

Elbridge Jackson Broaddus

June 19, 1839 – March 2, 1918

Early Life/Education:

- Born in Madison County, Kentucky on June 19, 1839 OR June 19 1835 according to *Chilli Constitution* 3/2/1918
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 232 (1963).
- Son of Andrew and Grace Broaddus
 - Andrew Broaddus was engaged in the Santa Fe Trade; died in 1872
 - Grace Broaddus died in 1876
- ‘During his boyhood days, he ‘followed farming’ and attended the ‘common schools’, acquiring a ‘common education’ *Chillicothe Constitution* 3/2/1918.
- Became deputy sheriff of Madison County, Kentucky at age 16 in either 1855 or 1851 depending on his true birthdate.
- Educated at Georgetown College in Kentucky
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 232 (1963).
- Later in life he decided he wanted to become a lawyer and commenced reading law at Richmond, KY *Chillicothe Constitution* 3/2/1918.
- Admitted to the KY Bar in March 1858 and began practice in that state. *Chillicothe Constitution* 3/2/1918.
- Moved to Livingston County, Missouri in 1866 or 1867 depending on the source...
 - When coming to MO, his original destination was St. Joseph, but ‘owing to tedious delays’ on the railroad, he “became weary and stopped” in Chillicothe and ‘being favorably impressed with the location he concluded to remain’ there. *Chillicothe Constitution* 3/2/1918.
 - He enjoyed Chillicothe and the community and decided to remain there
 - <http://www.livingstoncountylibrary.org/History/County/1886/1886chapt20.htm>
- Mayor of Chillicothe from 1871-1872
- Elected judge of the Seventeenth district of MO in 1874 and served one term which ended in 1880,
 - Note, 17th Circuit at that time was Clay, Ray, Carroll, Livingston and Caldwell. *Chillicothe Constitution* 4/16/1918.
- then he resumed his private practice
- Again appointed judge of the circuit court by Governor Francis in 1891, to fill the unexpired term of then-resigning Judge J. M. Davis.
- Elected Judge of the Seventh Circuit in 1892 and again in 1898
 - <https://books.google.com/books?id=itagAAAAMAAJ&pg=PA468&lpg=PA468&dq=Elbridge+Jackson+Broaddus&source=bl&ots=O3LnrVPdNS&sig=ACfU3U1RSy9CM7j1u4Ud2pfNwJv-i7ng&hl=en&sa=X&ved=2ahUKewiI56uD8qPsAhVWbs0KHfO1Bc0Q6AEwEnoECACQAg#v=onepage&q=Elbridge%20Jackson%20Broaddus&f=false>

Kansas City Court of Appeals.

- Resigned from Judge of the Seventh Circuit to go on the appellate bench, being elected Judge of the Kansas City Court of Appeals in 1899.
 - Judge Turner A. Gill did not seek the nomination on the Democratic Ticket of 1900 and the convention selected Judge Broaddus George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 232 (1963).
 - He assumed duties as PJ immediately in 1900. *Chillicothe Constitution* 3/2/1918.
- Wrote the opinion in the case of *Foglesong v. Modern Brotherhood of America*, 121 Mo. App. 548 (1906), which has been followed in many jurisdictions and is a leading case on liberal construction of insurance policies
 - The United States Supreme Court reversed the Eighth Circuit Court of Appeals for failing to follow the law as declared by this case, *Stoner v. The New York Life Insurance Co.*, 311 U.S. 464, 61 Sup. Ct. 336, 85 L. Ed. 284 (1940).
 - The case has been cited with approval by the courts of Alabama, Arkansas, California, Connecticut, Georgia, Iowa, Kentucky, Minnesota, Mississippi, Nebraska, New Jersey, New York, North Carolina, Oklahoma, Texas, Virginia, Washington, and West Virginia
- Judge Elbridge J. Broaddus, became Presiding Judge on January 2, 1905, After Judge Jackson L. Smith left the court on Dec. 31, 1904,
 - having at that time the oldest license to practice law in Missouri
- On June 26, 1905, James R. Noland, Marshal, resigned and Elbridge J. Broaddus, Jr. was appointed Marshal and Librarian
 - In addition to his duties as Marshal and Librarian, he typed his father's opinions and attended the Kansas City School of Law at night
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 233-34 (1963).
 - On June 7, 1907, John M. Parry was appointed Marshal since Elbridge J. Broaddus, Jr. has resigned to become stenographer for his father, Judge Broaddus
 - On October 1, 1907, Elbridge Jr. resigned as stenographer for his father, and another son, Bower Broaddus, succeeded his brother as stenographer for his father
 - The two brothers alternated as secretary for their father during 1908-1910 and both attended law school at night
 - On October 3, 1910, James W. Broaddus was appointed secretary to his grandfather, Judge Elbridge Broaddus, and attended law school at night
 - Note: "for pay of marshal and stenographer, \$2,900." "The 1901-02 appropriation for the marshal was \$2,150 without mention of a stenographer. Therefore, the stenographer fund for 1903-1904 was \$750, or \$375 a year."
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 234 (1963).
- He did not seek election in 1912, Judge Broaddus was 74 years old

