

CANAWLERS
AT REST

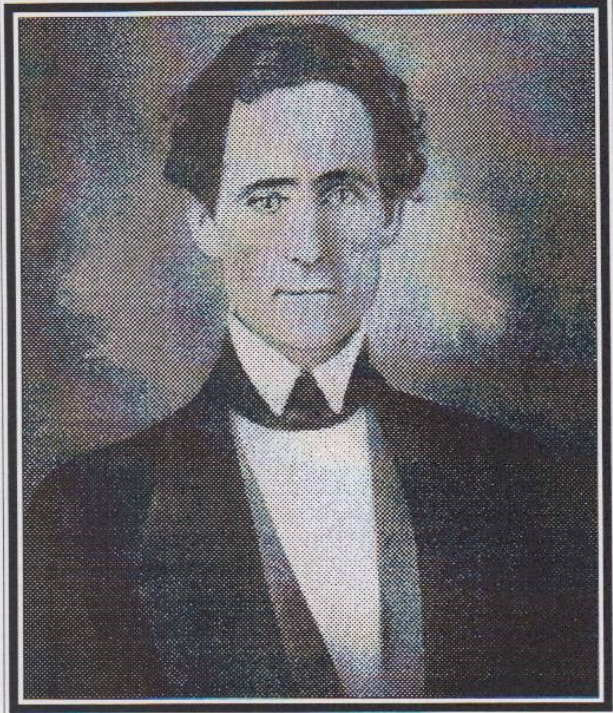
**ELISHA E.
EMBREE**

b. Sept. 28, 1801

d. Feb. 28, 1863

By Carolyn I. Schmidt

Portrait from
History of Gibson County, Indiana: Her People,
Industries and Institutions



Judge Elisha E. Embree, was born in Lincoln county, Kentucky, to Joshua and Elizabeth Edmonson Embree. In November 1811 Joshua, his parents, and siblings moved to Indiana Territory and settled on Marsh Creek approximately 2½ miles southwest of Princeton in Knox (now Gibson) county. The area was densely timbered. They cut the timber, erected a cabin and cleared the land for a small farm. Joshua, was a Kentuckian at birth and a member of the Baptist Church. Elizabeth was born in Virginia and was a member of the Christian Church. Joshua only lived two years after moving his family to the farm. He died in 1813. Elizabeth subsequently married a Mr. Spencer, who became Elisha and his four siblings' step father. Elizabeth lived in Gibson county until her death in June, 1829.

Elisha spent his youth in hard work as a farm laborer since the family was poor. He first attended school in his late teens and received the little education that the district school of that time afforded. He studied diligently on his own. He progressed so rapidly and at exhibitions he displayed such aptitude for declamation and oratory that his teacher advised him to become a lawyer. He read law with Judge Samuel Hall in 1825, was licensed to practice by the Supreme Court of Indianapolis on May 3, 1826 and began practice in Princeton, Indiana, that year. He was a sound and practical counselor, an able and eloquent advocate, and ranked as one of the ablest men at the bar.

Eleanor Robb, born to Maj. David and Mary Robb on December 3, 1801, became Elisha's wife on March

15, 1827. Eleanor's father was a prominent pioneer of Gibson county, a member of the state constitutional convention and the state Senate. The Robbs lived on the White River near where the town of Hazleton now stands. Elisha and Eleanor had six children: Maria Louisa, James T., Ophelia (died in infancy), Ophelia Elizabeth (died in infancy), David F. and Milton P.

In 1828 Elisha was appointed the county agent for one year. His salary was \$25 for his entire year's work.

Elisha had been raised as a Universalist. Following his conversion, he carefully examined the various churches, their creeds, confessions of faith, polity, etc., and came to the conclusion that the Methodist Episcopal church came nearest to his idea of a Bible church, and prophesied that it would become the church for the conversion of the world.

The Methodist church was organized about 1815 at Princeton but did not erect a building until 1838. At that time Elisha was one of the subscribers and worked ardently for the church up until the time of his death. When seeking subscribers he once remarked: "We have been driven from private houses to the jail and from there to the court house, and I propose now that we build a house of our own." For many years Elisha served as superintendent of the Sunday school.

In 1833 Elisha was elected to the Indiana State Senate defeating the Hon. George H. Proffit. While there

he was one of few who opposed the Internal Improvement legislation that eventually led to Indiana's bankruptcy.

