Chicago, May 19, 1896.

My Dear Miss Tarbell:-

You will see by the enclosures that I finally managed to find Mr. Lincoln's speech to the jury in the case of the owners of the Effie Afton against the Rock Island Bridge Company. The exact title of the case is Jacob Hurd, et al. vs. Railroad Bridge Co. It was tried in September, 1857 and not in the latter part of '59 as Judge Blodgett and Mr. Hitt thought. Hitt was the reporter in the case and he shifted so from third person to first person in taking down Mr. Lincoln's speech that one had to analyze the matter to tell what words were Hitt's and what were Lincoln's. I have copied the Lincoln speech in full and have given what I thought was necessary to make the case clearly understood. From the time of the accident in May 1856 until long after the trial the Chicago Press which afterwards merged with the Tribune had column after column of editorial about the matter. It was purely controversial in its tone and nowhere gave any clew as to the date of the trial. The editor simply seemed to care about discussing the impudence of the St. Louis people in saying that the bridge was a nuisance. The controversy of course hinged on the diversion of trade from St Louis produced by the railroad bridge. Relying upon what Judge Blodgett said and what you said in your first

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letter I went through the file of 1859, but beyond what I told you of in my first letter I found nothing. Then I went to the date of the accident found an account of it and editorial after editorial as I have said before, but no statement of a suit to be brought beyond the general one that the owner of the Effie Afton, Jacob Hurd, would doubtless look to the railroad company for damages.

Finally in February, 1857, there was a statement that the trial of a suit which had been brought by Jacob Hurd against the bridge company would be tried at Chicago early in March. Then at the end of February there was an editorial saying that the hearing of the case would begin next week. And then for six months there is no further reference to the trial, no statement of postponement and nothing but more editorials on the wickedness of the Chamber of Commerce of St. Louis.

I found the case however in September, but could find no reason for postponement.

Now, with reference to other Lincoln matters I enclose you a letter which is in possession of the Chicago Historical Society. It was written not as I supposed to Ebenezer Peck, but to J. K. Dubois of Lawrence, Illinois, who was elected auditor of public accounts on the anti-Nebraska state ticket in Illinois in 1856. I enclose a copy made in pencil. The speeches of Lincoln which I found in the press

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are some of them certainly in Hay's history, though I have not as yet had time to make comparison. I find references to speeches which are not mreported in the newspapers of the time; for instance at Bloomington May 31st, 1856. At Dixon, Illinois, July 17th, '56; at Sterling, Illinois, July 18th, '56 At Chicago July 19th, '56; at Joliett October 8th, '56.

I have found the picture of Lincoln of which I spoke to be a most excellenly clear painting and conveys to my mind a better impression of Lincoln than anything I have seen.

If upon receipt of this you desire made the comparison of McClay and the speeches in the filed with those in John Hay's history let me know and I will undertake it.

I wish to state the reason the search of the files has taken me so long. The evidente disinclination on the part of the papers of that time to publish anything but editorials at any length whatsoever made it necessary for every item to be examined in the hope of tracing the suit of the time of the trial. I put in one day at the law library at the at old lawyers' office and at the office of the attorneys of the Rock Island railroad where Mr. Mather, who said he was a classmate at Knox College of Mr. McClure, gave me the first inkling of the Effie Afton suit. If I have omitted anything which you wish let me know. I am afraid the speech is not of much importance but you told me to send it in full and so I do. I enclose the stenographer's bill, which I paid, and my own bill may be paid

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on the basis of four and one half days' work or as is in accordance with your custom.

yours very sincerely,

Edward B. Clark

I inclose also written in pencil - an item taken from the Chicago Democratic Press of Oct 6, 1856, touching on a speech delivered by Lincoln in that month. I believe I told you I should be glad to do the comparing work + something of value might be found + ~~[illegible]~~ - You will see Lincoln's speech is crude and ~~much~~ mixed with little interjections. E.B.C. I did the best I could with it to make it intelligible to you - Lincoln's first name is always spelled Abram in the Press + E.B.C.

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Early on the morning of May 6th, 1856, a steamboat Effie Afton, struck one of the piers of the recently erected bridge by the Rock Island Railroad bridge across the Mississippi River, and was wrecked and burned. The flames communicated with one span of the railroad bridge and destroyed it. The owners of the vessel brought suit for damages against the Rock Island Railroad Comapny declaring that the bridge was an obstruction to navigation. The burning of the boat and the subsequent suit were the cause of a long and acrid controversy. When the case finally came to a trial at Chicago in September, 1857, Abraham Lincoln was one of the counsel for the defendant, with him were associated N. B. Judd of Chicago, and Joseph Knox of Springfield.

