

For the People

A Newsletter of the Abraham Lincoln Association

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Springfield, Illinois

The First Slave Freed by Abraham Lincoln: A Biographical Sketch of Nance Legins (Cox-Cromwell) Costley, circa 1813-1873

by Carl M. Adams

A “Negro girl named Nance” first attracted nationwide attention in 1866, about eighteen months after the assassination of President Abraham Lincoln. Chapter three of Illinois Republican Congressman Isaac Newton Arnold’s book, *The History of Abraham Lincoln and the Overthrow of Slavery* (1866), is subtitled: “Pleads the Case of the Negro Girl ‘Nance.’” Subsequent Lincoln biographers believe that Arnold acquired information of this case from William H. Herndon, Lincoln’s abolitionist junior law partner. The biographers who wrote of Nance (pronounced Nancy) each restated the basic fact that Nance obtained her liberty from servitude during the proceedings of Lincoln’s first Illinois Supreme Court session in the 1841 case of *Bailey v. Cromwell*. Arnold

Editor’s Note: The feature article comes to us from Carl M. Adams, an independent researcher from Pekin, Illinois. Several years ago, Mr. Adams came to me to discuss his interest in finding out more about Nance Costley. He had discovered that Nance was the same litigant in the precedent setting *Bailey v. Cromwell*. His years of research have uncovered an inspiring story of a determined individual who fought for her own freedom and for that of her children. The theme of freedom continues throughout the Costley story.

would have been surprised to learn that Nance was still alive when his book was published and was a respected member of her community living in a log cabin along the Illinois River on the north edge of Pekin in Tazewell County, Illinois.

On January 7, 1881, Arnold gave a speech before the Illinois Bar Association in Springfield. Arnold speculated that “this was probably the first time that he [Lincoln] gave to these grave questions [on slavery] so full and elaborate an investigation . . . it is not improbably that the study of this case deepened and developed the anti-slavery convictions of his just and generous mind.”

Arnold did not need to speculate. He missed an eight-year window of opportunity to simply go back and ask Nance. She lived a short ten-minute walk from the first Pekin court house of the Tazewell circuit on the road that Lincoln had to use to get to the Metamora Court in Woodford County and to Peoria in the 1850s.

Had Arnold spent a little more time checking with others in Springfield, he might have learned that Nance had been auctioned in 1827 as a slave at the only recorded slave auction in the history of the legendary “Land of Lincoln.” Arnold could have learned that the spot where the auction was held was only a short distance from the Lincoln-Herndon Law Office.

If Arnold had checked the Supreme Court records while in

Springfield, he would have learned that Nance was also the only known child in nineteenth-century Illinois courts to appeal to the Supreme Court as plaintiff in the 1828 case, *Nance, a girl of color v. John Howard*. A legal determination that she was under the age of eighteen was key to tracing her family.

Had Arnold been a student of English legal history, he might have recognized the name of Cromwell as synonymous with basic English and American principles of civil liberties. The *Bailey v. Cromwell* Supreme Court case originated in Tazewell County’s probate court. The suit was brought

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Mark Your Calendar

October 9, 1999

The annual Lincoln Colloquium will take place in Springfield on the University of Illinois at Springfield campus. Featured speakers will be Jean Baker of Goucher College, Edna Medford of Howard University, John H. Marszalek of Mississippi State University, and Paul Verduin of the Abraham Lincoln Institute of the Mid-Atlantic. A CD-ROM demonstration of the Lincoln Legal Papers will also be demonstrated. For further information, call (217) 492-4241.

October 22-23, 1999

The Conference on Illinois History will take place in Springfield at the State Capitol and at the Illinois State Library. Of special interest are sessions on the anti-Lincoln tradition, the sculpture of Leonard Wells Volk, early Illinois politicians of the Lincoln era, a panel discussion of James Davis’s, *Frontier Illinois*, and various Civil War topics. For further information call (217) 782-2118.

