

COMMEMORATIVE

BIOGRAPHICAL RECORD

— OF —

CENTRAL PENNSYLVANIA,

INCLUDING THE COUNTIES OF

Centre, Clearfield, Jefferson and Clarion,

CONTAINING

BIOGRAPHICAL SKETCHES OF PROMINENT AND REPRESENTATIVE
CITIZENS, AND OF MANY OF THE EARLY SETTLED FAMILIES.

~ ILLUSTRATED ~

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John Holden Orvis was born in Sullivan, Tioga Co., Penn. Owing to his mother's untimely death, followed by the financial misfortunes of his father, he was forced at an early age to begin his own support. While yet a boy of twelve years, he came to reside in Howard, Centre county, with his half-brother, Orrin T. Noble; attended the common schools and at the early age of fifteen years became a school teacher in Curtin township, and as such assisted in the organization of the first teachers' institute of the county, at Oak Hall, October 1, 1850. In 1851 he went to Baltimore, and there learned the art of printing in the office of R. J. Thachett. From thence he went to Chester county, Penn., where he worked at his trade near New London, and attended a term at the New London Academy. Returning to Centre county, he followed his trade of printing, also teaching school, notably one term, 1853-54, at Rock Hill school house, in Harris township. Just before this he took charge of an engineer corps for the purpose of running an experimental railroad line for the P. & E. R. R. west through the Brush Valley narrows into Centre county past the villages of Rebersburg, Centre Hall and Oak Hall, and ending near the present site of the Pennsylvania State College. This he did to the satisfaction of his employers, but the line was never adopted. It is said that this was the first railroad survey in Centre county. In public schools he was noted for his infallibility as a speller, and was the wonder of his schoolmates in mental arithmetic. In his academic course of one month at a little academy in Chester county, he began algebra, then to him an unknown science, and passing rapidly two classes, finished the higher algebra with the graduating class at the end of four weeks. About the same time he recited the nine books of geometry in nine lessons, concluding in so incredibly a short period of time the work of several years in the ordinary academic training of boys. He always intended to make the law his profession, and when nineteen years old arranged to read under the tutorship of Nathan L. Atwood, of Lock Haven. He was born a lawyer. Every instinct of his nature led him to it; during his preparation he drank deeply from the well-springs of the English common law; Coke was an especially favorite, and he familiarized himself with the leading cases and decisions of the great chancellors

and judges of the English courts. He also thoroughly acquainted himself with the intricacies of special pleading and of technical practice, so that when he was admitted to the Bar in February, 1856, then just of age, he was grounded in all the general principles of the common law. As soon as admitted, he mapped out and entered upon a wide range of legal, political, historical and forensic literature. His memory was so remarkable that he could repeat long poems, such as "Lalla Rookh", or the "Lady of the Lake". His voluminous reading was done in the early years of his married life. So intense was his application to his books that at one time he almost lost his eyesight; this happened particularly from his reading aloud to his young wife the five volumes of Macaulay's "England" in four weeks time. So retentive was his memory that what he had read in early years became part of his mental self, and he retained the power of apt quotation from the masters of English literature, that, while rarely indulged in, always surprised his audience.

At the time of his admission the Clinton County Bar was composed mostly of men not far advanced in life, and he at once took a leading position among them. He read deeply and carefully the laws of the State, for the purpose of familiarizing himself with the lines of decisions in the Pennsylvania courts. In this he was so successful that in later years no leading case or general principle laid down in Pennsylvania could be sprung upon him as a surprise. So complete was his work in this direction that, when questioned upon it by a brother lawyer within a year before his death, he stated that "he believed he could truthfully say, and without egotism, that he was acquainted with all the leading legal principles laid down and reported by the Supreme Courts of Pennsylvania from the beginning of the Commonwealth to the present time." Yet he was not so engrossed in the law but that he did not deeply interest himself in the political welfare of his country. His family had been Democratic from the time of Jefferson. He therefore naturally identified himself with the great party, and just as naturally took a prominent part in shaping its councils in the county of Clinton. During the intense agitation preceding the war of the Rebellion he took a conservative view of the Calhoun doctrine, and advocated the rights of the States as opposed to the extreme views of the opposite party. While doing this, he did not sympathize with armed rebellion. When, in 1861, President Lincoln made his historic call for the three-months' men, John Holden Orvis at once responded, leaving his prac-

