

= Edwin Maxwell (attorney general) =

Edwin Maxwell (July 16 , 1825 ? February 5 , 1903) was an American lawyer , judge , and politician in the U.S. state of West Virginia . Maxwell served as Attorney General of West Virginia in 1866 and was an Associate Justice of the Supreme Court of Appeals of West Virginia from 1867 until 1872 . He was elected to the West Virginia Senate (1863 ? 1866 ; 1886 ? 1893) and the West Virginia House of Delegates (1893 ? 1895 ; 1903) .

Maxwell was born in 1825 in Weston , Virginia (present @-@ day West Virginia) and raised on a farm until the age of 21 . Despite his father 's plans for him to become a carpenter , Maxwell studied jurisprudence under his uncle Lewis Maxwell , a U.S. Representative . Maxwell was admitted to the bar in 1848 , and relocated to West Union , where he served two terms as the Commonwealth 's attorney for Doddridge County . In 1857 , Maxwell moved to Clarksburg and established a law partnership with Burton Despard , which was later joined by Nathan Goff , Jr .

He was resolute in his support of the Union during the American Civil War and of the statehood movement for West Virginia . Following the state 's creation in 1863 , Maxwell began his political career when he was elected to serve in the inaugural session of the West Virginia Senate . He also served as chairman of the Judiciary Committee . In 1865 , Maxwell chaired a senate committee that proposed a state constitutional amendment known as the " Maxwell amendment " which aimed to remove citizenship rights from former Confederates returning to West Virginia . Governor Arthur I. Boreman appointed Maxwell as the Attorney General of West Virginia in 1866 . In the fall of 1866 , Maxwell was elected as an Associate Justice of the Supreme Court of Appeals of West Virginia , on which he served until 1872 . He ran unsuccessfully for re @-@ election to the bench in 1880 , and was an unsuccessful Greenback @-@ Labor Party gubernatorial candidate in 1884 . During his gubernatorial campaign , he was known by the moniker " Old Honesty . "

In 1886 , Maxwell was elected a member of the West Virginia Senate , representing the Third Senatorial District , serving until 1893 . He was subsequently twice elected to the West Virginia House of Delegates representing Harrison County in 1893 and 1903 , and served as chairman of the Judiciary Committee during both terms . Maxwell died in 1903 from pneumonia while serving in a session of the House of Delegates in Charleston . At the time of his death at the age of 77 , he was the oldest member of the West Virginia Legislature .

= = Early life and law career = =

Edwin Maxwell was born on July 16 , 1825 in Weston , Virginia (present @-@ day West Virginia) . He was the son of Levi Maxwell and his wife Sarah Haymond Maxwell . Through his father , he was a grandson of Thomas and Jane Lewis Maxwell and was of English and Scottish ancestry . Through his mother , he was the grandson of Col. John Haymond and Mary Wilson Haymond . Maxwell had five siblings : Angelica , John , Rufus , Semira , and Jane . Through his brother Rufus , Maxwell was an uncle of West Virginia historian Hu Maxwell .

Maxwell 's father was a carpenter and a farmer , and he initially selected the carpentry trade for his son . His father regularly relied upon Maxwell 's acumen during his residential construction projects . In 1827 , his family relocated to a farm 1 mile (1 @.@ 6 km) from Weston , and he remained there until he was 21 years old . Maxwell received his primary education in local schools . Despite his father 's initial plans for him to become a carpenter , he studied jurisprudence under his uncle Lewis Maxwell , a United States House Representative from Virginia .

Maxwell was admitted to the Harrison County bar on June 1 , 1848 and began to practice law soon after . During the early years of his legal career , he provided legal services in Braxton , Gilmer , Lewis , and Upshur counties . He relocated to Doddridge County in 1852 and established a law practice in West Union . While practicing in West Union , he served two terms as the Commonwealth 's attorney for Doddridge County . Maxwell was named as an authorized superintendent to receive capital stock when the assembly permitted the establishment of a bank branch in West Union on March 15 , 1856 and March 27 , 1858 . Maxwell , seeking to expand his law practice , and wanting greater opportunities for advancement , moved to Clarksburg in 1857 ,

where he established a law partnership with Burton Despard creating the law practice of Despard and Maxwell . Despard and Maxwell offered their legal services to clients in Doddridge , Harrison , Lewis , Ritchie , and Taylor counties . In 1865 , Nathan Goff , Jr. joined their law partnership , after which it was known as Despard , Maxwell , and Goff . Goff later became a United States Circuit Judge and served as a United States Senator from West Virginia .

= = Political and judicial careers = =

Despite his early resolution not to allow politics to impede upon his legal career , Maxwell 's resolute support of the Union during the American Civil War , and of the statehood movement for West Virginia , refocused his priorities . Maxwell 's political affiliation had been Republican , and he became actively involved in the formation of the state of West Virginia in 1863 . Just weeks prior to the state 's creation on June 20 of that year , he began his political career when he was elected to represent the Third Senatorial District in the inaugural session of the West Virginia Senate in June 1863 . During his tenure in the senate , which lasted until 1866 , Maxwell served as the chairman of the Judiciary Committee . In his position as the chairman of the Judiciary Committee , he played a prominent role in the passage of the state 's earliest legislation .

