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WILLIAM CHENAULT, 1835-1901

ONE OF THE FOUNDERS OF THE FILSON CLUB

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Read before The Filson Club, December 4, 1944

I appreciate the honor of addressing you on the subject of William Chenault, Citizen, Teacher, and Historian, who was one of the ten founders of The Filson Club. In October, 1937, I was your speaker and then Mrs. Dorris and I enjoyed for the first time President Thruston's most gracious hospitality in his apartment. In fact, it was his invitation to another such delightful dinner party that caused Mrs. Dorris to leave two very young grandchildren in the care of a stranger—to them, at least—to be the guest of Mr. Thruston and to see and to use his exquisite silverware again. We were delighted indeed when the invitation was also extended to include President and Mrs. W. F. O'Donnell, both of whom are here tonight.

It is rather singular, I think, that another Madison County Chenault was responsible for my first appearance before you. My subject on the former occasion was "Old Cane Springs: A Story of the War Between the States in Madison County, Kentucky." This was the title of a book which I had recently published, the basic manuscript of which Judge John Cabell Chenault had written many years earlier.<sup>1</sup> The manuscript had been given me by his son, and I used it thus as a contribution to the Sesquicentennial Celebration of Madison County, 1942. In the introduction to this book I quote Dr. E. Merton Coulter as having said to John Wilson Townsend: "Kentucky

has such interesting history that I think a person can afford to indulge in it now and then as a luxury." What Professor Coulter said of Kentucky as a whole might easily be applied to Madison County.

I think it was Henry Thoreau who said of himself: "I have traveled much—in Concord, Massachusetts." Though I shall never attain the fame of Thoreau, I think I might also truly say: I too have traveled much—in Madison County, Kentucky. So, after I have gotten some other work out of the way, I think I shall produce a book under the title: Madison County, In the History of Kentucky and the Nation. And when I do so, I shall acknowledge my great obligation to William Chenault, French Tipton, and W. H. Miller. Each of these men traveled far in Madison County history, and each aspired to write a history of his native county. Consequently, each man left a great quantity of material on that subject. Practically all of this is on the campus of our Eastern Kentucky State Teachers College in Richmond.<sup>2</sup> The first of this trio is my subject this evening.

About the year 1700 there arrived in America a company of immigrants from Southern France. The name of the vessel in which they came suggests the cause of their coming. Their ship was called the *Nassau*, in honor of the Prince of Nassau, who had championed Calvinism in the Netherlands against the Spanish Inquisition, in the latter half of the sixteenth century. William the Silent, as the Prince is most commonly known, also encouraged Protestantism in France.<sup>3</sup>

The immigrants in the *Nassau*, therefore, were Huguenots fleeing from their homeland after the revocation of the Edict of Nantes in 1685. This Edict, granted by Henry of Navarre in 1598, had allowed religious freedom to the French Protestants, but late in the seventeenth century that privilege was withdrawn. Among the passengers of the ship, seeking freedom of conscience, were Stephen Chenault and his family, who settled with more than 200 other Huguenots at Manikin Town, Virginia. I wonder how many descendants of this company of French immigrants are fighting for "Liberty, Equality, and Fraternity" today? Claire Chenault, we know, is a major general in the American army, and another is Lieutenant Joe P.

Chenault, whom I have had in my classes and who is now a prisoner of war in Germany. No doubt others are also gallantly serving their country.

The first Chenault to come to Kentucky was a descendant of Stephen, named William. He was a Virginia Revolutionary soldier, who moved his family to Madison County in 1786, and settled on a farm, which had earlier belonged to George Boone, a brother of Daniel Boone. The subject of this paper was the grandson of this pioneer William. His parents were Josiah Phelps Chenault and Narcissa Oldham. The Oldhams also belong to the oldest and most prominent families in Madison County.<sup>4</sup>

William Chenault was born on a farm near Richmond, Kentucky, in 1835. He was the second of seventeen children, one other of whom will deserve mention in this paper as a prominent educator of Louisville. After William had prepared himself for college in the schools of his county, he attended Dartmouth College, where he was graduated in 1856. On returning to Richmond, he studied law in the office of Squire Turner, who was also the legal inspiration of Samuel Freeman Miller, Associate Justice of the United States Supreme Court from 1862 to 1890. I might say further that during the 1840's and 1850's Squire Turner was one of the most prominent men in Kentucky, being an able member of the State Constitutional Convention of 1849.<sup>5</sup> Madison County has always had eminent citizens of the State and Nation.