tice and his family, and enlisted as a private soldier in Capt. Jarret's company raised in Lock Haven. This company was attached to the 11th P. V. I., and at once went to the front. Mr. Orvis was engaged in the battle of Falling Waters, the first of the bloody drama that followed, and by his side was killed the first Union soldier in actual fight. As his company was held in reserve a few miles away from the battle of Bull Run, he was saved from sharing in the doubtful honor as well as danger of that great defeat. He was a good soldier, and performed good service on the Potomac and in the vicinity of Martinsburg, Va. Unfortunately, from exposure to the fierce heat of the early summer, he received a sun-stroke that for a time rendered him unfit for service. He returned home at the end of his service in the uniform of a lieutenant, and held a promotion to a captaincy. He resumed his practice at Lock Haven, and in December, 1862, removed his family to Bellefonte. At the first court in December he took charge of twenty-five cases and won twenty-four, losing only one. The great ability with which he conducted the cases, and the remarkable success that crowned his efforts, placed him at the head of the Bar, where he had but one rival, the late Hon H. N. McAllister. Mr. Orvis at once formed a partnership with the Hon. C. T. Alexander, subsequently State senator from the district—a partnership that remained undisturbed until the elevation of Mr. Orvis to the Bench. Before the law firm was dissolved, it was enlarged by the addition of Mr. C. M. Bower.

Being an ardent Democrat, and finding the county in the hands of Republican office holders, he earnestly threw himself into the work of reforming and reviving the Democratic party. Between the terms of court he zealously advocated the principles of his party in every village of the county, and demonstrated his powers as a political organizer by at once changing the Democratic minority to a strong and unfailing majority. He was the author of the rules which govern the party organization to the present time. It was his leadership, zeal and service that, more than other causes, saved the county to his party. In 1872 he was unanimously nominated by his party to the State Legislature, and that fall was elected by a flattering and decisive majority; this election permanently settled the numerical supremacy of his party in Centre county. As a member of the Legislature he immediately rose to the front. His party instinctively gave him the leadership on the floor. The State administration, though of opposite party affiliation, consulted with him upon all proposed important legislation of a non-

partisan character, and in fact entrusted him with the introduction and conduct of most important bills. His work in the committee-room and on the floor became so great that he was compelled to employ a private secretary, and pay him a salary equal to his own as a legislator, so that he actually served the people without compensation and at his own expense. As his term of office immediately preceded the adoption of the new constitution, that has lopped off much of legislative abuse and corruption, he was necessarily thrown in opposition to a mass of corrupt and iniquitous bills mostly of a private nature, now fortunately no longer possible. With the alertness of a lynx he detected every job, and dangerously corrupt "rider," and with the boldness of a lion opposed and exposed them in the House. In the midst of unusual legislative corruption he commanded the respect of his compeers, and came out of his term without a suspicion on the part of his enemies. In 1873 he was re-nominated and re-elected by a phenomenal majority. He received the compliment of his party's nomination for the speakership, and was the acknowledged Democratic leader on all partisan questions and the acknowledged leader of the House upon all non-partisan ones. During this session he was more than usually active in attacking and punishing bribery in the "lobby" and the "house," exertions which lead the impeachment and expulsion of the most guilty.

On the creation of the office of Additional Law Judge by Act of the Legislature of April 9, 1874, in the district composed of the counties of Centre, Clearfield and Clinton, the members of the three bars, without regard to political affiliations, unanimously petitioned the Governor to appoint Mr. Orvis. In obedience to this demand, and in graceful recognition of his merits and distinguished services by a political opponent, Gov. Hartranft appointed him to the judgeship. Judge Orvis accordingly accepted the appointment, and tendered his resignation from the Legislature. In November following he was elected by the people to the judgeship for a period of ten years. His elevation to the Bench was an epoch in the criminal history of the district. He immediately reduced the number of drinking places in the district, cutting down those in Bellefonte from over twenty to three. After his first court his name became a terror to evil-doers; the police were made efficient; the public were notified and assured that criminals would be punished, and under the efficient assistance of Col. Spangler, then district attorney, long trains of criminals were convicted of most serious crimes and sentenced to the severest penalties of the State. Judge

