

Abraham Lincoln's Law Practice and Professionalism

A. Lincoln

Lincoln's Legal Career

1. Lincoln Legal Papers Project
2. General Overview on Lincoln's Law Practice
3. Lincoln and Banking
4. Notes for a Law Lecture

1. Lincoln Legal Papers Project



*Check will prove frozen in the above case
in amount -
Dana's \$1500.00
Sawyer & Hanson P.P.*

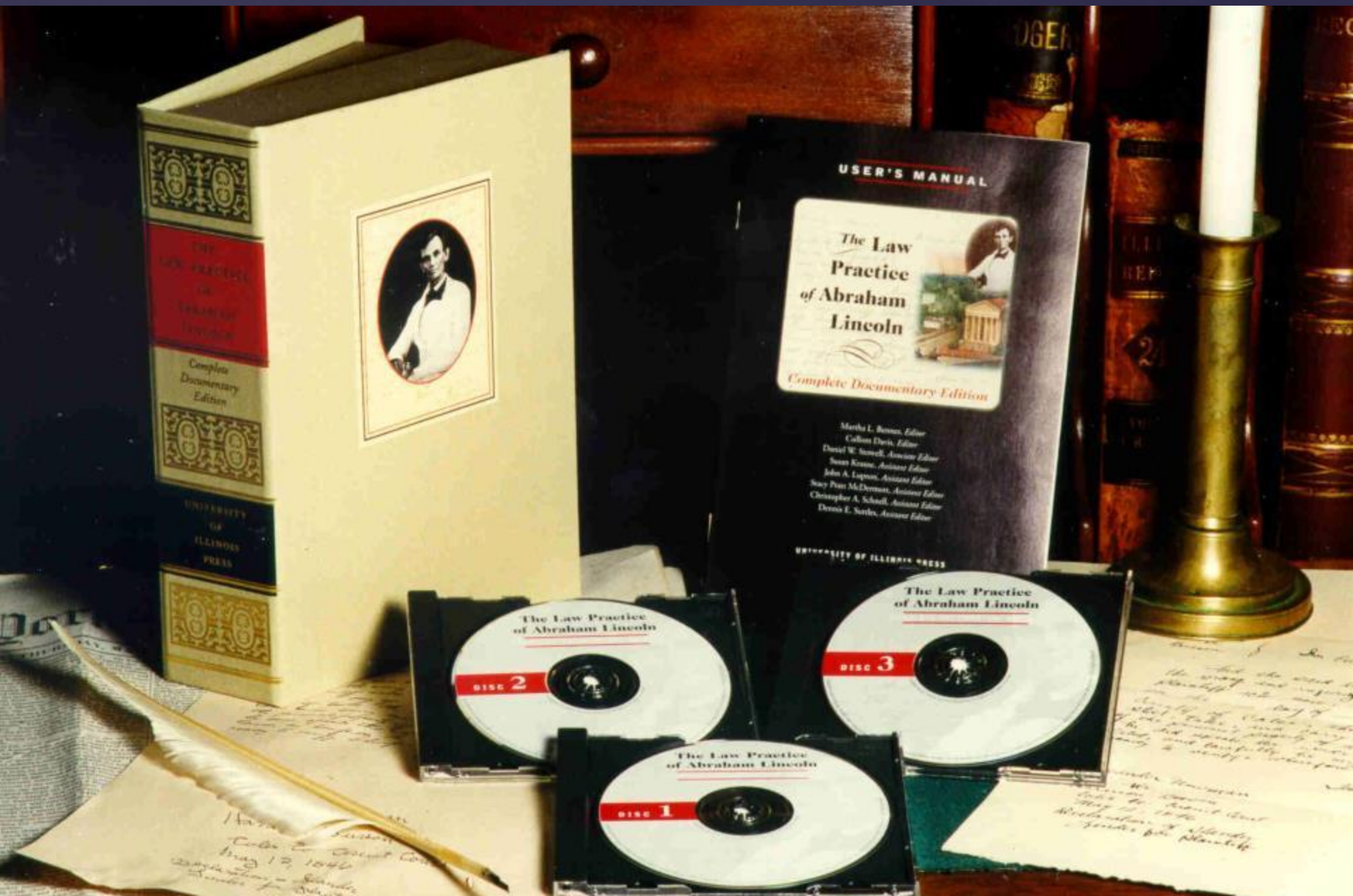


*William Michison, who was for
the use of Mary Allen
wife of Mason Allen
is
The City of Peter
court court will please issue a summons in the
above within case -
James Stewart P.P.*