While practicing law in Richmond, William Chenault was active in promoting worthwhile business and educational interests in the community. Soon after the close of the Civil War the building of a branch of the Louisville and Nashville Railroad from Stanford, the county seat of Lincoln County, to Richmond became desirable. Mr. Chenault was one of the chief promoters of this enterprise. He and others caused the citizens of Madison County to vote bonds, on April 20, 1867, to the amount of \$350,000 to pay the cost of constructing the County's part of the branch road. The bond issue, however, carried by a majority of only 89 votes. A sinking fund commission was created at once to supervise the taxation and other activities necessary for the building of Madison's part of the road and for the retirement of the bond issues. Mr. Chenault

was a member of this commission. Apparently he also gave the commission legal advice. At least, he received \$650 in July, 1870, for arranging a compromise with Lincoln County.<sup>6</sup>

Mr. Chenault probably will be remembered longer in Madison County for his relation to Central University. This institution of higher learning was created in 1872-74 by Presbyterians who had sympathized with the Confederate States. The members of this religious group had become a separate Synod in Kentucky after the Civil War and consequently had lost their equity in Centre College, at Danville. The test case in the legal battle between the Northern and Southern Presbyterians of Kentucky over the ownership of property, after the separation, was that of *Watson vs. Jones*, where the United States Supreme Court gave the Walnut Street Presbyterian Church property in Louisville to the Northern Presbyterians. Justice Samuel Freeman Miller, a native of Richmond, who has already been mentioned, wrote the opinion.<sup>7</sup>

On losing Centre College, the Southern Presbyterians of Kentucky made preparations to establish colleges, or a university, of their own. Though he was a Baptist, William Chenault subscribed \$500 to the fund raised in Madison County toward the cost of the enterprise. The Chenaults had generally sympathized with the Confederacy, and ten of them subscribed to the fund raised for Central University. The enthusiasm in Richmond for the University and the large amount subscribed in the community for its establishment caused the main part of the institution to be located in that little city. Anchorage, near Louisville, was first selected as the site. By September, 1874, a College of Letters and Science, a College of Law, and a Preparatory School were opened in Richmond, and a College of Medicine in Louisville.<sup>8</sup>

Apparently, William Chenault was active in the movement to bring Central University to Richmond. His substantial contribution to the endowment is some evidence of that. The head of the University was to be known as Chancellor, while each college was to have a President. Mr. Chenault was made President of the College of Law and "Professor of Common Law including the law of Pleading, Evidence and Contracts." There were two other teachers of law, who were also worthy attorneys of Richmond. Honorable Curtis

Field Burnam was one of them, but he resigned to become Assistant Secretary of the Treasury in President Grant's cabinet.

The first catalog of Central University announced that William Chenault would teach "Vattel's International Law" and "Cooley's Constitutional School of Common Law Evidence." The prospective students were also assured that instruction in the college would be "theoretical and practical, and as thorough as possible." Texts, lectures, frequent examinations were promised, and a "Moot Court" was to be held once a week, where students would "institute actions and special proceedings according to the Kentucky Code of Civil Practice." The tuition was \$40.00 for each term, "payable in advance."<sup>9</sup>

Notwithstanding its able teachers, the College of Law of Central University did not prosper. There were only four students the first year, one graduating in June, 1875.<sup>10</sup> On the other hand, the College of Medicine in Louisville graduated 57 that same year, and 41 two years later, when only three graduated in law. The following year there was only one law student in Central University; consequently, the College of Law in Richmond was discontinued. The College of Letters and Science and the one high school then established under the charter were more prosperous.<sup>11</sup>

Evidently Mr. Chenault desired to continue teaching while practicing law. The University of Louisville offered him that opportunity, and from 1879 to 1886 he taught and practiced law in Louisville. This period included 1884, the year The Filson Club was organized. At different times during those years his colleagues in the law college were James S. Pirtle, Horatio Bruce, Henry O. Pindell, Rosel Weissinger, Emmet Field, and W. O. Harris, attorneys of the city. Notwithstanding the excellence of these teachers, the number of students of law declined.<sup>12</sup> In 1879 there were 28 graduates; five years later there were 20, and only eight in 1886.<sup>13</sup> That was better than the College of Law in Richmond had ever done, but apparently fewer teachers were needed, and so in 1886 Mr. Chenault ceased to teach in Louisville.

William Chenault had three brothers, who appear to have preceded him to Louisville. One of them, Jason W., conducted

a high-class preparatory school for boys on Third Street near Breckinridge. The other two, Josiah P. and Robert D., were lawyers, with whom William formed a partnership in 1879. This partnership did not last long, for by 1884 William and one R. T. Colston were practicing law together. The next year the Louisville City Directory indicated another change by listing the law firm of William Chenault and Eugene W. Walker.<sup>14</sup>

About 1887, however, Mr. Chenault moved to Fort Scott, Kansas, where he had near relatives, and there he practiced law for the next ten years. While living in Kansas he served on a commission created to settle an important contested election. This one act indicates the implicit confidence the people of Kansas had in his ability.

It is in the realm of history, however, that William Chenault left his most lasting achievements. His knowledge of the history of Kentucky and especially his familiarity with practically every detail of the history of Madison County made him a popular speaker before students and faculty of Central University. Apparently his associations in Louisville accelerated his desire to write something. In 1882 he appears to have written an *Early History of Madison County*. At least Z. F. Smith lists the work as existing in 1882, in the bibliography of his *History of Kentucky*, which was first published in 1886. The manuscript, however, remained unprinted until an early typed copy of it came into my possession about fifteen years ago. In April, 1932, I had it published properly in *The Register of the Kentucky State Historical Society*.

