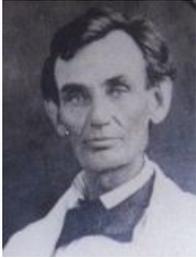


LINCOLN'S LEGAL LINKS



*“If in your own judgment you cannot be an honest lawyer,
resolve to be honest without being a lawyer.”*

Abraham Lincoln, Notes for a Law Lecture, 1850

Before he became the 16th President of the United States, Abraham Lincoln was a successful trial lawyer in Illinois. From 1836-1861, Lincoln practiced law throughout the state as he traveled the Eighth Judicial Circuit. A general practitioner, Lincoln represented clients in a wide variety of civil and criminal cases, including bankruptcy, debt, divorce, libel, medical malpractice, mortgage foreclosure, murder, and slander. This pathfinder is designed to help researchers locate primary and secondary materials on Lincoln's legal career, including books, journal articles, and online resources.

LIBRARY OF CONGRESS CALL NUMBERS

E 457 Biography of Abraham Lincoln, 1809-1865 -- General works
E 457.2 Lincoln as lawyer
KF 223 United States criminal trials -- Particular trials
KF 368 19th century -- Individual biography
KF 4541 Constitutional history of the United States -- General

LIBRARY OF CONGRESS SUBJECT HEADINGS

Lincoln, Abraham, 1809-1865
Lincoln, Abraham, 1809-1865 -- As a lawyer
Lincoln, Abraham, 1809-1865 -- Career in law
Lincoln, Abraham, 1809-1865 -- Career in law -- Bibliography
Lincoln, Abraham, 1809-1865 -- Career in law -- Periodicals
Lincoln, Abraham, 1809-1865 -- Dictionaries, indexes, etc.
Lincoln, Abraham, 1809-1865 -- Law Practice

BIBLIOGRAPHY

Matthews, Elizabeth W. *Lincoln as a Lawyer: An Annotated Bibliography*.
Carbondale, Ill.: Southern Illinois University Press, 1991.

Compiled by a former law librarian and professor at Southern Illinois University at Carbondale, this bibliography is an indispensable reference tool for researching the secondary literature on Lincoln's legal career. It includes bibliographic descriptions and summary annotations for over 700 books, journal articles, monographs, and pamphlets. It also contains a list of the journals indexed, illustrations of Lincoln's law offices, and a thorough subject index.

ENCYCLOPEDIA

Neely, Mark E., Jr. *The Abraham Lincoln Encyclopedia*. New York: Da Capo Press, Inc., 1982.

Written by the former director of the Louis A. Warren Lincoln Library and Museum in Fort Wayne, Indiana, this encyclopedia includes articles on Abraham Lincoln's law practice, famous court cases, and the Eighth Judicial Circuit; biographical sketches and photographs of his law partners; and a detailed subject index.

LEGAL BIOGRAPHIES

Dirck, Brian R. *Lincoln the Lawyer*. Champaign, Ill.: University of Illinois Press, 2007.

Dirck evaluates Lincoln's merits as an attorney in comparison with his peers, examines his clientele, and discusses his views on legal ethics.

Duff, John J. A. *Lincoln: Prairie Lawyer*. New York: Rinehart & Co., Inc., 1960.

Duff gives an extensive account of Abraham Lincoln's legal career. He discusses various cases that Lincoln handled in his travels on the Eighth Judicial Circuit, describing him as a capable trial lawyer and a man of deep humanitarian principles. The book includes appendices listing the names of lawyers who were associated with Lincoln on the circuit, a roster of judges of the Illinois Supreme Court before whom Lincoln appeared in court, and photographs of his law partners and clerks and the courthouses in which he practiced law.

Frank, John P. *Lincoln as a Lawyer*. Urbana, Ill.: University of Illinois Press, 1961.

Frank analyzes Lincoln's cases to illustrate his methodology in solving legal problems as a trial lawyer; he also discusses the relationship between Lincoln's legal background and his accomplishments as a politician and as President. The book includes a sampling of Lincoln's cases, bibliographical references, and an index.

Hill, Frederick T. *Lincoln the Lawyer*. New York: The Century Co., 1906.

