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The following description is based in part on the Illinois State Historical Library's pamphlet <u>Clover Lawn: The</u> <u>David Davis Mansion, A Musuem of Nineteenth-Century Living</u> (Springfield, n.d.).

The approximately $4\frac{1}{2}$ acres on which the David Davis House now stands was originally part of a 200-acre farm owned by Bloomington attorney Jesse Fell. Davis acquired the property in 1844, added 1,000 acres to it, enlarged the two-story framehouse, and named the estate "Clover Lawn." After being appointed to the Supreme Court, Davis considered moving his family to Washington, but he decided instead to build a new house in Bloomington. To plan the structure, he selected Alfred H. Piquenard, one of the most prominent architects in the Midwest.

Piquenard designed a magnificent edifice in the Italian Villa style, and construction began in May 1870, when the old Workmen finished the Fell house was moved to one side. exterior of the new house the following spring, then took a year to complete the interior. The Davis family moved into their new home late in 1872, and the judge occupied it until his death. His descendants lived in the house until 1960. when it was given to the State of Illinois. At present the Illinois State Historical Library maintains the structure as a house museum that depicts Victorian-era life as lived by one prominent family. Although some restoration has been done, generally the house is little altered and contains many of the original Davis furnishings. These include mantelpieces, books, paintings, and children's toys.

The Davis House is a two-story, 20-room, brick structure with a truncated hip roof topped by iron creating and six corbeled brick chimneys. Consisting of a slightly irregular central block and one rear wing, the massive dwelling covers an area approximately 64 by 88 feet, rests on a sandstone foundation, contains a full basement and full attic, and has a $2\frac{1}{2}$ -story entrance tower with a mansard roof and iron creating.

Limestone quoins decorate the corners of the house, while scroll brackets and a boxed cornice with paneled frieze ornament the roofline. A pedimented portico with entablature and Doric supporting columns shelters the front entrance, which leads through the tower, and single-tiered porches extend part way across the front and the west side. Both galleries are highly ornamented and feature iron railings and crestings. A one-story octagonal bay projects from the east side, and a two-story rectangular bay protrudes from the west side. The windows display various designs, but all (continued)

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STATEMENT OF SIGNIFICANCE

Biographer Willard L. King suggests that with the exception of John Randolph, David Davis "might be called the most prominent Independent in American history."1 Some scholars might dispute that claim, but none would question Allan Nevins' assertions that "few Illinois leaders of his time enjoyed greater popularity than David Davis, and none in the second rank of eminence laid a deeper impress on events."2 In 1860, while a circuit judge, Davis headed the Abraham Lincoln forces at the Republican National Convention and was more responsible than any other individual for Lincoln's nomination. From 1862 to 1877 Davis served as an Associate Justice on the Supreme Court, and in 1866 he wrote the majority opinion in Ex parte Milligan. By restricting the right of military courts to try civilians, the Milligan decision aroused much controversy, but according to constitutional historians Alfred H. Kelly and Winfred A. Harbison, Davis' opinion "came to be considered as one of the real bulwarks of American civil liberty."³ While on the High Court, Davis defied precedent, maintained an active interest in politics, and almost garnered the Liberal Republican Presidential nomination in 1872. Less than 5 years later, he appeared destined to become the independent 15th member of a special Electoral Commission formed by Congress to determine the result of the disputed 1876 Presidential election. Before the position could be offered to Davis, however, the Illinois Legislature elected him to the U.S. Senate, thereby destroying the probable political balance of the Commission and practically insuring the victory of Republican Rutherford B. Hayes. Finally, following the assassination of President James A. Garfield in 1881. Davis served as President pro tempore of the Senate for 15 months, and during that time he was the designated successor to President Chester A. Arthur. (continued)

^LWillard L. King, <u>Lincoln's Manager: David Davis</u> (Cambridge, 1940), 307.

²Allan Nevins, "Foreword," in <u>ibid.</u>, p. xi.

