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LINCOLN AS A LAWYER.

One of the first books which interested Abraham Lincoln as a boy was a treatise on law, the Statutes of Indiana. From that time whenever he could get hold of a stray law book he read it eagerly. When he was about 24 years old he by chance found himself the owner of a set of Blackstone's commentaries, the reading of them was an amazement and an inspiration. "Never in my whole life," said Lincoln, "was my mind so thoroughly absorbed. I read until I devoured them."

Absorbing as Lincoln found Blackstone he did not get there the idea of becoming a lawyer. In fact the notion was not original with him. He never conceived but one ambition for himself that was a public career. It was necessary that a friend urge him to read law and offer to lend him the books required before it occurred to him that the profession was within his reach. ^{however,} He accepted the suggestion ~~as~~ soon as made, he giving all his leisure for three or four years to legal reading. From the time that Lincoln ~~gave~~ began the practice law in the fall of 1836 until he went to Congress in 1847, his business was much interrupted by politics; the law was secondary in fact to public life. The sessions of the Illinois Assembly, the presence in Springfield, - the political head-quarters of the state - of numbers of politicians, his frequent activity in organizing the Whig party, the frequent and time-taking trips his district campaigning, were grave interruptions to building up a clientele, and to studying seriously they were still more fatal to his interest in his business.

It was not, in fact, until Lincoln returned from Congress in 1849 and found himself out of politics that he made the law his first interest. Rejoining his partner Herndon - the firm of

Lincoln ~~and~~ and Herndon had been only a name during his term in Washington - he took up his practice with a singleness of purpose which had never before characterized him.

Lincoln's head-quarters were in Springfield, but his practice was itinerant. The arrangements to administer justice in Illinois in the early days were suited to the conditions of the country. The state being divided into "judicial circuits" including more or less territory according to the population. To each circuit a judge was appointed who each spring and fall travelled from country seat to country seat to hold court. With the judge travelled a certain number of the best known lawyers of the district. These lawyers had, of course, offices in some one of the country seats at which courts were held and usually at each of the others they had partners, young men of little experience, who employed them as counsel in special cases. This peripatetic court prevailed in Illinois until the beginning of the fifties but even many years after, when the towns had grown so large that a clever lawyer might have enough to do in his own county - a few lawyers, Lincoln among them - who from long association felt that the circuit was their natural habit, it refused to leave it. The circuit which Lincoln travelled was known as the "old and the judicial circuit." It included 15 counties in 1845, though the territory has since been divided into more. It was some miles long by broad. There were no railroads in the 8th Circuit until about 1854 and the court travelled usually on horse back or by carriage. Lincoln had no horse in the early days of his practice. It was his habit then to borrow one to ride or to join a company of a half dozen or more in hiring a "three-seated spring wagon." Later he owned a turn-out of his own, which figures in nearly all

the traditions of the 8th Circuit as "Mr. Lincoln's slow old horse and rattling old buggy."

His long rides from court to court were not always easy. When the sessions opened in spring and fall the roads were usually heavy with mud. There were days when the dust was insupportable and sometimes there were storms which chilled and drenched the travellers. Whatever discomfort he might suffer, whatever accident happened there was no relief until the party reached a farmhouse, and in that sparsely settled country one might travel far to find food and shelter. But if there was much that was irritation and uncomfortable in the circuit riding of the Illinois court, there was more which was amusing to a temperament like Lincoln's. The freedom, the long days in the open air, the unexpected if trivial adventures, the meeting with wayfarers and settlers all was an entertainment to him. He found humor and human interest on the route where none of his companions saw anything. "He saw the ludicrous in an assemblage of fowls, in a man spading his garden, in a clothes-line full of clothes, in a group of boys, in a lot of pigs rooting at a mill door, in a mother duck learning her brood to swim; in everything and anything."[#] The sympathetic observations of these long rides furnished many a humorous setting for his best stories.