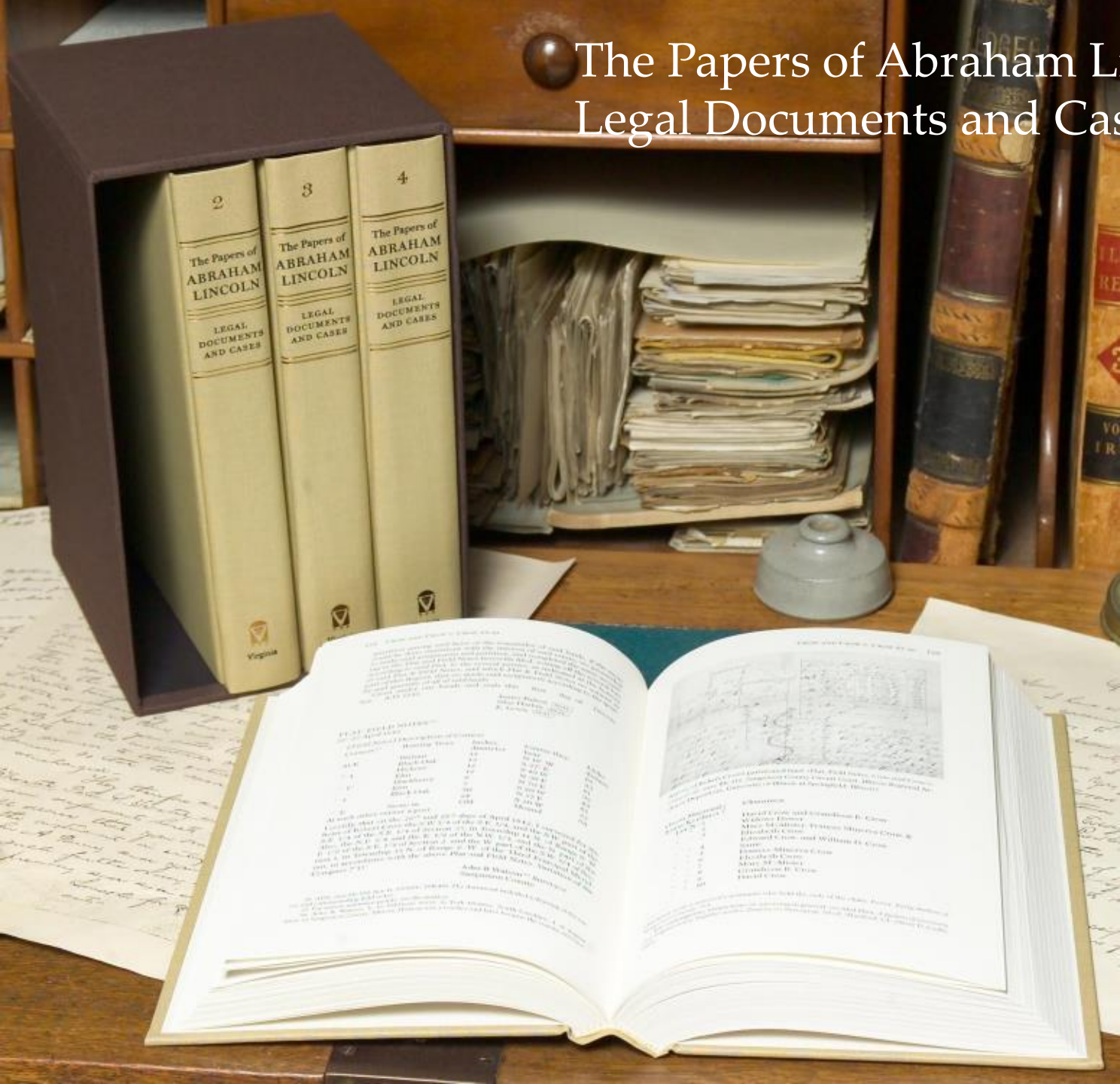
*Stagnell Court Clerk
April Term 1891.
In Debt -
Dirt \$1000 -
Dana's 500*



The Law Practice of Abraham Lincoln: Complete Documentary Edition



The Papers of Abraham Lincoln: Legal Documents and Cases



2
The Papers of
ABRAHAM
LINCOLN
LEGAL
DOCUMENTS
AND CASES

3
The Papers of
ABRAHAM
LINCOLN
LEGAL
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The Papers of
ABRAHAM
LINCOLN
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AND CASES

LEGAL DOCUMENTS AND CASES

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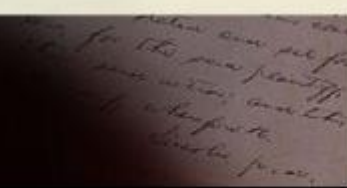


- References
- 1. The Lincoln Law Firm
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THE LAW PRACTICE OF ABRAHAM LINCOLN

SECOND EDITION



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General

Main Subject: [\(Index\)](#)

Sub Subject:

Participant:

Major Role:

Role:

Begin Date: >= / /

End Date: <= / /

Case

Case Name:

Jurisdiction:

Court Type:

Court Name:

Division:

Action:

Judgment:

Document

Type:

Begin Date: >= / / /

End Date: <= / / /

Author/Signer:

Capacity:

Non-Litigation

Activity:

Activity Type:

Direct

File ID:

Document ID:

Summary Text:

Query

- Add To Query
- Search
- Clear Fields
- Clear Query

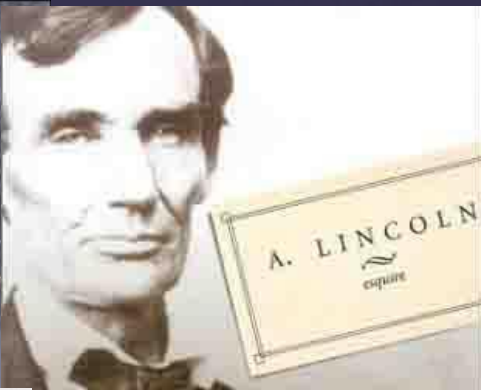
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100%

