Unknown Cache of Lincoln Legal Documents Emerges

Within a month after publication in 2000 of The Law Practice of Abraham Lincoln: Complete Documentary Edition on three DVD-ROMs, the project found a new Lincoln legal document. Over the past six years, private collectors or auction houses have frequently alerted the project to documents in their possession. Since publication, we have added more than two hundred new legal documents. Staff members have accessioned these documents and will add the data and images to a second edition of Lincoln's legal papers.

In February of this year, Heritage Auction Galleries sold a portion of the Henry E. Luhrs Collection. The auction house, based in Dallas, Texas, was kind enough to provide the project with high-resolution .tiff images of all of the documents. The collection contained many documents and artifacts, including seventy-seven legal documents relating to cases that Abraham Lincoln and his partners handled. Luhrs was a collector of manuscripts in the mid-twentieth century. He helped to organize the Shippensburg Public Library in Pennsylvania, the Lincoln Fellowship of Pennsylvania, and the Shippensburg Historical Society. He particularly enjoyed collecting Lincolniana because of his fascination with the sixteenth president. Luhrs probably purchased most of his Lincoln legal documents in the 1940s and 1950s. He died in 1962.

Of the seventy-seven legal documents, thirteen had already been published in The Law Practice of Abraham Lincoln. Fifty-three of the documents were new documents that belonged with cases the project had already identified. Most importantly, eleven documents related to new cases. Five new cases came from the circuit court in Tazewell County, two in Edgar County, two in Champaign County, and two in Sangamon County.

In one of the new Champaign County cases, Joseph T. Everett sued Albert Evans in an action of trespass quare clausum fregit, which is an action to recover damages against a person who unlawfully entered another person’s land. The reason for and outcome of this case is still unknown pending a return to Urbana to find the additional case documentation, such as entries in the court record. In the plea presented above and written and signed by Lincoln, Lincoln pleaded not guilty for his client. What is unusual is that someone, perhaps Lincoln, scratched out Lincoln’s name.

After its ten-year search for Lincoln legal documents across the country, the Lincoln Legal Papers never claimed to have found everything. Documents still remain unknown to us in attics, safe-deposit boxes, frames on walls, and other places. We especially appreciate the efforts of collectors, dealers, and auction houses, particularly Heritage Galleries, to notify us when they find a new Lincoln legal document.
**Staff News**

As is the case every February, members of the staff gave presentations about Abraham Lincoln to various groups in Illinois.

John Lupton made a presentation to the Lincoln-Douglas Inn of Court, an organization of attorneys and judges in central Illinois. He talked about Stephen Douglas’s career as an attorney, circuit judge, and Illinois Supreme Court justice and how Douglas’s legal career was similar to and different from Abraham Lincoln’s legal career.

Erika Nunamaker made a presentation to advanced-placement history students at Mundelein High School. She spoke with the students, who are studying American history and the Civil War, about Lincoln and the Papers of Abraham Lincoln.

Stacy McDermott spoke to a group of fifth graders for their living history program at Iles Elementary School in Springfield. She made a presentation about Lincoln’s legal career and the practice of law in the nineteenth century.

As part of a series of events at the Abraham Lincoln Presidential Library and Museum, Daniel Stowell made a presentation about the major discoveries of the Lincoln Legal Papers.

At “Pike County Day,” an adult education program hosted by John Wood Community College, in Pittsfield, Christopher Schnell made a presentation about Lincoln’s legal cases in the Pike County Circuit Court.

Stacy McDermott spoke to a group of fifth graders at Dubois Elementary School in Springfield. She made a presentation about women’s rights and the history of women’s suffrage for the school’s annual living history program.

**John Chapin, Long-time Advisory Board Member, Has Died**

John R. Chapin, a Springfield attorney for fifty years, died in March at the age of eighty-seven. A history buff and Lincoln enthusiast, Chapin was a member of Lincoln Legal Papers Advisory Board since the beginning of the project in 1985, serving as chairman for fifteen years. He was also a member of the boards of the Abraham Lincoln Association and the Sangamon County Historical Society. Chapin was a major donor (Senior Contributing Partner) when private donations were critical to the survival of the project. Over the years, he also recruited outstanding donors and members of the advisory board from both the legal and financial sectors.