If frequently on these trips he fell into sombre reveries and rode with head bent ignoring his companions, generally he took part in all the frolics which went on, joining in any practical joke which did no harm and left no sting, singing noisily with the rest, sometimes even playing a Jew's harp.

[#] Henry C. Whitney in "Life on the Circuit."

When the country-seat was reached the bench and bar quickly settled themselves in the town tavern. It was usually a large two-story house with big rooms and long verandahs. There was little exclusiveness possible in these hosteleries. Ordinarily judge and lawyer slept in a bed and three or four beds in a room. They ate at the common table with jurors, witnesses, prisoners out on bail, traveling pedlars, teamsters, and laborers. There was an attempt at classification on the landlord's part, however, - the lawyers being seated in a group at the head of the ~~xxxxxxxxxx~~ table. Most of them accepted this distinction complacently. Lincoln, however, seemed to be oblivious of it. Coming in one day and seating himself at the foot with the "fourth estate" the landlord called to him, "You're in the wrong place Mr. Lincoln, come up here." "Have you anything better to eat up there, Joe?" he inquired quizzically, "if not I'll stay here." The accommodations of the taverns were often unsatisfactory. The food poorly cooked, the beds hard. There is not one of these who have rode the circuit with Lincoln and who has left his impressions who does not speak of his uncomplaining acceptance of board and lodgings. It was not only the good nature of a kindly-spirit, it was the indifference of one whose thoughts were always busy with problems apart from physical comfort, who had little sense of the so-called "refinements of life" and almost no notion of luxury and ease.

The judge naturally was the leading character in these nomadic groups. He received all the extra consideration the Democratic spirit of the inhabitants bestowed on any one, controlled his privacy and his time to a degree. Judge David Davis, who from 1848 presided over the 8th Circuit, as long as Mr.

Lincoln travelled it, was a man of unusual force, of large learning, quick impulses and strong prejudices. His likes and dislikes were most positive, and Lincoln was from the beginning of their association a favorite with Judge Davis. Unless Lincoln joined the circle which the Judge formed in his room frequently after supper, his honor was impatient and distraught, interrupting the conversation constantly by demanding, "Where's Lincoln?" "Why don't Lincoln come?" and when Lincoln did come the Judge would draw out story after story and quieting ~~at~~ everybody who interrupted with an impatient, "Mr. Lincoln is talking." If any one came to the door to see him in one of Lincoln's story - he would send out a lawyer ~~into~~ into the hall to see what was wanted ordering Lincoln to "go ahead" as soon as the door closed.

The appearance of the court in a town was invariably a stimulus to its social life. In all of the country seats there were a few fine homes whose dignity and spaciousness and elegance ~~of~~ still impresses the travelers appearance through Illinois. The hospitality of the owners was most generous. Dinners, receptions and suppers followed one another ~~in~~ as soon as the court began. Lincoln was a favorite figure at all these gatherings. "Without assumption," says Mr. H. W. Beckwith, "trusting, and as open as a child, the chill of formality thawed out and every one was soon at ease in his genial presence. He met the old and the young, the learned and awkward in polite affairs, women and children, all on an even footing. He did not forestall, but had a happy way of unloosing others' tongues, even of the most diffident, and without apparent effort kindly helped them show forth at their best. His range of domestic affairs and social talk seemed without limit, and while he drew others out he would amuse and

H. W. Beckwith "Personal Recollections of Lincoln."

instruct in a way that those who met him here at these gatherings in Danville, Urbana, Decatur, Bloomington and other county seats in the circuit named will ever cherish and remember."

Lincoln's favorite field, however, was the court.

