

HISTORY
OF
ARMSTRONG COUNTY,
PENNSYLVANIA.

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ILLUSTRATED.

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HON. JOSEPH BUFFINGTON.

Joseph Buffington, for many years judge of the "old tenth" district, and whose life was intimately connected with the history of Armstrong county, was born in the town of West Chester, county of Chester, on the 27th of November, 1803, and died at Kittanning on the 3d of February, 1872. The ancestors of Judge Buffington were Quakers or Friends, who left England several years before Wm. Penn, and in 1677, five years before the arrival of Penn, we find one of them, Richard Buffington, among the list of "tydables" at Upland, which same Richard was the father of the first-born child of English descent in the Province of Pennsylvania. From Hazard's Annals, page 468, as well as from the *Pennsylvania Gazette* from June 28 to July 5, 1739, we learn that, "on the 30th of May past, the children, grandchildren and great-grandchildren of Richard Buffington, Sr., to the number of 115, met together at his home in Chester county, as also his 9 sons and daughters-in-law, and 12 great-grandchildren-in-law. The old man is from Great Marle upon the Thames, in Buckinghamshire, in Old England, aged about 85, and is still hearty, active and of perfect memory. His eldest son, now in the 60th year of his age, was the first-born son of English descent in this Province."

The second son, Thomas, was born about 1680, and died in December, 1739. He was married to Ruth Cope, and among other children left a son William, who was first married to Lena Ferree, as appears in Rupp's History of Lancaster county, page 112, and afterward to a second wife, Alice, whose maiden name is unknown. By this second wife there was born in 1736 a son Jonathan, who died October 18, 1801. This Jonathan Buffington was the grandfather of Judge Buffington. He owned and operated a gristmill which is still standing at North Brook, near the site of the battle of the Brandywine. At the time of that battle (September, 1777) his mill was taken possession of by the British troops, and the non-combatant Friend compelled to furnish food for the British.

Jonathan Buffington was married to Ann (born 1739, died June 16, 1811), daughter of Edward and Ann Clayton. Their third child, Ephraim Buffington, was born March 23, 1767, and died Decem-

ber 30, 1832. Ephraim Buffington was married to Rebecca Francis, March 4, 1790, at the old Swedes church, Wilmington, Delaware. He kept a hotel at West Chester, at a tavern stand known as the "White Hall," a venerable hostelry, and well known throughout that region for many years. It was here that Judge Buffington was born and lived until his tenth year, when his father, in hopes of bettering his fortunes in the then West, left Chester county, came over the mountains and settled at Pine creek, about five miles above Pittsburgh, on the Allegheny river. When about 18 years of age he entered the Western University at Pittsburgh, then under the charge of Dr. Bruce, at which place he also enjoyed the instructions of the venerable Dr. Joseph Stockton. After finishing a liberal course of studies he went to Butler, Pennsylvania, and for some time prior to studying law, edited a weekly newspaper called the *Butler Repository*, and in company with Samuel A. Purviance, afterward a well-known member of the Allegheny county bar and attorney-general of the commonwealth, he engaged in keeping a small grocery store. Soon afterward he entered, as a student of law, the office of Gen. William Ayers, at that time one of the celebrated lawyers of Western Pennsylvania, under whose careful training he laid a thorough foundation for his chosen life work. During his student life he married Miss Catharine Mechling, a daughter of Hon. Jacob Mechling, of Butler county, a prominent politician of that region, and for many years a member of the house of representatives and the senate of Pennsylvania. Mrs. Buffington survived her husband, dying September 11, 1873. They left no children, their only child, Mary, having died in infancy.

In July, 1826, he was admitted to practice in Butler county, and in the supreme court on September 10, 1828. He remained at the Butler bar for about a year, but finding that the business was largely absorbed by older and more experienced practitioners, he determined to seek some new field of labor and finally decided upon Armstrong county, to which he removed and settled at Kittanning, where he continued to reside until his death. Shortly after his coming he purchased from his perceptor, Gen. Ayers, the lots on Water street which afterward became his home and on which he built the old homestead.

Though the first years of his professional life were ones of hardship and narrow means, yet his industry, integrity and close application soon brought him to the front of the bar, and in a few years he was in possession of a practice that absorbed his time and afforded him a comfortable

income. During the years that intervened between his coming to Kittanning and 1843 he was closely engaged in the line of his profession. Patient, laborious and attentive, full of zeal and energy for his clients' causes, he acquired an extensive practice. He was constantly in attendance upon the courts of Clarion, Jefferson, Armstrong and Indiana, and his services were often in demand in other counties. He was connected with all the important land trials of these regions, and his knowledge of this intricate branch of the law was thorough and exhaustive. To practice successfully in these counties indicated no meager abilities as one recalls to mind the array of legal talent of those days, among whom may be mentioned Thomas Blair, Gov. Wm. F. Johnston, H. N. Lee, Darwin Phelps, of Armstrong county; Hon. Samuel A. Gilmore, Hon. Charles C. Sullivan, Hon. Samuel A. Purviance, Gen. I. N. Purviance, of Butler county; Hon. Thomas White, Daniel Stannard, William Banks, of Indiana county; Hon. Henry D. Foster, Edgar A. Cowan, of Westmoreland county; Hon. James Campbell and Thomas Sutton, of Clarion county.

Upon coming to manhood, Judge Buffington took a strong interest in politics. At the inception of the anti-masonic party in 1831 or thereabouts he became one of its members and served as a delegate to the national convention of that body which met at Baltimore in 1832 and nominated William Wirt for the presidency.

During these and the few succeeding years he was several times nominated for the position of state senator or member of the house of representatives, but without success, his party being largely in the minority. In 1840 he became a whig, taking an active part in the election of Gen. Harrison and serving as one of the presidential electors on the whig ticket.

