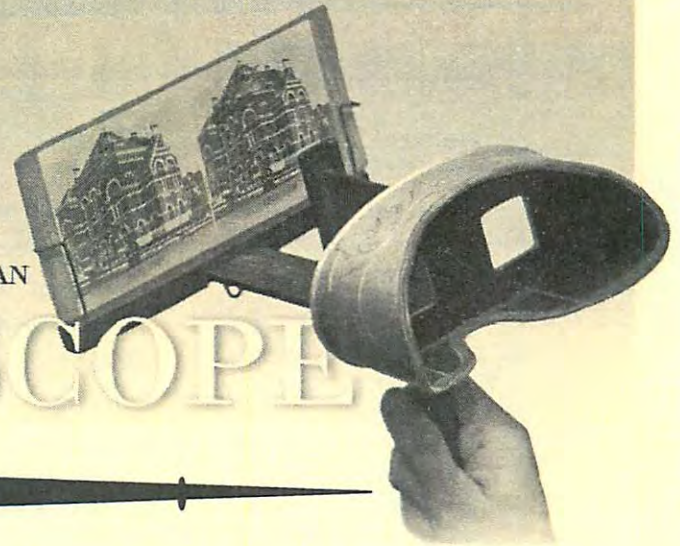


Volume 11 Issue 2

THE JOURNAL OF  
THE HISTORICAL SOCIETY  
OF THE UNITED STATES  
DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN

# STEREOSCOPE



*The following is the text of the keynote speech given by Professor Richard Norton Smith at the 150th Anniversary of the creation of the United States District Court for the Western District of Michigan held on March 12, 2013, in Grand Rapids, Michigan.*

## The Law and Abraham Lincoln

*by Richard Norton Smith*

**L**awyers and historians alike are in the business of marshalling evidence, whether in the briefs we file or the books we write. Indeed, our livelihood depends in no small measure on the stories that we tell. No one excelled at the narrative art better than Abraham Lincoln. Long before he occupied the White House, attorney Lincoln told stories to disarm his rivals, ingratiate himself with jurors or simply bury an opposing argument in laughter. Colleagues on Illinois' Eighth Judicial Circuit especially enjoyed hearing the tall, ungainly man from Springfield poke fun at his own appearance. As Lincoln told it, "I feel like I once did when I met a woman riding horseback in the woods. As I stopped to let her pass, she also stopped, looked at me intently, and declared, "I do believe you are the ugliest man I ever saw." To which Lincoln replied, "Madam, you are probably right, but I can't help it."

"No," said she, "you can't help it, but you might stay at home."

It is another story that I have to tell this evening, a tale of presidents as well as precedents, of a Michigan judge and an Illinois lawyer who crossed professional paths, as it were, exactly one hundred fifty years ago. Theirs was a passing connection, as far as we can tell, and no one now living can recapture for us the glint in Solomon Withey's eye as he presided over the first federal courtroom in West Michigan, which shared a three story block with a bank and hardware store on the very site of this hotel ballroom. History is about nothing if not connections; above all, the perspective one gains from connecting now to then.

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The second week of March, 1863 was an eventful one in the seemingly endless war that the southern Confederacy had yet to win, but the Union was daily in danger of losing. On March 8, accompanied by a handful of grey suited men on horseback, Confederate cavalry raider John Singleton Mosby slashed his way to Fairfax Court House, barely twenty-five miles west of the White House. Before he rode off, Mosby made off with one Union brigadier general, several other prisoners, horses and more. Lincoln offered a characteristically deadpan response to this latest military setback. As he put it, "I can make a much better Brigadier in five minutes, but the horses cost a hundred and twenty-five dollars apiece."

Lincoln's mood was a barometer that rose and fell with the performance of his armies. The recent disaster at Fredericksburg left him close to despair. "If there is a worse place than Hell," he observed, "I am in it." Under the circumstances, the appointment of a federal judge for the western district of Michigan was more than a routine bit of judicial housekeeping. It was both symbol and substance, an act of faith and a vote of confidence in the survival of democratic government and the rule of law - less dramatic perhaps, yet every bit as revealing as the president's insistence on completing the great cast iron dome of the Capitol that floated above the Washington skyline not a mile away.