President's Column

by Donald R. Tracy

In Springfield, Abraham Lincoln's presence is everywhere, everyday, which is to be expected. What is surprising, however, is that Lincoln continues to be a part of American daily life not just in Springfield, but throughout the country and perhaps, indeed, the world.

To illustrate, my family and I recently traveled to Harbor Springs, Michigan for an end-of-summer vacation. Upon checking in at the Colonial Inn, the innkeeper asked about the recent controversial allegation regarding Lincoln's relationship with Joshua Speed. In response, I pointed out that this is not the first time Lincoln has been commercialized to sell something, in this case, a certain social agenda, and that thus far, there is no credible evidence to support the accusation that Speed and Lincoln were more than good friends.

We then went to the beach, where my seven-year-old daughter, Tori, began building a sandcastle. Wading into the water, I found a small piece of plastic that had fallen from a boat. On giving it to Tori, she put it on top of her sandcastle where, because of its resemblance to a top hat, she promptly named her creation, Lincoln's SandCastle.

The next day we traveled to Mackinac Island. The Grand Hotel is even grander than I expected and it costs \$10 per adult just to walk across

the Hotel grounds and lobby. The Island's ban on motorized vehicles and resultant presence of hundreds of horses gives one an idea of what it must have been like to live in the days of horses and buggies--and the sanitation issues that result therefrom. On this trip, I learned that President Lincoln commissioned the Mackinac Lighthouse in 1861.

Upon returning to the real world, I traveled to Atlanta for depositions. The first morning there, while flipping through channels looking for morning news, I saw my good friend, Cullom Davis, on C-SPAN. No matter where you go, even if you want to, you cannot escape Lincoln--even in a city that was burned by one of his generals.

Turning now to the business of the Abraham Lincoln Association, thanks to Molly Becker, R-Lou Barker, Tom Schwartz, and Allen Guelzo, our second Membership Luncheon will be held on September 24 in downtown Springfield at the Sangamo Club. The Lincoln Colloquium, this year also in Springfield, follows on October 9. Our Annual Banquet will be February 12, at which Doris Kearns Goodwin will be the speaker, in addition to many distinguished speakers at our Annual Symposium the same day. I hope to see you at one or more of these great events.

1772, which knelled the end of slavery on the Island of Great Britain. In the United States the same law is known as *habeas corpus*. One wonders how our British cousins would react to the historic news that two hundred years later, a noble son of the House of Cromwell was ordered to appear in court by a female child slave. From Nance's point of view, however, turn-about was fair play.

Had Arnold been a student of the Revolutionary War, he might have read that a black manservant of the House of Cromwell, named Oliver, rowed "stroke oar" when George Washington crossed the Delaware River. Research found a slave named Oliver Cromwell on a tax list prior to the Revolution when Nathan Cromwell, Sr., was a neighbor to Shadrach Bond, uncle of the first governor of Illinois.

Had Arnold been a student of Illinois history, he might have realized that Nance had been born in the same house as the first Illinois state constitution, "the (General) Cox house (in Kaskaskia), in which we are told, the first constitutional convention was held . . . (still standing in 1879 in spite of flood damage, but now is under the Mississippi)."

Arnold may have assumed that an illiterate slave would know very little. Even though Nance was but five years old in 1818, she grew up in a commercial boarding house where public issues of the legislature were openly discussed. The two leading issues of the day were land titles and slavery, and her master, Colonel Thomas S. Cox served as one of the first state senators from 1818-1822.

During the 1822 legislative session, Cox was named chairman of the convention committee, intent on making Illinois a perpetual slave state by constitutional amendment. As Cox planned and directed the strategies of a most-heated election campaign through 1823-1824, he had no reason to believe that his ten-year-old domestic servant could possibly pose a threat to his long-term objective. However, the ear has no choice but to hear and

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by Dr. William Cromwell, son of Major Nathaniel Cromwell, Jr. (1772-1836), over a debt owed to his father's estate. Nathaniel Cromwell, Sr., a colonial aristocrat of Baltimore, had been one of the first state representatives of Maryland elected under the new constitution in 1788. The senior Cromwell was also one of the few surviving male descendants "of the blood of the Lord Protector of England Oliver Cromwell," the only ruler of England without royal lineage.

