-isted very much in the confidence and respect he won from the people. Other wiser, greater and as good men might not have won this and then all would have been lost in some of our great crises.

So no one can overestimate Abraham Lincoln's services to the country.

In some haste

I am yours truly

Geo. E. Baker

"

(Henry Shaw)

Beardstown Ills, Sept. 5. 1866.

Wm H. Herndon Esq.

Springfield Ills.

Dear Sir: Six of the seven interrogations propounded by you in yours of the 1st inst., have relation to a motion for a writ of Habeas Corpus in the Armstrong case. In reply, I would say that I have no recollection of there having been an effort made for a habeas corpus in that case. I went to the record and also searched all the papers in the case, but nothing can be found intimating that such a motion was made. It is not usual, or at least necessary, that the papers connected with such a motion be filed with the Indictment, and possibly by writing to Judge

Armstrong Case

Hamiott at Pekin you might find the facts in the case. My impression is, that no such motion was made. My recollections of that trial are rather good, from the fact that I was with Mr. Lincoln a great deal of the time during both of the terms in which the Armstrong case was pending. My connection with him during those terms was as follows:

Not knowing that he was intending to attend our Nov. Term 1857. I wrote to him that I wished his assistance for defendant in the case of Ruth A. Gill, vs Johnathan Gill at that term, which was a suit for divorce, custody of child and alimony. He came down, as I then supposed, exclusively to attend to that case. The question of divorce was left for a Jury, who brot in a verdict for complainant, who also got the custody of the child; but the question of alimony, the most important point in that case, was left open until the next term of court. At this term, Nov. 1857, Mr. Lincoln argued the motion in the Armstrong case to admit to bail, which was overruled. At the May term I expected Mr. Lincoln down to assist in the Alimony case again, and he came in due time, called at my office, and said I had "been suing some of his clients, and he had come down to attend to it." He then had reference to a

new chancery case entitled "George Moore vs Christian Moore and the heirs of Peter Moore" for a specific performance, the defendants all living near Springfield. I explained the case to him, and showed him my proofs. He seemed surprised that I should deal so frankly with him, and said he should be as frank with me, that my client was justly entitled to a decree, and he should so represent it to the court, that it was against his principle to contest a clear matter of right. So my client got a deed for a farm, which, had another lawyer been in Mr. Lincoln's place, could have been litigated for years with a big bill of costs, and the result probably the same. Mr. Lincoln's character for professional honor stood very high. He never vexed an opponent, but frequently threw him off his guard by his irresistable good humour. But I digress — I still thought that Mr. Lincoln had come to our court more particularly to attend to the Gill and Moore cases, and was very much surprised afterwards to see the immense interest he took in the Armstrong case. He went into it like a giant. The evidence bore heavily upon his client. There were many witnesses, and each one seemed to add one more cord that that seemed to bind him down, till Mr. Lincoln was something in the situation of Gulliver after his first sleep in Lilliput. But when he

came to talk to the jury (that was always his forte) he resembled Gulliver again; he skillfully untied here and there a knot and loosened here and there a peg, until, getting fairly warmed up, he raised himself in his full power and shook the arguments of his opponent from him as though they were cobwebs. He took the jury by storm. There were tears in Mr. Lincoln's eyes while he spoke. But they were genuine. His sympathies were fully enlisted in favor of the young man, and his terrible sincerity could not help but arouse the same passion in the jury. I have said it a hundred times, that it was Lincoln's speech that saved that criminal from the Gallows, and neither money or fame inspired that speech, but it was incited by gratitude to the young man's father, who, as Mr. Lincoln said "was his only friend when he was a poor homeless boy."

These are the only facts which I now recollect occurring at our Court worthy of your notice concerning that case. I might say however, as part of the previous history of the case, that the Indictment was found at the Oct. Term 1857 of the Mason Cir. Court, against James H. Morris and Wm Armstrong. The indictment charges that on the 29th day of August 1857 they murdered James Preston Metzker - Morris striking him on the back of the head with a club and

Armstrong striking him in the right eye with a slung shot. Morris was tried at the Oct. Term 1857 Mason Cir. Court, found guilty of Man-slaughter and sent up for 8 years. Leilworth and Campbell were council for Morris.