In the words of David McCullough, "The story of the real Abraham Lincoln has receded so far into the nation's memory that what remains seems little more than a dream." The real Abraham Lincoln. The search for this elusive quarry has been ongoing since at least 1832, when a young giant, as raw as the riverfront village of New Salem, first declared his candidacy for the state legislature. The man who declared "the fiery trial through which we pass will light us down, in honor, or dishonor, to the latest generation," was as contradictory in his personality as in his politics. For Abraham Lincoln life itself was a fiery trial, one whose ultimate reward was the good opinion of his fellow citizens, and the chance to be honorably remembered to the latest generation.

Law may have been his livelihood, but politics was his life. Needless to say, the idea of a scheming, politically consumed Lincoln hardly squares with Carl Sandburg's dreamy idealist who halts in the middle of the road to rescue a pig stuck in the mud, or the upright store clerk who walks miles to return a few cents to an inadvertently shortchanged customer. The critic Edmund Wilson declared in the 1930's that Sandburg was the worst thing to happen to Lincoln since John Wilkes Booth. Forget his biographers - even his contemporaries found Lincoln a hard man to know.

Once, accused on the stump of being two faced, he shot back, "If I really had two faces, does anyone think I'd choose to wear this one?" But if he wasn't two-faced, that doesn't mean that Lincoln wore the same face before every audience. On looking in the mirror what did he see? The Great Emancipator of legend, or the racist caricature drawn by some academics in our own time? The teller of vulgar stories, or the author of imperishable prose? The champion of popular self-determination, or the incipient dictator

trumpeting human rights while suspending individual liberties?

In truth, the man in the mirror was many men, the dual images reflective of one who combined opposites with astonishing ease. "What is conservatism," candidate Lincoln had asked early in 1860. "Is it not adherence to the old and tried against the new and untried?" Yet just two years later, amid the smoke and steel of civil war, Lincoln sounded a radically different note when he told Congress, "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country."

In the popular mind, Lincoln is forever enshrined as the unlettered genius who came out of the wilderness to vindicate self-government in a world where kings and despots still held sway. The reality is more complicated. Lincoln spent a lifetime, not so much celebrating his origins as escaping them. It wasn't the \$8 a month flatboat man to whom his political philosophy paid tribute, but a system of government that offered him and other common laborers the chance to be uncommon, to work their way to self-sufficiency and a smattering of culture. It was that system which gave him access to the legal profession - and it was that system to which he gave his political allegiance and, eventually, his life.

His burning need for recognition was hammered on the forge of adversity. Lincoln's earliest memories revolved around dreary farm labor from which Parson Weems' idealized portrait of George Washington crossing the Delaware had offered an enterprising and imaginative boy momentary respite. The Pilgrim's Progress and Aesop's Fables, supplemented by the crabbed erudition of Coke and Blackstone, the poetry of Robert Burns and the mental gymnastics of rural debating societies, all fed the dreams of an aspiring lawyer and politician.

For Lincoln, Shakespeare offered much more than entertainment. Along with the King James Bible, the Bard helped him master the language with a spare eloquence that has never been equaled. He displayed a special fondness for Shakespearian tragedies, none more so than Richard III, with its lugubrious invita-

tion to sit upon the ground and tell the sad story of the death of kings. Over the years Lincoln scholars have spilled barrels of ink hoping to trace his persistent melancholy to its source.

Did Abraham Lincoln fear the loss of his own sanity? According to biographer Stephen Oates, it was precisely such dread that explains his refusal to indulge in alcohol or surrender to passion. Americans, he told a Springfield audience in 1838, must place their reliance elsewhere. "Passion has helped us; but can do so no more," the young lawyer told his neighbors. "It will in the future be our enemy. Reason, cold, calculating, unimpassioned reason, must furnish all the materials for our future support and defense."

From his earliest days of legal study, throughout his apprenticeship to greatness, Lincoln displayed a dispassionate passion for the rule of law and the triumph of reasonable justice. His colleagues recalled a severely logical attorney, who rarely traveled the legal circuit without a well thumbed copy of Euclid to ponder before a midnight fire. But like the man in the mirror, this rigorous thinker was also a superstitious child of the frontier, one who fears death less than obscurity. To his close friend Joshua Speed, Lincoln said in 1842 that he would be perfectly willing to die then and there. "But I have an inexpressible desire to live," he was quick to add, at least "until I can be assured that the world is a little better for my having lived in it."