**Spink v. Chiniquy**

This is the fifth installment in a series presenting interesting Lincoln cases that will not appear in the forthcoming four-volume book edition.

Peter Spink’s slander suit against Charles Chiniquy, a Catholic priest, in the Kankakee County and Champaign County Circuit Courts is an interesting example of antebellum slander cases. Chiniquy was a rather famous French Canadian who settled in Illinois, founded the Christian Catholic Church, and later became a Presbyterian. He was involved in the temperance movement and became an outspoken, anti-Catholic crusader. Although there is no historical evidence to support it, Chiniquy claimed that there was a Catholic plot to assassinate President Lincoln. Chiniquy’s notoriety, the alleged plot, and his legal connection to Lincoln have piqued the interests of Lincoln scholars and amateur historians alike.

In the 1830s and 1840s, Charles Chiniquy preached total abstinence from alcohol, a position that was not popular with Catholics. Pressure from his bishop in Quebec forced Chiniquy, then forty-two years old, to leave Canada. He settled in Kankakee in 1851.

**Donors**

The project acknowledges with deep appreciation the generosity of the following contributors:

- Mr. and Mrs. Sheldon S. Cohen
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- Professor and Mrs. Robert W. Johannsen
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- F. John Taylor in memory of John Chapin
- F. John Taylor in memory of James Hickey
A number of his followers moved to Illinois around the same time.

In January 1854, in a sermon before his congregation, Chiniquy declared in French that “There is one amongst you (said Spink meaning) who has gone and perjured himself before Esquire Smith at Spring Creek lately.” During the next year, Chiniquy continued publicly to accuse Peter Spink of perjury. Spink took exception to the accusations and hired attorney Charles R. Starr. In May 1855, he filed a slander suit against Chiniquy in the Kankakee County Circuit Court, requesting $10,000 in damages. Spink argued that Chiniquy’s words against him damaged his “standing in the community in which he lives...and his good reputation amongst his neighbors for integrity and truthfulness has been greatly impaired.” Chiniquy retained John W. Paddock, J. A. Ward, and Uri Osgood. In November, Spink filed a petition for a change of venue. He argued that he could not receive a fair trial in Kankakee County. The court granted Spink a change of venue to the Champaign County Circuit Court, where Chiniquy retained the legal services of Abraham Lincoln.

In April 1856, Chiniquy gave a temperance lecture in Springfield just before his case in Champaign County Circuit Court was continued to the next term. Chiniquy agreed to pay Lincoln $50 in legal fees. The case was continued again in June. However, the case ended somewhat quietly in October. At that time, Chiniquy declared that “he now disclaims any belief in the truth of such charge [of perjury] against said Plaintiff.” As a result of Chiniquy’s declaration of Spink’s innocence, the parties agreed to settle the suit and pay their own costs.

Despite the simplicity of this slander case and its rather anti-climatic dismissal, Chiniquy embellished the case and Lincoln’s role in it. During his life, Chiniquy wrote a number of books, including *Fifty Years in the “Church” of Rome*. In the book, he included a chapter recounting Spink’s slander suit against him. He provided dialogue between himself

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and Lincoln, remembering Lincoln to say: “My dear Mr. Chiniquy, I feel proud and honored to have been called to defend you. But I have done it less as a lawyer than as a friend.” Chiniquy also wrote: “Abraham Lincoln had not only defended me with the zeal and talent of the ablest lawyer I have ever known, but as the most devoted and noblest friend I ever had.” There is no evidence to suggest that Lincoln and Chiniquy were friends, and to Lincoln, Chiniquy was probably nothing more than a legal client.

Chiniquy’s book also recounts an alleged Catholic plot to assassinate President Lincoln. In his account, Chiniquy talks about his visit to Washington to warn Lincoln about the plan. He also condemns the Roman Catholic Church as an anti-democratic, anti-Lincoln threat to American government.