

Davenport, Iowa. Feb-22'-19

222 Harrison St

Yale Law Department,
Yale College, New Haven, Conn.

Care of the Dean.

Dear Sir--

I herewith send you an article written by my father a man 91 years of age April . He is a retired lawyer and a graduate of Yale Law in the year 1850 or 51 . This article as you may see relates one of the cases that our former President Lincoln had prior to his election to that office and to the first bridge to span the Mississippi. Thinking it may be of some interest to you as a matter of history for the law department of which I am a graduate in 1884 I forward it you .

Respectfully,

C. A. Hubbell

2222 Harrison Str,
Davenport, Io.

Mss A
L63
no. 1

February 27, 1919

Mr. C. H. Hubbell,
2222 Harrison Street,
Davenport, Iowa.

Dear Mr. Hubbell:

I thank you for your note of February 22nd enclosing the article written by your father regarding one of President Lincoln's cases. It is interesting reading as well as an item of Law School history which I am glad to have.

For your interest in the Law School evidenced by your letter I am also grateful. The loyal support of alumni is the best asset which a school can have. Under separate cover I am sending you an account of the Law School, which appeared in the Alumni Weekly some time ago, with the thought that you may be interested if you have not already seen it.

Very truly yours,

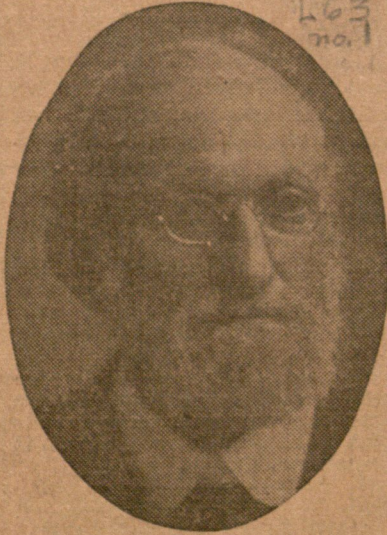
S/H

MssA
463
no. 1

Feb 19 19

How George E. Hubbel Aided Abraham Lincoln

More About Our Bridge Cases and Abraham Lincoln's Effective Way of Getting One of Them Thrown Out of Court.



GEO. E. HUBBELL.

Davenport, Ia., Feb. 19.—(To the Editor of The Democrat.)—The editorial in The Democrat of Feb. 12 relative to Abraham Lincoln's connection with the suit brought against the Bridge company in Davenport recalls some interesting personal memories.

Norman B. Judd of Chicago and Abraham Lincoln of Springfield, Ill., were the attorneys of the Bridge company. A commission was appointed by the United States court in behalf of the plaintiff to take depositions of witnesses and I was employed as attorney to follow this commission and cross-examine such witnesses, and for 60 days I attended to this duty, sending to Mr. Lincoln the testimony of each witness as soon as taken.

This commission took depositions in every city from St. Louis to St. Paul on the line of the Mississippi river for two months, I being careful to bring out on cross-examination of each of their witnesses that the draw pier of the bridge complained of, was on the Iowa side of the middle thread of the main current of the river which was the legal boundary line between Iowa and Illinois. When this evidence was all in Mr. Lincoln arose in court and made a motion that the cause of action be dismissed for want of jurisdiction in the Illinois court as the uncontradicted evidence showed that the pier complained of was in the state of Iowa and the action should have been brought in Iowa. This motion prevailed and the case was dismissed.

Lincoln went to Washington, D. C., and induced the post office department to establish that bridge as a mail route. It ended this litigation but that bridge was made of wood and the St. Louis Chamber of Commerce were accused of trying to burn it. At any rate the span next to the Rock Island shore was burned by the Effie Afton steamer, and other attempts to burn it were made.

I remember well of the public doings when the coffer dam was put in in which to begin the building up of the draw pier and Joseph Knox of Rock Island, James Grant and myself made speeches, one of

which I shall never forget. While Knox, the eloquent, was speaking, the little pumping engine down in the coffer dam began to work all alone—Knox stopped, looked down and said, "Let her go, it is more than half human, it knows that we are laying the corner stone of the pier of the first railroad bridge that ever crossed the Father of Waters."

Now the markets being east of our great productive West, the transportation facilities being by rail, wherever those great lines impinge upon the Mississippi river we find a railway bridge to span the waters. These is no doubt, from the evidence taken that the draw pier of that first railroad bridge was about 14 degrees out of the real water line of the river passing through the draw, which made it difficult for pilots to steer safely through.

This action was an action in equity brought by the St. Louis Chamber of Commerce vs. the Bridge company to abate a nuisance to navigation, asking the removal of the draw pier, and was not a jury trial.

Afterwards the Effie Afton steamer by mistake of the pilot in passing through the draw was thrown around under the shore span, had its smoke stacks thrown down, and the steamer and the span were set on fire and both burned.

Suit at law was begun by the owner of the Afton and a jury empaneled to recover damages. Mr. Lincoln was bride attorney in this case. The jury disagreed and the case was dropped.

GEO. E. HUBBELL.

MssA
L63
no.1

People's Gas Bldg., Chicago, Ill.

LINCOLN AND OUR BRIDGE.

Attorney George E. Hubbell calls our attention to the fact that there were two lawsuits that were the outgrowth of the steamboat men's warfare on the original bridge across the Mississippi at Davenport, and that Abraham Lincoln was one of the counsel for the railway companies in both suits. Mr. Hubbell, himself, had a connection with the first suit, and helped gather the evidence on which Mr. Lincoln had the case thrown out of court in Illinois for lack of jurisdiction. His interesting contribution to the history of these cases is to be found elsewhere on this page.

It was the second of these suits in which, as Mr. Hubbell says, the owners of the Effie Afton were suing for damages, that brought Mr. Lincoln to Davenport to investigate the location of the bridge and its relation to the direction of the current, etc., as mentioned in this column last week. Mr. Lincoln made an extended argument in that case, a copy of which The Democrat has, and which it will publish next Sunday as a further contribution to the history of navigation on the river as a whole and of this locality in particular.

MssA
L63
no.1