

FRANCIS HILLIARD (1806-78), c. 1835
Attr. William Lewis (1788-after 1838)
watercolor on ivory
2 1/2 x 2 (6.35 x 5.08)
Gift of Edmund B. Hilliard, 1955
Weis 67
Hewes Number: 67

Ex. Coll.: Sitter; to his widow Catherine Dexter Haven Hilliard (1802-88); to their son Samuel Haven Hilliard; to his son, the donor.

Francis Hilliard, born in Cambridge, Massachusetts, graduated from Harvard College in 1823. He later studied law and was admitted to the bar in Suffolk County in 1830. The following year, he married Catherine Dexter Haven (1802-88), a grand-niece of Andrew Craigie, Jr. (cat. 34). Hilliard practiced law in Lowell, Massachusetts, and moved around the state, eventually settling with his family in Roxbury. There, Hilliard served as a judge for the insolvency courts and was elected to one term in the state legislature. In 1855 he was made a judge of the Roxbury police court, a position he held until his retirement. Hilliard and his wife moved to Worcester, Massachusetts, in 1862, and, although never elected to membership in the American Antiquarian Society, he gave 178 books, 98 pamphlets, and an engraving to the Society's library.¹ Some of his personal correspondence, full of fatherly advice for his five adult children, is in the AAS Manuscript Collection.²

Hilliard's most significant contribution to the law was as an author. His first book, Elements of Law, was published in 1835. This was followed by summary publications on laws relating to mortgages, bankruptcy, contracts, taxation, and torts. A biographer noted: '[J]udges and lawyers lacked legal treatises which cited American decisions and showed how far the English common law had been followed by American courts or modified to suit new conditions. Textbooks presenting cases from all states were also needed in order to encourage the development of national judge-made law rather than particularistic local doctrines. Hilliard was one of the first and most voluminous of the authors who met these needs.'³

The miniature of Hilliard was painted about the time that Elements of Law was published. It is attributed to the artist William Lewis, who began his career in 1812, painting portraits and miniatures in Salem, Massachusetts. His sitters included wealthy merchants and ship owners of Salem, and he continued to do most of his work there until 1829.⁴ Hilliard, who may have seen

Lewis's work in Boston during exhibitions at the Boston Athenaeum or Boston Mechanic's Association, presumably hired the painter to create this miniature and a companion piece featuring his young wife.⁵

¹ Proceedings of the American Antiquarian Society (October 1870): 64.

² Hilliard-Pratt Family Papers, 1834-1909, AAS Manuscript Collection.

³ Dictionary of American Biography, s.v. 'Hilliard, Francis.'

⁴ Catalog of Portraits in the Essex Institute (Salem, Mass.: Essex Institute, 1936), 206.

⁵ Dale T. Johnson, American Portrait Miniatures in the Manney Collection (New York: Metropolitan Museum of Art, 1990), 145-46. The current location of the miniature of Catherine Dexter Haven Hilliard is unknown. Although Frederick Weis stated in 1947 that it was owned by Katherine Hilliard Clarke, a family genealogy indicates that Clarke had died in 1941. (See 'Portraits in the American Antiquarian Society,' Proceedings of the American Antiquarian Society 56 [April 1946]: 32.)