

INDIANA COUNTY

175th

Anniversary History

by

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VOLUME IV

**Biographical Sketches of Noted
Citizens, Past and Present**

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CLARK, SILAS MOORHEAD, b. Plum Creek Twp., Armstrong Co. 1-18-1834; d. 11-20-1891. Justice, PA Supreme Court, 1883-1891. Pres., INS Board of Trustees, 1877-91. Member, PA Constitutional Convention, 1872-73.

Justice Clark moved to Indiana with his parents in 1836 when he was about a year old. He attended the Indiana public schools and, in 1848 when he was 14, enrolled in the Indiana Academy. Among his classmates were Harry White and Matthew S. Quay. During this period Justice Clark's father ran a hack service in Blairsville (I: 571) and it is recalled that young Silas recited at the Academy one day and acted as hack driver the next. It is said he carried Horace's Odes in his pocket to while away the time waiting in Blairsville for the canal boats to arrive.

Upon completing the course of instruction at Indiana Academy, Clark went to Jefferson College, Canonsburg, PA where, upon examination by the faculty, he was found sufficiently advanced to be enrolled in the Junior Class. In 1852 he graduated with the A.B. degree, fifth in a class of sixty. Years later the Philo Literary

Society chose him to deliver the valedictory address on the occasion of a college semi-centennial anniversary.

Returning to Indiana, Clark was engaged to teach at Indiana Academy during the five-month winter session beginning 11-28-1853. He had complete control and relied on tuition payments alone for his salary. He taught another term beginning 5-24-1854. Again in 1855, with Rev. Andrew McElwain as principal, he taught a term ending April 1856 (I: 476-7). It was said that most of his students were older than himself but that he was considered "a kind and successful instructor."

While still engaged in teaching, Justice Clark began in 1854 the study of law in the office of William M. Stewart. He found time to attend teachers meetings and on 8-22-1854 was named to chair a committee to draw up a constitution and by-laws for a teachers' association (I:470, III:219). At a temperance meeting in the Court-house 12-26-1854 he served as secretary (I: 513). The next year he attended a one-month "Indiana County Normal School" training session for teachers (I: 471) and took his first plunge into politics attending an anti-Know Nothing "Fusion" rally where he was placed on the resolutions committee (I: 396).

By 1856 Clark was president of the Indiana Literary Society (I: 462). In August, with two others, he started a Democratic paper, the **Democratic Messenger**, which supported James Buchanan for President. In January 1857 the paper was sold (I: 464, 588) and in September he was admitted to the IC Bar. In his first try for public office as the Democratic nominee for prothonotary, he was accused of switching his political allegiance and defeated October 1857 (I: 591-2).

About 1858 Clark became a junior associate with Attorney Stewart in the practice of law. The firm was said to have had "much the largest and most lucrative practice in Indiana County." The partners are believed to have never had a written agreement and never a disagreement. Their association continued until 1873 when Stewart became solicitor for the PRR and moved to Philadelphia. Clark continued to practice alone, his office being in the Edward Nixon house on N. Sixth St. (now the Delaney car parking lot). He quickly attained a reputation as "a strong and logical reasoner and eloquent advocate." His personal inclination was to shun litigation wherever possible and settle cases peaceably out of court. It is claimed he never sued anyone, nor was he sued by anyone. In 1882 it was said of him, "Few lawyers west of the Alleghenies have taken part in so many cases before the Supreme Court (of PA)." Years later Chief Justice Paxson recalled that, when Clark came to Pittsburgh to argue a case, "he so impressed me with his forcible, clear and lucid arguments that one day, after he had concluded his argument, I called him up at the side bar, 'Mr. Clark,' I said,

'Indiana County is getting too small for you; keep your eye on our court.''' In 1891 a Pittsburgh paper asserted "Whether arguing questions of law before a court or questions of fact before a jury, the strong points of his case were so forcibly presented that the weak ones were likely to be lost altogether." Another Pittsburgh paper stated "It is a matter of record that for ten years prior to his elevation to the Supreme Court not a single important case was tried in the county in which he did not appear."

In November 1858 Clark was elected secretary of the Young Men's Library Association of Indiana (I: 462) and the following year was appointed a notary public for three years. Later in October 1859 he was elected to his first term on Indiana Boro Council. He was reelected in 1861 and 1865.