At the Oct. term 1857, Mason Co., Wm. Walker appeared as council for Armstrong, and made two Motions, one to quash the indictment, which was overruled, the other to discharge the prisoner, which was withdrawn.

At the close of the trial of Armstrong in the Cass Cir. Court. Mr. Lincoln had possession of the slung-shot with which it was shown Armstrong killed Wetzsker.

He Mr. L. handed it to me saying, "here Henry, I'll give you this to remember me by." I have that same slung-shot now. I was made by Armstrong for the occasion. He took a common bar of pig lead, pounded it round, about the size of a large hickory nut, then cut a piece of leather out of the top of one of his boots, and with a thread and needle he sewed it into the shape of a slung-shot, and thus improvised in a few minutes a very fatal weapon. If I can be of any other assistance to you in your worthy undertaking - shall be at your service.

Yours Respectfully

J. Henry Shaw.

Armstrong Case

Beardstown Ills. Aug. 22. 66.

Wm. H. Herndon Esq.
Springfield Ills.

Dear Sir: In the case of the People vs Wm Armstrong, I was assistant prosecuting counsel. The prevailing belief at that time, (and I may also say at the present) in Cass Co. was as follows. Mr. Lincoln, previous to trial handed an almanac of the year previous to the murder, to an officer of court, stating that he might call for one during the trial, and if he did, to send him that one. An important witness for the People had fixed the time of the murder to be in the night, near a camp-meeting that "the moon was about in the same place that the sun would be at 10 o'clock in the morning and was nearly full", therefore he could see plainly &c. At the proper time Mr. Lincoln called to the officer for an Almanac, and the one prepared for the occasion was shown by Mr. Lincoln, he reading from it that at the time referred to by the witness the moon had already set. That in the roar of laughter following, the jury and opposing counsel neglected to look at the date. Mr. Carter, a lawyer of this city who was present at, but not engaged in the Armstrong case, says he is satisfied that the almanac was of the year previous, and thinks he examined it at the time. This was the general

impression in the court-room. I have called on the Sheriff who officiated at that time, James A. Dick, who says that he saw a "Goudy's" Almanac laying upon Mr. Lincoln's table during the trial, and that Mr. Lincoln took it out of his own pocket. Mr. Dick does not know the date of it. I have seen several of the petit jurymen who sat upon the case, who only recollect that the almanac floored the witness; but one of the jurymen, the foreman, Mr. Fulton Logan, says that the almanac was a "Jayne's Almanac," that it was the one for the year in which the murder was committed, and that there was no trick about it. That he is willing to make an affidavit that he examined it as to its date and that it was the almanac of the year of the murder. My own opinion is, that when an almanac was called for by Mr. Lincoln, two were brought, one of the year of the murder and the other of the year previous; that Mr. Lincoln was entirely innocent of any deception in the matter. I the more think this, from the fact that Armstrong was not cleared by any want of testimony against him, but by the irresistable appeal of Mr. Lincoln in his favor. He told the jury of his once being a poor, friendless boy; that Armstrong's father took him into his house, fed and clothed him and gave him a home &c., the particulars of which were told so

pathetically that the jury forgot the guilt of the boy in their admiration of the father.

It was generally admitted that Lincoln's speech and personal appeal to the jury saved Armstrong.

Mr. James Taylor (now a resident of Springfield) was clerk of the circuit court of Cass County at that time. By calling upon him, you can probably get his description of the affair.

The murder occurred, I think, in 1857. He was indicted in Mason Co. and a change of venue to this county. At the Nov. term 1857 of Cass Cir. Court, Mr. Lincoln labored hard to get Armstrong admitted to bail but his motion was overruled. The trial and aquittal occurred at the May term 1858.

Yours Respectfully
J. Henry Shaw.

Boston 12th July '65.

My Dear Sir:

I have sent you at different times two copies of the Eulogy in pamphlet, also one in the newspaper, which is less complete than the pamphlet. I have also sent Gov. Andrew's Address, which contains an ~~account~~ answer to your inquiry about the Mass. Soldiers killed at Baltimore. — I am not aware that in New England candidates have ever met each other before the people. x x x x x x Yours — Charles Sumner.