In 1865 , Maxwell was chairman of a senate committee that drafted a proposed amendment to the Constitution of West Virginia , known as the " Maxwell amendment , " which aimed to remove the citizenship rights of former Confederates returning to West Virginia following the war . While he favored banning former Confederates from voting , he was opposed to complete disfranchisement . The " Maxwell amendment , " as it came to be known , became notable because it uncovered the increasing tensions between moderates and radicals within West Virginia 's Unionist coalition in the West Virginia Legislature .

On January 1 , 1866 , Maxwell was appointed Attorney General of West Virginia by Republican West Virginia Governor Arthur I. Boreman to replace Ephraim B. Hall . He served as the state 's attorney general until December 31 of that year . On March 27 , 1866 , Boreman also appointed him to replace Hall as a circuit judge . He served in this capacity until January 1 , 1869 .

The law partnership of Despard , Maxwell , and Goff was in operation until the autumn of 1866 , when Maxwell was elected as an Associate Justice on the Supreme Court of Appeals of West Virginia . Maxwell and the other three justices were chosen because of their early statehood leadership , and because they could be depended upon to defend the new state from Virginia sympathies and uphold the Unionist cause . While serving on the court , the major issues that faced Maxwell and the justices primarily involved post - war reconstruction and sectional acrimonies across the state . He served as an associate justice of the Supreme Court from January 1 , 1867 until December 31 , 1872 .

In 1870 , the Democrats were swept into power . The state constitution was rewritten in 1872 and went into effect that year . The state 's new constitution meant that Maxwell 's term finished at the end of 1872 , and the Unionist court on which he served as an associate justice was short - lived . In 1871 , Maxwell administered the oath of office to the state 's first Democratic Governor , John Jeremiah Jacob . During his term as an associated justice , Maxwell ruled on the state 's first cases which involved questions regarding West Virginia 's earliest statutes . Following his tenure on the state 's Supreme Court , Maxwell returned to the practice of law in 1873 . He ran unsuccessfully for election to represent the Third Senatorial District in the West Virginia Senate in 1876 .

At the state convention of the West Virginia Republican Party in Grafton on July 1 , 1880 , Maxwell was again nominated as a candidate for an associate supreme court justiceship . He was unsuccessful in his electoral bid . Following a vacancy on the bench of the Supreme Court of the United States in December 1880 , Maxwell was named as a possible candidate for an associate justiceship , but was not nominated .

In 1884 , Maxwell ran for election as the Greenback - Labor Party candidate in West Virginia 's gubernatorial election against Democrat Emanuel Willis Wilson . During his gubernatorial campaign , Maxwell was dubbed " Old Honesty " by the media . Wilson defeated Maxwell by 5 , 289 votes . His election results mirrored those of other Republican candidates for state office who lost by

margins varying between five and six thousand votes during the 1884 election .

Maxwell was again elected to serve in the West Virginia Senate in 1886 , representing the Third Senatorial District comprising Calhoun , Doddridge , Gilmer , Harrison , and Ritchie counties . He received the most votes - 6 @, @ 693 , compared to his Democratic opponent with 6 @, @ 347 . Maxwell was re @-@ elected to his position in 1888 , and served in the senate from 1889 until 1893 . During his tenure in the senate , Maxwell was again elected as the chairman of the Judiciary Committee . He also served on the Roads and Navigation and Public Printing committees during this term . On December 28 , 1888 , he was selected by his former opponent Governor Wilson as one of the commissioners to represent West Virginia at the centennial celebration of the first inauguration of George Washington .

Maxwell was elected as a member of the West Virginia House of Delegates alongside Henry Wickenhoover in 1892 representing Harrison County from 1893 until 1895 . While serving in the House of Delegates , Maxwell served as chairman of the Judiciary Committee . He was re @-@ elected to the House of Delegates in 1902 alongside Jasper S. Kyle and served in the house until his death in 1903 . He served on the following standing committees of the House of Delegates : Taxation and Finance , Judiciary , Human Institutions and Public Buildings , and Rules .

On January 19 , 1893 , Maxwell was nominated by the West Virginia Republican Party caucus to fill the short term vacancy created by the death of U.S. Senator John E. Kenna . Stephen Benton Elkins was nominated by the party to fill the long term of the vacant senate seat . Democrat Johnson N. Camden was subsequently elected to fill the remainder of McKenn 's term .

= = Later life and death = =

Following his graduation from the West Virginia University College of Law , Maxwell 's son Haymond joined him in a law practice in Clarksburg in 1901 . After a brief bout of pneumonia , Maxwell died on February 5 , 1903 at 20 : 00 local time . At the time of his death , Maxwell was in Charleston during a session of the West Virginia Legislature . He was the oldest member of the West Virginia Legislature at the age of 77 . His son Haymond Maxwell ran for election to his father 's House of Delegates seat in 1905 and served in the position until 1907 .

= = Personal life and family = =

Maxwell married on April 16 , 1872 , to Loretta M. Shuttleworth in Harrison County . Loretta was the daughter of Captain John H. Shuttleworth and his wife Louisa Shuttleworth . Following their marriage , they resided in Clarksburg . She predeceased Maxwell in 1895 . Maxwell and his wife had two sons :

Edwin Maxwell , Jr . , married Mary Francis Farland on March 11 , 1896 in Harrison County

Haymond Maxwell (October 24 , 1879 ? December 18 , 1958) , married Carrie Virginia Maxwell on June 28 , 1905 in Harrison County