³Alfred H. Kelly and Winfred A. Harbison, <u>The American</u> <u>Constitution: Its Origins and Development</u>. 4th Edition (New York, 1970), 447.

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Form 10-300a (July 1969)

UNITED SI S DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES

INVENTORY - NOMINATION FORM

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Davis House

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7. Description (cont'd.)

have limestone sills and are either segmentally or semicircularly arched. Of particular note are the carved limestone labels that top several second-story windows on the right front and the east and west sides. Also interesting are the Victorian round dormers with overhanging gables that adorn each side of the mansard tower roof.

A paneled double door provides front access to the Davis House, and in addition there are two entrances in the rear and one on each side. The front doorway is semicircularly arched and topped by a rectangular-shaped transom, semielliptical fanlight, carved panel, and hoodmold with keystone. This entrance leads into a small octagonal vestibule floored with decorative English tile. Monogrammed glass doors lead from the vestibule into an anteroom, which opens into a central hall featuring parquet flooring.

The entire first floor has $13\frac{1}{2}$ -foot ceilings. To the right of the hall is the family sitting room, which contains a pink Portuguese marble fireplace and two early photographic plates of the Grand Canyon taken by John Wesley Powell. Immediately beyond the sitting room, the hallway opens into a double-flight, balustraded stair that leads to the second The stairway decoration includes paneled newels and floor. carved brackets and risers. Beyond the stair is Davis' bedroom, which doubled as a study, and beyond it a bathroom complete with an early shower and other original fixtures. On the left side of the hall are the formal parlor and the dining room. The latter contains a Hepplewhite sideboard from Davis' birthplace in Maryland. The first floor of the rear wing includes a kitchen and three pantries and features an enclosed cellar-to-attic stair hall.

Upstairs are four bedrooms in the main block and two large servants' rooms in the rear wing. Formerly, a cook, upstairs maid, and coachman lived in these quarters, and at present the custodian and his family occupy the rear rooms as well as two of the main bedrooms. The Illinois State Historical Library plans eventually to open two and perhaps all of the bedrooms to the public. The second floor of the tower houses Davis' library, which is still virtually intact. This room is distinguished by a $15\frac{1}{2}$ -foot ceiling.

North of the main house are several outbuildings. Except for the garage, all were built during Davis' lifetime. The

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Davis House (Continuation Sheet)

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rectangular-shaped, yellow brick garage is a harmoniously styled, 20th-century addition that is situated immediately behind the mansion. North of the garage is a T-shaped, one-story, gable-roofed, yellow brick woodshed with a slate roof and square-shaped ventilation cupola. To the rear of this structure are a gable-roofed frame barn that measures about 35 feet square and has a small gable-roofed ell on the south side; a rectangular-shaped, gable-roofed, frame stable that doubles as a carriage house; and a small frame foaling shed. The grounds include a oval front drive with rear loop and a small garden southeast of the mansion.

The Davis House and accompanying outbuildings occupy about one city block, bounded roughly by Monroe Drive on the south, Woodruff Drive on the north, Kenyon Court on the east, and Linden Street on the west.

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Designed by prominent midwestern architect Alfred Piquenard, Davis' Italian Villa-style house was built between 1870 and 1872. It is a two-story, 20-room, yellow brick structure that displays no significant alterations. Despite his lengthy service in Washington, Davis never moved his household to the National Capital, so the Bloomington residence stands as a particularly appropriate memorial to his Government service.

Biography

David Davis was born of Welsh ancestry in Cecil County, Md., on March 9, 1815. Because his father died several months before David's birth, the youth spent his first years on his maternal grandfather's large plantation. When his mother remarried in 1820, he went to live with his Uncle Winter Davis. There David acquired polished manners and formed a close relationship with his cousin, Henry Winter Davis, who was also to become an influential American political leader.

