Letter: Clifton M. Nichols to Ida M. Tarbell, October 17, 1896

Nichols, Clifton, M.

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Oct. 17, 1876.

Dear Miss Tarbell:

I accidentally met Mr. George Lincoln, of London, O., this morning. He has been a judge (Common pleas) in Ohio, for many years, and has ranked high as a lawyer. He was in Springfield, Ill., in 1859, I think, and met Abraham Lincoln. His story of his conversation with Mr. Lincoln is quite interesting. It was soon after the decision of the Court in the Wellington rescue cases. The Supreme Court of the State—Judge Staniford presiding—and nearly the decision of the Court took the ground that "Whatever difference of opinion may now exist in the public mind as to the power of Congress to punish rescuers" (of fugitive slaves) "as provided in the acts of 1793 and 1850, no such vital blow is given either to constitutional right, or State sovereignty by Congress, thus amounting to a law to punish a violation of the Constitution, or to demand of this Court the organization of resistance, if, after more than sixty years of acquiescence by all departments of the national and State governments in the power of Congress to pro-
vide for the punishment of rescuers of escaped slaves, that power is to be disregarded, and all laws which may be passed on the subject from henceforth, are to be persistently resisted and nullified, the work of revolution should not be begun by the conservation of the public peace."

Judge Scott and Peck agreed with Swan and Judge Brinkerhoff and Cutliff.

The presentation was made by one man, who was finally accepted as a count against the course of time, arrest for kidnap by a compromise between wrong, and by a compromise between the parties, both the kidnappers and the rescuers were released.

Judge Swan was defeated for the de- nomination on account of his decision. No doubt he was convinced in his opinion, but his conviction that the fugitive Slave Law was constitutional but not always based upon Constitution law and precedent was, in Ohio, for the 1850 law, which recognized the rights of the fugitive slave.

Mr. Lincoln (George) declares that Abraham Lincoln, as said to him, in
a very decided way, that Judge Swen
was right and that it was wrong in not re-nominating and re-electing him.

Now Mr. George M. Finley is willing to have a statement of his interviews and what occurred, so into your book, and I told him if he would make a careful full statement concerning the affair I would send it to you. I told him you had lent of copying to see me, & he then said if you would come here & give him a full statement, he is a remarkably fine woman, was President of our Ohio Confederated Women's Clubs, last year. But if you come here I think it worth while I will go to London with you & get the copy out of him.

I tried to get the statement for my book but he was then on his deathbed with the grip & did not respond. I have a full sketch of the legal proceedings (of all others) of the Berlin Wellington Reserve cases. If you wish to do anything in this matter, I am unreasonably at your service. You know we should be my dead to have you here. Mr. Nichols will it will join me in the kindest possible expression of good.

Very Truly Yours, Clefton M. Nichols.