With somewhat greater candor Lincoln informed one ally, "Now if you should hear anyone say that Lincoln don't want to go to Congress, I wish you... would tell him you have reason to believe he is mistaken. The truth is, I would like to go very much." By conventional standards, his first Washington career was hardly a success. Even then, principle kept getting in the way of self-interest, especially where the Mexican War was concerned. Like many northerners, Congressman Lincoln believed the conflict to be an unjust one, waged for the benefit of southern slaveholders by an administration whose hunger for land was keener than its moral sensibilities.

At one point Lincoln introduced what would be famous as the Spot Resolution - requiring President Polk to identify the exact spot on the map where Mexican aggression justified the deployment

of American troops. A Gulf of Tonkin Resolution in reverse, it was just the sort of rabbit in a hat likely to impress an Illinois jury. Washington was less easily convinced. Perhaps too clever by half, the maneuver won him few friends back home, where the *Springfield Journal* did not hesitate to compare "Spotty Lincoln" to Benedict Arnold. Denied a second term, Lincoln did what other involuntarily retired congressmen do: he asked the White House for a job. Failing to obtain the position of Commissioner of the General Land Office, he went home to Springfield, his political career in tatters. Rejecting offers to become secretary or governor of the Oregon Territory, he ascribed his reluctance to move west to a wife whose thirst for public distinction dwarfed even his own.

Under the circumstances, his relationship with the former Miss Mary Todd of Lexington, Kentucky, might best be understood in terms instantly recognizable to 21st century audiences - as a political partnership. As fiercely loyal as a Nancy Reagan or Hilary Clinton, Mary Lincoln glimpsed a destiny visible to few others. For all that, the Quaker brown residence at the corner of Eighth and Jackson Streets may well be considered the original House Divided. This, too, had its practical uses. For if a long-suffering Lincoln refused to be rattled by conflict in the White House, perhaps it was because he had learned to accept conflict in his own house.

"Quarrel not at all," he advised others in the profession. "No man resolved to make the most of himself can spare time for personal contention." In the courtroom he milked his domestic troubles for laughter. Lincoln quoted a preacher who claimed that, whereas the Lord was the only perfect man, the Bible never mentions a perfect woman. On hearing this a female in the congregation cried out - "I know a perfect woman, and I've heard all about her every day for the last six years."

The minister, unable to hide his surprise, asked the woman, "Who was she?"

"My husband's first wife," came the reply.

The 1850s were turbulent, transforming years for the failed congressman who remade himself into one of the most respected of Illinois 2,700 lawyers. As usual, he did it his way, learning more law from cases than from books. His young partner Billy Herndon claimed Lincoln never read a textbook straight through. He

cited little of authority as he rode the circuit or grappled with matters of constitutional, admiralty, or patent law; bills in equity; slander suits and divorce cases. Over time Lincoln would profit handsomely from his railroad connections, yet he turned down a lucrative Chicago partnership on the grounds that confinement in an office would be the death of him.

His caseload ranged from the criminal to the corporate, and it was said of his courtroom performance that he could split hairs as well as rails. It was also agreed, in the words of one associate, "No man was stronger than he when on the right side, and no man weaker when on the opposite." Lincoln needed justice on his side to rise to the level of moral advocacy that would one day make him the president against whom all others are measured.

A Springfield neighbor looked on as Lincoln heard a would-be client state the facts of his case. "Yes, there is no reasonable doubt but that I can gain your case for you," Lincoln told the petitioner, "I can set a whole neighborhood at loggerheads; I can distress a widowed mother and her six fatherless children, and thereby get for you six hundred dollars which you seem to have a legal claim to; but which rightfully belongs, it appears to me, as much to the woman and her children as it does to you. You must remember that some things that are legally right are not morally right. I shall not take your case - but I will give you a little advice for which I will charge you nothing. You seem to be a sprightly, energetic man. I would advise you to try your hand at making six hundred dollars in some other way."

In Lincoln's view, the common law was inseparable from common sense. In the summer of 1850, he penned some "Notes for a Law Lecture." I leave it to you to weigh their relevance in this age of celebrity justice and Court TV.

