HENRY E. POND,
STATE'S ATTORNEY MENARD COUNTY
PETERSBURG, ILLINOIS

November 9,1922.

Miss Ida M. Tarbell,
Leland Hotel,
Springfield, Illinois,

Dear Miss Tarbell:

Pursuant to our telephone conversation in Petersburg of recent date, I send you a bit of history concerning Abolition that may have made a mental impresssion upon Lincoln.

My grandafther, Samuel Sweezy Pond, a Yankee residing ten miles northwest of the village of Old Salem, was a friend of Lincoln and was of such staunch anti-slavery views that he was dubbed "Abolition" Pond. He operated the Underground Railroad through this section of Illinois. He hauled slaves in a wagon, covered with tarpaulin, from a station at Farmingdale in Sangamon County , past Old Salem to his home where they rested overnight, and thence to a station in Mason county to the north. The citizenry of the community was pro-slavery in views and threatened the life of Grandfather, if he should be caught.

At the June term ,1845, of the Menard County circuit court, information was given to the grand jury by Mentor Graham, former teacher of Lincoln, and others to the effect that "Marvin B." Pond was guilty of harboring a fugitive slave and an indictment was returned against him--the only indictment ever returned in this county on such a charge.

Marvin B.Pond was tried by a jury at the November term, 1845, and acquitted, there being no evidence to substantiate the charge against him. The truth is that the wrong brother was named in the indictment, Marvin B. being innocent,whereas Samuel Sweezy was the guilty man.

The court records of both the above named terms show that Lincoln and Major Harris were the only lawyers defending the criminal cases. Major Harris, a democratic congressman, was of strong pro-slavery views. It is logical to believe that Lincoln was the lawyer defending this charge. Leastwise he was present during the trial and his views toward slavery received stronger impressions because of his direct contact with the working of the Fugitive Slave Act.

Souvenir hunters have purloined from our court records practically every paper in the handwriting of Lincoln. The only pleading written by counsel for the defense in the case against Pond was a motion to quash the indictment--and that is the only paper missing from the files. Likely it is gone because Lincoln wrote it.

I send you herewith a true copy of the court record and of the indictment,taken from our files and records, because I know you are interested in the matter.

Yours very sincerely,

Henry E. Pond.

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The files show that Marvin B.Pond gave bond in sum of $300 on the 29th day of October,signed by his brother,David B.Pond, which bond was approved by A.A.Rankin,Sheriff.

On November 3rd,1845, the General Docket of the Circuit Clerk's office of Menard County,(which was the Judge's docket) showed that this court opened with Samuel H.Trent, Associate Justice of the Supreme Court, presiding, and the following entry was made in General Docket A, pages 246 and 252.

"THE PEOPLE OF THE STATE OF ILLINOIS)
VS.)--Indictment for Harboring a
MARVIN B. POND) Fugitive Slave.

This day comes the People by the Attorney General pro tem and the said defendant in proper person, and the defendant by his attorney moves to quash the second count in the indictment,which motion being heard it is ordered that the same be sustained and for plea to the first count,in the indictment, the Defendant says he is not guilty as charged thereto and for his trial puts himself on the country,and the People do the like,and thereupon same a jury,towit, JOHN COMBS, WILLIAM IRWIN, CALEB CARMAN,DANIEL ATTERBERY, GEORGE JONES, WILLIAM HOHIMER, SAMUEL CALDWELL,BLUFORD ATTERBERY, GEORGE BORDERS, CHARLES MASTERSON, DUDLEY GRESHAM and JAMES C. WILLIAMS, who being elected tried and sworn well and truly to try the issues joined and after hearing the evidence,for verdict say:

We of the jury find the Defendant Not Guilty in manner and form as he is charged in the indictment.

It is~~xxxxxxxx~~ therefore ordered that said defendant be discharged and that he go hence without day.

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(Copy of the Indictment in The People vs Marvin B.Pond).

"STATE OF ILLINOIS)
)SS.
MENARD COUNTY) OF THE JUNE TERM OF THE MENARD CIRCUIT COURT IN THE YEAR OF OUR LORD 1845.

The Grand Jurors, chosen, selected and sworn, in and for the county of Menard, in the name and by the authority of the People of the State of Illinois, upon their oaths present--that Marvin B.Pond on the tenth day of June in the year of our Lord one thousand eight hundred and forty-five, did unlawfully harbor a negro slave called John Hanley, the said negro slave then & there owing service and labor to ~~a person~~ one William Hanley in the State of Kentucky and the said negro slave then and there being a fugitive escaping from said service--he, the said Marvin B.Pond, then & there well knowing the said Negro slave to be a slave owing service and labor as aforesaid--Contrary to the form of the statute in such case made and provided and against the peace & dignity of the name of the People of the State of Illinois.

And the jurors aforesaid, upon their oaths aforesaid, do further present that Marvin B.Pond on the tenth day of June in the year eighteen hundred & forty-five at the county aforesaid, did unlawfully harbor a negro slave called John Hanley, the said negro slave then & there owing service and labor to the jurors of the jury aforesaid, contrary to the form of the statute in such case made and provided ~~and~~ & against the peace and dignity of the same People of the State of Illinois.

D.B. CAMPBELL, Atty Gen'l pro tem.

Indoreements--A TRUE BILL,--JAMES BERRY, Foreman of the Grand Jury.

WITNESSES--Coleman Smoot, James Denton, C.W.Ballard, Mentor Graham.

Filed June 11th, 1845---N. Dresser, Clk.
Bail $300.

(N.B. You will note the second count of this indictment is badly written and was properly quashed).

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