

# LINCOLN LORE

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## LINCOLN AND THE LOGGING INDUSTRY

Copy for this issue of Lincoln Lore is being written by the editor after having spent three days in the state of Oregon driving through her magnificent forests and along her beautiful rivers. One is convinced that Lincoln would have been extremely happy out here in this county had he accepted the office as secretary of Oregon which seems to have been offered to him at one time.

One is constantly reminded of Lincoln as the mammoth trees in the virgin forests are observed and the memory of the tall railsplitter in the Indiana wilderness is recalled. In an autobiographical sketch, Lincoln stated that when he was but eight years of age he went to work with an ax helping his father to make a clearing in the wilderness where their home was located. One remembers, also, that the neighbors of the Lincoln's in Indiana never forgot the great strength of this woodsman who could sink an ax deeper into a stump than any other man in the country-side.

It is very doubtful if Lincoln could have been called by any other term that so accurately identified him in his young manhood as the name "Railsplitter." It associated him definitely with the woods in which he grew up and which he loved. The first rostrum from which he spoke as a youth to his audience of pioneer children was a tree stump. He was most certainly a stump speaker, and his voice with its high pitched tone was the piercing voice of a wilderness spokesman.

But the trees had to be gotten out of the forests and rivers were the only primitive vehicles which could carry them to their long distant destination. As the net work of the great log rafts which now line the Oregon rivers are observed, Lincoln's own river experiences are recalled. He would have felt very much at home on one of these temporary flatboats, as he assisted in the construction of many early river

craft which were little more than log rafts with cabins on them.

One remembers the eventful trip which Lincoln made to New Orleans in 1882, when a youth but nineteen years of age, and he would be a fa-

"BENSON VS. DEANE  
Sangamon Circuit Court  
December Term, 1858  
Lincoln and Herndon

Hon. David Davis Presiding  
"The the Honorable Judge of the  
Circuit Court of Sangamon County—  
"(1) For that whereas in the Declaration of the Plaintiff William Benson avers that he was engaged in the business of operating a grist-mill at a point on the Sangamon River set

"(2) forth in the declaration—He further avers that while so engaged the Defendant Silas Deane was at a point farther up stream cutting saw-logs—That he the defendant threw some saw-logs into the stream during

"(3) the Spring freshets—that the same floated down stream and burst his the plaintiffs mill dam causing him great loss and causing damage to his mill—Therefore he seeks replevin in the sum of money of four-hundred dollars \$400.00—

"Appearing for Defendant

"Lincoln and Herndon

"Submitted—

"That the question before the Court is whether the said stream is a navigable stream within the meaning of the term—If the said stream is a navigable stream within the meaning of the term it is therefore a Public highway and as such defendant is within his rights in floating saw-logs—If the stream is not a navigable stream within the meaning of the term it is therefore private property and if such it is the opinion of counsel that Plaintiff may recover his damages by replevin—

"Springfield, Dec. 1st 1858

"A. Lincoln"

miliar figure, indeed, standing on one of these Oregon rafts with his hobnailed boots, primitive dress and loggers pole. Lincoln, in a very peculiar scene, fits into the picture of Oregon.

In the city of Portland, there is a very excellent bronze statue of Abra-

ham Lincoln with head bowed, revealing him in serious meditation. But this is not the Lincoln which one associates with the Oregon Trail. It is a buoyant, cheerful Lincoln with uplifted head and the very spirit of adventure and optimism in every line of his body. In Oregon, Lincoln would have been happy instead of depressed and would have lived over again his youthful years in the Indiana wilderness.

Lincoln's experience as a riverman is well known and his interest in the navigation of the streams was one of the principal planks in his early political platforms. It will be recalled when "The Talisman", the first steamboat to descend the Sangamon River to Springfield, Illinois, reached her destination, Lincoln was the pilot. It was on this river also that he built his first flatboat in Illinois and had his interesting experience on the mill dam at New Salem.

After Lincoln began to practice law, he was often retained by those who had some legal problem to settle with respect to the navigation of the rivers. The Rock Island bridge case in which he defended the rights of the railroad to build a bridge over a navigable stream is a case in point. He was well informed on all phases of river litigation.

One of the finest Lincoln documents bearing on Lincoln's legal practice with respect to river problems recently came to light in New York and was acquired by the Lincoln National Life Foundation. It will be observed from the copy of the manuscript which appears on this page, that in this case the question of whether or not the Sangamon River was navigable as late as December 1858, is the decisive point. This document was called to mind as the editor of Lincoln Lore observed so many thousands of great logs which had been hurled into the Oregon rivers and were being floated to their proper destinations.