Hill traces Lincoln's early career, his legal apprenticeship, his cases and competitors, his law partnerships, life on the Eighth Judicial Circuit, and how he operated as a lawyer. The book includes an appendix listing Lincoln's cases in the Illinois Supreme Court and an index.

Richards, John T. *Abraham Lincoln: The Lawyer-Statesman*. Boston: Houghton Mifflin Co., 1916.

Richards examines Lincoln's legal practice and its influence on his presidency, arguing that Lincoln's training as a lawyer helped him become an outstanding statesman. The book concludes with an appendix listing Lincoln's cases in the Illinois Supreme Court and an index.

Spiegel, Allen D. A. *Lincoln, Esquire: A Shrewd, Sophisticated Lawyer in His Time*. Macon, Ga.: Mercer University Press, 2002.

Using formerly unavailable primary sources from the *Lincoln Legal Papers*, Spiegel describes how Lincoln handled a wide variety of cases and examines the relationship between Lincoln and his clients. The book includes extensive bibliographical references, a bibliography, and an index.

Steiner, Mark E. *An Honest Calling: The Law Practice of Abraham Lincoln*. DeKalb, Ill.: Northern Illinois University Press, 2006.

Steiner describes Lincoln's legal education and his guiding principles as a lawyer, as well as changes in the practice of law that Lincoln himself experienced as the nation became an industrial, capitalist society.

Townsend, William H. *Lincoln the Litigant*. Boston: Houghton Mifflin Co., 1925.

Relying heavily on court records, Townsend describes Lincoln's experiences as a trial lawyer and discusses cases in which Lincoln was involved as a defendant.

Walsh, John E. *Moonlight: Abraham Lincoln and the Almanac Trial*. New York: St. Martin's Press, 2000.

The author recounts the story of Abraham Lincoln's most famous trial, in which he successfully defended a close friend against murder charges by using an almanac.

Whitney, Henry C. *Life on the Circuit with Lincoln: With sketches of Generals Grant, Sherman and McClellan, Judge Davis, Leonard Swett, and Other Contemporaries*. Boston: Estes and Lauriat, 1892.

Whitney practiced law on the Eighth Judicial Circuit with Abraham Lincoln. He provides fascinating personal details about Lincoln's life as a circuit lawyer and describes Lincoln's character and philosophical mind.

Woldman, Albert A. *Lawyer Lincoln*. New York: Carroll & Graf Publishers, Inc., 1936.

Woldman explores Lincoln's legal career in detail, describing his preparation for the law, his three law partnerships, his life on the Eighth Judicial Circuit, and his experiences as a trial lawyer, prosecutor, bar examiner, and leader of the Illinois bar.

DISSERTATIONS/RESEARCH PAPERS/THESES

Johnson, Robert, Jr. "'Trial by Fire: Abraham Lincoln and the Law.'" Diss. (Ph.D.), The Graduate Center, City University of New York, 2007.

In March 2009, Johnson's dissertation on Lincoln's legal career received the prestigious Hay-Nicolay Dissertation Prize from the Abraham Lincoln Association and the Abraham Lincoln Institute, Inc.

Lupton, John A. "Abraham Lincoln's Law Practice in Macoupin County." Thesis (M.A.), University of Illinois at Springfield, 1992.

Lupton, a former staff member of the *Lincoln Legal Papers*, provides a detailed description of Lincoln's law practice in Macoupin County, Illinois.

Sanders, Gregory W. "Abraham Lincoln, Lawyer and President: An Analysis of Presidential Decision Making." Thesis (M.A.), California State University, Fullerton, Calif., 1993.

Sanders discusses Lincoln's legal outlook and his lawyering skills and their significance in the public policy decision making processes of his presidential administration.

Steiner, Mark E. "Abraham Lincoln and the Antebellum Legal Profession." Diss. (Ph.D.), University of Houston, 1993.

Steiner discusses Lincoln's service mentality, his belief in the importance of order and law, and his choice of clients.

WEB SITES

Abraham Lincoln Association. "The Collected Works of Abraham Lincoln."
<http://www.hti.umich.edu/l/lincoln/>.

First major scholarly effort to collect and publish the complete correspondence, speeches, and other writings of Abraham Lincoln.