David received his early education in boarding schools and academies, and at about age 17, he entered Kenyon College in Gambier, Ohio, an institution selected for him by his stepfather. Upon graduating, David went to Lenox, Mass., to study law with attorney Henry W. Bishop, and in 1835 the young legal student graduated from New Haven Law School. That same year he proposed marriage to Sarah Walker, but the girl's father would not allow her to accept until David had succeeded in business. Consequently he decided to settle in the West, which seemed to offer greater opportunity for economic and professional achievement.

Acting on the advice of a relative, Davis located in Pekin, Ill., a bustling river town in the center of the State. After suffering from malaria in the summer of 1836, though, he moved to Bloomington. Within 2 years his practice there netted him sufficient wealth to win his prospective father-in-law's permission to marry Sarah. The couple had scarcely settled in their new home, when Davis decided to seek political office. In 1839 he petitioned the legislature to make him district attorney of the Eighth Illinois Judicial Circuit, but largely because he was a Whig, the Democratic-dominated body of lawmakers refused him the position.

Although disappointed by his personal defeat, Davis campaigned for Whig Presidential candidate William Henry Harrison early in 1840. These efforts created so much excitement that the party nominated Davis for the State senate. He

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canvassed his district thoroughly, and in the election he carried his home county, McLean. Nevertheless his Democratic opponent won the legislative seat by a narrow margin. This defeat coupled with the death of his and Sarah's first child sent Davis into deep depression. Following the birth of a second child in 1842 and a significant improvement in his law practice in 1843, however, Davis plunged into the political wars again in 1844. This time he was successful.

Elected to the Illinois Senate, Davis quickly earned a reputation as an able legislator. During this same time he began to invest heavily in land and the general merchandise business, transactions that in time made him a millionaire. He continued his law practice, too, and sometimes he took cases in partnership with fellow Whig legislator Abraham Lincoln. In 1846 Lincoln won election to Congress and the next year departed for Washington, but by then the two men had formed a professional and political association that was to have significant consequences for both.

In 1847 the voters of Davis' district elected him to the State constitutional convention, where he played a leading role in reorganizing the Illinois judicial system. Instead of being appointed by the legislature, future supreme and circuit court judges would be chosen by the populace. It seemed fitting, therefore, that in the first judicial election, which took place in 1848, Davis was elected circuit judge of the eighth district. He rode the circuit for the next 14 years, first by buggy and later by rail, and became a popular jurist. Many of Illinois' leading attorneys practiced before him, and several, including Lincoln, Stephen A. Douglas, and Lyman Trumbull, went on to earn national reputations.

While Davis presided over a myriad of Illinois cases during the 1850's, the Nation moved closer to Civil War. The turbulence drew the judge politically and philosophically nearer to Lincoln. Davis abhorred both slavery and abolitionism, and he joined Lincoln in opposition to Douglas, the Kansas-Nebraska bill, and the American or Know-Nothing Party, which sought to fuse fragments of the splintered Whig Party with the anti-Nebraska Neither man could tolerate the Know-Nothings' Democrats. desire to restrict immigration and prevent Catholics from holding public office. Therefore both were pleased when in 1856 a group of Illinois editors called for a convention to organize a State Republican Party. In its platform the new party repudiated both abolitionism and the extension of slaveholding to the free territories. During the ensuing Presidential

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Despite Lincoln's loss, Davis thought that his friend had "made a noble canvass" and "earned . . . a national reputation."5 Accordingly the judge believed that Lincoln could win the Republican Presidential nomination in 1860. When Davis arrived in Chicago just 4 days before the party's national convention, though, he found that only Lincoln, among all the candidates. had no headquarters. Acting swiftly and decisively, the judge rented two rooms in the Tremont House, then he gathered about him a number of Lincoln's intimate friends and assigned each of them a particular group of delegates to approach in the candidate's behalf. William H. Seward, the foremost Republican Senator, was the frontrunner for the nomination, and the other strong contenders included Free Soiler Edward Bates of Missouri, Gov. Salmon P. Chase of Ohio, and wily Pennsylvanian Simon Cameron. Davis' strategy, therefore, was to antagonize no one, while securing each State delegation's pledge to support Lincoln as their second choice. Some of Davis' contemporaries charged that he got Indiana's and Pennsylvania's support only by promising Cabinet positions, should Lincoln win the nomination and election, to Cameron and Caleb S. Smith. A1though historians disagree about the validity of these accusations, Dayis' biographer, Willard L. King, doubts that they are true.⁰ In any case, the Bloomington judge almost singlehandedly turned the convention toward Lincoln, and he received the nomination on the third ballot.