"The leading rule for the lawyer, as for the man of every calling, is diligence," wrote Lincoln. "When you bring a common-law suit, if you have the facts for doing so, write the declaration at once. If a law point be involved, examine the books, and note the authority you rely on, upon the declaration itself, where you are sure to find it when wanted. The same of defences and pleas. In business not likely to be litigated - ordinary collection cases, foreclosures, partitions, and the like, make all examinations of titles, and note them, and even draft orders and decrees in advance. This course has a triple

advantage; it avoids omissions and neglect, saves your labor, when once done; performs the labor out of court when you have leisure, rather than in court, when you have not.

Extemporaneous speaking should be practiced and cultivated. It is the lawyer's avenue to the public. However able and faithful he may be in other respects, people are slow to bring him business, if he cannot make a speech. And yet there is not a more fatal error to young lawyers, than relying too much on speech-making. If any one, upon his rare powers of speaking, shall claim exemption from the drudgery of the law, his case is a failure in advance.

Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the *nominal* winner is often a *real* loser - in fees, and expenses, and waste of time. As a peace-maker the lawyer has a superior opportunity of being a good man. There will still be business enough.

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 reposed in, and conferred upon lawyers by the people, it appears improbable that their *impression* of dishonesty is very distinct and vivid. Yet the impression 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.

As president of the anything but United States, Lincoln would observe the same values, under very different circumstances. "I claim not to have controlled events," he asserted, "but confess plainly that events have controlled me." Exactly what you would expect to hear from a master lawyer and politician. In fact, events might control his actions, but in his ability to improvise Lincoln never lost sight of the bedrock principles for which he contended. Some, then and since, called him a dictator in embryo. If so, he was an extraordinarily deferential one. Consider the way he dealt with subordinates. To command the Army of the Potomac Lincoln installed General George C. McClellan, who repaid his confidence with private slurs and public snubs.

Case in point: at a critical juncture in the war Lincoln decided to avail himself of his commanding general's expertise. Accompanied only by his young secretary John Hay, the president paid an evening visit to the McClellan home, within walking distance of the White House. On arriving there he was told that the general was out. No problem, said Lincoln. He would wait. And so he did, for the better part of an hour. At length the general returned - and went straight to bed, without bothering to acknowledge the President of the United States in his parlor. On the way back to the White House, John Hay was vocal in his astonished disapproval.

Lincoln was Lincoln. "I will hold Mr. McClellan's horse if we will only bring us success," he reproached his hot tempered young aide.

Politics, like the law, is the art of persuasion, something Lincoln, the original Great Communicator, understood better than anyone. "Public sentiment is everything," he maintained. "With public sentiment, nothing can fail; without it nothing can succeed." Thus did the onetime author of the Spot Resolution use his inaugural address to shift the onus for bloodshed on to those who would destroy history's noblest experiment in self-government. "In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in Heaven to destroy the government while I shall have the most solemn one to 'preserve, protect, and defend it.'"

Those words would be recalled by many six weeks later when the guns of Charleston opened on Fort Sumter. They helped secure the moral high ground even as northern armies suffered multiple setbacks. Following the Confederate assault on the fort, Lincoln called Congress into special session - but not before he first, on his own authority, summoned armies into the field, declared a blockade of southern ports, and suspended the ancient legal protection of habeas corpus. To those who glimpsed the seeds of tyranny in such radical measures, Lincoln posed a question. "Must a government, of necessity," he asked, "be too strong for the liberties of its own people, or too weak to maintain its own existence?"

When a Maryland secessionist was imprisoned at Fort McHenry, the Chief Justice of the United States

ruled that he must be tried before a civilian court or else released. Lincoln essentially ignored the ruling, leading old Roger Taney to deliver a public rebuke to the president who had taken an oath to faithfully execute the law. To justify his action the president cited the doctrine of wartime necessity. "Are all the laws but one to go unexecuted?" he asked, "and the Government itself to go to pieces, lest that one be violated?" He would preserve the entire Constitution, said Lincoln, by temporarily suspending a single clause. Being Lincoln, he chose the most pungent of images to convey his meaning. "Often a limb must be amputated to save a life, but a life is never wisely given to save a limb."

