

HISTORY
OF THE
COUNTY OF WESTMORELAND,
PENNSYLVANIA,
WITH
BIOGRAPHICAL SKETCHES
OF MANY OF ITS
PIONEERS AND PROMINENT MEN.

EDITED BY
GEORGE DALLAS ALBERT.

ILLUSTRATED.

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JOSEPH BUFFINGTON,

for many years president judge of the district of which Westmoreland County was a part (the "old Tenth"), was born in the town of West Chester, Chester Co., Pa., on the 27th day of November, 1803, and died at Kittanning on the 3d day of February, 1872. The ancestors of Judge Buffington were Friends or Quakers, who left the county of Middlesex, England, and

came to the Province of Pennsylvania shortly before the proprietary, and settled near Chadd's Ford, in Chester County, near the site of the battle of the Brandywine, where his grandfather, Jonathan Buffington, had a grist-mill during the Revolution. His father, Ephraim Buffington, kept a hotel at West Chester, at a tavern stand known as "The White Hall," a venerable hostelry, and celebrated through that region for many years. It was here that the subject of this sketch was born and lived until his tenth year, when his father, in hopes of bettering his fortunes in the West, left West Chester, came over the mountains, and settled at Pine Creek, about five miles above Pittsburgh, on the Allegheny River. It was during this journey that the travelers passed through Greensburg, and it was at the old Rohrer House (afterwards the McQuaide House, and for many years his favorite stopping-place), that Judge Buffington first saw a soft-coal fire. When about eighteen 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 pursuing a liberal course of studies he went to Butler, Pa., and for some time prior to studying law he edited a weekly paper, called the *Butler Repository*, and in company with Samuel A. Purviance, afterwards a well-known attorney of Allegheny County and attorney-general of the Commonwealth, he engaged in keeping a small grocery-store. Soon afterwards he entered as student-at-law the office of Gen. William Ayres, at that time one of the most celebrated lawyers in 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, a prominent politician of that region, and for many years a member of the House of Representatives and Senate of Pennsylvania. Mr. Mechling was originally a native of Westmoreland County, and was married to Miss Drum, an aunt of Hon. Augustus Drum, M.C. from Westmoreland, of Gen. Richard Drum, U.S.A., and of Maj. Simon Drum, who was killed in the Mexican war.

In the month of July, 1826, he was admitted to practice in Butler County, and in the Supreme Court on Sept. 10, 1828. He remained at the Butler bar for about a year, but finding at length that the business was largely absorbed by the older and more experienced practitioners, he determined to seek some new field of labor, and finally settled upon Armstrong County, to which place he removed and settled at Kittanning, where he resided continuously until his death. Here his industry, integrity, and close application soon brought him to the front of the bar, and although the first years of his professional life were ones of hardship and narrow means, yet in a few years he was in possession of a practice that absorbed all his time and afforded a good income.

From 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 one of the delegates to the National Convention of that body which met at Baltimore in 1832 and nominated William Wirt for the Presidency. During those 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 joined the Whig party, taking an active part in the election of Gen. Harrison, and serving as one of the Presidential electors on the Whig ticket.

During the years that intervened from his coming to Kittanning until 1843, Judge Buffington was closely engaged in the line of his profession. Patient, laborious, and attentive, full of zeal and energy for his clients' causes, he had 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 in all the important land trials of that region, and his knowledge of this intricate branch of the law was thorough and exhaustive. Said one of his life-long friends, "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 my pleasure to be with him, either as assisting or opposing counsel, in many of these 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, all and each contributing his share to the social enjoyments of the occasion, and to the instruction of the unlearned in law, of the obligations which 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.'

"It cannot be forgotten or denied that Judge Buffington was a conscientious, fair-dealing, and upright lawyer. He had imbibed so largely of the privileges and excellencies of the profession, knew so much of it and the rightful manner of pursuing it, that to him chicanery was fraud; technicality, folly; and injustice a crime."

In the fall of 1843, Judge Buffington 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. Lorrain, of Clearfield County. In 1844 he was re-elected, his competitor being Mr. McKennan, of Indiana County. During his service in the House he acted 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-townsmen and warm personal friend, Hon. W. F. Johnston, having been elected Governor, he appointed Judge Buffington, in 1849, to the position of president judge of the Eighteenth Judicial District, composed of the counties of Clarion, Elk, Jefferson, and Venango. 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 that resulted in the defeat of Gen. Scott for the Presidency that year, 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 some 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.

On the resignation of Hon. J. Murry Burrell, judge of the Tenth District, he was appointed to that position, in the fall of 1855, by Governor Pollock, with whom he had been a fellow-member of Congress, and with his appointment commenced a close and intimate acquaintance with Westmoreland County and its citizens that lasted until his death.

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 through the advice of their then candidate for the Presidency, James Buchanan, a special friend of the judge's for many years. This position he held until 1866, when he was again elected to fill the judgeship for another term of ten years.

This he resigned in 1871, when failing health admonished him that the judicial labors, already beyond the power of any man, were too great for one who had passed the meridian of life and had borne the heat and burden of the day, whilst others more vigorous had fallen by his side. It was hard, indeed, for one whose mind was skilled to greatness and trained to labor to listen to the demands of a feeble frame whilst yet that mind was in the vigor and strength of maturity. But, sustained by the consciousness of duty well done, and cheered by the united voice from without proclaiming his life's mission to the public nobly performed, he left the battlefield of life and lived (as was his wont) amid the brighter joys of social and domestic love, himself the centre around which the affections of a dear home clustered. He was again in 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 for the forty years preceding bear silent but eloquent witness.

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, Feb. 3, 1872, he was in his usual health, and on rising from dinner went to an adjoining room, across which he commenced walking as was his wont. His wife coming in five minutes afterwards found him lying on the sofa in the sleep that knows no waking. He was buried with the services of the Episcopal Church, of which he had been an attendant, officer, and liberal supporter for many years. Of Judge Buffington as a lawyer we have spoken; as a citizen he was public-spirited, and as a neighbor he was kind and sympathetic; all his intercourse with his fellow-men was marked with a courtesy and quiet dignity that impressed one as being in the presence of one who was a gentleman in the true sense of the word. His memory is a rich legacy to friends who survive.