Lord Oliver Cromwell sponsored the petition of right in England's Parliament in 1628. The petition was intended to curtail royal abuse of power of King Charles I by giving specific civil rights to his loyal subjects. Among the rights that evolved from the document were no taxation without parliamentary consent, no billeting of soldiers in private homes, and no imprisonment without due process of law. That last provision evolved into, "The Great Writ," which was ultimately used to free slave James Somerset in

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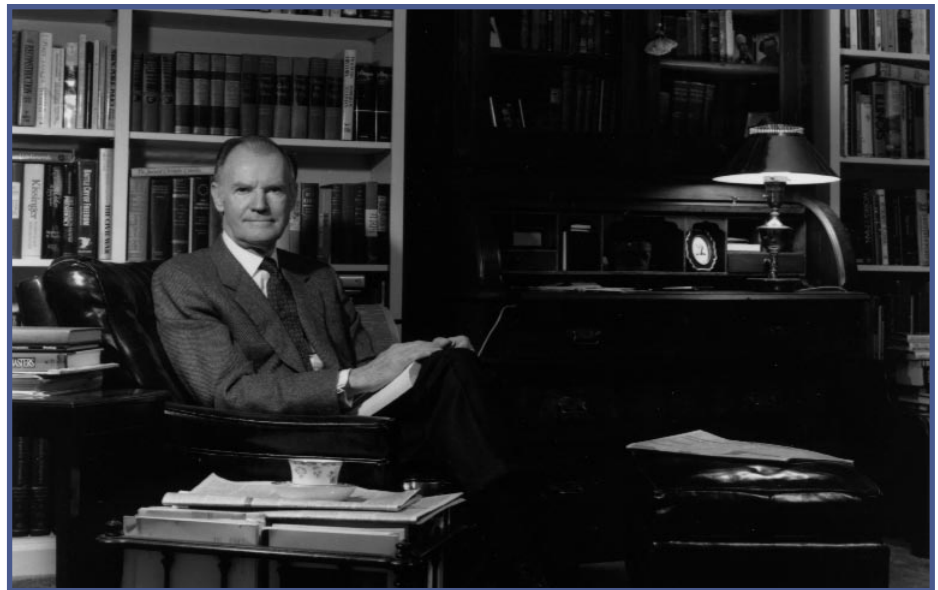
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Portrait of a New Board Member

Robert S. Eckley has always been interested in Abraham Lincoln. One great-grandfather entertained Lincoln on his farm along the Sangamon River near Mahomet (according to his grandmother), and another enlisted (at the age of forty-one, leaving a wife and four children on a farm) in the 102nd Illinois Volunteer Infantry in response

IWU and after retiring, he taught a course in international business. Prior to joining Caterpillar, he was an industrial economist at the Federal Reserve Bank of Kansas City. Immediately after retiring from IWU, he spent a year as Visiting Fellow in Economics at the Brookings Institution in Washington, D.C.

He was an engineering officer in



to Lincoln's call in 1862, and served under William Tecumseh Sherman from Tennessee to Atlanta, Savannah, Goldsboro, and ultimately to Washington, D.C. His interest intensified when he was serving on the board of the David Davis Mansion Foundation and read Willard King's biography of Davis, which introduced him to the unchronicled career of Leonard Swett, the third member of "the great triumvirate" of the Eighth Judicial Circuit according to Henry Clay Whitney.

Eckley is President Emeritus of Illinois Wesleyan University (IWU) and enjoyed a dual career in higher education and business. Prior to joining the staff at IWU, where he served for eighteen years as president, he was chief economist at Caterpillar for fourteen years. Earlier he taught economics for two years each at Harvard University and at the University of Kansas. For thirty years, both while at

the United States Coast Guard for three years during World War II, serving on a Navy vessel in the North Atlantic Ocean.