The court houses of Illinois in which Lincoln practised were not "log-houses," as has been frequently taken for granted. "It is not probable," says a leading member of the Illinois bar, "Mr. Lincoln ever saw a 'log court house' in central Illinois where he practised law, unless he saw one at Decatur in Maron county. In a conversation between three members of the Supreme Court of Illinois all of whom had been born in this state and had lived in it all their lives and who were certainly familiar with the central portions of the state, all declared they had never seen a 'log court house' in the state. It may be at a very early day in pioneer times there may have been 'log court houses' in some localities -- but as to where they were located and when they existed no certain information is at hand. If any ever existed it is probable it was before Mr. Lincoln commenced to practice law, and certainly in other parts of the state where he did not practice." The court houses in which Lincoln practised were stately old-fashioned structures, usually capped by cupola or tower and surrounded by verandahs with huge doors or Ionic pillars. They were finished up on the inside in the most uncompromising style, hard white walls, unpainted wood-work, pine floors, wooden seats, Usually they were heated by huge Franklin stoves with yards of stove pipe running wildly through the air ~~searching~~ searching an exit and threatening ~~momentarily~~ momentarily to unjoint and tumble in sections. Few of the lawyers had offices in these towns and a corner of the court-room, the shade of a tree, in the court-yard,

a sunny side of the building were where they met their clients and transacted business.

In the courts themselves there was a certain indifference to formality engendered by the primitive surroundings which certainly the Judges never allowed to interfere with the seriousness of their work. Lincoln habitually, when not busy, whispered stories to his neighbors frequently to the annoyance of Judge Davis. If Lincoln persisted too long the Judge would rap on the chair and exclaim, "Come, come, Mr. Lincoln, I can't stand this, there is no use trying to carry on two courts, I must adjourn mine or you yours and I think you will have to be the one." As soon as the group had scattered the judge would call one of the men to him and ask, "What was that Lincoln was telling?"

"I was never fined but once for contempt of court," says one of the clerks of the court in Lincoln's day, who is still living. "Davis fined me \$5.00. Mr. Lincoln had just come in and leaning over my desk had told me a story so insistably funny that I broke out into a loud laugh. The judge called me to order in haste, saying, 'This must be stopped. Mr. Lincoln you are constantly disturbing this court with your stories.' Then to me - 'You may fine yourself \$5.00 for your disturbance.' I apologized but told the judge that the story was worth the money. In a few minutes the Judge leaned over and called me to him. 'What was the story Lincoln told you?' he said. I told him and he laughed aloud in spite of himself. 'Remit your fine,' he ordered.

Judge Davis not only loved Lincoln's story he had a great admiration for his speeches. "He seized the stony points of a cause," he wrote after Lincoln's death, "and presented them

with clearness and great compactness. His mind was logical and direct, and he did not indulge in extraneous discussion. Generalities and platitudes had no charm for him. An unfailing vein of humor never deserted him and he was unable to claim the attention of court and jury, when the cause was the most uninteresting by the appropriateness of his anecdotes." Such was Judge Davis's admiration for Lincoln's arguments that he would await them with eagerness and if any one interrupted him - came in late, paid poor attention, he would break in with irritated ejaculations.

The partiality of Judge Davis for Lincoln was shared by the members of the court generally. The unaffected friendliness and helpfulness of his nature had more to do with this than his wit and cleverness. If there was a new clerk in court, a stranger unused to the ways of the place Lincoln was the first - sometimes the ~~was~~ only one - to shake hands with him and congratulate him on his election.

"No lawyer on the circuit was more unassuming than was Mr. Lincoln," says one who ~~practised~~ practised with him. "He arrogated to himself no superiority over any one -- not even the most obscure member of the bar. He treated every one with that simplicity and kindness that ~~from~~ friendly neighbors manifest in their relations with each other. He was remarkably gentle with young lawyers becoming permanent residents at the several county seats in the circuit where he had practised for so many years. It happens sometimes young lawyers affect great legal learning when fresh from the schools and become offensively arrogant in their manners at the bar and in that way bring upon themselves a little uncomplimentary criticism, but Mr. Lincoln never grew ~~too~~

impatient with such an one. He affected not to notice their foibles whatever they were. The result was, he became the much beloved senior member of the bar. No young lawyer ever practiced in the courts with Mr. Lincoln that did not in all his after life have a regard for him akin to personal affection."

