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Book looks at Lincoln's legal work

Illinois attorney studies life riding along 8th Circuit

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SPRINGFIELD — When Bloomington attorney Guy C. Fraker got an idea for a book several years ago, he said he faced one major fear.

Since his topic involved Abraham Lincoln, he worried that someone already exhausted the issue, he said.

But Fraker said no previous account fully detailed the life the eventual president led while riding on horseback to find legal work throughout the state's 8th Circuit.

Those years paved the way for Lincoln's future successes, Fraker said, thanks to skills he developed and relationships he built.

"It's not a story merely about central Illinois, it's a story about Abe Lincoln, who saved democracy — and the world, in a sense," he said. "There's no question he got to the place where this nation needed him to be because he had been a lawyer in central Illinois."

His efforts culminated Friday, when Southern Illinois University Press released his first book, "Lincoln's Ladder to the Presidency: The Eighth Judicial Circuit."

The 352-page book details Lincoln's 23-year legal career, much of which he spent traveling between the 17 counties that at various points made up the circuit.

Each spring and fall, one judge and several attorneys journeyed together from county seat to county seat, handling any legal matters that awaited them.

Circuit rides took 10 to 12 weeks and the attorneys stayed in mediocre inns, sharing beds or sleeping on the floor and eating greasy food.

While many of his colleagues returned home on the weekends, Lincoln stayed on the road, Fraker said, which reflects his interest in forming relationships and building a web of friends and allies.

"The more I dug, the more amazing it was to see how much influence he had on communities — and also the communities' influence on him," Fraker said.

The legal work proved as tough as the living conditions, Fraker said. The circuit featured the top attorneys in the state, but they arrived in each town with very limited time to prepare cases.

Lincoln thrived, however, thanks to his excellent memory and his skills as a cross-examiner, Fraker said. He didn't try to deliver stunning legal arguments, but instead made issues relatable to a jury.

Though attorneys constantly referred cases to Lincoln to handle before the Illinois Supreme Court, he didn't act as a student of the law. He studied books by the Greek mathematician Euclid, Fraker said, and often drifted off in thought while on horseback.

"Those miles of riding the prairie allowed him time to think," Fraker said. "None of us have time to think anymore — Lincoln, he took advantage of that time."

Lincoln, Fraker said, served as a true "working lawyer." Many attorneys often pursued outside business interests, but Lincoln made his living solely on the circuit, which required a large caseload.

Thus, he faced no qualms about representing one person in a suit, then taking a case against that same individual later. And even though he abhorred slavery, he once tried to help a Kentucky man get his slaves back, Fraker said.

"Historians wring their hands and talk about corruption of law," Fraker said. "But I don't see that. I see a guy who's hired to



Bloomington attorney Guy C. Fraker discussed his new book, "Lincoln's Ladder to the Presidency: The Eighth Judicial Circuit," at an Oct. 16 event at the Old State Capitol in Springfield. The book examines the life Abraham Lincoln led as a practicing attorney on the central Illinois circuit, riding on horseback from town to town to take up cases. *Josh Weinhold*

represent his client."

The connections Lincoln made on the circuit later elevated him to the presidency, Fraker said. Lincoln won the Republican nomination in 1860 due to a strategy executed by his fellow circuit lawyers, including David Davis, who Lincoln later nominated to the U.S. Supreme Court.

Marcia Young, site manager of the David Davis Mansion State Historic Site in Bloomington, which now features an exhibit based on Fraker's research, said Lincoln succeeded by using business networking.

"Facebook is only now figuring all that out," she said. "Lincoln figured that out under much more difficult circumstances. That's the tremendous story that Guy uncovered and is telling in this."

John Hoffmann, librarian and manuscript curator for the Illinois History and Lincoln

Collections at the University of Illinois, said Fraker's book forges new territory.

"There have been descriptions of the circuit in general, but not in such detail as Guy put into it," said Hoffmann, who Fraker frequently consulted during his research. "Guy went around looking for everything on each place."

While Fraker theorized that the 8th Circuit prepared Lincoln to become president, he also suggested that no other region could have produced such a leader.

Eastern courts would likely shun someone with Lincoln's frontier background, he said. And other nearby states didn't modernize as quickly as Illinois, which gave Lincoln the savvy required to survive on the national stage.

"It just so happens," Fraker said, "that Illinois and he were transformed together."