In Tender Consideration

Women, Families, and the Law
in Abraham Lincoln's Illinois

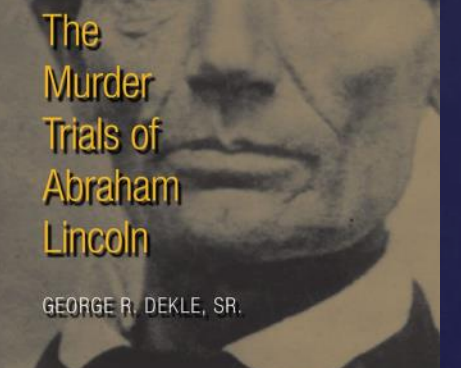
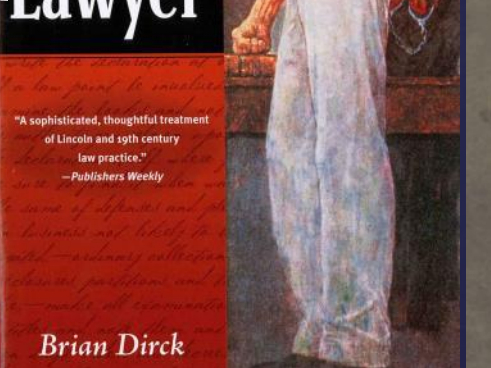
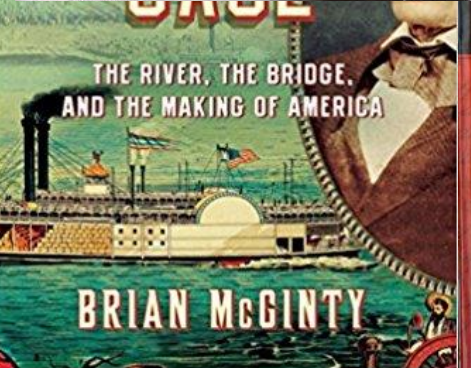
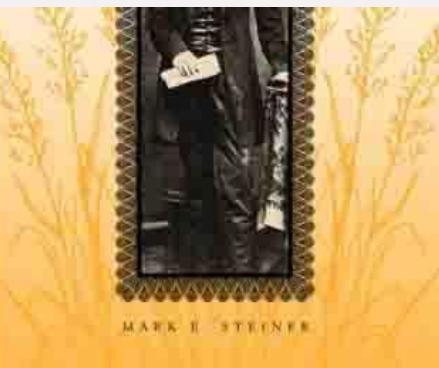
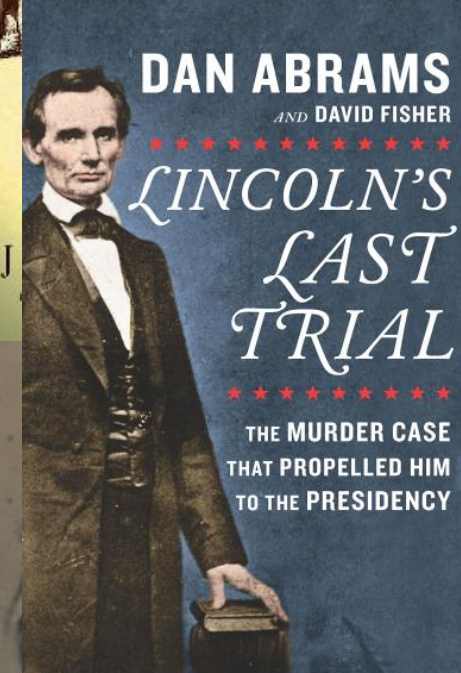
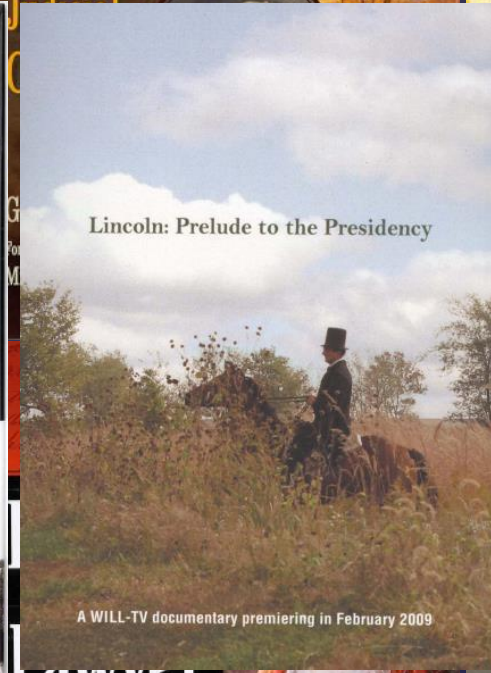
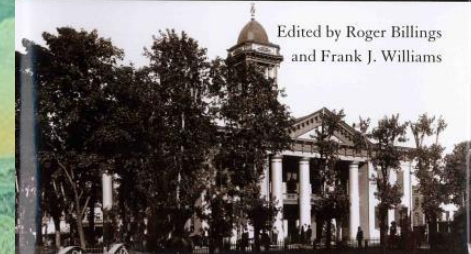
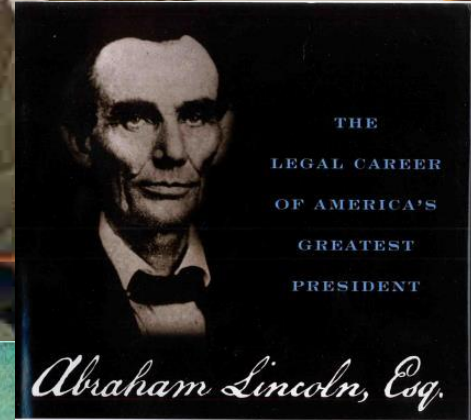
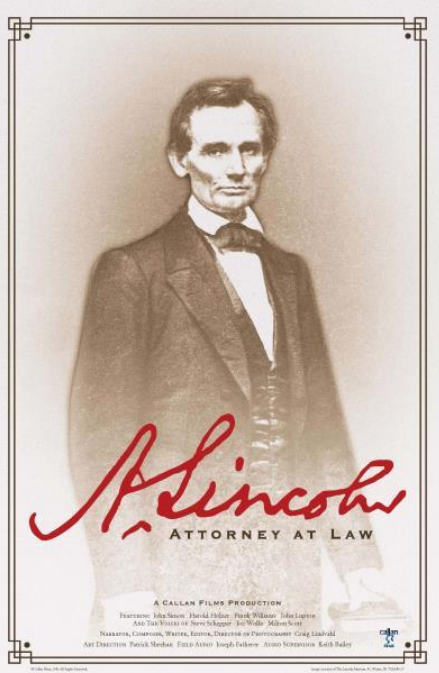
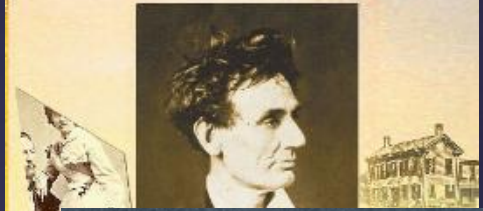