Eckley is a graduate of Bradley University, received an M.B.A from the University of Minnesota and an M.A. and the Ph.D. from Harvard University. He is the author of four books and has had articles published in the *Harvard Business Review*, *The Brookings Review*, *The American Economic Review*, and *Economic Development and Cultural Change*, among others.

He also served for twenty-seven years as a director of State Farm Insurance Companies, and for twenty-one years as a member of the board of Central Illinois Public Service Company. He is currently engaged as a consultant to State Farm's chairman on education. Eckley is chair of the Abraham Lincoln Association's Endowment Committee.

The First Slave Freed By Abraham Lincoln

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seventeen years later Nance would ultimately prove him wrong.

If Arnold had been interested in military history, he might have learned that Nance's first son, William H. Costley (misspelled Corsley in the Adjutant General's report), born in 1840, had joined the Union cause during the Civil War. He enlisted with the First Regiment Illinois Colored Volunteers in September, 1864, which was reorganized as the Twenty-ninth Regiment United States Colored Infantry of Illinois. After the war, he was sent to Texas as an original "Buffalo Soldier."

Enlisting in 1864 was an act of raw courage. It was just seven weeks after the Battle of the Crater at Petersburg, Virginia, where racially motivated atrocities had peaked. Since the Fort Pillow Massacre, soldiers on both sides of the battle and colorline were killing captives. At the Battle of the Crater, hundreds of African American Union troops had been trapped on the battlefield and summarily executed. The Twenty-ninth was not at full strength before the battle and suffered over 70 percent casualties.

Illinois Governor Richard Yates had put out the cry to rebuild the black regiment. Lincoln's reelection was at stake, which put the Emancipation Proclamation in jeopardy. Nance's family sent a full rifle squad: her first son Bill, her first son-in-law Edward Lewis, and future sons-in-law George M. Hall and one of the four Ashby brothers. They fought in battles at Hatcher's Run, White Oak Road, Fort Gregg, Petersburg, and Appomattox. Bill was wounded in the shoulder, forcing him to spend the last week of the war in the hospital.

In the April 9, 1865, attack, the Twenty-ninth formed the center of Colonel W. W. Woodward's Brigade. Woodward was ordered to fill the center gap between two other infantry divisions cutting off General Robert E.

Lee's escape and advance. After attacking for over a mile, the rebels retreated. A white flag was flying; the South had surrendered. On the battlefield, in the center of Woodward's Negro brigade, stood the Twenty-ninth. Company B had seen the service of Bill Costley, born a slave who was but a year old when Nance was freed, making him one of the first slaves freed by Lincoln twenty-four years earlier—a moment of history.

If only Arnold had gone back to interview Nance in the final years of her life in the early 1870s, he would have learned that the last trial of Nance's life had been the most frightening. At the December, 1870, term of the Tazewell County Court, Nance's first son was put on trial for killing a white man. An intoxicated man, previously convicted of rape, was beating a woman in the street in front of witnesses. Bill had given the man fair warning to stop. Ignored, the Civil War veteran pulled his service revolver and killed the man with one shot to the chest.

The People v. Wm Costley, alias Wm Corsley, alias 'Nigger Bill', opened on December 21, 1870. Without question, Bill had pulled the trigger and the testimony consisted largely of character witnesses. In the dramatic two-day trial, an all-white male jury judged Bill not guilty. He was acquitted on the grounds of justifiable homicide by protecting a woman in need.

Had Arnold traveled to Tazewell County by train, he might have learned that Nance had sent her second son, Leander, to school to learn to read and write. Due to his education, Leander had become a porter on the Peoria, Pekin, and Jacksonville Railroad a year before George Pullman produced his first sleeping car.