In the fall of 1843 he was elected a member of congress as the whig candidate in the district composed of the counties of Armstrong, Butler, Clearfield and Indiana, his competitor being Dr. Lorain, of Clearfield county. In 1844 he was again elected in the same district, his competitor being Judge McKennan, of Indiana county. During his membership of the house he voted with the Whigs in all important measures, among others voting against the admission of Texas on the ground of opposition to the extension of slave territory.

His fellow townsman and warm personal friend, Hon. W. F. Johnston, having been elected governor, he appointed Mr. Buffington in 1849 to the position of president-judge of the eighteenth judicial district, composed of Clarion, Elk, Jefferson

and Venango counties. This position he held until 1851, when he was defeated in the judicial election by Hon. John C. Knox, the district being largely democratic.

In 1852 he was nominated by the whig state convention for the judgeship of the supreme court. In the general overthrow of the whig party which resulted in the defeat of Gen. Scott for the presidency, Judge Buffington was defeated, his competitor being the late Chief Justice Woodward, of Luzerne county.

The same year he was appointed, by President Fillmore, chief justice of Utah territory, then just organized. He was strongly urged by the president personally to accept, as the position was a trying one and the administration wished it to be filled by one in whom it had confidence. Its great distance from civilization and the customs of the country, which were so abhorrent to his ideas, led him, however, to decline the proffered honor.

In the year 1855, on the resignation of Hon. John Murray Burrill, judge of the tenth district, he was appointed to that position by Gov. Pollock, with whom he had been a fellow-member of congress. In the fall of 1856 he was elected to fill the position to which he had been appointed, for a term of ten years. In this election he had no contestant, the opposition declining to nominate. This position he held until 1866, when he was again elected to fill the judgeship for another term of ten years. His position during these years was one of hard and constant labor, and the growing business of the three counties of Armstrong, Indiana and Westmoreland kept his mind and time fully occupied. In 1871 failing health admonished him that the judicial labors, already too great for any one man to perform, were certainly too severe for one who had passed the meridian of life, and had borne the burden and heat of the day. It was indeed hard for him to listen to the demands of a feeble frame, but, sustained by the consciousness of duty well done, and cheered by united voices from without, proclaiming his life-mission to the public nobly performed, he left the busy scenes of labor and retired to private life after forty-six years' connection with the bench and bar of the commonwealth, to the thoroughness and industry of which the state reports of Pennsylvania bear silent but eloquent testimony. Surrounded by friends and every comfort of life the following year passed quickly, but as in the case of many an overworked professional man, the final summons came without warning. On Saturday, February 3, 1872, he was in his usual health, and, rising from dinner, he went to an adjoining room,

across which he commenced walking as was his custom. His wife, coming in a few moments later, found him lying peacefully upon the sofa in the sleep of death. He was buried according to the services of the Episcopal church, of which he had been an attendant, officer and liberal supporter for many years. He was buried in the cemetery at Kittanning, where his resting-place has been marked by a substantial granite monument, a fitting emblem of the completeness of his own life.

Said one of his life-long friends, Gov. William F. Johnston, "To speak of Judge Buffington's career as a lawyer would be a history of the judicial contests in this section of the state for more than a quarter of a century. He had a large practice in Armstrong, Jefferson, Clarion and Indiana counties, the courts of which counties he regularly attended. It was a pleasure to be with him, either as assisting or opposing counsel, in any of those counties. It may not be forgotten that in those early times, in the judicial history of Middle Western Pennsylvania, the bar constituted a kind of peripatetic association, each and all contributing his share to the social enjoyments of the occasion, and to the instruction of the unlearned in law of the obligations that were imposed upon them. These unions at different places created necessarily many happy reminiscences. But, like the schoolmaster of the village, 'the very spot where once they triumphed is forgot.'"

Of Judge Buffington as a lawyer we have spoken; as a citizen he was public-spirited and gave a ready support to every undertaking calculated to benefit the community. In common with Gen. Orr, Gov. Johnston and others, he took an active part in procuring the building of the Allegheny Valley Railroad, and served for some time as one of its directors.

In his younger days he took much pleasure in hunting and fishing. Naturally fond of an outdoor life, he took kindly to agricultural pursuits. From time to time he acquired farming lands in the neighborhood of Kittanning, and their care and cultivation absorbed most of his leisure time. Of industrious habits, and a hard worker, Judge Buffington gradually added to his worldly possessions. Fond of making money, he never cared for it for the purpose of hoarding it, but only for the pleasure its expenditure gave himself and those around him.

It was in private life and in the familiar intercourse of friends that he is best remembered. His courtesy to all, joined to the natural, courtly dignity of the man, stamped him at once in the

minds of all with whom he came in contact as a gentleman in the truest sense of the word, while his well-stored mind and fine conversational powers lent a charm to his acquaintance that drew around him a circle of warm and intimate friends. While his words were to the point and his language incisive, his naturally kind heart kept him from bitterness, and his judgment of others was never harsh or prompted by ill will. Kind, sympathetic and generous, he was always ready to listen to and aid those in distress. He never lost sympathy for the young, and there are venerable men at the bar today who will tell how the kindness of Judge Buffington in the early days of their professional career was a real help when they needed friends and encouragement.

A grateful tribute was paid to his memory at March court, 1883, by the Hon. James B. Neale, president judge of the district, and son of his esteemed neighbor and life-long friend, Dr. S. S. Neale.

Judge Neale had an excellent oil portrait of the judge painted, and at that time presented it to the county of Armstrong. It was placed, with appropriate remarks, above the judge's bench in the court-room where he had so long presided.