This account of Madison County covers the period from 1770 to 1790 and contains about 20,000 words. It is useful for the names of the settlers which the author gives as coming to the county from year to year. Much other important information is also given. Perhaps the contract for growing a crop of corn signed by Nathaniel Hart and seventeen other settlers at Boonesborough, on April 15, 1779, is the most valuable contribution, since it had not previously been published.<sup>15</sup> It is interesting to note that 300 bushels of corn was sent by water from Boonesborough the following spring to the settlements on the Cumberland, including French Lick which was the beginning of Nashville, Tennessee.<sup>16</sup>

Chenault's *Early History of Madison County* is not very well written; furthermore, there are a few errors in it. In fact, it appears that the manuscript might properly be regarded as the "Manuscript notes of William Chenault's [Early] History of Madison County." Indeed, these are the words Smith uses in his *History of Kentucky* when he refers to Chenault's *History*.<sup>17</sup> Chenault also quotes Smith's *History of Kentucky* which indicates that the first edition of Smith's book (1886) appeared before Chenault finished his *Early History of Madison County*.<sup>18</sup> It is clearly evident, as will be shown later, that Smith and Chenault aided each other while writing their histories.

We are honoring William Chenault tonight in a special way for his part in founding The Filson Club sixty years ago last May. On coming to Louisville, he was indeed fortunate to associate with such prominent men as Colonel Reuben T. Durrett, General Basil W. Duke, and the noted Kentucky historian, Richard H. Collins. Probably Colonel Durrett contributed more to the Club during its early years than any other one of the ten founders. Mr. Chenault was an active member from the beginning. During the first year (1884) he prepared and placed on exhibition in the Club (in Colonel Durrett's spacious home) many typed copies of items relating to the early history of Kentucky and particularly Madison County.

There were two divisions of these manuscripts. One comprised fifteen separately bound selections of letters, speeches, and articles. For example, exhibit number one of this division contained the "Deed of the Cherokee Chiefs to Richard Henderson, Dated March 17, 1775"; the "Speech of the Indian Chief Tassel, made November 6th, 1785, in regard to the Cherokee Deed to Richard Henderson"; the "Talk of the Indian Chief Draging Canoe and other warriors, March 7th, 1775, in regard to the Henderson Deed"; and the "Decision of the Appellate Court of Kentucky in 1823 holding that the Cherokee Deed to Henderson and Company was void." The tenth exhibit comprised Nathaniel Hart's account of Estill's Defeat, dated March 22nd, 1782; "Old Milford"; and a list of thirty-two "Reported Cases illustrating the History of Madison County." The fifteenth part of the first collection was the "Speech of John Speed Smith [at the] Boonesborough Celebration, May 24-25,

1840." The second and eleventh parts of this division appear to be lost.<sup>19</sup>

In the thirteen different extant bindings of this first division there are twenty-one items, some of which appear as not yet published. I found several, however, in Collins; three or four in Ranck's *History of Boonesborough*; and one in *Niles Register*. The agreement to grow a crop of corn, in April, 1779, referred to earlier, was one of three items in the third binding. The longest single item, which was bound alone and numbered twelve, was Colonel Richard Henderson's Journal from March 20 to July 16, 1775. It has been published.

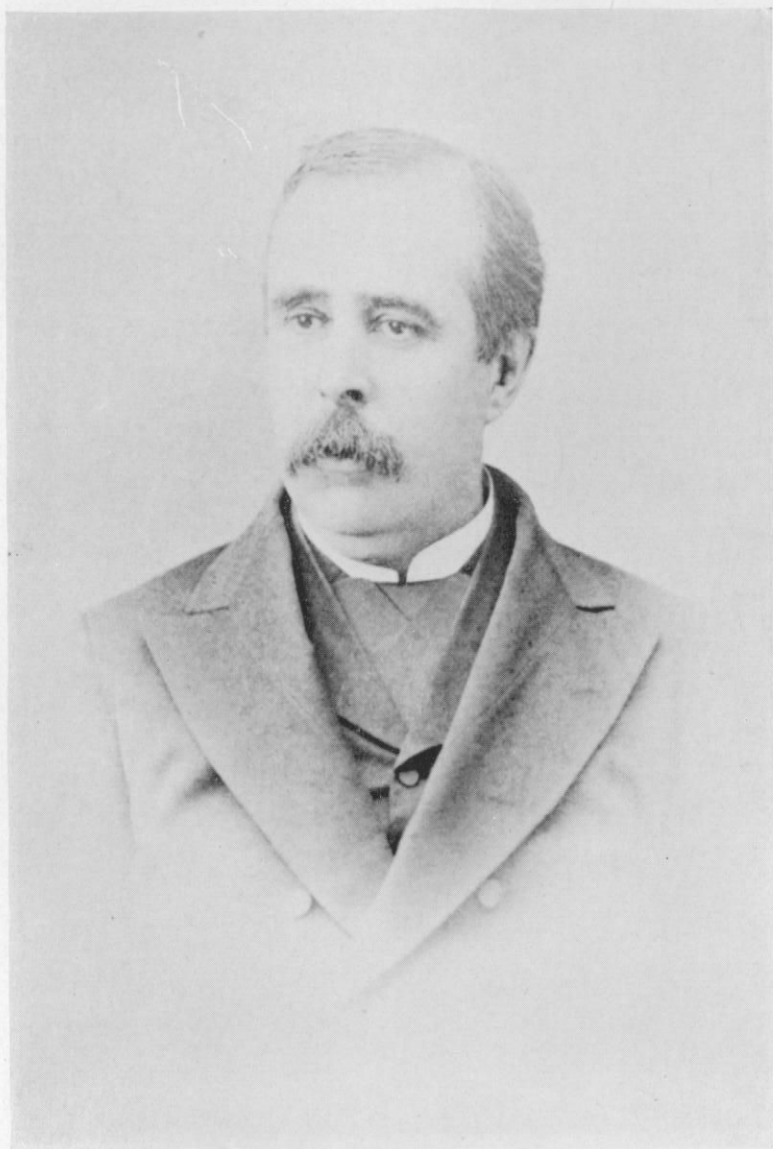
The second division of manuscripts which Mr. Chenault placed on exhibition contained depositions from sixteen representative cases of the Madison County Complete Circuit Court Records. The five volumes of these records are the numerous cases tried in the Madison County Circuit Court during the early 1800's to settle disputes over the ownership of land. These controversies were caused by uncertainties of ownership, due to the poor methods of surveying and recording land claims by the early settlers. Perhaps Green Clay had more litigation of this sort than anyone else in the county, and he appears to have won all his suits.<sup>20</sup>