Had Arnold traveled by horse, he might have learned that Nance's third son, James, was a keeper of horses, and that her daughters were all married with families of their own. If Arnold had checked the 1870 Peoria city

directory, he would have read the following local tribute to the first slave freed by Abraham Lincoln:

With the arrival of Major Cromwell, the head of the company that afterwards purchased the land upon which Pekin is built, came a slave. That slave still lives in Pekin and is now known, as she has been known for nearly a half a century, by the citizens of Pekin, [as] "Black Nancy." She came here a chattel, with "no rights that a white man was bound to respect." For more than forty years she has been known here as a "negro" upon whom there was no discount, and her presence and services have been indispensable on many a select occasion. But she has outlived the era of barbarism, and now, in her still vigorous old age, she sees her race disenthralled; the chains that bound them forever broken, their equality before the law everywhere recognized and her children enjoying the elective franchise. A chapter in the history of a slave and in the progress of a nation.

But Lincoln was gone. And Arnold did not pursue these leads.

Mysteries Of Mr. Lincoln's Glasses

by Ralph S. Riffenburgh, M.D.

Five pair of glasses are known to exist that supposedly belonged to Abraham Lincoln. The first pair reported was in the collection of Oliver Barrett, a Chicago attorney and famed Lincoln collector (see photo 1 on page 8). This pair appears in Carl Sandburg's 1956 book, *Lincoln Collector: The Story of Oliver R. Barrett's Great Private Collection*. Unlike most of Barrett's collection, no provenance is given. In 1974, this pair was reported as being 6.50 in power, a very farsighted correction. Many conclusions were drawn from this high power, including that the cause of Lincoln's chronic headaches was a wandering eye. It was also used as support for Lincoln having Marfan's Syndrome (a rare congenital condition that may include dislocated lenses in the eyes).

Most people begin to lose the
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An Account of Soldier Voting in 1864

Solomon Wieder Hagerty (February 28, 1842- January 29, 1867) served in the United States Marine Corps in Washington, D.C., at the time of the 1864 Lincoln/McClellan presidential election. No one understood more than Abraham Lincoln what was at stake. His unwavering support of emancipation and a constitutional amendment to secure black freedom would be clearly jeopardized should George B. McClellan be elected. And Lincoln knew that there was a strong likelihood that he would lose. In prepara-

November 5th 1864

To day there came in Barracks a person who reported himself an agent from Philda to see that the marines could vote. A rumor was soon spread through the Garrison that we would get a furlough to go home & vote. This agent was the Segt. Major in canteen, where an order was given for the Penn soldiers to report in the Segt's room. After 11 o'clock. In accordance with the above we assemble therein. This agt. Segt Major & police Segt formed a Board to receive the petitions of those who wished to vote. Agent said his main object was to see that *all* should have tax receipts to enable them to vote according

where he expressed himself somewhat as follows: "Now I wish you to be vigilant & find out who are right (for Abe). I have here receipts all I have to do is just to sign them. We must see that those G-d-d—n sons of Bitches (Democrats) shall have no vote. So I will give you these receipts and you will give them to our men. And when the d—n Copperheads go to vote challenge them on the ground of having no tax receipt & thus prevent them from voting." He gave each of us a pamphlet of the "*Law regulating soldiers voting*," & told us to see that the Republican voters should get receipts & consequently votes. The democrats to have none if possible. He took Friend D———across it to prepare & give to him the tax receipts etc.

Sunday Nov 6th very little was said on the subject of voting.

Washington, D.C. November 8th A.D. 1864

At about eleven o'clock all those who wished to vote were formed in ranks & marched down to Navy Yard where the balloting was going on. Arriving there, we broke ranks & were unrestrained by any officers. Intermingled with the crowd were persons of both parties soliciting votes for their respective candidates. The Abolition farce was found to play with ill success. The "worthy" into whose hands the receipts were placed succeeded in his game in only a few instances. But of course so far as to see that all republicans secured their votes.

