J. O. CUNNINGHAM. F. H. BOGGS.

LAW OFFICE OF

Cunningham & Boggs.

Urbana, Ill., April 9, 1896. 189

Miss IDA M. TARBELL,

Dear Friend:--I have your letter of the 7th in relation to the connection of Mr. Lincoln with the case of Father Chiniquy. I do not remember just what I wrote to you, but the facts are well known to me in the main to be as follows: About 1855 Father C. was the parish priest at St.Ann's in Kankakee county, and, it is said, while speaking from his pulpit, of the connection of Mr. Peter Spink, a parishioner, with a then recent law suit in the neighborhood, said that Spink had perjured himself upon the trial, while giving his testimony. Spink sued Chiniquy, in an action on the case, in the Circuit Court of that county. A change of venue was taken to this, Champaign county, by one of the parties and all of the original papers brought here, where a trial was had at the special June term 1856. Upon coming here both parties secured additional counsel, the defendant securing Mr. L, as one well acquainted with the people and the judge here, (David Davis,) and so likely to be of service, as the parties and counsel coming with the case were all strangers to the people and court. A trial was had at the term mentioned which resulted in a mistrial, on account of the discharge of one of the jurymen who was called home by the sickness or death of a member of his family. The case was continued until the next term, which was the October term, '56 at which time it was settled upon the terms narrated in my former letter the charge being withdrawn and each party paying his own costs. I heard most of the trial and am of the opinion that Mr. L. saw there was little in the case, and so was largely instrumental in bringing about the set-

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tlement. The formal order of the court dismissing the case was drawn by Mr. L. except some interlineations, varying the terms, and is now before me, a rare piece of history in connection with this case. There was no more appearance of persecution in what I saw of the case than there is in any civil case among the thousands I have seen tried within the last forty years in this and other counties. What followed it in the neighborhood where the case originated, I do not know, further than that the priest continued to minister to his parish for several years after the disposition of the case against him. If the judgment had been against him in the case, nothing but the assessment of money damages would have followed, and those would have been light. A very little fire for so large a smoke. It had nothing of the religious persecution in it, for both parties and the witnesses were Catholics and of the French race. An interpreter was necessary throughout the trial. Judge Charles R. Starr, of Kankakee, Ill., was the counsel for the plaintiff, and still lives there, and will, I have no doubt, answer all questions you may see fit to ask of him. Henry C. Whitney, the author, was also here and a witness to the trial, and remembers probably more than I do of it.

I have received through your kindness a copy of the life of Lincoln to his 33d year, for which accept my sincere thanks. I prize the work very highly. I have also read the April installment of the same, with admiration for your minute gathering of the fragments, so valuable in the estimate of character.

I think I said to you that I had preserved a campaign picture of Mr. L., published in 1860, which I consider one of the best likenesses of him, when dressed up, I ever saw. It is at your service. Yours,

J. O. Cunningham

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