The depositions are among the best original sources of the early history of Kentucky. The *Register of the Kentucky Historical Society* published excerpts from such depositions in Fayette County ten years ago.<sup>21</sup> In April, 1945, the *Register* plans to begin publishing the depositions copied by Mr. Chenault. It will take several years to cover the entire lot. Nineteen depositions, for example, were taken from the case of *Grubbs vs. Lipscomb*. Some of the deponents in this case were William Cradlebough, whom Daniel Boone employed to hunt game; Samuel Henderson, a brother of Judge Richard Henderson; Joseph Proctor, who, Lewis Collins says, "instantly sent a ball . . . through the heart of the Wyandott" Indian who killed Captain James Estill in the battle of Little Mountain;<sup>22</sup> and William Irvine, who also distinguished himself at Little Mountain and who was a member of the Virginia Convention that ratified the Kentucky Constitution five years later. The members of The Filson Club, I am sure, will be pleased to see in printed form this valuable material prepared by a founder of



*From a photograph by J. Henry Doerr, Louisville*

**WILLIAM CHENAULT, 1835-1901**



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WILLIAM CHENAULT, 1835-1901

the Club. The plan now is to publish the depositions in their complete form, which is just as Mr. Chenault copied them.

I might say in passing that I expect to have published any articles in the first division of Mr. Chenault's exhibit of 1884 that have never been in print. Moreover, others that were printed long ago might be reprinted with profit. The original copies of many of them do not appear to exist. In trying to trace the location of those that I had reason to believe should be in Nathaniel Hart's papers I learned that the Hart papers were lost with the burning of "Spring Hill," the old Hart home near Versailles, Kentucky, in the 1880's.

In 1884 Mr. Chenault, on the invitation of The Filson Club prepared and read before it an excellent paper on the two administrations of Isaac Shelby as Governor of Kentucky. I have not been able to find the paper in any form. Colonel Durrett gave a good description of it, however, in his memorial address for the author before the Club on October 7, 1901, which was soon after his death. Said Colonel Durrett:<sup>23</sup>

"It was the custom during the first years of the Club, to assign to members subjects on which to prepare papers to be read to the Club. At the second meeting in 1884, Mr. Chenault was appointed to prepare a paper on Isaac Shelby, and his two administrations as Governor of Kentucky. This he did, and a noble paper it was. He went over the first administration from 1792 to 1796, and the second from 1812 to 1816, and pointed out the different messages, and the different laws, which not only met the exigencies of the time, but helped to shape the future policy of the new state. He then took up the military career of Governor Shelby and presented him as a young soldier in the battle of Point Pleasant in 1774, when the first guns of the American Revolution were fired at the Indians as the advanced guard of the British. Next he presented him in the battle of Kings Mountain in 1780. When, with his bold and hardy transmountaineers the army of Ferguson was destroyed and the drooping hopes of the patriots raised to the anticipation of their assured independence. And, lastly, he presented him in the war of 1812, when almost having reached his three score years and ten, he mounted his horse at Frankfort, and rode with his conquering Kentuckians to the River Thames in

Canada, where the British under the infamous Proctor, were routed and the second war of the Revolution practically brought to an end. And finally he took up the private life of Governor Shelby, and presented him on his farm, known as Traveler's Rest, in Lincoln County, Kentucky, raising better corn and wheat and flax and tobacco and finer horses and cattle and sheep and hogs, than anybody else. He even went into the working room of Mrs. Shelby and displayed the wheels on which the yarn was spun and the loom on which it was woven into cloth for the clothing of the whole family."