"I remember with what confidence I always went to him," says Judge Lawrence Welden, who first knew Lincoln at the bar in 1854, "because I was certain he knew all about the matter and would most cheerfully help me. I can see him now through the decaying memories of 30 years standing in the corner of the old court room, and as I approached him with a paper and did not understand he said, 'Wait until I fix this plug for my 'gallis' and I will pitch into that like a dog at a root.' While speaking, he was busily engaged in trying to connect his suspenders with his pants by making a 'plug' perform the function of a button."

If for any reason Lincoln was absent from court he was missed perhaps as no man on the 8th Circuit could have been and his return greeted joyously; he was not less happy himself to see his friends. "Ain't you glad I've come?" he would call out as he came up to shake hands.

The character of the cases which fell to Lincoln on the 8th Circuit were of the sort common to a new country. Litigation over bordering lines and deeds, over the damages by wandering cattle, broils at country festivities, few of them were of large importance. When a client came to him his first effort was to

arrange matters if possible to avoid a suit. In a few notes for a law lecture which Lincoln prepared about 1850, he says:-

"Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser--in fees, expenses, and waste of time. As a peacemaker the lawyer has a superior opportunity of being a good man. There will still be business enough.

"Never stir up litigation. A worse man can not scarcely be found than one who does this. Who can be more nearly a fiend than he who habitually overhauls the register of deeds in search of defects in titles, whereon to stir up strife, and put money in his pocket? A moral tone ought to be infused into the profession which should drive such men out of it."

He ~~would~~ carried out this in his practice. "Who was your guardian?" he asked a young man who came to him to complain that a part of the property left him had been withheld. "Mark Kingsbury," replied the young man.

"I know Mr. Kingsbury," said Lincoln "and he is not the man to have cheated you out a cent, and I can't take the case and advise you to drop the subject." And it was dropped.

"We shall not take your case," he said to a man who had shown that by a legal technicality he could win property worth \$600.00.

"You must remember that some things legally right are not morally right. We shall not take your case but will give you a little advice for which we will charge you nothing. You seem to be a sprightly energetic man, we would advise you to try your hand at making \$600.00 in some other way."

~~When convinced he had taken~~

He more than once dropped a case after he had undertaken

it when convinced he had been deceived. At a murder trial in Danville, Ill., the first evidence of the defendant, convinced him his client had deceived him. "With the permission of your honor," he said, "I will retire from this case."

"Sweet the man is guilty you defend him, I can't," he said to his associate in the murder case after hearing the testimony and he would not. It was not only his sense of justice which revolted against helping a guilty man escape but his consciousness that unless he believed his cause right he could not conduct the case well, that he could not do his duty to his client. "If I attempt the jury will see that I think he is guilty and convict him of course," he said one day when urged to defend a man after who had engaged him, ^ Having defended a client whom the opposing lawyer afterwards proved a rascal and slipped away from court.

"I can't come, my hands are dirty, and I came over to clean them," he sent word to the judge who had ordered him back into court.

Having accepted a case Lincoln's first object seemed to be to reduce it to its simplest elements. "If I can clean this case of technicalities and get it properly swung to the jury I'll win it," he told his partner Herndon one day. He began by getting at what seemed to him the pivot on which it rested. Sure of that he cared little for anything else. He trusted ~~every~~ little to books, a great deal to the common sense and the right and wrong of his case.

"In the make of his character Mr. Lincoln had many elements essential to the successful circuit lawyer. He knew much of the law as written in the books, and had that knowledge ready

for use at all times. That was a valuable possession in the absence of law books, where none were obtainable on the circuit. But he had more than a knowledge of the law. He knew right and justice and knew how to make their application to the affairs of every day life. That was an element in his character that gave him power to prevail with the jury when arguing a case before them. Few lawyers ever had the influence with a jury, Mr. Lincoln had."

