JAMES K. KELLY

Chief Justice from 1878 to 1880.

James Kerr Kelly was born in Center county, Pennsylvania, February 16, 1819. He was of Scotch-Irish descent, his great-grandfather having emigrated from the north of Ireland about 1728, and settled in Lancaster county, Pennsylvania. His grandfather, Col. John Kelly, was a major and colonel of Pennsylvania militia in the revolution and Indian wars and was a member of the convention which met in Philadelphia on July 15, 1776, to frame a constitution for a state government for the province of Pennsylvania.

James K. Kelly graduated at Princeton college in 1839 and soon after commenced the study of law in the law school attached to Dickinson college at Carlisle, under Prof. Hon. John Reed. After admission to the bar in 1842, he practiced law in Lewiston, Mifflin county, Pennsylvania, and was deputy prosecuting attorney for the county of Mifflin.

Early in March 1849, in company with a number of other young men from Lewiston and the neighboring counties, he left for California, going to Pittsburg by stagecoach, thence by steamboat down the Ohio and Mississippi rivers to New Orleans, and from there to Vera Cruz, in Mexico, by ship. From there the party traveled across Mexico by way of the city of Mexico, Queratarо. Guadalahara and Tepic to San Blas on the Pacific Coast. From there they took passage on a Mexican schooner for San Francisco, which they reached about the sixth of July 1849. He worked in the mines a few months, then practiced law in San Francisco until about May 5, 1851, when he left in the steamer Columbia for Oregon and arrived at Pacific City, a hamlet on Baker's Bay, since gone out of existence. In the fall of 1851 he went to Oregon City and commenced the practice of law, in partnership with Hon. A. L. Lovejoy. The legislative assembly of 1852-53 elected James K. Kelly of Clackamas county, Reuben P. Boise of Polk county and David R. Bigelow of Thurston county, code commissioners to prepare and compile the first code of Oregon, which was adopted with but little alteration by the legislative assembly in December, 1853.

At the general election in June 1853, Mr. Kelly was elected a member of the legislative council (the upper house), from 1853 to 1857, and was twice chosen as president of that body.

Mr. Kelly raised a company of "mounted volunteers" in Clackamas county for the Oregon Indian War of 1855, and was elected captain of his company, and later lieutenant-colonel of the regiment under Col. James W. Nesmith.

At the election held in June 1857, he was elected a member of the constitutional convention from Clackamas county, and was appointed chairman of the committee to prepare the articles of the constitution relating to the executive and administrative departments (the governor and the secretary of state).

He served in the Oregon State Senate from 1860 to 1864, representing the counties of Clackamas and Wasco. Soon after his election to the State Senate he was appointed United States District Attorney for Oregon by Attorney General Jeremiah S. Black, but declined the appointment, as he preferred to remain a senator.

In 1864 he was nominated for member of congress by the democratic party, and as his party was then in a hopeless minority was defeated by Hon. J. H. D. Henderson, union-republican.

He was again the nominee of the democratic party in 1866 for governor of Oregon and was defeated by Hon. George L. Woods, the republican nominee, by a small majority.

In October 1870, he was elected United States Senator from Oregon for the term commencing March 4, 1871, and ending March 3, 1877. In 1877 he resumed the practice of law at Portland.

As judges of the newly organized supreme court under the act of 1878, Governor Thayer appointed James K. Kelly, Reuben P. Boise and Paine Paige Prim, to hold their offices from 1878 to 1880. Upon the assembling of the judges to hold a term of the reorganized court, Mr. Kelly became Chief Justice of the Supreme Court of Oregon.

After his term of office expired in 1880 he resumed the practice of law in Portland, and soon it became a lucrative one, until 1890, when he retired from the general practice of law and removed to Washington, D. C.