It was pure Lincoln, the colloquial, homespun speech of the Eighth Judicial Circuit. It baffles traditional analysts. No less than the official public printer registered protest, and Lincoln needed reminding of the difference between a state paper and an Illinois stump speech. In particular took exception to the phrase "sugar-coated." Lincoln stood his ground. "John, there will never come a day when the average American doesn't know the meaning of sugar coated." These were the people Lincoln first reached in dusty Illinois courtrooms. This was the language that he now sent into battle. And this is the law that he revered, and appointed Solomon Withey to uphold in his turn.

Lincoln the pragmatist never supplanted Lincoln the idealist, although he was more than willing to adjust tactics in order to attain his ultimate objective. For years he had fantasized that African colonization, or financial compensation to slaveholders, might somehow cut the racial Gordian knot. By the summer of 1862 he knew better. For more than a year Lincoln had told himself and others that he must do nothing to alienate Kentucky and other border states teetering on the knife's edge of secession. But with the war going badly, he began work on a document that would redefine the conflict. He did so in strictest secrecy. For now his old fears of losing the border states were augmented by a still more dire concern. Would white soldiers fight to free black slaves? George McClellan was not alone in predicting northern armies would disintegrate in the event of emancipation.

To Frederick Douglass the Emancipation Proclamation was "the greatest event of our nation's history." Lincoln himself would describe it as "the central act

of my administration." But at the time, he sang a very different tune, portraying emancipation as a wartime measure, born of necessity, if not desperation, and in questioning whether, as he put it afterward, "the people had been quite educated up to it." Here is Lincoln the Persuader, forerunner of modern presidents whose chief occupation, in Harry Truman's words, is to convince people to do what they ought to do but don't want to do.

Persuasion is out of fashion in today's politics. As a rule, people don't turn to cable TV or talk radio to weigh alternatives, but to be reinforced in that which they already believe. Politicians follow suit. The disinterested reasoning of a Lincoln or Solomon Withey has given way to reflexive distrust and smash-mouth partisanship. Rarely have we had greater need for advocates who combine conviction with civility, and whose principles include a healthy regard for those with whom they differ. Fortunately we don't have to travel back in time 150 years to find a role model. We need only reflect on another Grand Rapids lawyer, who would memorably declare himself to be a Ford, not a Lincoln.

As many of you may know, I had the good fortune to befriend Gerald Ford in his later years. I often heard him describe what it felt like, as House Republican Leader in the 1960s, to play straight man each week to Senator Everett Dirksen in what became known as the Ev and Jerry Show. Dirksen had a great line: "I live by fixed and unbending principles, and one of my principles is flexibility." Perhaps to some in this audience, Dirksen's folk wisdom may appear a cynical contradiction in terms. Ford didn't see it that way. Neither did Lyndon Johnson. For in the great defining struggle of civil rights, Ev Dirksen's flexibility enabled him to put aside narrow questions of party advantage and remind his colleagues that it was another Illinois Republican, by the name of Abraham Lincoln, who had given the GOP its moral charter as a party dedicated to racial justice.

No one who lived through those tumultuous times will mistake the 1960s for an era of good feelings. And yet one thing united Ford, Dirksen, and Johnson, beyond their common service on Capitol Hill. All three had justice on their side. In the high stakes game of history, it can be argued, only those who are willing to lose for principle deserve to win at the polls. At the same time, only those whose principles do not blind them to











the search for common ground can hope to rally a political system intentionally designed by the Founders to frustrate utopian reformers.

That's as true today as in 1863, when Lincoln went to Gettysburg to address the American jury about a new birth of freedom - and sixteen months later, when he delivered the greatest lay sermon ever heard on American soil. "Fondly do we hope - fervently do we pray - that this mighty scourge of war may speedily pass away," he told us in his second Inaugural Address. "Yet, if God wills that it continue, until all the wealth piled by the bondman's two hundred and fifty years unrequited toil shall be sunk, and until every drop of blood drawn with the lash, shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, 'the judgments of the Lord are true and righteous altogether.'"

