BECKWITH & SON,
Lawyers and Collectors,
Office over Palmer National Bank.

1 Danville, Ill., April 19th 189 6

Miss Ida M Tarbell Cp S S Mc Clure Limited

30 La Fayette Place New York City

In reply to your favor of the 7th inst,the latter part of it I will answer first,I remember well the fact of the killing of James Bandy by Alexander Kilpatrick and the trial of the latter for the homicide.Mr Lincoln had nothing to do with the case at all,beyond the possibility that the friends of the deceased may have talked or written to Mr Lincoln to engage him in the prosecution.But to make sure as to the truth or error of the story as reported to you and communicated by you to me,I have made a careful research of the Court Records relating to the trial.The Grand Jury found and returned their indictment in Court on the 26th of November 1859.The case was continued from that term until the May Term 1860.As stated in my Tribune article on Mr Lincoln and of which I sent you a copy,he quit the practice here at the Spring Term of 1858;and I believe the last case that he tried at Danville was one in which I engaged his services-and an old case I was prosecuting and which had been stubbornly resisted for several previous terms.A few weeks after this,in the Republican State Convention at Springfield,to which I was a delegate,he was pitted against Judge Stephen A Douglas in a contest for the United States Senatorship,giving him no time to practice law anywhere in the Circuit.The next year his time as stated in my Tribune Article was most wholly occupied with politicts,his reputation as a coming Presidential Canadate having spread into National Notoriety in all the Northern States,west of the Alleganies.This was

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This was the year,as you will recall,when he made his series of speeches at Columbus and Cincinati Ohio,passed East of that Mountain range made his taking eefort at Cooper's Institute in New York City,and extended his tour through MXXXXXMXXXXXX Massachusetts,Connecticut,visiting his son,at College on the round.During this same year he was on his old Circuit looking after some of his old cases in which his presence was absolutely neccesary.These facts I know,well and personally.

To go back to the Court Records in the Homicide case,it was brought to trial at the May Term 1860 of our Circuit Court.The Jury was empanneled on the 3rd and the trial began and was continued from day to day,a Sunday intervieningy,until the 8th when a verdict was returned with a three years sentence to the penetentiary,the Record further shows that it was prosecuted,single handed and alone by Colonel Ward H Lamon,at this time removed to another part of the Circuit at Bloomington,where my old preceptor was living as stated in my biographical notes as to him.Kilpatrick was ably defendened by Oliver L Davis Judge Elias S Terry and Lawrence Weldon,the latter being mentioned in my Tribune Article.Now then if Mr Lincoln had been counsel his name would have appeared on the Judges Docket as dXXX do the names of the attorneys on the respective sides of the case as named above.And had any attorney for whateveer reason,withdrawn from the case,that fact would also have been neccesarily noted by the Judge on his docket at its proper place in the progress of the trial.XXXXXX So you see that this story could not by any possibility have been true.It like many

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others, floating abroad concerning Mr Lincoln is made up of pure fiction

X Possibly you may have gotten hold of another one which had a great run and is believed in like the others, by many, with great sincerity. That is the supposed instrance where Mr Lincoln in defending a murderer got a leading witness for the State to say that he recognizes the defendents face By the light of the moon; and then showed the jury an almanac of that year which noted that at the time of the murder there was no moon. Now this story is false in the way that it is told and true in a sense that but very few know the reality of. Recently and when I was on the State Historical Library board my associate obtained this identical almanac. It was forged an old almanac was skillfully redated by an unscrupulous lawyer in the case, or palmed off on him by other persons, and he put it into Mr Lincoln's hands and the latter used it in good faith taking it to be an almanac of the same year that the Homicide was committed. The defendent escaped, and in his imprudent bragging about it told the secret and when the facts came to Mr Lincoln's knowledge he was exceedingly angered at the trick that had been played upon him, little was said about it and less known concerning the real facts and the discovery of the almanac itself until long after Mr Lincoln's death, I believed this old story firmly until my associate a member of the Historical Library board gave me ocular proof to the contrary

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I give this additional and new incident hitherto unpublished for you to use if desired. As to the other matter which I sent you I ~~XXM~~ would be glad to know what part or parts of it you desire to use. That which you do not want I would like returned at your earliest conveience so that I can make some other use ot it for my self and that which you do use or choose to use if all I would like my compensation for it~~XX~~, my time is of value to me and so is this matter the Tribune or any of the other papers of Chicago St Louis or Cincinati would gladly receive it The rates that the Tribune pay me would bring this manuscript matter sent you to $45.00 or $50.00.

Very Truly Yours etc

H. H. Beckwith

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