During the ensuing national campaign, Davis traveled widely to muster all party factions behind Lincoln. When not attending rallies, making speeches, or raising funds, Davis was busy smoothing disputes between various local Republican candidates. He concentrated especially on the key States of Indiana and Pennsylvania, both of which went ultimately to Lincoln. Eminent historian Allan Nevins has correctly and succinctly evaluated the significance of Davis' activities. "He played

⁴Quoted in King, <u>Lincoln's Manager</u>, 126. ⁵Quoted in <u>ibid.</u>, p. 126. ⁶<u>Ibid.</u>, 137-41.

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Washington at Lincoln's invitation, Davis successfully championed Cameron and Smith for the War and Interior posts but failed to secure the position of Postmaster General for Henry Winter Davis. Moreover the judge received no appointment for himself, and he returned to Bloomington bitterly disappointed. In October 1861, however, the President named Davis chairman of a committee to decide unsettled financial claims against deposed General Frémont in Missouri, and in August of the following year, Lincoln appointed the Illinois jurist to the U.S. Supreme Court.

Davis spent most of the remainder of his life on the Court, serving until 1877. On the whole his career as an Associate Justice was not noteworthy, but he did figure prominently in three highly important decisions, and his resignation had historic reprecussions. In 1862 Davis dissented in Hepburn v. Griswold, in which the majority declared that the Legal Tender Act of 1862 violated due process and the obligation of contracts and thus was unconstitutional. Davis argued in opposition that the Federal monetary powers granted by the Constitution included the right to make paper money legal tender. Later, in the Legal Tender cases of 1871, the Court reversed Hepburn v. Griswold, thereby vindicating Davis' stand.

It was in Ex parte Milligan, however, that Davis rendered his most significant service to American legal history. The case stemmed generally from Lincoln's controversial 1862 author ization of military arrest and trial, with suspension of habeas corpus, of persons resisting the draft, disouraging the enlistment of troops, or engaging in other so-called disloyal practices. Specifically the case concerned one L. P. Milligan, whom military authorities arrested, tried, and sentenced to hang in Indiana in 1864. Davis had long opposed such use of martial law, and as the author of the majority opinion in Ex parte Milligan in 1866, he maintained that neither the President nor Congress had the power to institute a military commission to try civilians in areas remote from the actual

⁷Nevins, "Foreword," in <u>ibid.</u>, p. xi.

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While most Radical Republicans disliked Ex parte Milligan, most Democrats welcomed it, and some Democratic newspapers began to mention Davis as a desirable candidate for President Meanwhile many Republicans grew tired of the in 1872. corruption of President Ulysses S. Grant's administration, began referring to themselves as Liberal Republicans, and called a national convention for May to choose their own Presidential candidate. Davis received numerous pledges of support for the nomination. In February 1872 National Labor Union representatives from 17 States met and chose Davis as their candidate, and although he did not endorse their platform he took encouragement from their support. When the Liberal Republicans convened 3 months later, however, Davis' following eroded in the face of factional squabbles, and that nomination went unexpectedly to newspaperman Horace Greeley.

