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Guide to the Lincoln Collection, Lincoln Law Cases 1837-1859



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Descriptive Summary

Identifier	ICU.SPCL.LINCOLNLAW
Title	Lincoln Collection. Lincoln Law Cases
Date	1837-1859
Size	0.5 linear feet (1 box)
Repository	Special Collections Research Center University of Chicago Library 1100 East 57th Street Chicago, Illinois 60637 U.S.A.

Abstract The Lincoln Law Cases collection contains records of cases handled by Abraham Lincoln and his various legal partnerships from 1837 to 1859. Collection includes plaintiff complaints, summons, affidavits disclosing verdicts of juries. It forms part of the William E. Barton Collection of Lincolniana.

Information on Use

Access

The collection is open for research.

Citation

When quoting material from this collection, the preferred citation is: Lincoln Collection. Lincoln Law Cases, [Box #, Folder #], Special Collections Research Center, University of Chicago Library

Biographical Note

Rev. William Eleazar Barton (1861-1930) The Rev. William Eleazar Barton (1861-1930) was one of the early twentieth century's most prominent writers and lecturers on the life of Abraham Lincoln. Born in Sublette, Illinois, in the same year Lincoln assumed the presidency, Barton grew up in an environment heavily influenced by reverence for Lincoln. After pursuing undergraduate studies at Berea College in Kentucky, Barton earned his divinity degree from the Oberlin Theological Seminary in 1890. He served parishes in Tennessee, Ohio, and Massachusetts before becoming the pastor of the First Congregational Church of Oak Park, Illinois, a position he held until his retirement in 1924. Four years later, Barton accepted an appointment as lecturer at Vanderbilt University, Nashville, Tennessee, where he also organized and served as pastor of the Collegese Congregational Church.

Barton's work as a writer produced a number of denominational manuals for church organization and a series of books presenting the wisdom and parables of a character he named Safed the Sage. For the last ten years of his life, however, Barton was best known to the public as a prolific author and lecturer on Abraham Lincoln. His publications about Lincoln included *The Soul of Abraham Lincoln* (1920), *The Paternity of Abraham Lincoln* (1920), *The Life of Abraham Lincoln* (1925), *The Great and Good Man* (1927), *The Women Lincoln Loved* (1927), and *The Lincoln of the Biographers* (1930).

In the course of compiling material for his writings and talks, Barton visited Lincoln sites in Kentucky, Indiana, and Illinois; interviewed surviving Lincoln relatives and acquaintances; and traveled as far as California and England to collect information and conduct genealogical research on the ancestry of the Lincoln family. While acquiring a large collection of books, periodicals, pamphlets, manuscripts, and ephemera related to Lincoln and the Civil War era, Barton also purchased privately or at auction historical materials amassed by other Lincoln collectors such as John E. Burton and Osborn H. Oldroyd.

Scope Note

Abraham Lincoln practiced law, both civil and criminal cases, from 1836 to 1861 in Central Illinois. Many cases involved issues such as breach of contract, assault, bootlegging, and debt collection. The legal cases in this collection were compiled by William E. Barton and represent only a sampling of the number of cases that either Lincoln or his partnerships handled.

The collection is organized alphabetically by case name and includes material such as formal plaintiff complaints, summons of defendant's witnesses to court, and affidavits disclosing the verdicts of the jury. Also in the collection are notes written by William E. Barton with his commentary on the cases.

Lincoln's legal partners and collaborators included:

Lincoln & Linder (Usher F. Linder)

Benedict & Lincoln (Kirby Benedict)

Wright, Craft & Lincoln

Kinney, Wright, Craft & Lincoln

Stuart & Lincoln (John Todd Stuart)

Logan & Lincoln (Stephen Trigg Logan)

Lincoln & Herndon (William H. Herndon)

Related Resources

The following related resources are located in the Department of Special Collections:

<http://www.lib.uchicago.edu/e/spcl/>

Subject Headings

- Barton, William Eleazar, 1861-1930
- Lincoln, Abraham, 1809-1865

INVENTORY

Box 1

Folder 1

- Albin vs. Bodine papers, 24 Ds., 1848-1850
- Summons of defendant, 1848
 - J.H. Murphy, plaintiff attorney, written complaint of plaintiff, 1849
 - Summons of witnesses (10), 1848-50; Surety pledge for costs, 1849
 - Affidavit of defendant that plaintiff cannot pay costs, 1849
 - Affidavits of witnesses on number of days spent in court (7), 1849-50
 - Jury's statement of findings, undated; List of names, undated
 - Motion of plaintiff for new trial (2), 1849

Box 1

Folder 2

- Allen vs. Runsdell papers, D. 4p., 1840
- S.T. Logan, written complaint of plaintiff

Box 1

Folder 3

- Anderson vs. ----- papers, A.D. 1 p., 1837
- Richard Anderson, promissory note of payment on case outcome in plaintiff's favor, Photostat positive, 1837