Mr. Chenault was also asked to prepare a paper for the Club on "The History of Education in Kentucky." This he did, and read it at the December meeting in 1885. In the same memorial address Colonel Durrett stated:

"It covered the whole field of education from the teacher and pupil of the log cabin, . . . to the present system, in which the teacher is employed by the State and the pupil taught free. Those early Fort-Schools, in which letters and figures marked on boards with charcoal, were used, instead of books, were vividly presented, and the hearer could almost see Mrs. Cooms at Harrodsburg and Mr. Doniphan at Boonesborough, using such charcoal boards in their classes. This paper on education was so thoroughly and admirably done that Hon. Z. F. Smith published it in his *History of Kentucky*, and thus gave it a permanent place in our literature."<sup>24</sup>

The story of public education in Kentucky is certainly a sordid one. Perhaps no other writer in such condensed, yet complete, form has ever described the vicissitudes of the school system in this State better than did William Chenault. His summary of the inadequacy of the State's support and the consequent weakness of the system by the 1880's, reads like the pungent criticism more than a half century later, when Kentucky ranked only above Arkansas in education among the forty-eight states of the Union.<sup>25</sup>

Mr. Chenault says near the close of his long and excellent account of Education in Kentucky:

"After forty years' trial of our system, with all the aid we have been able to get from district taxation, the practical re-

sult of the whole matter is that Kentucky still stands low on the list of illiteracy, as shown by the educational reports of the United States. In this respect she presents an example of a State not to be imitated, rather than one to be followed. As shown by the first message of Governor Knott, she furnishes to the masses of her children an education worth only one dollar and forty cents per annum, while most of our sister States furnish their children with an education of much greater value. Can the poor children of our State, laboring under these disadvantages, compete successfully with the children of those States where the education given is worth so much more than that obtained in Kentucky? Can the poor children of the State, with an education worth only one dollar and forty cents per annum, be expected to compete successfully with the children of our wealthy citizens who sometimes give as much as two hundred or three hundred dollars per annum for the education of their sons? These are questions which Kentucky statesmanship has yet to meet and answer, in a manner more satisfactory than has hitherto been done."<sup>26</sup>

This frank and discouraging statement sounds like recent declarations concerning public education in Kentucky. Indeed it reads like one of the Philippics of the present able President of our State University. We wonder, however, what the historian will say in the 1980's, about our school system. We believe, from recent indications, that he will tell a more pleasing story.

Indeed, Chapter XXIX of Smith's *History of Kentucky* is Chenault's article on education. Since it contains more than 20,000 words, I doubt that the author read the entire paper at one meeting of The Filson Club, as Colonel Durrett implied. After examining Chenault's *Early History of Madison County* one would not suppose that it was written by the author of the chapter on education in Smith's *History of Kentucky*. The style of the latter is far superior to that of the former. In fact, one is likely to regard the article on Madison County as Smith referred to it, namely: "William Chenault's Notes on the [Early] History of Madison County."

Perhaps Smith rewrote Chenault's paper on education before using it as a chapter in his *History*. Smith, referring to his sources, states in his preface to his book:

“The extensive libraries of Colonel R. T. Durrett and Dr. Richard H. Collins, gathered in the last quarter of a century from every antiquarian source in America and Europe, have been generously opened to the author. The library of Colonel Durrett is the fullest and richest in the world of this class of literary treasure. The many thousands of volumes upon its shelves gathered from the bookstalls of Europe . . . and from every available source in this country embrace nearly all that is needed in antiquarian historic lore. So prized is this vast collection that the offer of an ample fortune in dollars would be no temptation to sell it.<sup>27</sup> Not only have the owners offered the use of these treasures of knowledge, but together with Professor William Chenault, have continuously devoted much time and labor to the critical examination of the text before finally going to press. On a few specialties requiring the skill of the professionalist, the author has laid under contribution [is under obligation to] several esteemed friends. For the use of the paper on education read before The Filson Club, and for contributive assistance on the history of jurisprudence in Kentucky, he acknowledges indebtedness to Professor William Chenault, of the Louisville Law School . . .”

If Mr. Chenault's article on the “Two Administrations of Governor Isaac Shelby” could be found, a better appraisal of the style of that gentleman could be made. An article of about 4,000 words on “Richmond, Its Past, Present, and Future,” which Mr. Chenault read before the *Century Club*, of Richmond, Kentucky, in November, 1897, was little better prepared than the *Early History of Madison County*. This article was published in pamphlet form by the *Kentucky Register*, of Richmond, which had printed it earlier in its columns. Mr. Chenault also contributed “a descriptive article on Madison County to the *Courier-Journal*,” to which Smith referred in his *History* as “Early Days in Madison County.”<sup>28</sup> I have not seen this article.

Robert McNutt McIlroy, who attended Jason W. Chenault's private school here in Louisville, lists, in the bibliography of his excellent work entitled *Kentucky in the Nation's History*, a Durrett manuscript on “The Early History of Madison County.” I learned from the University of Chicago early in 1932 that this manuscript “is a fifteen-page typescript labelled Madison County, Kentucky—Its Early History, by Professor William

Chenault, from the *Richmond Examiner*, June 8, 1894." I have not seen this item, but I presume that it is Mr. Chenault's *Early History of Madison County* down to about 1778.<sup>29</sup> I have not learned whether the *Richmond Examiner* published any more of Mr. Chenault's history, since copies of this paper do not appear to exist.