- Interesting note: the year after Judge Elbridge Broaddus left the court (1913) marked the first time a typewriter was used for the clerk's records
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 238 (1963).
- In 1912, Elbridge Broaddus formed a law partnership w/ Charles Crow in KCMO, which lasted two years at which time Judge Broaddus retired. *Chillicothe Constitution* 3/2/1918.

Personal Life

- Avid fisherman on the Grand River, near Chilli. *Chillicothe Constitution* 4/16/1918.
- Married three times
 - 1861: married Miss Annie B. Chambers
 - Miss Chambers: born in Madison County, Kentucky; died on 9/26/1873
 - 1874: married Miss Emma Hollingsworth of Paris, MO, who died several years later. *Chillicothe Constitution* 3/2/1918.
 - Married a 'third wife', who died in KCMO in October, 2017 and is buried in Chilli. *Chillicothe Constitution* 3/2/1918.
 - married Miss Slack of Missouri
 - Miss Slack, daughter of General Slack
 - General Slack of Missouri (William Y. Slack)
 - Missouri lawyer, politician, and general in the Missouri State Guard (aligned with the Confederate Army) during the Civil War – led a division in some of war's earliest major battles in the Trans-Mississippi Theater; mortally wounded in the Battle of Pea Ridge in Arkansas
 - https://en.wikipedia.org/wiki/William_Y._Slack
- Died March 2, 1918 of pneumonia in Hobart, OK while visiting his daughter there.
 - A Saturday afternoon 'exercise' was held in the Livingston County circuit court room in his honor. *Chillicothe Constitution* 4/16/1918.
 - Among the speakers was L. A. Chapman, great-grandfather of Tom Chapman.
 - The main tribute was by Judge Baldwin B. Gill,
 - Trial bench - 'he presided w/ a dignity and gave his decision w/o bias or prejudice. He was courteous to all while on the bench and lenient to the younger members of the bar. He knew neither friend or foe when on the bench; all appeared alike to him and received the same fair treatment when in his court.'
 - Appellate – 'as to his career while a member of the Kansas City Court of Appeals, the record he made while serving as one of the judges is of record and the many judicial opinions he rendered are now found in the volumes of the reporters of that court. Suffice it

- to say that the record is a monument to his memory and attests his learning and ability as a lawyer and jurist'
 - summed up his tribute w/ the words of Anthony of Brutus, learning of his friend's death in the Battle of Phillipi: "His life was gentle; and the elements so mixed in him that nature might stand up and say to all the world, this was a man.'
 - A christian gentleman, good historian, well read in current history.
 - As a lawyer he stood at the head of his profession *Chillicothe Constitution* 4/16/1918.
- Broaddus Family – 8 children including an attorney and a judge
 - Elbridge J. Broaddus, Jr., son
 - Practiced law at Waggoner, Oklahoma for many years
 - Bower Broaddus, son
 - United States District Judge at large in Oklahoma
 - Judge James W. Broaddus, grandson
 - Judge of the Circuit Court of Jackson County and later Judge of the Kansas City Court of Appeals
 - Appointed by Governor Forrest C. Smith on August 8, 1949 for a term ending, under the Non-Partisan Court Plan, on December 31, 1950
 - In 1950, was up for retention or rejection, by a simple "yes" or "no" vote under the Non-Partisan Court Plan, at the general election in November 1950
 - The vote was that he be retained for the term of twelve years
 - On December 29, 1950, Judge Broaddus filed his commission of election and was sworn into office by the Clerk
 - James A. Broaddus, great-grandson
 - Practiced law in KCMO
 - George H. Maitland, *A History of the Kansas City Court of Appeals*, 31 UNIV. OF KC L. REV. 215, 232 (1963).

NOTE: some details (for example, wives, DOB, and names of children) are not consistent across all sources