Lincoln's Ladder to the Presidency

The Eighth



THE CASE of ABRAHAM LINCOLN



2. General Observations on Lincoln's Law Practice

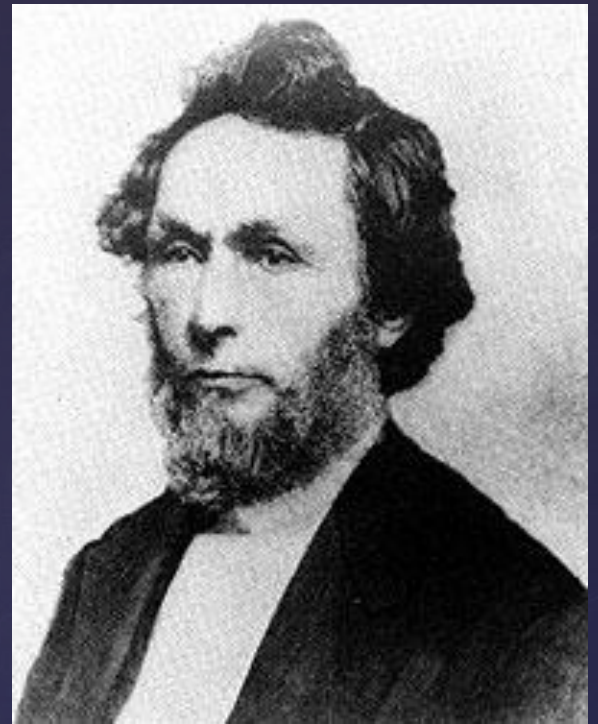
Lincoln the Lawyer Mythology

- Country Bumpkin Lawyer
- Super Lawyer
- Cause Lawyer
- Corporate Lawyer



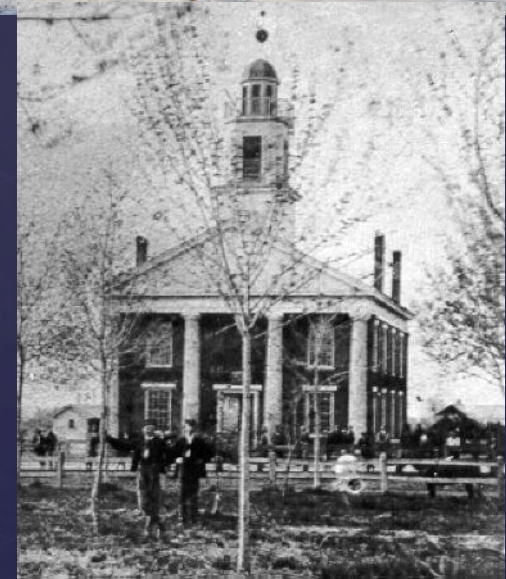
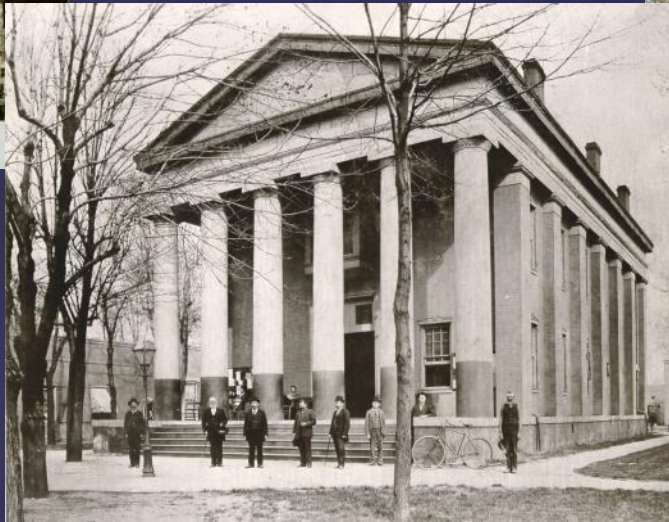
Lincoln's Legal Education:

Atypical



Lincoln's Legal Partnerships

1. John T. Stuart, 1837-1841
2. Stephen T. Logan, 1841-1844
3. William H. Herndon, 1844-1861



Large Law Practice:

- More than 5,100 cases over 25-year period
- More than 2,500 cases in Sangamon County
- More than 400 cases in Illinois Supreme Court
- More than 300 cases in federal court



Consummate General Practice Attorney:

- No specialization
- Debt
- Divorce, Slander, Foreclose Mortgage, Replevin, Larceny, Selling Liquor, Murder, Mechanic's Lien, Assumpsit, Assault, Bastardy, Trespass Quare Clausum Fregit, Ejectment,, Mandamus, Injunction, Partition, Specific Performance, Quo Warranto, etc.

Lincoln and Banking

93 cases involving Banks

33 involved State Bank of Illinois



Bank of Missouri v. Ryan et al.