Box 1

Folder 4

- Benson vs. Mayo papers, 9 Ds., 1851
- Lincoln & Linder, attorneys for plaintiff, complaint of plaintiff, 1851
 - Promissory note in Benson v. Mayo (in Lincoln's hand), 1851
 - Writs of summons (6) 1 missing, 1851
 - Affidavit of witness on number of days in court, 1851

Box 1

Folder 5

- Conneau vs. Whitney papers, A.D. 1 p., 1838
- Notice to defendant of deposition to be taken, in Lincoln's hand, 1838

Box 1

Folder 6

- Davidson vs. Bailey papers, 9 Ds., 1851-1853

- Samuel Davidson, authorization to his counsel to bring action, 1851
- Surety's pledge for costs, 1851; Summons of witness, 1853
- Affidavit of witnesses on number of days spent in court (4), 1853
- Notes on this case by William E. Barton, undated
- Typescript of A.L.S. by Lincoln to Linder, 1853

Box 1

Folder 7

Dibblee et al. vs. Alexander et al. papers, 13 Ds., 1850-1853

- Copy of a conveyance for the benefit of creditors, 1850
- Copy of trust deed for the benefit of creditors, undated
- Complaint (3 typescript copies), 1850
- Answer of defendants (typescript copy) originally in Lincoln's hand, undated
- John W.G. Alexander, separate answer, undated
- Answer of Robert Clark and Robert Reed, undated
- Charles Emerson, answer in Lincoln's hand, 1851
- Refiling of complainant's general replication, and request for default judgment against defendants not appearing, in Lincoln's hand, 1 holograph, Photostats: 1 positive, 1 negative, undated
- Petition of defendants that the case be heard at next term of court, 1851
- Decree, undated
- Answer of Mary Chestnut and James W. Ross, in Lincoln's hand, 1852
- Deposition of Kirby Benedict (holograph and typescript copy), 1853

Box 1

Folder 8

Dibblee vs. Chestnut papers, 26 Ds., 1850-1851

- Note owed to Dibblee by Chestnut, 1848
- Note owed to Dibblee by Chestnut, 1848
- Promissory note of payment of O.J. Chestnut et al., 1850
- Surety's, A.W.B. Ray pledge for costs, 1850
- Lawyer's noted on complaints, undated
- S. Blookins, attorney for plaintiffs, complaint of plaintiffs, 1850
- S. Blookins, reworded complaint (typescript), 1850
- Benedict & Lincoln, answer of defendants, 1851
- S. Blookins, bill to set aside fraudulent conveyance, undated
- Bill to set aside fraudulent conveyance till next term, undated
- R.W. Townsend, opinion supporting plaintiffs, 1850
- S. Jones, opinion supporting the plaintiff, 1850
- Wright, Craft, & Lincoln, for the complainants, replication of petitions, denying the sufficiency of defense answers to complainant, in Lincoln's hand with signature, 1851
- Petition to name widow and heirs-at-law as parties defendant, in Lincoln's hand (holograph, Photostats: 1 positive, 1 negative, and typescript), 1850
- Notarized bill for sale of property, 1850
- Promissory note of James Jones et al., 1850
- Writs of summons (5), 1850-51
- Writs of summons not served, 1850
- Surety's, J.W. Blackburn, pledge for costs, in Lincoln's hand, 1850

- Certification of notice by publication, 1850
- Court order recognizing the appearance of defendants, in Lincoln's hand, undated
- Judgment for the plaintiff, undated
- Note on Dibblee v. Chestnut, typescript, undated
- Note on Dibblee v. Chestnut, holograph, undated

Box 1

Folder 9

Ditson vs. McMurry papers, A.D.S., 1840

- Stuart & Lincoln, complaint of plaintiff, photostat positive, in Lincoln's hand
- Card, "Lincoln's First Partnership"

Box 1

Folder 10

Droper vs. Grant papers, A.D.S., 1844

- Logan & Lincoln, complaint of plaintiff, photostat positive, in Lincoln's hand
- Card, "Lincoln's Second Partnership"

Box 1

Folder 11

Dudley vs. Hite papers, A.D., 1851

- Motion for deferment of trial, holograph, in Lincoln's hand

Box 1

Folder 12

Hunter vs. Nolan papers, 2 A.Ds., Photostat, positive, 1842

- Answer of defendant, holograph in Lincoln's hand, 2 photostats: 1 positive, 1 negative
- General denial by defendant, holograph in Lincoln's hand, 2 photostats: 1 positive, 1 negative
- Note on case, unsigned

Box 1

Folder 13

Ingle vs. Scott, D., [ca. 1850]

- Complaint of plaintiff, unsigned

Box 1

Folder 14

Ingoldsby et al. vs. Alexander papers, 3 Ds., 1851

- W.D. Griswold, attorney for plaintiff, complaint of plaintiffs
- Surety's pledge for costs
- Summons of John W.S. Alexander