Elisha was elected Judge of the Fourth Judicial Circuit Court in 1835. In those days the lawyers were few in number. They followed the court from county to county. He succeeded Judge Charles I. Battell, who only served for a short time in 1835, and became a distinguished leader of the bar. Elisha was re-elected for a full term in 1838. He served a total of 10 years until 1845 as president judge. Associated with him were Thomas Montgomery and Patrick Payne, Samuel A. Stewart and Robert McCrary, and James Wilson and Anderson F. Ely.

One county history said that Judges Samuel Hall and Elisha Embree were "the only resident lawyers (those living in Gibson county) of any note." Shortly before he retired, there came a case from Vanderburgh circuit court on a change of venue. The case "State of Indiana v. Romain Weinsorpflin." was widely noticed and was a case of ill-feeling. The trial was held in the old Princeton courthouse on March 5, 1844 and continued until March 9. The twelve jurors under presiding Judge Embree found the defendant, a priest of the Roman Catholic church from France who was charged in three counts of rape, assault and battery, and assault, guilty of the first count. They fixed his punishment imprisonment with hard labor for a term of five years.

When Elisha retired from the bench in 1845, he stopped practicing law until 1852. At that time his son, James T., and himself opened up offices together and continued until his death.

In 1847 Elisha was elected to the national House of Representatives from the First Congressional District for a two year term defeating the Hon. Robert Dale Owen. The Reverend John Ferguson in his *Recollections of Pike County* tells of the influence the camp meeting had on Elisha's election as follows:

"Few influences were larger upon the masses of the people than the camp meeting. These were held annually and attracted the attention and gained the patronage of almost everybody in the community. Their first benefit was religious they were the means of influencing many to live the Christian life and most every church worker was converted at the camp meeting altar. They also had a large social and ethical influence and many a desperado was quieted and controlled through their ministry. The likewise furnished an opportunity for political campaigning. Robert Dale Owen suffered a defeat in his campaign for congress at the hands of one who gained his influence through the camp meeting. Owen was a democrat and while a man of scholarship

and a politician was an agnostic. The wigs (Whigs) elected his opponent Elisha Embree, a great lay worker in the camp meetings. He sang acceptably and attended all these meetings thus gaining a wide acquaintance and being elected over Mr. Owen. By the time he asked for re-election the democrats had selected as his opponent a man who could exert the same influence and get votes by the same method. The man who defeated Mr. Embree for congress was Mr. Albertson of Paoli and the only qualification which he had was that he could sing and work in camp meeting. But in this he was superior to Mr. Embree and when the ballots were counted he was found to have defeated his camp meeting opponent."

Elisha was the first and only Whig ever elected in the First Congressional District. While in that office, he originated the proposition to abolish mileage to members of Congress.

While in Washington, D.C., he became acquainted with Elihu B. Washburn, Horace Greeley and Abraham Lincoln, all of whom he remained friends until his death. He lived in the same boarding house as Lincoln and Washburn for a time.

Politically Elisha was a Whig during the period the Whig Party existed and later became a Republican for the rest of his life. The Whig convention made Elisha their nominee for governor of the state of Indiana in 1849. Elisha declined the nomination. Instead he ran for Congress again. At the time Abraham Lincoln was not up for re-election from the Springfield district of Illinois and he wanted Elisha to win. Lincoln and J. K. Dubois, who had been raised at Vincennes but had moved to Illinois and become the Illinois State Auditor, came over to assist him for a few days. They went to Vincennes sometime in the fall of 1848, rented horses and, since there were no buggies in the county at the time, rode by horseback crossing over White River at Decker's Ferry and arriving at Judge Hillman's home to meet Elisha for a dinner appointment. Also joining them was Cyrus M. Allen, a young lawyer from Petersburg, IN. After eating dinner together, they all went to Deffendol Grove near Hornbrook's store just south of where the town of Union, Indiana, is located. There they all made some talks and Lincoln gave a speech. They then shook hands. Three of them went on to speak at Petersburg that night and in Pike county the next day. From there they went to Warrick, Spencer, Gibson and a few other counties.

Even though Elisha and his friends campaigned hard, he was defeated in his race for re-election to Congress by Hon. Nathaniel Albertson. At this point he virtually gave up practicing law and devoted most of his time to personally supervising his estate.