After viewing the arrangement for some time I observed that many were challenged by the republicans & also many brought aliens who had no right to had voted. & others who should have voted were refused. At length I stopped to the window & deposited my vote & several who were watching to see for whom it was failed most accurately much to their dis-

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tion for defeat, Lincoln had his Cabinet sign a blind memorandum of support for a Democratic administration, should one be elected.

The following diary entry indicates that many in the military also understood what was at stake. Vote fraud is nothing new in American electoral politics, and it should come as no surprise that it occurred in the election of 1864. One, however, is left with the lingering doubt if things might have been different in a fair fight. The punctuation and spelling remain unchanged. The diary entry is printed with the permission of John Scarbrough, whose great-grandfather was the brother of Solomon Hagerty.

to law. Taking the names and residences of each as he gave them in with all apparent honesty. Telling them he would get their receipts & send them by Monday following & preceding election day. Several were questioned for whom they would case their votes. Several answered. Some McClellan & others for Abe. One in particular who was loud in asserting that he was for Lincoln, was ordered to wait in the room till after proceedings. I presented my name in connexion with certificate of citizenship & tax receipt. I was asked whether I was a *republican*. In answering in the affirmative I was ordered to stand by a few minutes. After all were through their names & residences taken each at the same thinking this the kindest of men thers to work in their behalf. We were asked to walk along out in the street to his wagon,

Unless otherwise indicated, all photographs are courtesy of the Illinois State Historical Library, Springfield

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Man's Best Friend

One of the great myths in the publishing industry is that any book about Abraham Lincoln, pets, or health will sell. In a parody on this theme, Richard Grayson wrote a fictional piece, "Lincoln's Doctor's Dog." Dr. Rumney, Lincoln's fictional doctor, owned a dog named Sparky, who seemed to charm everyone from the president to General Ulysses S. Grant. In fact, Sparky's relationship with Grant was so close that an exasperated George B. McClellan declared "That damned canine is the only one to hold Grant's confidence." While Sparky is a creation of Grayson's fertile mind, a very real dog named Fido resided at the Eighth and Jackson home of Abraham and Mary Todd Lincoln.

Lincoln's love of animals is legendary. Of all the pets owned by the Lincoln family, only two had the honor of being photographed. One of those was Fido, the Lincoln family



dog. What we know of the yellowish mixed breed—what would have been called a mongrel in Lincoln's day, the Westminster Dog Show today proudly calls the "All American"—is detailed in recollections by Isaac Diller, a playmate of Willie and Tad, and John Linden Roll, another playmate and last caretaker of Fido. Both Diller and Roll recall Fido as a playful and energetic dog. Because of the long, cramped train trip from Springfield to Washington, D.C., the Lincolns decided to leave Fido behind. The Lincoln boys, however, managed to persuade their parents to have photographs of Fido made at F. W. Ingmire's studio. Fido was not a good subject to photograph, since he could not sit still long

enough for the negative to develop.

The slightly blurred photographs seemed to satisfy the boys. At least they had something with which to remember Fido. And the photographer later used the negatives to make images of "President Lincoln's Dog"



available for the larger buying public. The dog was left with John Linden Roll and Frank Roll, playmates of Willie's and Tad's. The Roll boys enjoyed Fido and took good care of him. William Fleurville, Lincoln's Springfield barber, included mention of Fido in his letter to the president dated December 27, 1863. "Tell Taddy that his (and Willys) Dog is alive and Kicking doing well," Fluerville wrote, adding "he stays mostly at John E. Rolls with his Boys."

Fido's carefree life took a tragic turn less than a year after the funeral of the Sixteenth President. According to John Linden Roll: "We possessed the



dog for a number of years when one day the dog, in a playful manner put his dirty paws upon a drunken man sitting on the street curbing [who] in his drunken rage, thrust a knife into the body of poor old Fido. He was buried by loving hands. So Fido, just a poor yellow dog met the fate of his illustrious master—Assassination."