Box 1

Folder 15

Lilley vs. Lilley papers, 4 Ds, 1855

- Harriet Lilley, bond executed by complainant to guarantee successful prosecution of her pending divorce action
- Petition for divorce
- Summons of defendant
- Summons of witnesses
- Property settlement in lieu of alimony

Box 1

Folder 16

McCutchen vs. Allen complaint, A.D.S., 1842

- Logan & Lincoln, attorneys for plaintiff, complaint of plaintiff

Box 1**Folder 17**

Matkin vs. Brown papers, A.D.S., 1850

- Answer of respondent, original and photostats, positive
- Copy of answer of respondent in typescript

Box 1**Folder 18**

Mayo vs. Benson papers, D., 1851

- Benedict & Constable, answer and denial of the defendant

Box 1**Folder 19**

Merrow et al. vs. Ambo et al. papers, A.D.S., 1859

- Lincoln, for respondent, answer of defendants, in Lincoln's hand, original and 2 photostats: 1 positive, 1 negative

Box 1**Folder 20**

Neale vs. Britton papers, A.D.S., 1850

- Lincoln & Hemdon, complaint of plaintiff, in Lincoln's hand, photostat, positive

Box 1**Folder 21**

Nolan vs. Hunter papers, 16 Ds., 1841

- Surety's pledge of costs; J. Halan, attorney of plaintiff, complaint of plaintiff
- Summons (9)
- Affidavits of witnesses on number of days in court (4)
- Verdict in case

Box 1**Folder 22**

Paddock vs. Snyder papers, 2 Ds., 1851-1853

- W.R. McKean, affidavit of witness on number of days in court
- Deposition of Rieley McKean

Box 1**Folder 23**

Reed vs. Henderson papers, 17 Ds., 1852

- Promissory note of payment
- Summons of witnesses (14)
- Defendant's answer
- Agreement of continuance

Box 1**Folder 24**

Rives vs. Martin and Booth papers, 31 Ds., 1852-1853

- Kirby Benedict, attorney for plaintiff, complaint of plaintiff
- Affidavit by defendant that plaintiff is unable to pay costs of suit
- John A. Metcalf, surety's pledge for costs

- Defendant's answer; H.W. Martin, motion for delay
- Bill of particulars
- Martin, Henry W., motion to delay, original and 2 photostats: 1 positive, 1 negative
- Martin, H.W. et al., appeal bond
- Harlan, J., bill of exceptions
- Summons (17)
- Affidavits of witnesses on number of days in court (5)
- list of numerical figures

Box 1

Folder 25

Rucker vs. Early papers, D., 1840

- Deposition of Peter Richard, with A.E.S. by Lincoln

Box 1

Folder 26

Shelby v. Shelby papers, A.D.S., [ca. 1840]

- Lincoln, for complainant, complaint of plaintiff, photostat, positive, in Lincoln's hand

Box 1

Folder 27

Snyder vs. Wolfe papers, A.D.S., 1851

- Answer to complainant, in Lincoln's hand, original, 2 photostats; 1 positive, 1 negative, and 1 typescript copy

Box 1

Folder 28

Sommerville vs. Bailey papers, 18 Ds., 1853

- Kirby Benedict, attorney for plaintiff, complaint of plaintiff (2)
- Order subpoena of witnesses
- Summons (12)
- David Bailey et al., agreement to submit to arbitration
- James A. Miller et al., award of arbitrators
- S. York, affidavit of witness on number of days in court
- Notes on this case by William E. Barton

Box 1

Folder 29

Speed vs. Reeves papers, D. 3 p., 1853

- E.B. Hendon, attorney of plaintiff, complaint of plaintiff

Box 1

Folder 30

Taylor v. Wright papers, A.D.S., 1843

- Logan & Lincoln, for complainant, complaint of plaintiff, original, 2 photostats: 1 positive, 1 negative, 1 copy

Box 1

Folder 31

Ten Brook, Adm. vs. Guthrie papers, 8 Ds., 1851-1852

- Guarantee of court costs
- Writ of summons to defendant (2)
- Dill, M.M., complaint of plaintiff, in Lincoln's hand

- Sutherland, J., affidavit of witness on number of days in court
- Plaintiff's answer to defense motion for delay of trial
- Complaint of plaintiff; affidavit that defendant's property was fraudulently concealed from sheriff seeking to serve a writ of execution, (typescript copy)

Box 1

Folder 32

Wolfe vs. Snyder papers, 9 Ds., 1851-1853

- Pledge for costs, 2 photostats: 1 positive, 1 negative
- Ephraim S. Wolfe vs. William M. Snyder, wrapper
- Usher & Pattenson, letter of enclosure accompanying guarantee of costs
- Usher & Pattenson, complaint
- Usher, J.P., attorney of plaintiff, bill of particulars; summons of defendant
- Receipt of payment from Snyder and order to withdraw the pending suit