When a case was clear to him and he was satisfied of its justice he trusted to taking advantage of the developments of the trial to win his case. For this reason he made few roles beforehand, rarely writing out his plan of argument. Those he left are amusingly brief for instance, the following made for a suit he had brought against a pension agent who had withheld as fee half of the pension he had obtained for the aged widow of a revolutionary soldier. Lincoln was deeply indignant at the agent and had resolved to win this suit. He read up the revolutionary war afresh and when he came to address the jury drew a harrowing picture of the private soldiers sufferings and of the trials of his separation from his wife. The notes for his argument ran as follows:-

"No contract -- Not Professional Services. Unreasonable charge. -- Money retained by Def't not given by Pl.'ff. -- Revolutionary War.-- Soldiers bleeding feet. -- Pl.'ff's husband. -- Soldier leaving home for army. -- Skin def't. -- Close."

Lincoln's reason for not taking notes was as he told H. W. Beckwith who was a student in the Danville office of Lincoln and Lincoln: "Notes are a bother, taking time to make and more to hunt than up afterwards; that lawyers who do so soon get the habit of referring to them so much that it confuses and

tires the jury." "He relied on his well trained memory," says Mr. Beekwith that recorded and indexed every passing detail.

"And by his skillful questions, a joke, or pat retort as the trial progressed, he steered his jury from the bayous and eddys of side issues and kept them clear of the swags and sandbars, if any were put in the real channel of his case."

Much of his strength lay in his skill in examining witnesses. "He had a most remarkable talent for examining witnesses -- with him it was a rare gift. It was a power to compel a witness to disclose the whole truth. Even a witness at first unfriendly under his kindly treatment would finally become friendly and would wish to tell nothing he could honestly avoid against him, if he could state nothing for him."

"When engaged in a case of importance--as defending a prisoner whom he thought innocent of the charge--he was the picture of anxious mental labor; had a care-marked face; his expression was solemnity personified, his voice most peculiar with a face bordering on the painful to behold. He seemed to be unlike any other lawyer. He would carefully watch every feature of the witness on the stand, the expression of his eye, the curl of his lip and movement of a limb, while the witness was making a statement effecting the safety of his case. When in the cross-examination of a witness who was inclined to be, as lawyers say, a willing or swift witness, he would frame his questions with the greatest care, and frequently interrogated in such a plaintive tone as to soften the force of the most venomous witness in his answers. If inclined to think a witness was endeavoring to evade the answer to a question, which would palliate in the least degree the act alleged against his client, or would cloud the theory

of his case, he would exhibit a peevishness unknown to him under any other circumstances."

He could not wheale an unfair use of testimony or the misrepresentation of his own position. "In the Harrison murder case the prosecuting attorney stated that such a witness made a certain statement, when Mr. Lincoln rose and made such a plaintive appeal to the attorney to correct the statement, that the attorney actually made the amende honorable, and afterwards remarked to a brother lawyer that he could deny his own child's appeal as quick as he could that of Mr. Lincoln's."

Sometimes under provocation his plaintiveness became anger of the most violent kind. In a murder case where the judge had ruled contrary to his expectations and as Mr. Lincoln said contrary to the decision of the supreme court in a similar case. "Both Mr. Lincoln and Judge Logan, who was with him in the case, rose to their feet quick as thought. I do think he was the most unearthly looking man I had ever He roared like a lion suddenly aroused from his lair, and said and did more in ten minutes than I ever heard him say or saw him do before in an hour." "It would not be a just analysis of his character to omit to state, he sometimes in the trial of a cause exhibited much impatience and at times vehement anger. But it was always a just indignation. In the trial of a cause in a court in one of the counties in the 8th judicial circuit where he practised most--perhaps in 1850--a witness gave most disgusting ~~test~~ testimony against Mr. Lincoln's client. Aside from other features of the testimony Mr. Lincoln did not believe it contained a word of truth. When he came to argue the case to the jury he turned upon the offending witness a torrent of investive and denunciation of such severity as rarely

ever falls from the lips of an advocate at the bar. In the same case he suddenly changed his manner of speech and became as tender and gentle as he had just been severe and violent. His client was an orphan girl that had been betrayed to her ruin. His words in defence of that friendless girl as she sat alone in the midst of strangers were gentle, beautiful, and full of tenderest pathos."