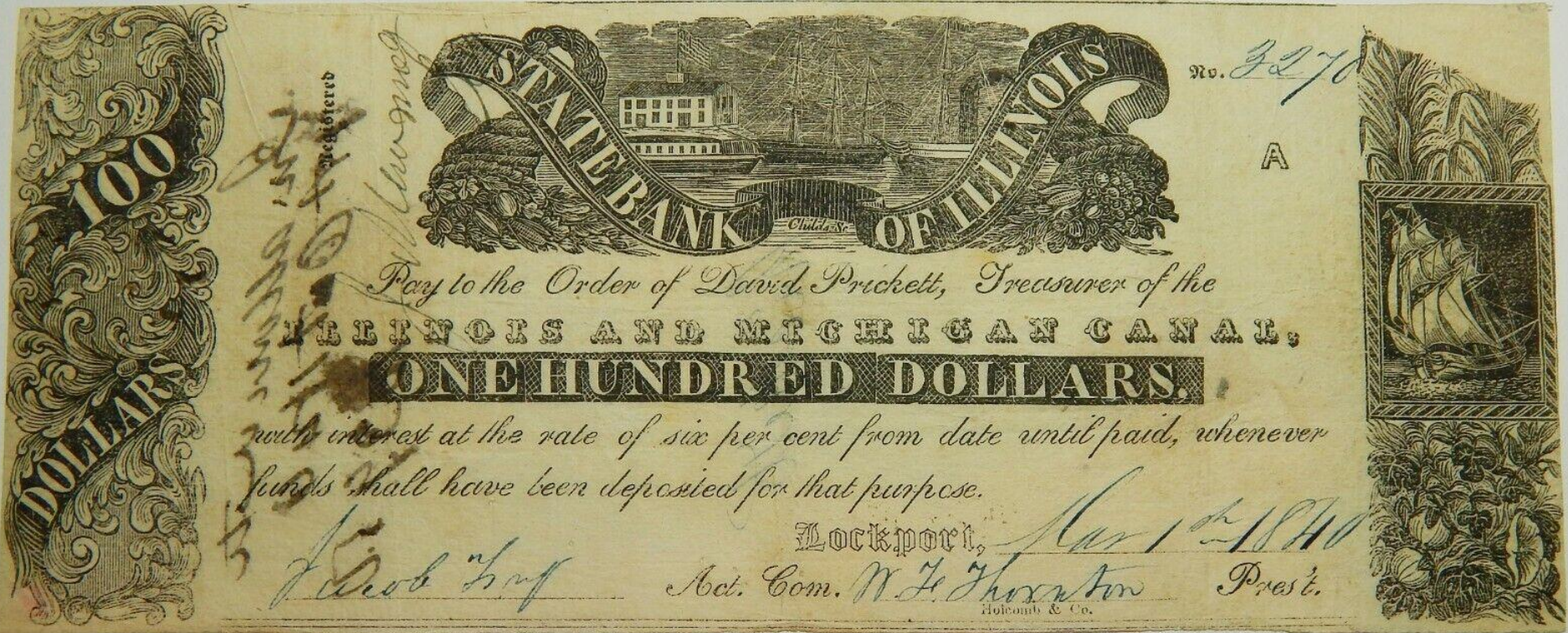
U.S. District Court,
Northern District of
Illinois (1856)



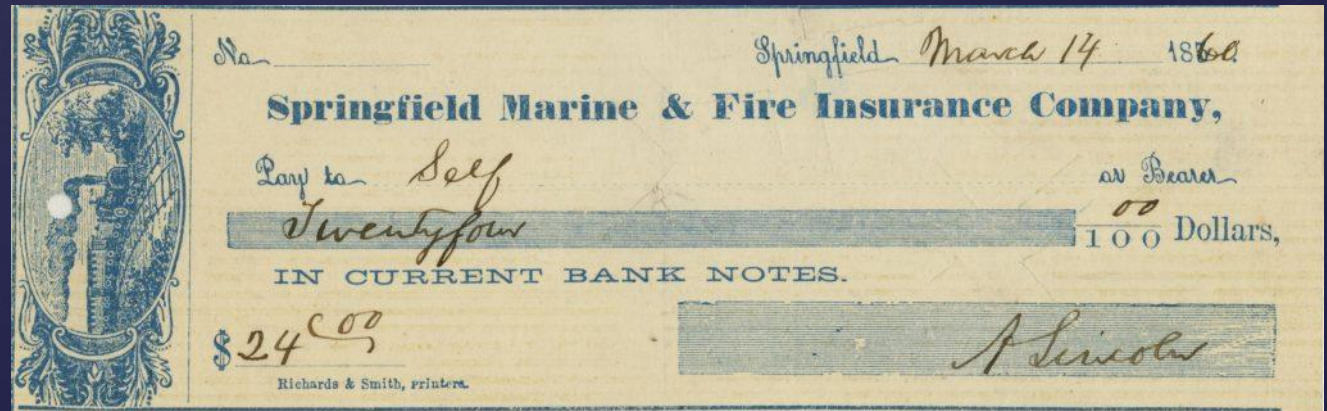
Dormody v. State Bank of Illinois

Illinois Supreme Court

3 Ill. 237 (1840)



Abraham Lincoln's Bank: Marine Bank in Springfield



Springfield, Feb'y 24th 1842

On or before the first day of November
next I promise to pay to Lincoln twenty
dollars in good fine wood of about four
feet in length, at the selling price when
delivered, to be delivered at any place
designated by said Lincoln, in the city
of Springfield - for value received -

Jos. W. Gamble

Comfortable Income:

- Earned on average \$10-\$25 per case.
- Higher fees for Illinois Supreme Court and federal cases

Springfield, Ill. July. 4. 1857.

Andrew McCallan

Dear Sir:

I have news from Ottawa,
that we win our Galatin & Chene County case -
As the dutch justice said, when he married
folks "Now, vere ish my hundred dollars"

Yours truly

A. Lincoln

Charleston, Oct. 10 - 1845

Six months, after date I promise to pay T. A.
Marshall or order, thirty five dollars, for
value received -