William Chenault was not a professional historian, though he had many admirable qualities that some would-be teachers and historians today appear not to possess. Much to the reader's disappointment, he too often omitted references that would be greatly appreciated now. I have found evidence, however, that he was a good story teller, an accomplishment every teacher and historian should have. Here is a true story about the removal of the county seat of Madison that he was fond of telling students of Central University. I have taken it verbatim from his pamphlet on *Richmond, Its Past, Present, and Future*.<sup>30</sup>

"In 1798, owing to the division of the county, and the extension of the settlements on the frontiers of Madison, the town of Milford became inconvenient as a county seat. An act was passed by the Kentucky Legislature allowing the county seat to be changed by a majority vote of the Magistrates of the county, provided the citizens of Milford were paid for their improvements.

"These improvements were estimated at \$1,600 by commissioners appointed by the Court of Quarter Sessions.

"On the sixth of March, 1798, the Magistrates of the county, after taking all matters into consideration, resolved, 'That the county seat should be removed to the center of population, and ordered that the ridge near John Miller's barn and brickkiln be appointed as a seat of justice of the county.'

"It was further ordered that upon the adjournment of the court at Milford, it should meet the next day at the present seat of justice, there to sit in John Miller's barn until a courthouse was erected.

"At a later period, on the 4th of July, 1798, on motion of Captain John Miller, in the Court of Quarter Sessions, the town was established, and the name of Richmond given to it, probably in honor of old Richmond, the capital of Virginia.

"The people living in the section of the county of Madison toward Garrard, were bitterly opposed to the removal of the

county seat from Milford to Richmond. The change led to a celebrated fight in the stray-pen at Milford, in which the champion of Milford was worsted.

"Dave Kennedy, a man of remarkable physical development, whom few would have the hardihood to encounter, offered to whip anybody who was in favor of the removal. At last William Kearley was found, who consented to 'fight him in the stray-pen if nobody would interfere.' Dave cried out in a homely phrase 'It's a wedding.' Kearley, objecting that their hair was too long, they both had their heads trimmed and well greased.

"It was agreed that the place of the location of the county seat should be determined by wager of battle, with David Kennedy as champion of Milford and William Kearley as champion of Richmond.

"Loud proclamation was made of the contest, the parties, the issue, the champions and their seconds.

"Each champion entered the lists resolved not to prove recreant to his cause by uttering the decisive work 'enough.'

"After the appropriate preliminary arrangements had been made, the battle opened in the Milford stray-pen, in the presence of a crowd of spectators, eager to witness the result.

"Each champion with his second seemed thoroughly convinced of the justice of the cause for which they fought.

"Blood flowed freely. The battle grew more earnest, and both of the contestants were badly punished, but each scorned to acknowledge defeat. It looked for a while as if the fight would last until the stars appeared, and end in a drawn battle.

"At last Hugh Ross, the brother-in-law and second of Kennedy knowing that Kennedy would never say, 'Enough,' and seeing that victory would finally be obtained by Kearley, stooped down with his mouth close to that of Kennedy's, and ended the bloody setto, as Attorney for Kennedy, by pronouncing the word, 'Enough.'

"Major Samuel Estill, a friend of Richmond, the giant of the county, and one of the most daring Indian fighters of his day, shouted—'Victory for Richmond.'

"The three hundred excited men from Garrard, headed by Thomas and Andrew Kennedy, slowly dispersed, and the County seat was forever lost to Milford."

In 1897, Mr. Chenault returned from Fort Scott, Kansas, to Richmond, and formed a law partnership with Honorable John Bennett. His presence in Richmond seems to have encouraged

Central University to re-establish the College of Law. At any rate, the school was opened again in October, 1897, and Mr. Chenault was advertised in the catalog as being known throughout the South and West "as one of the leading law teachers of the country." Attorney Richard W. Miller, a graduate of Central University and of the Yale School of Law, was his assistant. As formerly, the number of students was never large, the last catalog of the University, which was issued in 1900, gives the names of only eight. A few lawyers are still living who highly praise the quality of legal instruction they received from William Chenault. One is Commonwealth Attorney John Noland, of Richmond; another is Rodney Keenon, counsel for the Consolidated Coach Corporation, commonly called the Greyhound Bus Lines.<sup>31</sup> It is a little too late to find attorneys who studied with him in Louisville.

During his last years Mr. Chenault suffered from an affliction that made it exceedingly difficult for him to write. In fact, his penmanship had never been very good, which, judging from what one often sees today, is an indication of scholarship. Fortunately, I found a typed copy of his *Early History of Madison County*. He had written a supplement to it of about 1,500 words, only a part of which I was able to transcribe and use. Mr. Green Clay, of Richmond, has the original copy of this history in the author's handwriting, but the reading was so difficult that I was unable to check my typed copy with it.<sup>32</sup> Mr. Chenault never allowed his poor chirography or any other deficiency or ailment to mar his naturally congenial and optimistic spirit. One prominent old gentleman in Richmond, who was assistant to the clerk of the county court in the 1890's, told me an amusing story recently of an experience Mr. Chenault had in the clerk's office on one occasion: Chenault brought in a manuscript which he had just prepared but which he later admitted he himself could not read.<sup>33</sup>

Late in 1900 or early in 1901, Mr. Chenault went to Hot Springs, Arkansas, hoping to regain his health. Finding no relief there, he went to the home of his daughter at Colorado Springs; there his sufferings were ended in death on the 2nd of June, 1901.<sup>34</sup> It is rather singular that Central University, which Mr. Chenault had fostered and served so well, ceased to exist in Richmond that same month. Moreover, only a few

years ago the branch of the Louisville and Nashville Railroad which he helped to bring into existence also ceased operation and was soon removed. But, thanks to R. C. Ballard Thruston, Otto A. Rothert, Miss Ludie J. Kinhead, and many other faithful lovers of the lore of Kentucky, The Filson Club is more virile today than in any other decade of her history; and as long as The Filson Club exists William Chenault will be honored.