Orvis smote crime with an iron hand. He did more—he crushed and destroyed it. During the latter years of his term, the criminal weeks under his administration ceased to become features of his court, while terms would go by without serious crime, so that the office of district attorney actually became profitless. Judge Orvis was the greatest reforming agency in the central part of Pennsylvania. His greatness as a judge manifested itself more particularly in the trial of civil causes. By his fairness and impartiality he at once won for himself the friendship and companionship of all the members of the Bar. He was in no sense a case judge, but he was a great judge, because while giving due deference to the standing decisions of the Supreme Courts, he made his own rulings in harmony with the eternal principles of law and justice. Before his elevation to the judgeship his competitors acknowledged him to be a good lawyer, on the Bench they found him to be a great one. As Gov. Beaver said of him in the memorial service held by the various Bars of the State: "Judge Orvis not only knew the law, but he knew what the law ought to be." So that when the circumstances demanded it, he did not hesitate to start out in new lines and lay down general principles consonant with human reason, but heretofore unannounced in the books. For this reason appeals from his decision to the Supreme Court have established an unusual number of leading principles. Very few minds could reflect better than his the legal thoughts and language of the older judges, but it was not the cold reflection of some mere judicial satellite; his mind glowed with its own internal heat and warmth, and shone with self-created and luminous knowledge. It was he that first settled the principle that where lands were divided by a county line, the tax sales of the county would convey title to the land only within its boundaries. It was also he that checked the Supreme Court in its tendency to destroy the old common-law principle relative to the character and nature of negotiable paper. It was also Judge Orvis that established and formulated many of the leading principles of land location in what was probably the most complicated system of land law in the world. To be a good land lawyer in Pennsylvania requires extraordinary intellectual power and labor. When one is a great lawyer, such as Judge Orvis was, he is necessarily a mental phenomenon. The general reader cannot realize the force of this unless he has watched the course of some ejectment in the county, lasting for weeks and months, involving knowledge of the most complicated and artificial system of trial ever invented by

man, with a mastery over a myriad of technical points of original locations, of engineering, surveying, woodcraft, botany, topography, drafting, and of new and ancient titles marvelous to even the most initiated. All these must one be and have to be a great land lawyer. When Judge Orvis died he was the greatest land lawyer in the State. It was he who presided over the celebrated ejectment brought by Burley against the Houtz heirs, which involved property to the value of millions of dollars, and it was his charge in that celebrated case that has been adopted by the profession of the State as the best text-book of land law in existence. In obedience to the demand for it from every section of the State he was obliged to have it printed in pamphlet form for general distribution.

About 1873 Judge Orvis was elected a trustee of the Pennsylvania State College. The fortunes of this institution were then languishing. It had been an experiment in the line of higher education to the agricultural and mechanical classes in the direction of their particular trades and occupations; the experiment up to that time had proved a failure. The idea which had given birth to the college had been lost sight of, and it had sunk to the level of an ordinary preparatory school; the general sentiment was that the scheme had proved a failure, and that the institution should be abandoned. In addition to these discouraging circumstances, it was overwhelmed with an indebtedness both funded and floating. The college had, however, a few warm and faithful friends; these men—like Gen. Beaver—persuaded Judge Orvis to interest himself in the fortunes of the college. Accordingly he was elected a trustee, and from that time to his death he gave his best thoughts and purpose and much of his time to the college. Judge Orvis and his co-trustees at first met with many obstacles, yet they never faltered. Year after year without compensation they worked; slowly at first, but step by step they reformed the purposes of the institution, and brought it back to its original position. Their first success was in inducing the Legislature of the State to feel something of its responsibility by paying off the heavy indebtedness contracted for the building and plant itself. Conveniences being added, and its income diverted to the proper channels of education instead of paying interest, more and abler professors were engaged, and the scope of the institution enlarged. Nothing permanent could be done until the right man could be secured for the presidency of the institution. For years Judge Orvis and its other friends felt this, and hunted through the United States for their ideal presi-

dent. At last they found him in Dr. George W. Atherton. After some delay they induced this gentleman to accept the responsibility of this position, and devote his life and strength to this particular work. After years of experiment and trial, the trustees have the same confidence in Dr. Atherton as at first. Things began to look brighter for the college; more students began to come; the Legislature manifested increased interest in its protege by erecting handsome buildings and finely-equipped laboratories, until to-day the institution is fast becoming the pride of the great State of Pennsylvania. Judge Orvis' ambition for the State College was limitless. His scheme for the future was a vast industrial university that dazzles the imagination. While he did not live to see the realization of such golden dreams, he did live to see the success of his favorite established beyond question, and doing a great and acknowledged work in the line of industrial education. His work and services will never be forgotten in the annals of this great and growing institution of learning, and he will ever be recognized as one of the moulding minds and hands of its career.