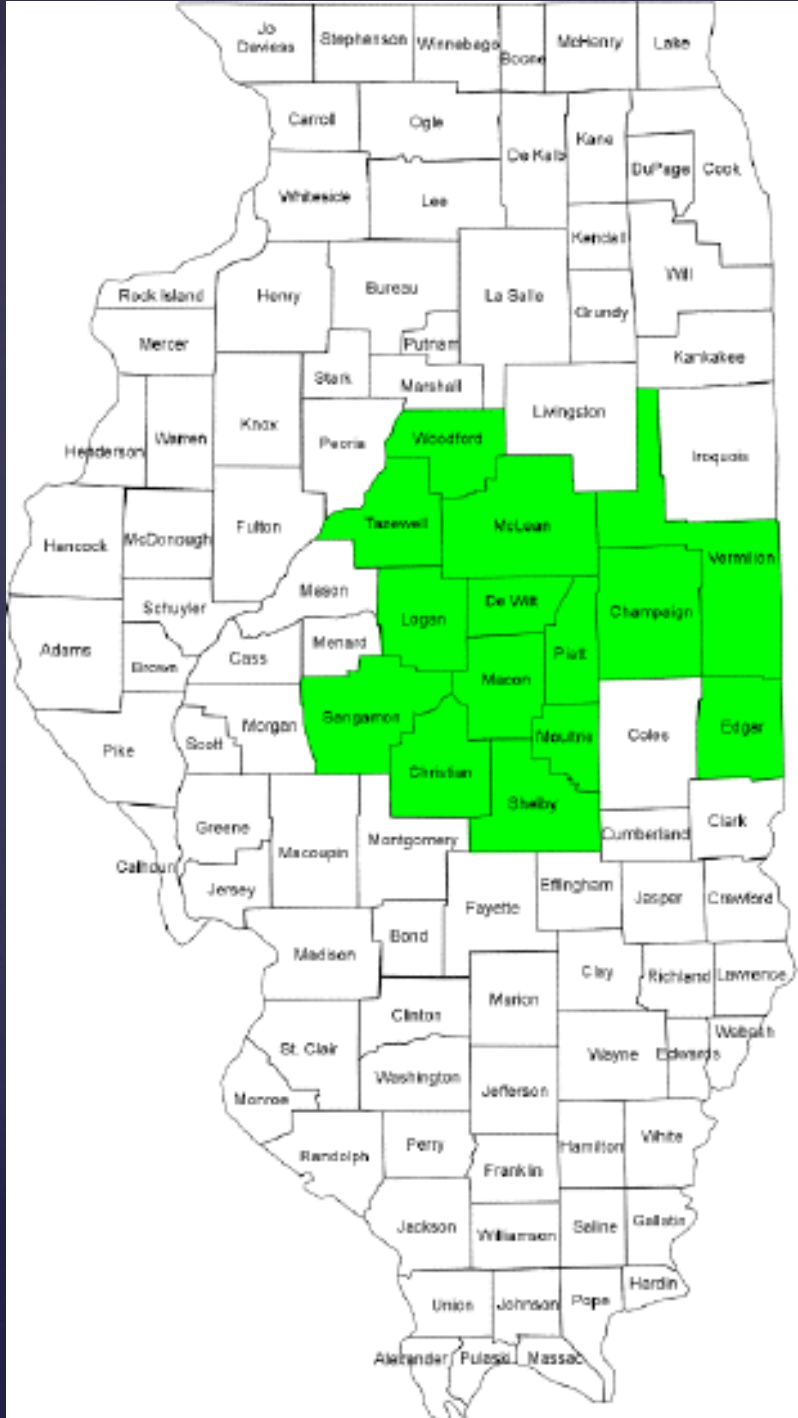
Wm. H. Key

Oct 10th 1845

Rich Exposure to Vital Issues:



Law and Politics:



Eighth Judicial Circuit (1847-1853)

Honed Writing and Speaking Skills:

Joseph Klein
vs
James G. Wells

(2) [20 Feb. 1838]
Sheffpax on the case upon
promises —
Damages \$ 300

The clerk of the Sangamon Circuit Court
will issue process in the above entitled case
returnable to the next term of said court —