Mr. Chenault was laid to rest in the beautiful cemetery at Richmond, where others who bore his name had preceded him, and where many other Chenaults are finding their last resting place. Probably no other Kentucky Chenault has yet been honored at his death as was he whom we honor tonight. Apparently the press of the State took note of his passing. The Filson Club, as already stated, held a memorial service in his honor, Colonel Durrett delivering the impressive address of the occasion.

Perhaps it was in Madison County, however, that Mr. Chenault's life was most appreciated. There was in Richmond at the time of his death a group of barristers who would have graced the bar of any American Court.<sup>35</sup> These eminent lawyers eloquently expressed the respect and devotion of the entire county for the distinguished son who had passed on.

According to the *Richmond Weekly Register* for September 10, 1901, the following exercises were held in the Richmond Circuit Court Room: "On last Friday morning . . . in the Circuit Court the Richmond Bar paid its tribute of respect to the memory of William Chenault." Ex-Governor James B. McCreary spoke eloquently of his virtues, as did Judge W. B. Smith and Judge C. H. Breck, who had been his lifelong friends. Honorable Curtis Field Burnam, a friend of Lincoln during the Civil War, and Colonel James W. Caperton, who was one of the few Kentuckians who spoke and voted for Lincoln in 1860 and who was regarded as the Nestor of the Richmond Bar, praised the life of their departed colleague. Honorable Richard W. Miller was one of those who made appropriate response for the Committee on resolutions, which expressed the following tribute:

"His humor was sunny and his wit was bright. In his heart no malice lurked. His soul was much too large for petty

thoughts or little things. He was a man of convictions and opinions and the courage of them, but his manner was so gentle and his consideration for the feelings of others so great, that his maintenance of them, while firm and consistent, was uniformly courteous and polite.

"As a teacher of the law he was pre-eminent. He loved the law for the truth's sake, and he profoundly impressed his devotion to its ancient and honored principles upon all the young men who studied under him. . . .

"He was a brilliant teacher [who] possessed in a marked degree the genius for arousing enthusiasm over even the most dry and technical branches of the law. At the bar he was uniformly kind, courteous, fair, and considerate. He was devoted to his client's cause, not because it was his client, but because his contest was for the triumph of truth and justice. That was his first and highest aim . . ."

And with this tribute to William Chenault: Citizen, Teacher, and Historian, by the men who knew him best and loved him most, I conclude my message.

#### NOTES AND REFERENCES

<sup>1</sup> A second and improved edition of *Old Cane Springs* (1936) was published in 1937.

<sup>2</sup> French Tipton was a lawyer and editor of Richmond, Kentucky. He began the preparation of a history of Madison County about 1890. By the time of his tragic death, in 1901, he had seven manuscript, indexed volumes of information relating to the County. In addition to this he had scores of photographs, hundreds of letters and other items pertaining to the subject. W. H. Miller did more than either William Chenault or French Tipton. His genealogy of prominent families of Madison County is a great monument to himself and his county. Moreover, he left seven huge, indexed manuscript volumes of information pertaining to the County which are in the library of the State College in Richmond.

<sup>3</sup> Manuscript pertaining to William Chenault, The Filson Club; *Encyclopedia Britannica* (14th edition), Vol. 23, pages 620-22.

<sup>4</sup> W. H. Miller, *History and Genealogies of the Families of Miller, Woods, Harris, Wallace, Maupin, Oldham, Kavanaugh, and Brown* (Richmond, Kentucky, 1907), pages 449-53. This excellent genealogy of 728 pages, with an additional unique index of 127 pages, is the best printed source of the history of Madison County.

<sup>5</sup> See John Livingston (ed.), *Eminent American Lawyers* (New York, 1852), pages 634-40, for an article on Squire Turner who was born in 1793 and died in 1871.

<sup>6</sup> Manuscript Records of the Commission of the Sinking Fund of Madison County, 2 volumes, 1867-1874, now in the possession of the writer.

<sup>7</sup> See Jonathan Truman Dorris, "Central University, Richmond, Kentucky," *Register of the Kentucky State Historical Society*, Vol. 32, No. 99, April, 1934. One hundred reprints were issued. For *Watson vs. Jones* see *U. S. Supreme Court Reports*, 13 Wallace, page 679.

\*The charter of the University provided for six high schools. Only four were established, namely, at Richmond, Jackson, Elizabethtown, and Middlesboro. The Theological Seminary contemplated was finally established in Louisville in conjunction with the Northern Presbyterians. A College of Dentistry was also established in Louisville. See Dorris, *Central University*.

\*Complete sets of catalogs of the University may be found in the libraries of Centre College and the Teachers College at Richmond.