Abraham Lincoln sought the help of his friends in

1849 when he was an outgoing congressman and was attempting to secure patronage positions for Whigs of Illinois in the General Land Office. At the time there were no Whig clerks in any of the departments except J. M. Lucas in the Land Office. He recommended three clerks in a letter to the Secretary of War. When he saw his candidates had no chance, he eventually pursued the Commissioner of the General Land-Office for himself. He wrote the following letter to Elisha:

CONFIDENTIAL

Hon. E. Embree Springfield, Ills.

Dear Sir: May 25 - 1849

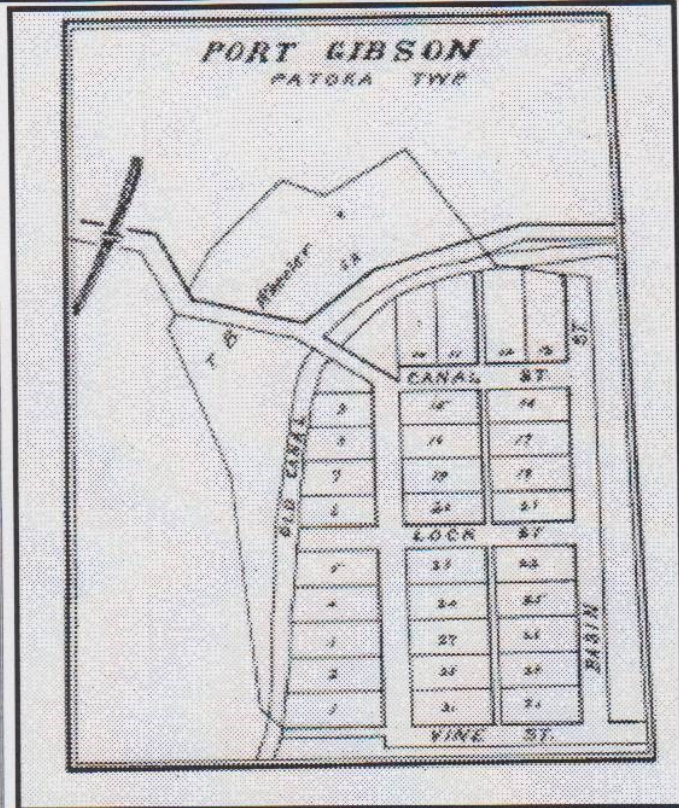
I am about to ask a favor of you—one which, I hope will not cost you much. I understand the General Land Office is about to be given to Illinois; and that Mr. Ewing desires Justin Butterfield, of Chicago, to be the man. I give you my word, the appointment of Mr. B will be an egregious political blunder. It will give offence to the whole whig party here, and be worse than a dead loss to the administration, of so much of it's patronage. Now, if you can conscientiously do so, I wish you to write General Taylor at once, saying that either *I*, or the man I recommend, should, in your opinion, be appointed to that office, if any one from Illinois shall be. I restrict my request to Ills. because you may have a man of your own, in your own state; and I do not ask to interfere with that. Your friend as ever A. LINCOLN

Lincoln was defeated by Butterfield.

When Elisha and Samuel Shannon saw that the Wabash & Erie Canal, which was begun in Ft. Wayne, IN, in 1832, was finally going to be completed from Toledo to Evansville, they decided to plat Port Gibson in section 3, township 2 south, range 10 west, on the southeast bank of the canal. It was surveyed in the spring of 1852, the year the canal opened its entire distance.

The Wabash & Erie Canal was a waterway project born in 1827 with the U. S. government granting Indiana every alternate section of land along the proposed canal route. In 1830-32 the Indiana Legislature offered these grants for sale at \$1.50-\$2.00 per acre. The money was to be used for digging the canal. The government stipulated that the government boats and agents would be allowed to travel the canal free of cost.

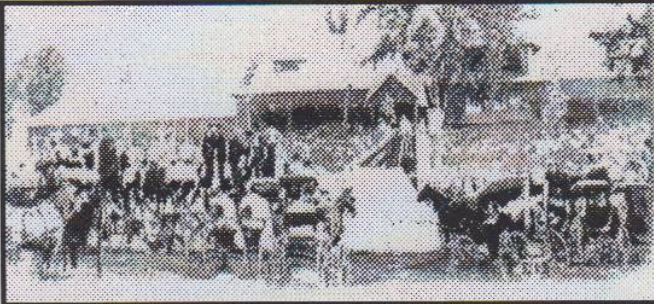
The entire length of the Wabash & Erie Canal was four hundred and sixty eight miles, some of which were in the state of Ohio. It cost six million dollars to construct