With those words Lincoln delivered his closing argument for a nation that has yet to become, but is always in the act of becoming. A land where liberty is no abstraction, nor equal opportunity a mere slogan to be saluted like the flag on the Fourth of July. Long before he made his final carriage ride to Ford's Theater, Lincoln had left the purely personal ambition of his youth in the dust. He had outgrown the racist society that produced him. And he did so all the while upholding as sacred texts Jefferson's Declaration and a Constitution, imperfect as the men who wrote it, yet capable of adaptation, growing in tandem with Lincoln's growth - with the growth of American democracy as it came to reflect the votes and voices of one group after another that had been historically sidelined at the expense of justice.

It is easy in this time of seeming political paralysis, when millions of Americans are barely on speaking terms, when public advocacy is drowned out by negative ads or diminished by gotcha journalism - it is all too easy to yield to despair, or retreat into smug cynicism. Tonight, however, we know better. For this evening reminds us of a time when the nation's very existence hung in the balance; when American boys fought other American boys in 10,000 places across the map; when 600,000 of those boys died for their beliefs; and an American president put it all into words that will never die.

Anniversaries are a time for taking stock, for looking over our shoulder and imagining what lies beyond the horizon. I said earlier that we study history for the connections it makes, and the perspective it offers. The story of Solomon Withey, no less than the president who placed him on the bench precisely 150 years ago, and the generation that went through Hell so that we might inhabit a truly United States - their story reminds us of a simple, reassuring truth: the more you know of the American past, the more confident you will be of the American future.

## THANK YOU TO SPONSORS OF THE 150<sup>TH</sup> ANNIVERSARY CELEBRATION OF OUR DISTRICT COURT

The following law firms generously contributed to the 150<sup>th</sup> Anniversary Celebration of the United States District Court for the Western District of Michigan held in Grand Rapids, Michigan on March 12, 2013.

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A special thanks is due to the Federal Bar Association of the Western District of Michigan for its substantial financial support for these festivities and to the Historical Society of the United States District Court for the Western District of Michigan for the countless hours spent by David Gass, James Mitchell, Gordon Olson and Ellen Farrar organizing this event. Finally, the active and strong support of Chief Judge Paul L. Maloney and Magistrate Hugh W. Breneman deserve recognition.

Please visit the Historical Society's website, <http://www.federalcourthistoricalwdmi.org/150th-anniversary.html> for more information about the 150th Anniversary celebration along with a historical documentary, a slideshow of photographs from the period, challenge coins, judicial portraits and other items of interest. By the end of June, 2013, a DVD of the celebration will be available for purchase.

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## Letters to the Editor

From time to time, readers of The Stereoscope will send to the Journal Editor letters or email messages commenting on articles published in the Journal. Within the last few months, we have received a number of such letters and publish them herein. We hope that you enjoy them as much as we did.

—Patrick E. Mears  
Journal Editor

### Letters Re: Article on Lincoln and His Latin American Foreign Policy Addressed to the Author

Dear Patrick,

Many thanks for the copy of the Stereoscope. You did a powerful lot of work on the Lincoln piece. It is an excellent read. I was fascinated by the U of M reference in the bio of Sarmiento. I Googled him and the University and was amazed at the volume of material. The relationship is worth an article on its own. Where it should be displayed is a question.

Best,  
(Hon.) Avern Cohn

*Editorial Note: Judge Cohn is a Senior Federal District Judge who sits on the United States District Court for the Eastern District of Michigan and is also a Member of the Historical Society.*



February 22, 2013

Hi Pat,

I just wanted to let you know how much I enjoyed your article. It was enlightening on several fronts, not the least of which was the fate of several of the revolutions that threw off Spanish rule. The history courses I took in middle and high school stopped at the point of the revolutions and did not go into the counter-revolutions that often followed when powerful interests realized their positions might be jeopardized by democracy. Or how what became essentially cycles of revolutions de-stabilized countries to the point of making government ineffective for all but the most powerful. A timely lesson and reminder.

Your article also reinforced how truly remarkable and honorable Lincoln was. His understanding of the essence, and fragility, of democracy puts him in a class of one.

Thanks for all of your hard work.