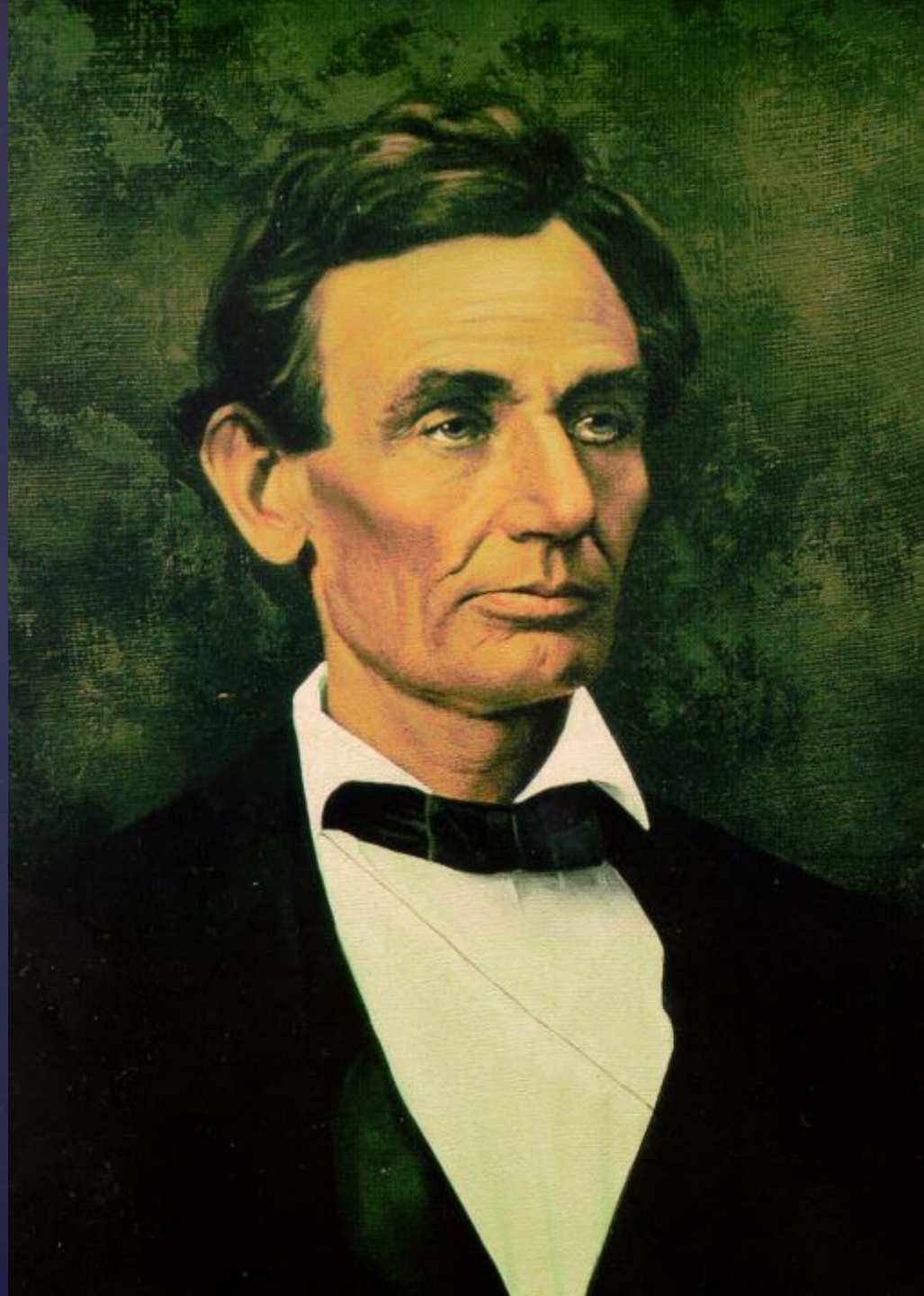
31 MARCH 1857

John Shockey
vs
James White

And the said defendant
comes and defends the wrong and injury
when, where to, and says plaintiff actuous
because he says he is not guilty, in maner
and form, as the plaintiff, in his dec.
of this he, the
for the county, to.

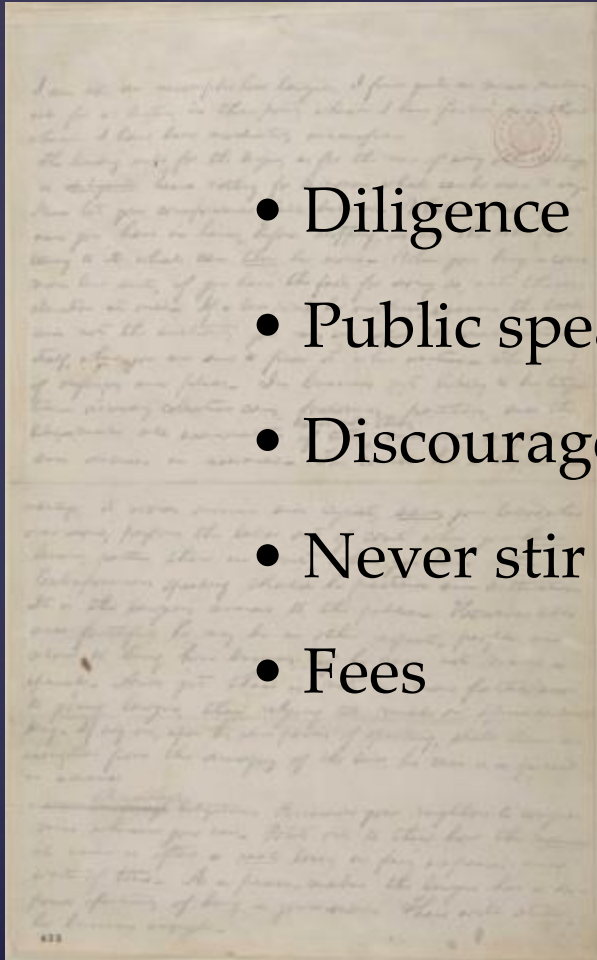
Parks & Lincoln per





3. Notes for a Law Lecture

- Diligence
- Public speaking
- Discourage litigation
- Never stir up litigation
- Fees



1. Diligence:

I am in the middle of a paper, & find it necessary to write a few lines to the best school the first number of the paper has already appeared.

My dear Sir, I have been thinking of writing you some time, but have not had a few lines to do lately, and so I have not had time to do so. I am now in the middle of a paper, and so I have not had time to do so.

I am in the middle of a paper, & find it necessary to write a few lines to the best school the first number of the paper has already appeared.

Leaves nothing for to-morrow, which can be done to-day.
Some papers are late, because whatever is done

of papers are late, because whatever is done

of papers are late, because whatever is done

of papers are late, because whatever is done

of papers are late, because whatever is done

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of papers are late, because whatever is done

When you can't find it anywhere
else look into this



Springfield, Ills. Sep. 25. 1860
J. M. Brockman, Esq
Dear Sir

Yours of the 24th asking
"the best mode of obtaining a thor-
ough knowledge of the law" is re-
ceived. The mode is very simple,
though laborious, and tedious - It
is only to get the books, and
read, and study them carefully.
Begin with Blackstone's Comment-
aries, and after reading it care-
fully, though, say twice, take
up Chitty's Pleading, Greenleaf's
Evidence, & Story's Equity, &c. in
succession - Work, work, work,
is the main thing -

Yours very truly
A. Lincoln

Springfield, Ills. Sep. 25. 1860
J. M. Brockman, Esq
Dear Sir

Yours of the 24th asking
"the best mode of obtaining a thor-
ough knowledge of the law" is re-
ceived. The mode is very simple,
though laborious, and tedious. It
is only to get the books, and
read, and study them carefully.
Begin with Blackstone's Commentaries,
and after reading it over

Succession - Work, work, work,
is the main thing -

Yours very truly
A. Lincoln

2. Public Speaking:

I have not the opportunity to give you a more
complete view of the subject, than I have
been able to do in this paper. I have
tried to give you a general view of the
subject, and to show you the importance
of it. I have also tried to give you
some practical hints, which I hope
will be of some use to you. I have
not the opportunity to give you a more
complete view of the subject, than I have
been able to do in this paper. I have
tried to give you a general view of the
subject, and to show you the importance
of it. I have also tried to give you
some practical hints, which I hope
will be of some use to you.

The matter of fact is, that the
public speaking is not a natural
gift, but a skill, which can be
acquired by practice. It is not
enough to have a good voice, and
to be able to speak clearly. It is
necessary to have a good subject,
and to be able to present it in an
interesting and convincing manner.
It is necessary to have a good
delivery, and to be able to command
the attention of the audience.

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and to be able to present it in an
interesting and convincing manner.
It is necessary to have a good
delivery, and to be able to command
the attention of the audience.