After the outbreak of the Civil War in April 1861 Clark was named to the resolutions committee at a huge public meeting at the Courthouse, and again at another Courthouse rally to raise the Union flag (I: 622-24). When Company B of the 11th PA Reserves left Indiana 6-10-1861 he gave a patriotic speech (III: 197). On July 4, 1862, while he was in Harrisburg attending a State Democratic Convention, he was elected chairman of the IC Democratic Committee (I: 666). As chairman he proposed that neither the county Democrats or Republicans hold any political meetings but was ignored and rebuffed (I: 668). He had no taste for military service and in 1863 was placed on a committee which attempted to obtain State authorization for the County Commissioners to pay bounties to volunteers to fill the county's draft quota (I: 637). He was again liable for military service in 1865 and contributed to a bounty fund to procure 22 volunteers to fill the Indiana Boro quota. When former Sheriff David Ralston attempted to lecture on Divine recognition of slavery at a Democratic meeting 4-10-1863 in the Courthouse, Clark interrupted him and repudiated his opinions.

Continuing his interest in civic affairs, he served as secretary of an 1863 meeting for the purpose of locating a new cemetery outside the boro. He was also a director of the Pottsville, Conemaugh & Mahoning Oil Co. organized in May 1865, and probably lost money in this venture (I:525).

A series of fires may have been instrumental in his decision to erect a new mansion. In 1864 the Indiana Academy burned and the next year the roof of Clark's residence caught fire but damage was minimal. Later on 10-26-1865 his stable burned resulting in a \$500 loss (I: 514). By this time he had become quite affluent. The Academy lot was offered for sale in 1866 and was subsequently purchased by Clark from Harry White. By 1869 his new Victorian-style mansion was under construction (I: 478). A newspaper item in October 1869 mentioned he had been struck on the head by a falling brick at his home "now being built" and somewhat stunned for a

few hours. A. W. Wilson stated that the house cost \$12,000. It was completed 1870, standing on a tract owned by George Clymer, 147 perches, and sold to the trustees of Indiana Academy 1815.

At the 1869 Democratic State Convention, Clark was nominated by some friends, without his knowledge, for the PA Supreme Court. He received a complimentary forty or fifty votes but the nod went to Cyrus L. Pershing.

On 6-11-1869 he was named an Indiana school director, and later served as board secretary June 1872 until 6-5-1878. On 5-7-1872 he was elected president of a convention of school directors. His interest in education never flagged. In 1870, he was chosen vice-president of the "Normal School Association" dedicated to establishing at Indiana a Normal School for the Ninth Normal School District (Armstrong, Cambria, Indiana & Westmoreland Counties). By January 1871 he was on a committee to solicit subscriptions to the stock of the proposed school, and himself subscribed \$500. On 1-16-1871 he reported he had received \$35,200 in pledges of stock. In 1872 he was elected a trustee of INS, having more stockholders' votes than any other person, was named secretary in May, and held this post until 5-12-1877 when he succeeded John Sutton as president of the INS trustees. He continued as president over 14 years until death. In 1891 the *Indiana Times* acknowledged "To him together with Mr. John Sutton, deceased, belongs the honor of the inception and successful consummation of locating the Normal School at this place." Henry Houck, Deputy State Superintendent of Public Instruction, added that "He was not only the warm friend of this Normal, but I may say he was the best known trustee in Pennsylvania. There are twelve institutions of this character in the State . . . and in time of trial and difficulty the State Normal Schools have always looked to Judge Clark. Many a battle he fought and many a victory he won for the Normal Schools." A boys' dormitory erected in 1893 was named "Clark Hall" in his honor and when it burned in 1905, another was erected in its place and formally dedicated 1-12-1907. Ceremonies were held in the chapel of John Sutton Hall (now the Gorell Recital Hall) where a portrait of Justice Clark, festooned with carnations, hung on the wall above the rostrum. Clark's son, J. Wood Clark, a member of the board of trustees, presided. Harry White "referred particularly to his old friend, and associate, Silas M. Clark, who perhaps more than any other man deserves credit for the present status of the school."