Abraham Lincoln Online. "Abraham Lincoln Online."
<http://showcase.netins.net/web/creative/lincoln.html>.

Includes a list of books about Lincoln's legal career, photographs of his law office in Springfield, and related links to other web sites.

Illinois Historic Preservation Agency. The Papers of Abraham Lincoln. "The Law Practice of Abraham Lincoln, Second Edition. <http://www.lawpracticeofabrahamlincoln.org/Search.aspx>.

Includes a narrative overview of Lincoln's law practice, a glossary of legal terms, maps, photographs, and a statistical analysis of his caseload.

Lincoln/Net. "Abraham Lincoln Historical Digitization Project." <http://lincoln.lib.niu.edu/>.

Presents historical materials documenting Abraham Lincoln's Illinois years from 1830-1861, including links to primary sources pertaining to his law practice, an image gallery with drawings and photographs of his law office and his law partners, and bibliographies of books about his legal career.

JOURNAL ARTICLES

Listed below is just a small sample of the hundreds of articles that have been written about Abraham Lincoln's legal career.

Chroust, Anton-Hermann. "Abraham Lincoln Argues a Pro-Slavery Case." *American Journal of Legal History* 5, no.4 (1961): 299-308.

The author describes an 1847 case in which Lincoln defended Robert Matson, a Kentucky slaveholder.

Dickson, William M. "Lincoln at Cincinnati." *Harper's New Monthly Magazine* 69, no.409 (June 1884): 62-66.

Dickson, Lincoln's cousin and an attorney in Cincinnati, describes Lincoln's visit to the Queen City to represent one of his clients in a patent case.

Friend, Henry C. "Abraham Lincoln as a Receiving Attorney: Kelly vs. Blackledge." *Commercial Law Journal* 54, no.2 (February 1949): 27-30.

This article concerns a case Lincoln handled involving a judgment of default on a promissory note.

Hertz, Emanuel. "Lincoln the Lawyer." *United States Law Review* 71, no.2 (February 1937): 79-102.

Hertz contends that Lincoln's training as a lawyer helped him deal with many of the legal issues he encountered when he assumed the presidency.

Keenan, Martin J. "Lincoln's Forgotten Profession." *The Journal of the Kansas Bar Association* 58, no.4 (April 1989): 27-33.

Keenan provides a chronology of Lincoln's law practice, describes his strengths and weaknesses as a lawyer, discusses some of his famous cases, and assesses the nature and impact of his legal career.

Lueckenhoff, Sandra K. "A. Lincoln, a Corporate Attorney and the Illinois Central Railroad." *Missouri Law Review* 61, no.2 (Spring 1996): 393-428.

The author discusses Lincoln's relationship with the Illinois Central Railroad and corporate law in the 1850s.

Reisman, Andrew L. "An Essay on the Dilemma of 'Honest Abe': The Modern Day Professional Responsibility Implications of Abraham Lincoln's Representations of Clients He Believed to Be Culpable." *Nebraska Law Review* 72, no.4 (1993): 1205-1235.

Reisman examines Lincoln's reputation for honesty, his philosophy regarding honesty in the practice of law, and the level of zeal Lincoln exercised in representing clients he came to believe were guilty.

Vickery, Barry R. "Lessons in Leadership from Lincoln the Lawyer." *South Dakota Law Review* 45, no.2 (2000): 334-344.

Vickery discusses how Lincoln's legal training and experiences contributed to his success as a leader.

JOURNALS

Abraham Lincoln Association. *For the People*.

<http://www.abrahamlincolnassociation.org/newsletter.asp>.

For the People, a quarterly newsletter of the Abraham Lincoln Association, features articles on Lincoln's legal career, book reviews, and photographs.

Abraham Lincoln Association. *Journal of the Abraham Lincoln Association*.

<http://jala.press.uiuc.edu/jalaindex.html>.

The *Journal of the Abraham Lincoln Association* is published semiannually by the University of Illinois Press. Devoted exclusively to Lincoln scholarship, it features scholarly, refereed articles on every facet of the life of Abraham Lincoln, including his legal career, as well as book reviews, photographs, and newly discovered Lincoln letters and documents.

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