Extemporaneous speaking should be practiced and cultivated.
It is the lawyer's avenue to the public. However able
and learned a lawyer may be, he cannot succeed in the
practice of his profession, unless he is able to speak
clearly and convincingly to the public.

The matter of fact is, that the
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gift, but a skill, which can be
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to be able to speak clearly. It is
necessary to have a good subject,
and to be able to present it in an
interesting and convincing manner.
It is necessary to have a good
delivery, and to be able to command
the attention of the audience.

Lincoln-Herndon Law Office, Springfield, Illinois, 1860



Springfield, Feb 22. 1858

Mr. Abraham Dale

Dear Sir:

I understand Mr. Hickox will go, or send to Potomac to morrow for the purpose of meeting you to settle the difficulty about the wheat. I sincerely hope you will settle it. I think you can if you will, for I have always found Mr. Hickox a fair man in his dealings. If you settle, I will charge nothing for what I have done, and thank you to boot. By settling, you will most likely get your money sooner, and with much less trouble & expense.

Yours truly

H. Lincoln

"I sincerely hope you will settle it. I think you can if you will, for I have always found Mr. Hickox a fair man in his dealings. If you settle, I will charge nothing for what I have done, and thank you to boot. By settling, you will most likely get your money sooner, and with much less trouble and expense."

Mitchel
as
Mitchel & wife

And the said defendant comes and
defends the wrong and injury, when, when he, and says
plaintiff actio non because he says he is not guilty
in manner and form as is in the plaintiff's declaration
alleged; and of this he puts himself upon the country.
Thornton & Lincoln p. 21.

And for further plea in this behalf
defendant says actio non because he says he is not
guilty of speaking the words, or any of them, in manner
and form as is in the declaration alleged; at any time
within one year next preceding the commencement of this
suit; and of this he puts himself upon the country.
Thornton & Lincoln p. 21.

And the plaintiffs are hereby
notified that on the trial of said action, ^{and defendant will offer to prove} that said
Missouri was guilty of fornication with said Bejah,
before they were married.
Thornton & Lincoln p. 21.

Mitchell et ux. v.
Mitchell
Slander
Shelby County, IL

4. Never stir up litigation:

Never stir up litigation - A worse man
I know

The lawyer who is to be employed in a litigation should be a man who is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business.

It is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business.

He should be a man who is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business. He should be a man who is not only a lawyer but also a man of business.

The matter of fact is reported for the purpose of the law. The matter of fact is reported for the purpose of the law. The matter of fact is reported for the purpose of the law.

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5. Fees:

I am at the same place as before & find you have not
 yet received the bill for the first quarter
 which I have been repeatedly requesting
 the clerk to pay for the days in the month
 in which I have been staying in the house
 as the bill is now due for the first of the
 month you will please find enclosed

I have not yet received the bill for the first quarter
 which I have been repeatedly requesting
 the clerk to pay for the days in the month
 in which I have been staying in the house
 as the bill is now due for the first of the
 month you will please find enclosed

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 as the bill is now due for the first of the
 month you will please find enclosed

The matter of fees is important

I have not yet received the bill for the first quarter
 which I have been repeatedly requesting
 the clerk to pay for the days in the month
 in which I have been staying in the house
 as the bill is now due for the first of the
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I have not yet received the bill for the first quarter
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 which I have been repeatedly requesting
 the clerk to pay for the days in the month
 in which I have been staying in the house
 as the bill is now due for the first of the
 month you will please find enclosed

Springfield, Ills. July 23. 1859

J. A. Howland, Esq

Dear Sir,

Reaching home yesterday, after an absence of a few days, I found yours of the 16th Herewith are copies of pleas, verification, and stipulation—

Yesterday Mr. Gandy was here, and filed a long string of interrogatories preparatory to taking the deposition of Durant, telling the clerk he was not going to notify us— Better have Durant to notify you when they get after him—

As you seemed to think probably, the draft you drew is back upon us; and, as you directed, we have to-day, drawn upon you for \$100 ⁸⁴— the 84 cents, being for charges— Do not let it come upon us again, or we might be provoked to discuss your suit—

Yours truly

A. Lincoln.

Springfield, Ills. July 23. 1859
T. A. Howland, Esq
Dear Sir:

Reaching home yesterday, after an
absence of a few days, I found yours of the 16th
herewith and copies of pleas, verification, and stipula-
tion—

Yesterday Mr. Gordon was here, and filed a long
string of interrogatories preparatory to taking the
deposition of Duran, telling the clerk he was not
going to notify us— Better have Duran to notify
you when they get after him—

As you seemed to think probable, the draft
you drew is back upon us; and, as you directed,
we have to-day, drawn upon you for \$100⁸⁴.
The 84 cents, being for charges— Do not let it
come upon us again, or we might be provoked
to dismiss your suit—

Yours truly
A. Lincoln.

“The draft [check] you drew
is back upon us... Do not let it
come upon us again, or we
might be provoked to
dismiss your suit.”

Shelby County Courthouse, Shelbyville, IL



McLean County Tax Case, 1853

Illinois Supreme Court



There is a vague popular belief that lawyers are necessarily dishonest. I say vague, because when we consider to what extent confidence, and honors, are bestowed on, and conferred upon lawyers, by the people, it appears improbable that their impression of dishonesty, is very distinct and vivid. Yet the expression, is common almost universal. Let no young man, choosing the law for a calling, for a moment yield to this popular belief. Resolve to be honest at all events; and if, in your own judgment, you can not be an honest lawyer, resolve to be honest without being a lawyer. Choose some other occupation, rather than one in the choosing of which you do, in advance, consent to be a knave.

"There is a vague popular belief that lawyers are dishonest. I say vague, because when we consider to what extent confidence and honors are conferred upon lawyers by the people, it appears improbable that their impression of dishonesty is very distinct and vivid. Yet the expression is common, almost universal. Let no young man, choosing the law for a calling, for a moment yield to this popular belief. Resolve to be honest at all events; and if, in your own judgment, you can not be an honest lawyer, resolve to be honest without being a lawyer."