During the great railroad strikes in 1877 that paralyzed the industries of the country from ocean to ocean, and were particularly dangerous on the line of the Pennsylvania Company, a spirit of anarchy and communism penetrated into every town and county in the State; the masses sympathized with the rioters and strikers, and those who did not were cowed into silence. Bellefonte was not exempt from this; mobs took possession of her streets; sensational addresses were made to excited crowds, and prominent citizens were groaned at and threatened. In this moment of danger some careless expressions of three business men were whispered through the streets and construed by the rioters into disapproval of themselves. Immediately the wrath of an irresponsible mob was upon them, and they were hunted down like wild beasts; stores were broken into, violence used, and it was only with the greatest difficulty that the men by the aid of active friends escaped from violence and fled from the town. The mayor of the town harangued the people on the streets, read the riot acts, and ordered the citizens to their homes, but to no purpose. His constabulary was powerless, or in active sympathy with the offenders. Judge Orvis, then on the Bench, took prompt and effective measures to meet the emergency of the hour. He summoned the sheriff, explained to him the gravity of the situation, and instructed him to use his powers and do his duty. Under his instructions the sheriff summoned several

hundred resolute and law-abiding citizens, arming and empowering them to act as deputy sheriffs, and had them patrol the streets night and day. Before such vigorous measures violence ceased, and the town at once relapsed into its wonted quiet. On the trial of the offenders in a subsequent court, two were convicted and sentenced at hard work in the penitentiary. It was said at the time that Judge Orvis was the one judge in the State that thus vindicated the outraged majesty of the law.

At the same time, in the neighboring city of Altoona, a similar spirit manifested itself; in fact in greater crowds and still more violent and dangerous methods. Gov. Hartranft ordered the militia of the State to arms, and Maj.-Gen. Beaver to take command in the city. Unfortunately the railroads were in the hands of the rioters, and the transportation of troops both deficient and dangerous. Still more unfortunately the members of the National Guard were badly disciplined, and too much in sympathy with those against whom they had been called to arms. It was a dangerous crisis; the alarm of citizens was increasing, fires and murders beginning to occur, and no one could foresee when and where would be the end. Gen. Beaver needed intelligent and patriotic assistance. Judge Orvis, D. H. Hastings and a few other non-militants offered themselves as volunteers, and were gratefully accepted by the perplexed commander. Judge Orvis was placed upon Gen. Beaver's staff, finally acting as judge advocate. As a staff officer and in the councils at headquarters, no one showed superior discretion or courage. Under these trying circumstances he displayed the same qualities of judgment, coolness and bravery that distinguished him as a jurist, and would have made his reputation in the battles of his country. At one time it became necessary to take ammunition to a point some fifty miles west of the city; the officer in command sent secret intelligence of his wants to Gen. Beaver, but all trains were in the hands of the rioters, and the task of taking ammunition in person was one of such imminent danger that at first all shrank from it. At once Judge Orvis offered himself, and Col. J. L. Spangler volunteered to be his companion. To be successful meant relief to troops in danger; to be detected meant exposure to personal violence if not death. During the night the two men prepared themselves, and had large satchels filled with cartridges. In the early morning gray the two friends walked with their heavy loads, and boarded the train in the midst of suspicion and angry faces. It took nerve to do this in a moment of such intense popular excitement. Fortunately

both men had it, and without accident reached in safety the place to be relieved.

In 1883 the Legislature of the State erected the counties of Centre and Huntingdon into the 49th Judicial District, and made Judge Orvis its president judge. In November of the same year he voluntarily tendered his resignation of the office for the purpose of resuming his practice of the law. During the latter part of 1884 he formed a partnership with J. Frank Snyder, under the firm name of Orvis & Snyder, for Clearfield county, and January 1, 1885, formed a partnership with C. M. Bower and his son, Ellis L. Orvis, under the firm name of Orvis, Bower & Orvis, for the county of Centre. Both of these law firms continued unchanged until his death. From the time of his resignation until his last sickness, his practice was large, and assumed more and more immense proportions. It led him into almost every county in the State. His time was occupied with important legal engagements for every day for months ahead, and, with the exception of short vacations in the summer, his life was one of continuous legal battle in the various courts of Pennsylvania. Those who knew him, and had some proper conception of the stupendous work he was doing, could not believe that one weak man could stand the strain. So numerous were his engagements, that in spite of all his precaution, his presence would be required at the same time in widely different courts; the perplexity and anxiety arising from this multiplicity of engagements and the clashing calls upon his time would alone have broken down an ordinary man. But Judge Orvis delighted in legal strife. He loved a hard-fought legal battle, enjoyed its victories, and found comparative pleasure even in honorable defeat. It was because he loved his profession and enjoyed the society of his professional brethren, even when arrayed against him at the counsel table; it was because all lawyers were his friends and companions, and none his rivals; it was because there was no bitterness to him in the victory of others, that he lived so long and stood the tremendous strain upon his vital forces. What really killed him was overwork—exhaustion of the vital forces—whatever other name physicians may see fit to give it. The uniformity of his legal success is astonishing, considering the extent of his practice. One reason of this is that he either prepared his own cases, or had them prepared by others whom he directed how to do it. Another reason is that he would not intentionally undertake a case he believed without merit. But the main cause of his success is that he entered the legal arena armed at every