<sup>19</sup> French Tipton was the first graduate. That year, 1875, there were no graduates of the College of Letters and Science.

<sup>21</sup> Catalogs of Central University for the years 1874-80. The catalog for 1878-79 gives the enrollment for the three colleges then existing as: Letters and Science, 78; Law, 1; Medicine, 69.

<sup>22</sup> Catalog of the University of Louisville for 1908-09 containing a list of the teachers of law from 1846 to 1908.

<sup>23</sup> *Ibid.* The number of graduates in 1887 was 7, but in 1888 there were 21. The number was smaller the next year, but in 1894 it reached 26. There were 19 in each of the years 1895 and 1896, and in 1897 there were 29.

<sup>24</sup> See the *Louisville City Directory* for the years 1879 to 1887. Some members of the Chenault family declare that Jason Chenault was a far abler man than his brother William.

<sup>25</sup> See *The Register of the Kentucky State Historical Society*, Vol. 30, No. 91, April, 1932, page 134.

<sup>26</sup> *Ibid.*, Vol. 31, No. 94, January, 1933, pages 1-8.

<sup>27</sup> Smith's *History of Kentucky* (fourth edition, 1901), pages 261, 405.

<sup>28</sup> *Register of the Kentucky State Historical Society*, Vol. 30, No. 91, April, 1932, pages 148, 149.

<sup>29</sup> Numbers 6 and 12 are in the possession of the Boonesborough Chapter of the D. A. R.; the others are in my possession.

<sup>30</sup> Mr. Chenault copied depositions from *Clay vs. Slains*, *Finley vs. Clay*, *Banta Heirs vs. Clay*, and *Clay vs. Reed*.

<sup>31</sup> See "History in Circuit Court Records, Fayette County," by Charles R. Staples, *Register of the Kentucky State Historical Society*, Vols. 29-33 (1931-1935).

<sup>32</sup> See Lewis Collins, *Historical Sketches of Kentucky* (1847), page 262.

<sup>33</sup> Colonel Durrett's entire memorial address is in Miller's *History and Genealogies*, pages 515-18. A typed copy is also in The Filson Club.

<sup>34</sup> *Ibid.*, page 516.

<sup>35</sup> Smith's *History of Kentucky*, page 710.

<sup>36</sup> *Ibid.* (Smith had served as Kentucky State Superintendent of Public Instruction from 1867 to 1871.)

<sup>37</sup> Nevertheless Colonel Durrett sold his collection to the University of Chicago, a few months before his death, for only \$22,500. The sale was a surprise to the Club and to Louisville and all Kentucky. He was then in his eighty-ninth year and very infirm in health. See *The Filson Club History Quarterly*, Vol. 18, No. 3, July, 1944, for an article by Hambleton Tapp on "The Founding of the Club." This issue of the *History Quarterly* is the Club's Sixtieth Anniversary Number; most of its space is devoted to the early history of the Club and its ten founders.

<sup>38</sup> Smith's *History of Kentucky*, page 189 and note.

<sup>39</sup> See *The Register of the Kentucky State Historical Society*, Vol. 30, No. 91, April, 1932, page 161, note 31. This is the number containing Chenault's *Early History of Madison County*, edited by J. T. Dorris.

<sup>40</sup> *Richmond, Its Past, Present, and Future*, pages 9-11.

<sup>41</sup> Apparently Mr. Chenault and his assistant in teaching law did their instructing in their offices or other rooms downtown. Nothing in the catalogs of the University, however, indicates that such was ever done during the first period of the College of Law or the period from 1897 to 1901.

<sup>42</sup> Green Clay is the great grandson of General Green Clay and the grandson of Cassius M. Clay, minister to Russia from 1862 to 1869.

\* Mr. S. H. Thorpe, one time City Judge of Richmond and sometime United States Commissioner, is the gentleman. The story, or another like it, is well told in Miller's *History and Genealogies*, page 518. Mr. Thorpe died since this paper was written and read.

\* Mr. Chenault married Miss Ann Givens. They had one child, Isabella Givens Chenault. Mrs. Chenault did not live many years after her marriage. Mr. Chenault never married again. Isabella married Dr. William Kavanaugh Argo, of Madison County or Garrard, and a graduate of Centre College. Dr. Argo became superintendent of the School for the Deaf at Danville, Kentucky, and later superintendent of the Colorado School for the Deaf and Blind at Colorado Springs. He was distinguished in his field. He died in 1921. Mrs. Argo lived for several years longer. The Argos had two very promising sons, Robert Givens, an attorney, and Dr. William Chenault Argo. Robert was a graduate of the Harvard Law School and William relinquished a postgraduate scholarship in the University of Chicago to take a course in the Harvard School of Medicine. When about to enlist in the Medical Reserve Corps in 1917, the latter contracted influenza while working in a soldiers' hospital in Boston and died in 1918 at the age of twenty-six. Robert, being denied army service on account of physical disability, served in the Attorney-General's office at Washington during the First World War. Influenza was also the cause of his death in 1920. See *The Colorado Index*, Vol. XXXVII (May 1921), being a *Memorial Number* for Dr. William Kavanaugh Argo.

\* William Chenault has been given credit for encouraging the creation of the Kentucky Bar Association.