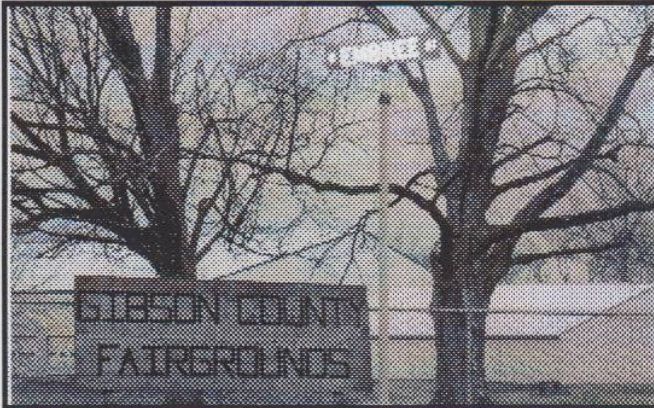
and was completed just as the railroad came into its own as a means of transportation.

At first when the Wabash & Erie Canal passed through the eastern part of Gibson county, it provided a highway for transportation of most of the county's products. Port Gibson thrived and became strong. There a huge reservoir was built to feed the canal. It covered over two thousand four hundred acres. The canal locks at Port Gibson took time to pass through so passengers disembarked and the little settlement became the principal canal point in Gibson county. The town boasted of having a store, a blacksmith shop and a flouring mill. The mill was promoted by Mr. Iglehardt of Evansville. "Dud" Campbell started a saloon. For a time, while passenger traffic was heavy, canal boats stopped for one or two hours at Port Gibson. The little town would have blossomed into a small city had it not been for the arrival of the railroad. From Terre Haute to Evansville, the canal became the right-of-way for the Evansville & Indianapolis railroad.

In 1852 the first county fair was held on the Princeton courthouse yard. It was very successful and continued to be so the following years. On September 19, 1856, Elisha filed and signed the articles of incorporation for the Gibson County Horticultural and Agricultural Association. They stated that non-dividend-paying share of stock be issued and, at the beginning of the organization, 233 shares were sold. Elisha was



The Gibson County Fair began in 1855 and was held around the city square. In the 1860s it was moved to land purchased from Judge Elisha Embree. The photo above is of the permanent fair grandstand in the early 20th century. The photo below shows the fairgrounds are on Embree Street. Photo by Bob Schmidt



electd its first president and had 12 men on the board of directors. They purchased ten acres of land for a permanent grounds near Princeton. Eight of the acres were purchased from Elisha. The first admission to the fair was charged in 1857. In 1860 another six acres were purchased and a show-ring built. Today the fair grounds encompass over 60 acres.

Elisha took a keen interest in the questions arising after the outbreak of the Civil War. He regretted that he was too old to be in active service. He was strongly for the Union and, at the outbreak of the war, he aided and encouraged the enlistment of troops. All of his three sons entered the army.

James T. Embree, Elisha's oldest son, was born in Princeton on January 2, 1829. He was educated at Asbury (DePauw) University, read law under his father, and graduated from Indiana University at Bloomington, IN, in 1852. He practiced law with his father in the E. & J. T. Embree law firm. He married Mary Mageline Landes, in 1852. They had three children: Lucius C., Samuel L. and Eleanor. He enlisted in the Fifty-eighth Regiment, Indiana Volunteers, in 1861 and rose to the rank of lieutenant-colonel. He served for three years. After his return from the war he practiced law alone until 1866,

when he formed a partnership with his brother David F. Embree. He died on August 3, 1867 at the age of 38. Mary, his wife, had died in 1863. He was a prominent lawyer. His son Lucius also became a lawyer.