Mysteries Of Mr. Lincoln's Glasses

continued from page 4

effectiveness of their close vision in their forties, requiring glasses for close work, and Lincoln was not exempt from this result of aging. He obtained glasses—probably his first—at age 47. He was in Bloomington, Illinois, for a political convention on May 28, 1856. On his way to the train station to meet other delegates, he stopped at a small jewelry store and purchased a pair of glasses for 37 1/2 cents.

On several occasions between this time and becoming president, it is recorded that he had to put on his glasses in order to read materials from a speech and that he made jokes about needing them.

While president, he purchased glasses at Franklin Optical Company in Washington. They still have the check for \$2.50 that Lincoln gave them for a pair of glasses on May 4, 1864 (see photo on next page). Unfortunately, the prescription for the glasses was not kept. Two pairs of glasses were found on Lincoln's body. They were noted in the autopsy report and returned to his son, Robert Todd Lincoln. They were placed in the locked papers that were not to be opened for many years after Robert's death. After the papers were opened at the Library of Congress, the chief optometrist of the Veteran's Administration (see photo 2 on page 8) examined the glasses in 1977. A set in a Franklin Optical Case measured +1.75. This pair has temples with two parts that slide to make the glasses more portable. One temple is inscribed, "A. Lincoln, presented by Ward H. Lamon." Lamon was a lawyer who rode the circuit with Lincoln and was appointed marshal of the city of Washington when his friend became president. This would not have been the pair that Lincoln wrote the check for as these were a gift from Lamon.

The other pair measured +2.00 and was in a silver case. This was a folding pair, made to fold both at the

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 bridge and temples to fit in the tiny pocket case.

Lincoln is seen wearing glasses in only one of his many portraits—a photograph where he and Tad are examin-

other pictures, he holds glasses in his hands. One has been said to be identified as the Barrett glasses by the magnification of the image but this appears to be a reflection of the light used for the photograph. The shape of the bridge and type of hinge are clearly different. None of those that he was holding are identifiable as any of the pairs that are known.

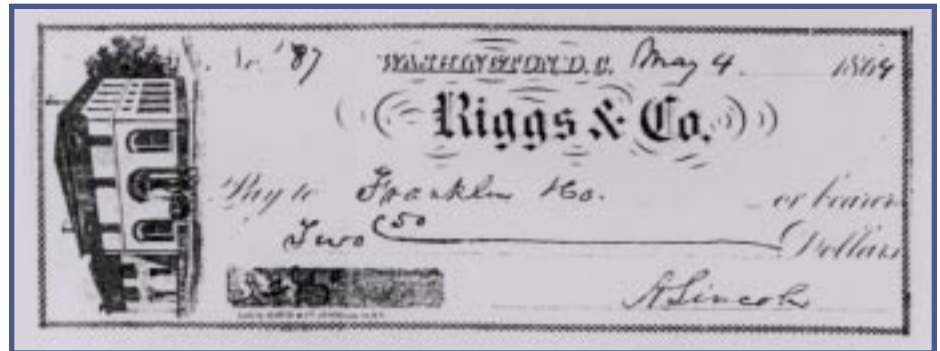


Another pair was shown with the Lincoln exhibit at the Huntington Library and the Chicago Historical Society (see photo 3 on page 8). I have been unable to obtain access to this pair but was able to take pictures in the exhibit case. They are approximately +2.25, estimated by the magnification seen in the case.

ing a photographic album in Mathew Brady's studio (above). These appear to be the folding pair from the Library of Congress Collection. In several

Lincoln's distance vision was always good; he was able to shoot accurately with a rifle without glasses at age 56. This would not have been possible if his correction were strong enough to have used the Barrett glasses. He never wore glasses for distance. In view of this and the relative consistency in the other four pairs, it appears that the Barrett glasses were a period pair that had not belonged to Lincoln. The other pairs are consistent with what we know of Lincoln's visual history, but only one is identifiable in pictures of him with glasses.

The Dr. D. Gary Lattimer Collection has another previously undocumented pair (see photo 4 on page 8), passed down in a family related to Lincoln, together with a pair from Robert Todd Lincoln. These glasses are +2.25 in power and also have sliding temples.



