

History of Perry County, Pennsylvania, Including Descriptions of Indian and Pioneer Life from the Time of Earliest Settlement Sketches of Its Noted Men and Women and Many Professional Men, By H. H. Hain, Harrisburg, Pa., 1922 - Hain-Moore Company, Publishers, Harrisburg, Pa.

Chief Justice Henry Calvin Thatcher.



First Chief Justice of Colorado. The third native son to become a Chief Justice. One of three brothers to become famous.

There stands in the State Capitol at Denver, Colorado, a bust of **Henry Calvin Thatcher** — the first chief justice of that noted Commonwealth — a Perry Countian by birth, and one of the three native sons of the County to attain that distinction in three widely separated states of the Union. **Justice Thatcher** is of a noted family — one of the most noted which has ever gone out from Perry County. His two brothers, **Mahlon D.** and **John A. Thatcher**, became, in a business way, the most successful men from among those born in Perry County, as well as the most noted in that imperial commonwealth west of the Mississippi.

Chief Justice **Henry Calvin Thatcher** was the third son of **Henry** and **Lydia Ann (Albert) Thatcher**, and was born in New Buffalo, Perry County, April 21, 1842. After receiving the education afforded by the schools of the period, through the desire of his parents to see their children educated, he was enabled to attend

Franklin & Marshall College at Lancaster, from which institution he graduated in 1864, taking the honors of his class. Choosing the law for his career he began reading law at Altoona, Pennsylvania, and at the same time he edited the educational columns of the *Hollidaysburg Standard*. In the spring of 1866 he was graduated from the Law Department of Albany University, of New York, and in the fall of the same year he went to Colorado, located at Pueblo, and began the practice of law. There were no railroads then west of the Mississippi and the future justice made the pilgrimage by ox-team across the plains. It was a long and tedious journey.

His first public service was in 1869, when President Grant appointed him United States Attorney for the State of Colorado. After serving in that capacity for a little over a year he resigned. When Colorado gained statehood he was made a member of the Constitutional Convention from his district, upon a non-partisan ticket, with scarcely a dissenting vote. In 1876 he received the Republican nomination for the Supreme Court, and was elected to that high office. In drawing lots for terms, **Judge Thatcher** drew the short term of three years, and by the law's provision thus became the chief justice. He proved himself the peer of the most able members who have ever sat in the court of last resort, his decisions being marked by a masterful grasp of the most intricate problems presented for solution. In large measure he left the impress of his individuality and ability upon the history of the state, especially in connection with the framing and execution of the laws.

With his retirement from office he resumed the practice of law in Pueblo, becoming senior partner in the firm of Thatcher & Gast. That relation was maintained to the time of his death, which occurred in San Francisco, California, whither he had gone for the benefit of his health. Save for the three years when he was chief justice, he was in active practice in his adopted state from the time of his location there until his death, on March 20, 1884.

From a three volume History of Colorado¹, by Wilbur Fiske Stone, himself an attorney of Pueblo and one of its first settlers, and who only recently passed away, we gain a pen picture of the life and characters of Chief Justice Thatcher. Speaking of him, Chief Justice Beck, of the Colorado Supreme Court, said, among other things: ". . . His was a busy life, and he accomplished much in the period allotted to him here. Endowed by nature with a comprehensive mind, which had been well cultured and disciplined by his mental exercise, gifted with a good judgment and a strong practical sense, he had risen to a leading position at the bar, and the force of his character and attainments has left an impress upon the fundamental law and upon the jurisprudence of the state. He gave valuable assistance in framing the one and in shaping the other, as the records of the constitutional convention and the opinions of the Supreme Court bear conclusive testimony. . . ." Judge Elbert thus portrayed him in part: "It was my good fortune to know Judge **Thatcher** intimately and well. For three years we came and went together in the discharge of our judicial duties. Purity in public life and purity in political methods found in him a zealous advocate. He was a most excellent judge. . . His investigations were most thorough, and no fact connected with the case he was considering escaped his attention. **Judge Thatcher** never wrote a slovenly opinion. He knew distinctly and clearly the conclusions he had reached and the process of reasoning by which he had reached them, and his statement and his argument was always clear, accurate and logical. His mind was analytical and he treated the intricate mazes of a difficult legal question with a steady step and clear eye that made him a valuable member of any court. Above all he was pure and incorruptible, presenting a judicial character the purity of which was as the snow, and the integrity of which was as the granite. . . Of the value of such a life there is no measure. . ."

At a memorial meeting held by the members of the bar Judge T. T. Player, said in part : ". . . His epitaph might fairly be written in the one word 'excellent.' He was an excellent lawyer, an excellent citizen, and, above all, an excellent man. **Judge Thatcher** was essentially a modest and somewhat reserved man, and it is more true of him than of anyone else whom I ever knew, that his good qualities grew upon you day by day. . ." Attorney E. J. Maxwell's tribute in part: ". . . It was not because of his greatness as a lawyer, not by reason of his having been chief justice of the State, not because of personal popularity, it was the grandeur of his character alone which had impressed itself on this community — character alone, which, notwithstanding the slurs of the cynical and the skeptic, the world admires and venerates for itself alone." Of him Mr. Richmond, another member of the bar, said: ". . . He was recognized from the first as an able lawyer and an upright man, and among his professional brethren as one thoroughly conversant with the ethics of his profession. It always seemed to me that he recognized the fact that no man could be truly a great lawyer who was not in every sense of the word a good man. He did not seek to shine with meteoric splendor, but hoped to achieve renown in the profession by studious

¹ **Judge Stone** is credited with being a versatile writer, perfectly reliable, and better posted on men and affairs in Colorado than any other.

habits and sterling integrity, believing that integrity and honor, with assiduity, would bring him fame in his profession and financial independence. He would not swerve from truth or fairness in any particular, and from the first to the day of his death he was able to stand the severest scrutiny of the public."

It was altogether natural that, when **Henry Calvin Thatcher** had completed his law course at the Albany Law School and located at Pueblo, he should become the attorney and counselor of his brothers in their growing and diversified interests, and so continue until his death eighteen years later. In this new relation the utmost harmony prevailed, each treating the other with the highest courtesy, consideration and kindness in all their business relations, thus adding strength and stability to their business growth.

In 1869 **Judge Thatcher** was married, his first wife being **Miss Ella Snyder**. One son, **William Nevin**, was born to them, December 3, 1870, but died in Chester, England, June 14, 1891, and there rest his remains. He had graduated and gone abroad with a party of college friends, when attacked with appendicitis. Two **daughters** passed away in infancy, and the mother in 1878. In 1879 **Mr. Thatcher** was again married, the bride being **Sallie B. Ashcom**, of Everett, Pennsylvania. Their only child, **Coolidge**, died in infancy.

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