point, encased in the full panoply of juridic armor, and that he never failed at the right moment to use the weapon that would pierce his adversary, if that adversary were assailable. His mental resources were almost infinite, and he generally took the enemy unawares; then, again, it was his habit to keep strong points in reserve for an emergency, so that many a time he routed the other side, and convinced the judge at the very moment his cause seemed weakest. His last argument to the court, his last reply to his opponents, his last words to the jury, were always his strongest and most unanswerable. His argument was always strong and clear, even from the start, but his clearness and strength invariably made a *crescendo*. His power came from his intense self-reliance, as well as from his intense truthfulness. He never misquoted a case or consciously misapplied a legal principle. The presiding judge as well as his opponents could implicitly trust his quotation from authorities, and rely upon his citation of cases. He was too good a lawyer and too great a man to ignore the decisions that seemed to bear against him. With extraordinary candor he was always willing to give these full weight; but his peculiar power consisted in nice discriminations between the application of principle to the facts in the cases cited and the facts in question. More than any other lawyer living, was he able to turn the weapons of his opponents against themselves, and use the case most relied upon by them as the basis of an argument fatal to their position. Many of his most brilliant victories were gained because of his ability to turn the enemy's artillery against themselves. Though some few of his greatest trials were on the calendars of the criminal courts, he was only a great criminal lawyer because he was a great lawyer. That class of cases was not to his taste, and it was always with reluctance and under pressure that he accepted such; the great bulk of his practice was in the trial of causes in the Court of Common Pleas and Appellate Court of the State; but he was an all-around lawyer.

In the drawing of the ordinary legal documents, the preparation of pleadings, conveying, in the practice of the Orphans' Court and settlement of estates, in the drawing of contracts between business men, in the formation and conduct of corporations and partnerships, in the consultation in his private office, in the courts of equity—in all alike he excelled. Though he was remarkably successful in persuading the understanding of judges, he was equally so in reaching the convictions of jurors. His arguments upon facts were as clear and limpid as the magnificent

spring that wells up in the town of his adoption. Jurors believed him because he never deceived them. He had a reputation for telling them the truth. He did not conceal or disguise facts that were stubborn and seemed contrary to his theory of the case. He never twisted or distorted such facts, but gave them their due weight, and captured the understanding of his hearers by giving unexpected but translucent explanation of their existence, thereby harmonizing them with the structure he had been carefully building out of the evidence and obtaining the verdict of the jury.

At the memorial service it was said of him that he was a master builder, that he laid his foundations deep, building his walls of ponderous but polished granite. His work was beautiful and admirable because strong and true and enduring forever. He did not delight in useless ornamentation, yet it would be a wrong to him to say that in his mental armory there lay only the weapons of logic. He could shoot the sharp arrows of satire, wit, and humor, and many a fallacy has he pierced, and many a foe has he abashed with his truthful wit and genuine humor. Sometimes, when the occasion demanded, he did not disdain the weapon of rhetoric, and when he felt strongly the wrongs of some injured client he would burst forth into pathos and a tremendous indignation that thrilled the crowded court-room and stormed the jury-box. But in the main his triumphs were those of reason and a great legal and judicial mind, that forced its superiority to be acknowledged by all his associates and professional brethren. To the world at large he was known as a distinguished lawyer, a stern exponent of justice, and the logical and invincible speaker in the courts. But in the home and inner circles of his chosen friends he was a different personality. To the public he was a man of iron; at home he was the tender, loving husband and indulgent father. He was possessed of an exceedingly delicate organism; he could not endure the sight of pain or suffering in others. Any genuine tale of woe would bring tears to his eyes, and he wept with those that suffered. The news of the Johnstown horror prostrated him for days so that he lost his appetite and could not sleep. No one that had the slightest claim upon him ever failed of sympathy or came to him for aid and went away refused. He was generous to the detriment of his own fortune; so much so that he could keep no money about his person, for every one that asked received. For this reason he did not accumulate, and was compelled for the protection of his family to place all the surplus of his earnings in life insurance. He was

remarkable in the tenacity of his friendships; his boyish companions retained his favor to the last, though many times this favor was sadly abused. His charity was broad, though never paraded, and his alms munificent, though never known save to its recipients. He was a man that bore no enmities, and kept no resentments.

In early manhood he became a Christian, and was received into the church by immersion. From that hour until his death he never faltered in his belief in the cardinal principles of the Christian religion. He was a Christian by belief from the outstart of his career, and the clouds of doubt and skepticism never cast a shadow on his clear intellect.