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Justice McCabe was born July 4, 1844, in Darke County, Ohio.<sup>400</sup> He died in 1911, in Williamsport, Indiana.

His parents left Ohio and moved to Illinois during McCabe's childhood. He did not attend school until he was seventeen years old, while he was working as a section hand for the Monon Railroad in Crawfordsville, Indiana. After attending a trial in Crawfordsville, he made up his mind to practice law. He taught school in the winter and began to study law in his spare time. He was admitted to the Indiana bar in 1871.

He was an avid Democrat and twice ran unsuccessfully for the U.S. Congress. In 1892, he was elected to the Indiana Supreme Court, and served one six-year term, from January 2, 1893, until January 2, 1899. He was defeated in his bid for re-election, along with the rest of the Democratic slate. He returned to Williamsport, where he practiced law until his death. Former presidential candidate William Jennings Bryan journeyed from Nebraska to speak at Justice McCabe's memorial service.