In the political arena Justice Clark continued active. In 1870 he was unanimously chosen as the Democratic candidate for President Judge of the Tenth Judicial District (Armstrong, Indiana & Westmoreland) and conducted a spirited campaign but was defeated by James A. Logan of Greensburg, a solicitor for PRR. The railroad

sent special trains on election day to haul voters to their polling places free of charge. In later years Clark displayed great stature and magnanimity, saying "Judge Logan was a good, able and just judge."

In September 1872 when Horace Greeley visited the IC Fair, Clark was named to a committee to greet him (III:227).

On 10-8-1872 he was elected a delegate to the Pennsylvania Constitutional Convention which met 1872-73. In the Convention he was named to a committee to frame rules for governing the proceedings, and served on the Declaration of Rights Committee, the Committee on Private Corporations and the Revision and Adjustment Committee. For his views and actions in the Convention see Volume II. The **Pittsburgh Courier** in 1891 said "He was ranked as one of the ablest men in the Constitutional Convention."

In 1874 his friends at the State Democratic Convention again nominated him for the State Supreme Court. He received 41 votes but W. J. Woodward was the successful nominee and was afterward elected.

In 1876 he was selected by the State Democratic Convention as a delegate to the National Convention in St. Louis beginning June 27, which nominated Samuel J. Tilden for President. It was said of him "Silas M. Clark is not one of those men who avoid politics as a filthy pool in which honest men should not dabble. He holds it the right and duty of every good citizen to vote; he recognizes that good men should not shirk their share in party management."

In April 1877 he was elected president of the First National Bank of Indiana. He also served for some years as president of the IC Agricultural Society. He had a 150-acre farm near Indiana. In July 1889 he offered to donate land to any manufacturer who would locate in Indiana. It has been said of him that "through all his busy life (he) has found pleasure in serving his neighbors. His own success has only multiplied the opportunities to help those less fortunate, and he is as free with his means in the dispensing of charity as he is generous in giving aid and assistance to deserving young men who are entering the struggle of life."

The climax of Judge Clark's career came in 1882 when, by unanimous acclamation on the second ballot, the Democratic Party of Pennsylvania nominated him for the Supreme Court, along with Robert E. Pattison for Governor and other members of the ticket. He had not sought the nomination and wrote a personal friend several days afterward, "I had no hope of receiving the nomination, was not thinking of it." The details of the campaign and of the election are in Volume II. After the election members of the IC Bar organized on 12-23-1882 and passed several resolutions "highly complimentary of the character and ability" of Justice Clark who that day ended his connection with the Bar. On December 28 Harry White

entertained the members of the Bar and out-of-town guests at a party in honor of the Supreme Justice-elect and the next day Clark left to take his seat on the high court. His salary was \$8,000 per year.

On the Bench he was highly esteemed. "His opinions," according to one source, "always brief, were couched in the simplest and choicest language, and were as readily understood by laymen as by lawyers." In 1886 Lafayette College conferred upon him the honorary degree of Doctor of Laws. In 1888, following the death of Morrison R. Waite, Chief Justice of the Supreme Court of the U.S., newspapers all over Pennsylvania pointed to Clark as eminently qualified to succeed Waite. As an example, the following from a Republican paper, the *Philadelphia Press* 4-7-1888, is cited: "Through his whole career he has shown the tastes and borne himself with the dignity which mark the lawyer and the jurist rather than the politician, and he would take to the Supreme Bench of the Republic not only the full professional qualifications but the true judicial temper and attributes. All the circumstances are such as should commend the suggestion of Judge Clark's name to the considerate attention of the President ..." Chief Justice Paxson said in 1891 "I am confident that the judgment of this bar and of the bar of the whole State will be that Judge Clark was one of the strong men, and one of the greatest men who ever sat in our court. I regard him as the peer of any man who ever occupied a seat there, and I am quite sure that that is the judgment of all my brethren."

During the last eight years of his life Justice Clark was a diabetic, subject to skin disease especially during the heat of summer. Late in September 1891, while holding court in Pittsburgh, a large carbuncle appeared on the back of his neck which worsened to such an extent that he came home early in November. He suffered great pain but nothing could be done and he died about 9:15 p.m. on 11-20-1891.