Michael L. Fayette  
Pinsky, Smith, Fayette & Kennedy, LLP

February 11, 2013

Pat,

Great article on Lincoln and Latin America, I enjoyed it very much. The topic is so little known or written about – I suppose it's the unfortunate but somewhat inevitable fate of events occurring at the time outside of the domestic Lincoln and the U.S. Civil War. Unless of course you decide to take aim at them with your Stereoscope, in which case such events will find themselves exhaustively researched and eloquently written about. Take care,

Benjamin M. White  
Keller & Almassian, PLC

February 22, 2013

Dear Patrick,

I have received your letter (in the very nice old style: a written letter!) attaching the Journal with the article of Mr. Lincoln and his relationship with Latin America. It will certainly be a very good reading for the weekend, so I just wanted to thank you very much for such kindness. Wishing you a pleasant weekend and looking forward to seeing you again.


Diego Peralta  
Carey y Cia. Ltda.  
Santiago, Chile

February 25, 2013

Dear Patrick,

May I join Diego in thanking you for the Journal. Very interesting!

Oscar Aitken  
Carey y Cia. Ltda.  
Santiago, Chile



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OF THE UNITED STATES  
DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN  
**STEREOSCOPE**



**150<sup>th</sup> Celebration of the Western District of Michigan  
– March 12, 2013**

*A message from Historical Society president David J. Goss*

**A**s the new president of the Historical Society of the United States District Court for the Western District of Michigan, I want to encourage all HSA Society members (and their spouses/guests) to attend the March 12<sup>th</sup> gala event celebrating Abraham Lincoln's nomination of Solomon Wilsey as the first district judge for the newly created Western District of Michigan. What makes this appointment so interesting and worthy of celebration is that it occurred at the mid-point of the Civil War, during perhaps the most perilous year in American history. March 12, 1863 was at the low point of the Lincoln's prospects for victory. Two little-known years of war remained – although, at the time, it seemed as if the end might never come. And it was far from clear then that the Union would even survive.

The events of the time were momentous. The appointment came some six months after Antietam, the bloodiest day of the Civil War, ten weeks after President Lincoln's Emancipation Proclamation took effect, and not nine days after the union draft was signed into law. The appointment also came just before the start of the spring campaign, two months before the Confederate victory at Chancellorsville, four months before Gettysburg and the surrender at Vicksburg, and eight months before President Lincoln delivered the Gettysburg Address.

In a remarkable historical coincidence, the new federal courtroom, where the Imperial Room of the Amway now

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Subtotal = \$ \_\_\_\_\_

FBA Member Discount (15%) ..... - \$ \_\_\_\_\_

Total amount enclosed \$ \_\_\_\_\_

The annual membership year runs from November 1 through October 31.

Membership contributions are cumulative. *E.g.*, a member who makes contributions eventually totaling \$2,500 becomes a Life Member.

Student Member's Name: \_\_\_\_\_

Individual Member's Name: \_\_\_\_\_

Contributing Member's Name: \_\_\_\_\_

Founding Member's Name: \_\_\_\_\_

*Contact person if different from Contributing or Founding Member*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Please make checks payable to: *The Historical Society for the USDC, WD of MI*

Mail the application, check and completed questionnaire (next page) to:

The Historical Society for the USDC, WD of MI

110 Michigan Street, NW, Room 399, Grand Rapids, MI 49503-2313

Contributions are tax deductible within the limits of the law.

Please indicate if this is a gift membership or if it is a special contribution.

\_\_\_\_\_ Amount \_\_\_\_\_

(Name of donor, intended honoree, memoriam, etc.)

**MEMBERSHIP QUESTIONNAIRE**  
(submit with check and application form)

Dear New Member:

Please let us know of your interests and skills and whether you would be willing to share those with the Historical Society. Help us by completing this short questionnaire.

Name: \_\_\_\_\_

Firm name, Employer name, or Organization represented: \_\_\_\_\_

Special interests or experience in the field of history, local history or legal history: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Suggestions for programs, projects, or activities for the Historical Society: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please check all the following that interest you:

- Writing articles for the Historical Society newsletter
- Layout and/or production of a newsletter
- Annual Meeting (planning and production)
- Oral History Project
- Research in specific legal history areas
- Fund development
- Membership Drive
- Archival Collection and Preservation
- Legal Issues relating to archival and oral history collections (copyright, ownership, etc.)
- Exhibit Preparation
- Small Group Presentations to Adults
- Small Group Presentations in Schools
- Other (Please describe) \_\_\_\_\_

\_\_\_\_\_

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