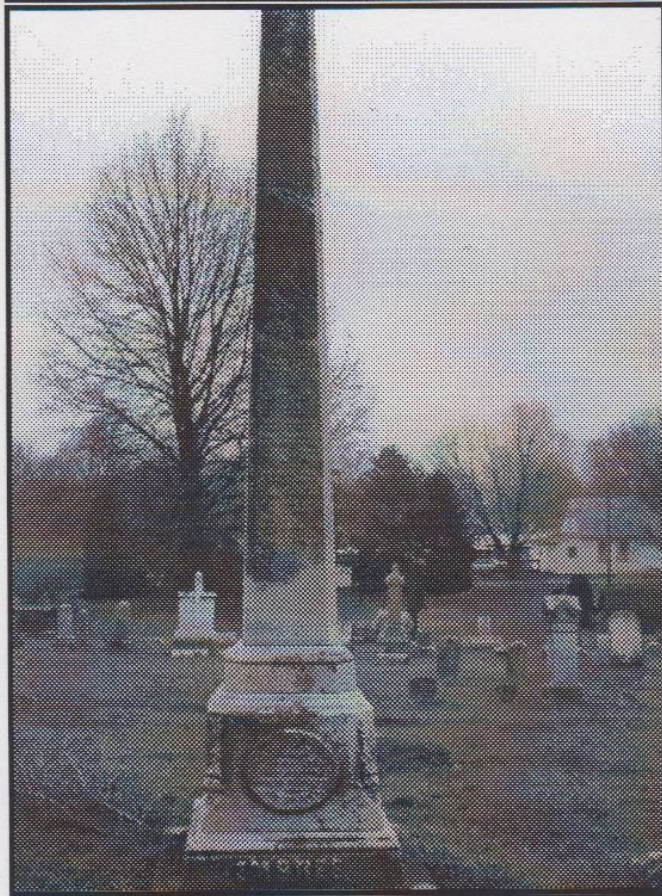
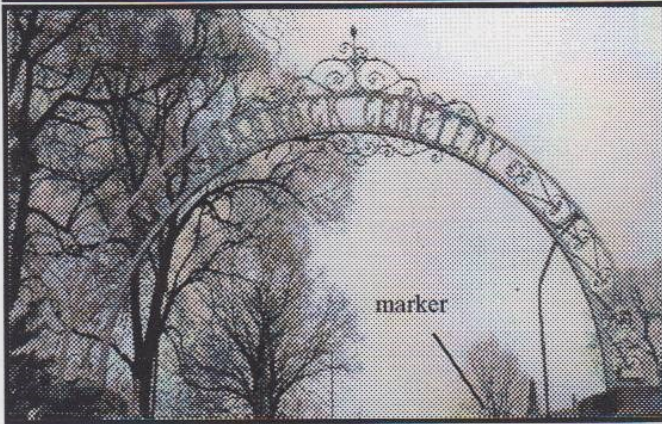
David F. Embree, also a graduate of Asbury University, who had studied law under his brother James T., joined the Forty-second Regiment and remained in the service for three years. He attained the rank of Captain of Company E. He then attended the Albany, N.Y. Law School for one year. He completed his law degree at Michigan University in Ann Arbor, Michigan, in 1865. He then became the junior partner in the law firm of James T. & David F. Embree and continued in that position until the death of James. During David's last few years of life his health failed. This compelled him to give up his practice and seek rest and recreation by traveling in the South and West. Thinking he was better, he returned in 1876 and began a law practice in partnership with Thomas R. Paxton. He died in January, 1877. He was married to Mary Fleming. They had two children: Anna F. and Charles F.. David, like James T, was a very successful practitioner of the law.

During the war Elisha spent most of his time at the front devoting his services to the sick and wounded soldiers. Even his house was used as an asylum for a sick soldier. He believed that the terrible Civil War would result in universal liberty. It is thought that his hard labor and exposure during this time caused his death.

For many years Judge Elisha Embree was a prominent man in Gibson county. He died at his home in Princeton on February 28, 1863. He believed in immortality. Eleanor, his widow, lived to a ripe old age. She was 81 at the time one of the historical articles was written.

An article described Elisha as "a man of plain and simple habits...(who) disliked anything like show or parade..."

Judge Elisha Embree was laid to rest in Robb Cemetery (now known as Warnock Cemetery) in Princeton, Indiana. To reach his grave site: From U.S. 41 at one of Princeton's exits turn east on 100 N, turn right on Old 41, which becomes Warnock St. after crossing Embree at the fairgrounds and high school, turn left on N. Main and right into Warnock Cemetery. His marker is behind the large tree at the top of the hill on the right. An iron rod sticks out of the top of his stone obelisk where a finial or urn has fallen off. The information about Elisha is on the side of the marker facing N. Main. The other sides give information about other members of his family buried there.



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1. The entrance of Warnock Cemetery leads to Elisha Embree's stone behind the tree at the top of the hill.

2. The Embree grave stone. Photos by Bob Schmidt

3. Hon. Elisha Embree, Born in Lincoln Co., Ky. Sep 28, 1801, Died in Princeton, Ind. Feb. 28, 1863.