(Franklin Optical Co.)

APPLICATION FOR MEMBERSHIP

Please enroll me as a member of the Abraham Lincoln Association in the category indicated:

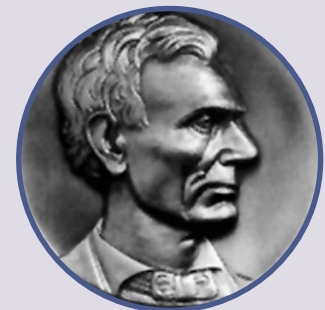
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An Account of Soldier Voting in 1864

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comfiture. I exercised my rights for the man I had previously supplied & not according to the supposition of our Rider Agent nor my republican friend wither. Wilson also voted for the same. There was a great deal of bustle clashing of ideas among the men but no disturbance occured. After all had voted we were again

formed in ranking marched back to the Barracks. In about an hour we heard the result of the election to be 35 for Abraham and nineteen for "Mac." I took it to be just the reverse or at least expected that such would be the case. After it was over there was a great deal of dissatisfaction expressed by men many of those who failed to get a vote.

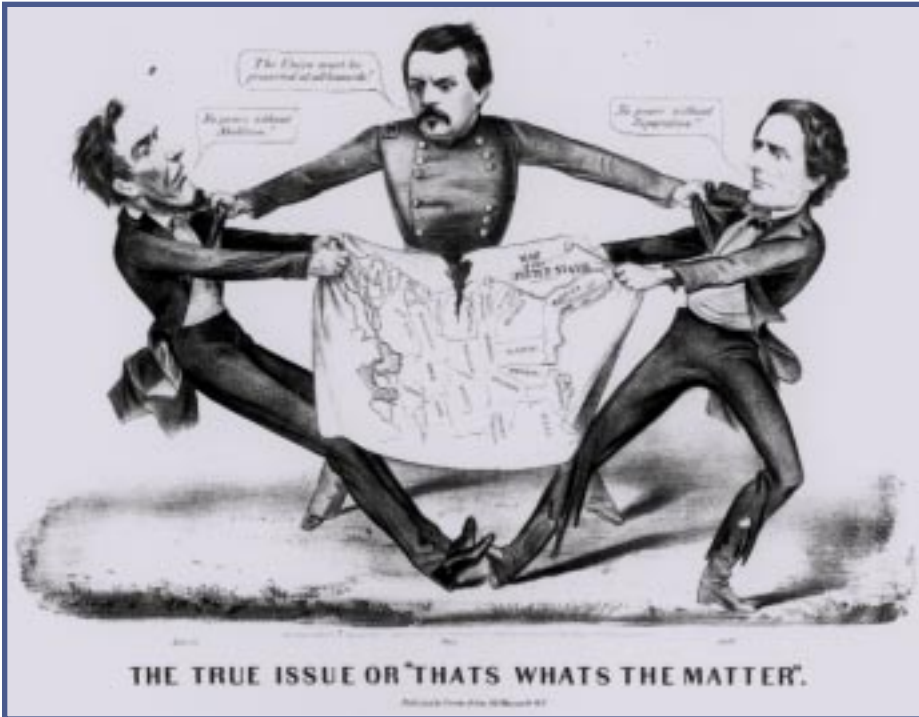


Photo 1 (Chicago Historical Society)

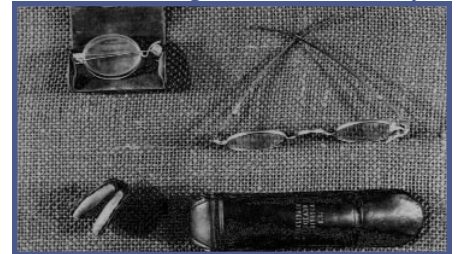


Photo 2 (Library of Congress)



Photo 3 (Louise and Barry Taper)



Photo 4 (Dr. D. Gary Lattimer Fdn.)

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