. I asked her why she thought so. She said an angel had appeared to her and told her so. She declared herself not afraid of death, and most affectionately exhorted me to meet her in heaven. From that time I have been striving to follow her advice, and humbly hope to meet her there.

Soon afterwards, I looked about for a church to which I might attach myself. I could find no Unitarians and no "New Lights" at Indianapolis. The Methodists were nearer my views than any other people here. To their preacher, Mr. Noble, I proposed myself as a member, if he would take me with my Unitarian opinions, and ask me no questions. He did so. I have lived with them in peace for 7
years. I tolerate them and they tolerate me. How long it will re-
main so I know not. I claim to be a liberal christian; and I hold
all persons to be christians, who "live righteously and soberly,
and godly in this present world". My impression is that Methodism,
as it first appeared, is a very good form of Christianity; and
that, perverted, it is the very worst phase of Protestantism. And
it must be confessed that within this century, Methodism has be-
come a different thing from what it was last century. Wesley him-
self would not now be tolerated by the Methodists.

In the Spring of 1860, my dear wife Mary was attacked with an
incurable disease - cancer in utere. I was aware of its fatal
character several months before her death. To the very last, her
suffering was severe. She bore it with perfect fortitude, never
murmuring, never impatient. About a month before her death, she
became sensible of her approaching end. But though she clung to
her children with all a mother's love, yet she was resigned to
God's will. She was not afraid of death. She had lived a Christian
full 25 years; and now she began to experience the blessed fruits
of a pious life. For the last three weeks of her mortal existence,
though suffering incredibly, she was often in holy extacies. "Hal-
lalujah" - "Glory to God and the Lamb" were expressions frequently
heard from her lips. And, unable to speak, she would clap her
hands for joy. The last words I remember from her were a favorite
expression from her when well - "Have faith in God." When she be-
came unable to speak audibly, I said to her, "If you still feel
safe in God's grace, express it with a nod of the head." She nod-
ded with evident joy. At times her countenance would express more
than I can paint. The expression was angelic, heavenly, indescribable. It seemed to me to amount to a transfiguration. I never saw anything like it - sweetness, love, meekness, holiness were its leading characteristics. Its effects on me I can never tell. The very room seemed sacred, and the atmosphere holy; and I felt that, though the angel of Death was in the house, the angel of Victory was there too.

For nearly 33 years, we had lived together in matrimony; and, during all that time, she was a good, true, faithful wife. At her death, she said, she had but loved me too much. I need not say any more of her worth; her children know and appreciate her good qualities of heart and mind.

Having thus stated all I know of my family and myself worth writing, the future of this history must be written by other hands - written after I, too, shall rest in the grave. I hope that the sequel may not cast a shadow on the past.

David McDonald

Copied from the original manuscript in my Grandfather's handwriting.

Ella Venable

The following was copied from the manuscript written by my Grandfather for his oldest son, David Hume McDonald.
On the 13th of Dec., 1864, President Lincoln commissioned me as Judge of the District Court of the United States for the District of Indiana.

This I considered the most fortunate occurrence in my life. I was then nearly 62 years old. For many a long year I had been a hard worker. The practice of the law had become a heavy burden to me. But now I had fought my last forensic battle; and now were my "bruised arms hung up for monuments". And in a vigorous and green old age, I promised myself many happy years of easy work and elegant leisure.

But Alas!

The brightest thing below the sky
Gives but a flattering light:
We should suspect some danger nigh
When we possess delight.

In April, 1866, I took a spinal disease which has sadly afflicted me ever since, and will I suppose afflict me till I die. Sometimes I have been quite unable to attend to my official duties, and never without suffering.

And as "troubles never come singly", on the 9th of March, 1868, my beloved daughter, Mary Venable, departed this life, leaving five children, the youngest seven years old. This was the severest affliction I ever suffered. But I trust I have borne it
bravely.

The above is everything of importance not contained in the manuscript I have already copied.

Ella Venable
1. Being an "iron man on a wooden ship", especially a warship, was long, hard, often desperate work. Many seaman either died or deserted. Thus a common if illegal way to keep crews at full strength was to impress or "shanghai" new members while the ship was in port, or even at sea. Britain's refusal to prohibit the Royal Navy from impressing American citizens was a major cause of the War of 1812.

2. Alexander Hamilton (1755[?]-1804) has been judged the most brilliant and far-seeing of our Founding Fathers next to his admiring opponent, Thomas Jefferson. As a nationalist, Hamilton almost single-handedly brought about Constitutional ratification in the key state of New York. As a fiscal wizard, and first Secretary of the Treasury, he established our new country's external and internal credit and the foundations of our national banking system. As a West Indian, he couldn't be President; but he could and did play his enormous influence for and against other Presidential hopefuls. One of those he thwarted, Aaron Burr, killed him. In 1780 he married Elizabeth Schuyler, daughter of New York Federalist Philip Schuyler. Both Hamilton's oldest son and father were named James; so of his several brothers, one just might have been the "James Hamilton" mentioned here.

3. While Washington pursued the Revolution in the north, General Nathaniel Greene (1742-1786) pursued it in the south. His opponent, Lord Cornwallis, thought Greene "... as dangerous a man as Washington". So he proved, eventually bottling up that excellent British General in Yorktown. General Greene married Catherine Littlefield of Block Island, Rhode Island in 1774. Their children, two boys and two girls, were born between 1775 and 1781. Greene did have several sisters; but note that the family name is consistently spelled with a final "e".

4. Despite the name, Alexander Campbell (1788-1866) was Irish. In 1809, he and his remaining family emigrated to Washington County, Pennsylvania, to support the father's "Christian Association of Washington". The association promoted a "Christian union" which took the New Testament as its sole source of faith and practice. Under Alexander's evangelical leadership, this union evolved into the denomination now known as the Disciples of Christ.

5. In 1830, a skilled craftsman considered a dollar a day to be a good wage, and most workers got barely half that. Thus, at least as far as his earnings were concerned, David McDonald's first year as a lawyer was not all that bad.

6. Besides being Indiana University's first president (1829-1851), Dr. Andrew Wylie (1789-1851) was a nationally known educator and theologian. His Bloomington, Indiana home is now an historic house museum.
7. America's first two political parties were the Federalists and the Democrats, which, for simplicity's sake, were respectively the parties of big and little central government. By the 1830's, the Democrats had metamorphosed into a "liberal" party, and the Federalists had been replaced by the Whigs. Taking their cue from their British namesake, the Whigs were a conservative, nationalistic, "anti-ism" bunch. In their almost 20 years of national power, they elected two Presidents (Harrison and Taylor) and counted the likes of Daniel Webster and Henry Clay among them. The questions of states' rights in general and slavery in particular led to the party's immolation; from the ashes arose the Republicans.

8. Asbury University is today called DePauw University. It is one of the premier private universities in the Midwest.

9. As a medical term, "flux" then connoted an excessive or unnatural discharge of fluid matter from the body – e.g., the "bloody flux".