

JUDGE HENRY CLAY DUNCAN

Human life is like the waves of the sea; they flash a few brief moments in the sunlight, marvels of power and beauty, and then are dashed upon the remorseless shores of death and disappear forever. As the mighty deep has rolled for ages past and chanted its sublime requiem and will continue to roll during the coming ages until time shall be no more, so will the waves of human life follow each other in countless succession until they mingle at last with the billows of eternity's boundless sea. The passing of any human life, however humble and unknown, is sure to give rise to a pang of anguish to some heart, but when the "fell destroyer" knock at the door of the useful and great and removes from earthly scenes the man of honor and influence and the benefactor of his kind, it not only means bereavement to kindred and friends, but a public calamity as well. In the largest and best sense of the term, the late Judge Henry Clay Duncan was distinctively one of the notable men of his day and generation, and as such his life record is entitled to a conspicuous place in the annals of his county. As a citizen he was public spirited and enterprising to an unwonted degree; as a friend and neighbor he combined the qualities of head and heart that won confidence and commanded respect; as an attorney, who had a comprehensive grasp upon, the philosophy of jurisprudence and brought honor and dignity to the public position he filled with such distinguished success, he was easily the peer of his professional brethren of the bar, and as a servant of the people in places of honor he had no superiors. It is scarce less than supererogation in outlining the leading facts in his life to refer to him as a lawyer in the ordinary phraseology which meets requirements when dealing with the average member of the legal profession. He was indeed much more than eminently successful in his legal career, as was indicated by his long and praiseworthy record at the bar and his efficient service on the bench. He was a master of his profession, a leader among men distinguished for the high order of their legal talent, and his eminent attainments and ripe judgment made him an authority on all matters involving a profound knowledge of jurisprudence and vexed and intricate questions growing out of its interpretation.

Henry Clay Duncan was born in Lawrence county, Indiana, on January 16, 1845, and his death occurred at his home in Bloomington, on January 30, 1911. He was the son of William and Mary (Malott) Duncan, both of whom were natives of Jefferson county, Kentucky. They were married there in 1824 and two years later they moved to Lawrence county, Indiana, where they spent their remaining years, the father's death occurring on March 1, 1875. They were the parents of eight children, all of whom are now deceased.

Henry Cay Duncan received his preliminary education in the common schools of Lawrence county, later being a student in Northwestern University (now Butler College), and then, on January 1, 1864, he became a student in Indiana University. However, realizing that his services were needed by his country, which was then in the throes of the greatest civil conflict this world has ever known, he relinquished his text books and enlisted in the One Hundred and Thirty-sixth Regiment, Indiana Volunteer Infantry, under Col. John W. Foster, with which command he served until mustered out on October 1, He then resumed his studies in the State University and in 1868 received his Bachelor of Arts degree, and also graduated from the law department. He had a natural predilection for the law, and immediately after leaving college he began the reading of law with Moses F. Dunn, of Bedford. In 1869 Mr. Duncan was appointed and served as

enrolling clerk in the state Legislature. In 1880 he formed a partnership with his former preceptor, Mr. Dunn, and engaged in the active practice of law at Bedford. Two years later he came to Bloomington and formed a law partnership with John W. Buskirk, which firm soon took rank as one of the strongest law firms in southern Indiana, and continued until 1887, when he formed a partnership with Ira C. Batman, which continued until the time of his death. In 1880 Mr. Duncan was elected prosecuting attorney for the judicial district composed of Monroe, Lawrence, Orange and Martin counties, serving two years and gaining a splendid reputation as a painstaking, thorough and successful lawyer. Subsequently he was appointed judge of the circuit court, in which position he gained additional laurels, his record having been one which reflected great credit on himself and honored the counties over whose court she presided. His integrity was of the most insistent and unswerving type and no shadow rests upon any portion of his professional career.

Aside from his professional interests, which demanded the major portion of his time, Judge Duncan was also deeply interested in the welfare of the city in which he lived and became identified with a number of enterprises of local importance. For many years he was president of the Workingmen's Building and Loan Association; was a director of the Citizens Loan and Trust Company; was a director of the First National Bank, and vice-president of that institution at the time of his death, and in other ways he evinced a live interest in the development and progress of Bloomington.

Politically, Judge Duncan was a staunch and earnest supporter of the Republican party and took a prominent part in political affairs. He was elected a state senator and in that capacity was influential in retaining the State University at Bloomington, at a time when there was a movement on foot to locate it elsewhere. He was also an influential figure in the election of Charles W. Fairbanks as United States senator. While in the Senate he was the author of the bill changing the prison at Jeffersonville to a reformatory, and was appointed a member of the first board of trustees, serving one term. Religiously, he was for many years an active member of the Christian church, which he served as trustee and elder, and to the support of which he was a liberal contributor. Fraternally, he was a member of the Free and Accepted Masons, the Grand Army of the Republic, and the Sigma Chi fraternity.

On December 11, 1872, Judge Duncan was married to Sadie Cummings, the daughter of Dr. Adam F. and Melissa (Edwards) Cummings, both of whom were natives of Ohio. Both had come to Jefferson county, Indiana, in childhood with their respective parents, and were there reared and married, their union resulting in the birth of four children, namely: Marie Antoinette, Frank and an infant, all of whom are deceased, and Sadie, who became the wife of the subject of this sketch. Mrs. Cummings is still living, at the advanced age of eighty-seven years, and is making her home with her daughter, Mrs. Duncan. To Judge and Mrs. Duncan were born four children, as follows: Frank, of Bedford; Antoinette, who became the wife of Burton E. Hansen, of Bedford; Newland, a farmer in this county; and Sallie, the wife of Phillip B. Hill, of Bloomington.

As a lawyer Judge Duncan was industrious, able, courteous and of kindly disposition in his intercourse with his professional brethren, always enjoying the respect and confidence of bench and bar, and never allowing the asperities and antagonisms of professional business to interrupt the warmth and cordiality of his personal friendships. He was fortunate in that because of his kindly nature he was not inclined to provoke the

kind of antagonisms which engender bitterness, and therefore through life he enjoyed to a marked degree the personal esteem and warm friendly regard of his professional and business associates. He was a good citizen, liberal always in his counsel, his time and his means, in all enterprises which gave promise of the betterment of his fellow men or of the general public good.

(History of Lawrence and Monroe Counties Indiana , 1914 B. F. Bowen & Co. Inc. Indianapolis, Indiana pgs 496-498)