He depended a great deal upon his stories in pleading, using them as illustrations which demonstrated the case more conclusively than argument could have done. Mr. Beekwith tells a story which is a good example of Lincoln's way of condensing both the law and the facts of an issue in a story.

"A man by vile words first provoked and then made a bodily attack upon another. The latter in defending himself gave the other much the worst of the encounter. The aggressor, to get even, had the one who thrashed him tried in our Circuit Court upon a charge of "an assault and battery." Mr. Lincoln defended, and told the jury that his client was in the fix of a man who, in going along the highway with a pitchfork on his shoulder, was attacked by a fierce dog that ran out at him from a farmer's door-yard. In parrying off the brute with the fork its prongs stuck into the brute and killed him.

DOG AND PITCHFORK.

"What made you kill my dog?" said the farmer. "What made him try to bite me?" "But why did you not go at him with your other end of the pitchfork?" "Why did he not come after me with his other end?" At this Mr. Lincoln whirled about in his long arms an imaginary dog and pushed its tail end toward the jury. Thus was the defensive plea of "son assault ~~demme~~ demme" loosely: that "the other fellow brought on the fight," quickly told,

and in a way the dullest mind would grasp and retain."

Mr. T. S. Kidd says that he once heard a lawyer opposed to Lincoln trying to convince a jury that precedent was superior to law, and that custom made things legal in all cases. When Lincoln arose to answer him he told the jury he would argue his case in the same way. Said he: "Old 'Squire Bagly, from Menard, came into my office and said: "Lincoln, I want your advice as a lawyer. Has a man what's been elected Justice of the Peace a right to issue a marriage license?" I told him he had not, when the old 'Squire threw himself back in his chair very indignantly, and said: 'Lincoln I thought you was a lawyer. Now Bob Thomas and me had a bet on this thing; and I bet him a 'squire could do it, and we agreed to let you decide; but if this is your opinion I don't want it, for I know a thunderin' sight better, for I have been 'squire now eight years and have done it all the time."

His way of telling stories had much to do with the effect. "When he chose to do so he could place the opposite party and his counsel too for that matter in a most ridiculous attitude by relating in his inimitable way a pertinent story. That often gave him a great advantage with the jury. A young lawyer had brought an action in trespass to recover damages done to his client's growing crops by defendant's hogs. The right of action under the law of Illinois as it was then depended on the fact whether plaintiff's fence was ~~sufficient~~ sufficient to turn ordinary stock. There was some little conflict in the evidence on that question but the weight of the testimony was decidedly in favor of plaintiff and sustained beyond all doubt his cause of action. Mr. Lincoln appeared for defendant. There was no controversy as to the damage done by defendant's stock. The only thing in the case

that could possibly admit of any discussion was the condition of plaintiff's fence and as the testimony on that question seemed to be in favor of plaintiff and as the sum involved was little in amount, Mr. Lincoln did not deem it necessary to argue the case seriously but by way of saying something in behalf of his client he told a little story about a fence that was so crooked that when a hog went through an opening in it, invariably it came out on the same side from whence it started. His description of the confused look of the hog after several times going through the fence and still finding itself on the side from where it had started was a humorous specimen of the best story telling. The effect was to make plaintiff's case appear ridiculous and while Mr. Lincoln did not attempt to apply the story to the case, the jury seemed to think it had some kind of application to the fence in controversy--otherwise he would not have told it and shortly returned a verdict for defendant. Few men could have made so much out of so little a story. His manner of telling a story was most generally better than the story itself. He always seemed to have an apt story on hand for use on all occasions. If he had no story in stock he could formulate one instantly so ~~pert~~ pertinent it would seem he had brought it into service on many previous occasions. It is believed he had never heard before, many of the mirth provoking stories he told at the bar, on the rostrum and elsewhere but formulated them for immediate use. That is a talent akin to the power to construct a parable--a talent that few men possess."