historians Alfred H. Kelly and Winfred A. Harbison, the opinion

His Presidential aspirations ended. Davis appeared destined to remain an Associate Justice for the rest of his life, but that part of his public career came to a dramatic close in 1877. Following the disputed Presidential election of 1876, Congress moved to create an Electoral Commission of Fifteen -- five Representatives, five Senators, and five Supreme Court Justices -- to rule on the contested electoral votes. The Commission was to consist of seven Democrats and seven Republicans, and it was generally understood that the independent-minded Davis would the 15th member, thus insuring a politically balanced panel. On the day before Congress passed the joint resolution forming the Commission. though. ill-advised Democrats in the Illinois Legislature elected Davis to the U.S. Senate. Desiring an opportunity to spend more time in Bloomington, he resigned from the High Court immediately and accepted the new position. In effect Davis' decision guaranteed the election of Republican Rutherford B.

⁸Quoted in Kelly and Harbison, <u>The American Constitution</u>, 446. 9<u>Ibid.</u>, p. 447.

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Davis House

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8. Significance (cont'd.)

Hayes to the Presidency, for the other 14 members of the Electoral Commission voted along party lines, while Davis' replacement, Justice Joseph P. Bradley, held that State returns handed to the Senate must be accepted as presented.

Davis served only one term in the Senate, but for 15 months, he stood only a heartbeat from the Presidency. After the assassination of President James A. Garfield and the elevation of Vice President Chester A. Arthur to the White House in 1881, Davis' colleagues chose him as President pro tempore of the Senate. Under the prevailing law of that time, he became the designated successor to the President.

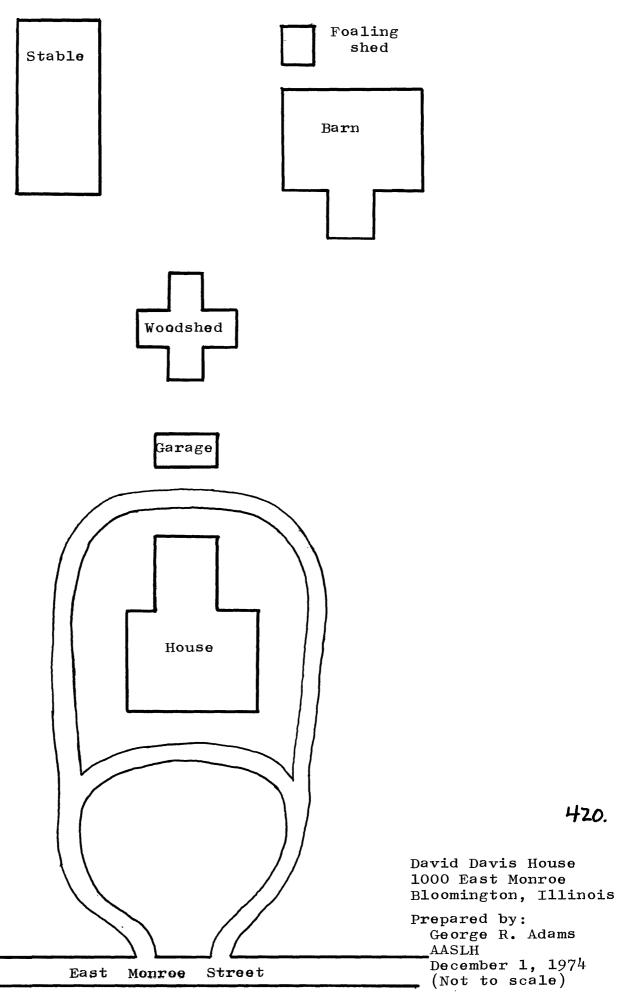
At the expiration of his senatorial term in 1883, Davis, then a widower, remarried and retired from active participation in politics. He accepted the presidency of the Illinois Bar Association in 1884, though, and helped Augustus H. Garland get the position of Attorney General in President Grover Cleveland's first administration. In 1885 Davis suffered from diabetes, and he died the next year. Biographer King claims that Davis played a "crucial part in American history," and a review of his career amply supports that contention.

¹⁰King, Lincoln's Manager, 2.



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