The counsel for the plaintiffs were E. M. Wead of Peoria, Ill. C. Beckwith of Chicago and T. D. Lincoln of Cincinnatti, Ohio. The trial was held in the United States circuit court before Judge McClean. W. H. Bradley was the clerk of the court and R. R. Hitt reported the case for the Chicago Press. a newspaper which shortly afterward became consolidated with the Chicago Tribune. The burning of the Effie Afton marked the beginning of the struggle for commercial supremacy which for many years waged between St. Louis and Chicago. It was openly charged that the St. Louis Chamber of commerce had a hand in the securing of the colision between the boat and the bridge and that either the pilot

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or the captain had been bribed to run the boat onto the pier. St. Louis believed that the building of the Rock Island bridge which was the first structure thrown over the Mississippi river would eventually divert the Iowa trade from St. Louis and send it on to Chicago. There was tremendous opposition to the building of the bridge and after its completion several attempts were made to destroy it. The newspapers of St. Louis and Chicago had editorials which added recrimination to recrimination and were at times two columns in length. A correspondent at Rock Island writing to a Chicago paper two days after the bridge disaster said, "some do not conceal their suspicions that this was but the denouement of a well laid plan; they would not wonder if parties in St. Louis stood ready to foot the bill for all damages to the boat. Various things are referred to as encouraging the suspicion. The president or some officer of the Rock Island railroad is said to have lately received an annonymous and threatening letter from St. Louis, saying that neither he nor Almighty God could erect a bridge at Rock Island that should stand. Of this I know nothing myself. But a gentleman of this city in whom I can repose the greatest confidence tells me that an officer of another steamer was in his store on Monday evening greatly excited. Said he, "You wait, you wait. You'll see that bridge come down and you won't have to wait very long either." Sure enough the next morning a part of

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it was down.

"After the bridge fell seven or eight steamers immediately sounded their whistles with such unearthly screams as has seldom been heard out of pandemonium. The bells also were rung as though they would ring to pieces; the fleet standing off in the meantime and steaming up one after another to the new opening in the bridge with the greatest demonstrations of delight. That one on which was the officer who used the exciting language above referred to in our friend's store led the way. One steamer also carried the following sign hung out in plain characters. "The great Mississippi bridge burned. Let all rejoice." These were the glad tidings she thought to bear to the towns above."

When the case was called in Chicago people came from all over the state to hear the arguments and the evidence. A verbatim reports was published in one of Chicago's papers and was the work of Congressman Britt, who was then one of the few shorthand writers in Chicago. In speaking editorially of the trial the Chicago Daily Press said "The trial lasting as it did for weeks seemed to be occupying an unnecessary amount of time, but it must be remembered that grave interest was at stake not to be treated in a hasty manner and worthy of the most patient and searching investigation. It was fitting that a case of such magnitude should be hard before such a court -- John McClean, a man of whom not only the su-

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preme court but the nation may be proud. The counsel employed on both sides were among the most distinguished members of the bar in the country. And in conducting the case and argument before the jury they fully sustained themselves. Mr. Judd who managed the case on the part of the defense and Mr. T. D. Lincoln of Cincinnati on the part of the plaintiff displayed untiring industry and great ingenuity. Mr. A. Lincoln in his address to the jury was very succe sful so far as clear stat ement and close logic was concerned."

In Mr. Lincoln's speech to the jury he refers to remarks of Judge Wead touching on the "~~storme~~ stripe of the contending interests and even a dissolution of the union." It would be interesting to know just what Judge Wead's words were but that part of his opening address ~~and~~ or of his speech to the jury seems to have been carefully omitted from the reports contained in the newspapers at the time. The jury which heard the case and listened to the arguments of the counsel were John Elting, Isaac Underhill, Richard Vincose, James Clark, H. G. Otis, Elisha D. Putnam, Isaac Dempsey, E. Rice, J. P. Warner, H. H. Hustead, C. D. Smith and William P. Ross. After Judge ~~Hall~~ McLean's charge to the jury its members retired and after staying out for many hours returned and announced that ~~the~~ they could not agree. The jury was then dismissed, ~~the~~ It ~~members~~ stood nine to three for the defendants.

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The case never came to trial again but was settled out of court.

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