Those unfamiliar with his methods frequently took this practice as an effort to make a laugh from the jury and a lawyer, a stranger to Mr. Lincoln, once expressed to General Linden the opinion that this practice of Lincoln was a waste of time. Linden

answered: "Don't lay that flattering unction to your soul, Lincoln is like Tansey's horse, he 'breaks to win'."

But it was not his stories, it was his clearness which was his strongest point. He meant that the jury should see that he was right. For this reason he never used a word which the dullest jurymen could not understand. Rarely, if ever, did a Latin term creep into his arguments, he did not even pretend to understand them when used by another. A lawyer quoting a legal maxim one day in court turned to Lincoln and said: "That is so, is it not, Mr. Lincoln?" "If that's latin," Lincoln replied, "you had better call another witness." His illustrations were almost always of the homeliest kind. He did not care to "go among the ancients for figures," he said, though the use of the scriptures was constant.#

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He rarely consulted books during a trial lest he lose the attention of the jury and if obliged to ^{he} ~~he~~ translated their statements into the simplest terms. In his desire to keep his case clear he rarely argued points which seemed to unessential. "In law it is good policy never to plead what you need not, lest you oblige yourself to prove what you cannot," he wrote. He would thus give every point after point with an indifferent "maybe you're right," "I reckon that's so," until the point which considered pivoted was reached and there he hung. "In making a speech," says Mr. John Hill,# "Mr. Lincoln was the plainest man I ever heard. He was not a speaker but a talker.

T. S. Kidd.

Private letter from Mr. John Hill of Columbus, Ga., a son of Samuel Hill of New Salem and an intimate acquaintance of Lincoln.

He talked to jurors and to political gatherings, plain, sensible, candid talk, almost as in conversation, no effort whatever in oratory. But his talking had wonderful effect. Honesty, candor, fairness, everything that was convincing was in his manners and expressions. Simple in language, with kindness and beneficence in his countenance, it was scarcely possible for an auditor not to believe every word he uttered."

Much of the force of his argument lay in his logical and concise statement of the facts of a case. When he had in that way secured a clear understanding of the facts, the jury and the court would seem naturally to follow him in his conclusions as to the law of the case. His simple and natural presentation of the facts seemed to give the impression, the jury were themselves making the statement. He had the happy and unusual faculty of making the jury believe they -- and not he -- were trying the case. In that mode of presenting a case he had few if any equals. An Attorney makes a grave mistake if he puts too much of himself into his argument before the jury or before the court. Mr. Lincoln kept himself in the back ground and apparently assumed nothing more than to be an assistant counsel to the court or the jury on whom the primary responsibility for the final decision of the case in fact rested. That mode of arguing a case is most satisfactory--especially with a jury who dislike to be ignored as though they constituted no part of the court.

The consideration of Mr. Lincoln as a lawyer will be continued in the August number of this magazine.

Lincoln as a Lawyer

See Mr John Bryant's
account of seeing jury sitting
on a bench inside the court house

Illinois Central Case.

Mason Brayman's statement.

See Letter in N. & H. V. L. p. 177.

See Mr. Chellars' Letters & Memoirs.

" Autographs

" Law cases in legal library -

There is more or less uncertainty in the biographies as to
the date of ^{his} Lincoln's admission to the bar. The "roll of attorneys
and counselors at law", on file in the office of the clerk of the
Supreme Court at Springfield, Ill., shows that his license was dated
September 9, 1856, and that the date of the enrollment of his name upon
the official list was March 1, 1857. On the same day the names of
W. A. Richardson and Robert L. Wilson (the latter already a member of
the legislative "Long Nine") were placed upon the roll.