In a long obituary article, the *Indiana Times*, a Republican weekly, said: "The death of no other man in this community would have been so severe a loss to the town, the county and the State ... Plain and unpretending in his manner, what he did he did quietly and without the shadow of ostentation. He was emphatically a man of deeds and not of words." The funeral service in the Presbyterian Church (Calvary) on Monday afternoon, November 23, drew a capacity crowd which filled every available seat both upstairs and downstairs, while many more stood in any available space and more hundreds waited outside. John Sutton Hall and the Courthouse were draped in black. All INS activities in the afternoon were cancelled, and all business establishments were closed from one until four. The bell at John Sutton Hall tolled during the services. In the morning a special train arrived carrying Governor Robert E. Pattison, Chief Justice Paxson, Attorney General Hensel, and four of Clark's fellow judges

plus many others. Judges, county officials, attorneys, and citizens came from all the surrounding counties. Governor Pattison and Chief Justice Paxson were among the honorary pall bearers. It was not the kind of funeral Clark would have wanted but it was a sincere, moving and dramatic final tribute. His place of burial is marked by a plain, simple marker inscribed, "S. M. Clark."

Members of the family continued to live in the home until 1915 when J. Wood Clark moved to Pittsburgh. The house was then rented to F. M. Fritchman, General Superintendent of the R & P Coal Co., until 1-19-1917 when the Clark heirs transferred title to Indiana County for \$20,000, less \$1,000 which was donated by the heirs. Since then the Clark House has served as a meeting place for a number of patriotic, veterans, and civic organizations; as a polling place; and as the home of the Historical & Genealogical Society. In 1978 Clark House was placed on the National Register of Historic Places and an appropriate tablet placed at the entrance.

Justice Clark m. Clarissa Moorhead 4-26-1858, d/o William & Susan (Bodine) Moorhead. Her family was another Moorhead family not related to Justice Clark's mother. She d. 1-17-1887. Their children were C. Steele, d. 4-13-1926 in Clarksburg, WV. He had been an employee of John Wanamaker; James Wood (1-7-1868/3-6-1935) m. Mary Jane Crawford 1916; Mary, d. 5-27-1934 in Milwaukee, m. Elisha P. Swift; Charlotte M. m. Walter R. Adams 11-15-1905 and resided in Decatur, IL; and Annie (c. 1866/1-30-1927) m. J. J. Miller 1894. He was president judge of the Allegheny County courts. (See 420-D & E & Nixon 420-H)

J. Wood Clark, a Princeton graduate (1884), was a teacher of Greek and Latin at INS, 1886-88. He was admitted to the IC Bar 1900 and afterward was a partner with John A. Scott. Some of his activities are mentioned in III: 349, 450-51, 467. For many years he served on the INS board of trustees. In 1909 he was the Democratic nominee for State Auditor General. He was clerk of the U. S. District Court, Pittsburgh, 1915-1935. He served on the Indiana Boro Council.

Our subject was a s/o James Clark (1806-10-1-1891) who m. Ann Moorhead 9-18-1831, d/o Fergus & Esther (McElhoes) Moorehead. She d. 2-28-1879. (See sketch of Fergus Moorhead, her grand-father). Their children were Sarah E. m. Dr. Wallace B. Stewart; Silas M., our subject; William; Fergus Scott m. Juliet McElhoes; James L. m. Laura E. Meixner; and Woodward.

James Clark was a s/o William Clark (c. 1778-1823) who m. Sarah Woodward (c. 1786-1821) d/o Absalom Woodward. Their children were Joseph, b. 3-3-1813, m. Pauline Kelly; Isabella; Elizabeth; Sarah m. John Prothero 1836; Barbara; James (above); Absalom; and William.

William Clark was a s/o James (1742-1824) and Barbara (Sanderson) Clark. Capt. James Clark was a Revolutionary officer,

and was at Hannastown when it was burned in 1782. Their children were Joseph (1-12-1761/12-19-1823) m. Ann Todd 5-10-1792; Margaret d. 12-25-1816, m. Gen. Charles Campbell; Alexander m. Mary Todd; Jane (3-15-1766/11-19-1852) m. Alexander Craig 1783; Sarah m. (1) Swan (2) Moorhead (3) Absalom Woodward; Barbara m. David Todd; and William (above).

The founder of the Clark line in America was Joseph Clark, who came to America c. 1737 from Ulster. He m. Margaret Elliott and resided near Carlisle, PA.



Silas M. Clark

Wiley, *Biog. & Hist.*
Geological

Leroy A. King

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