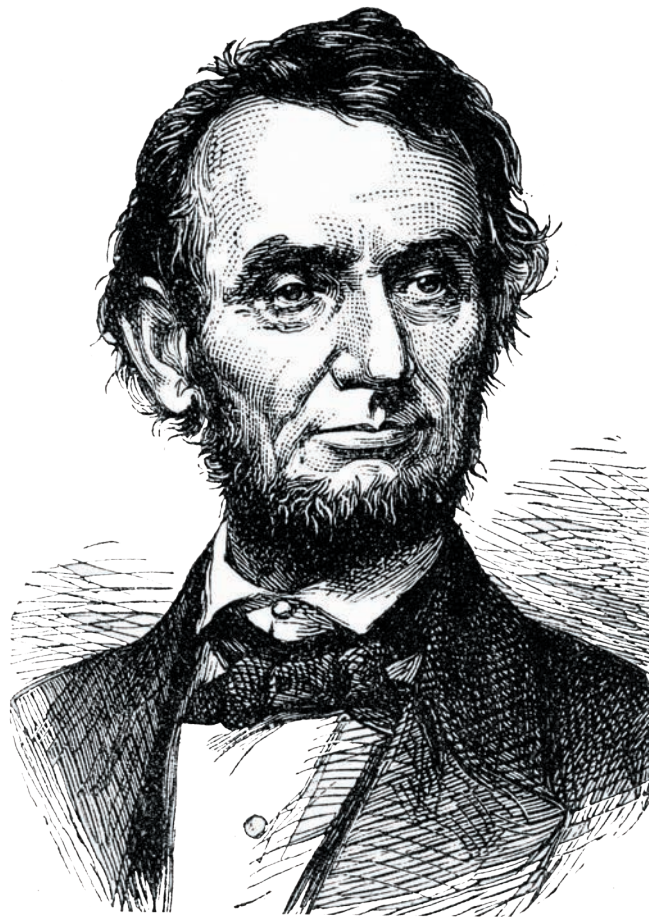


Abraham Lincoln as a Storyteller, *with Examples of His Ingenuity*

By Hon. Henry S. Cohn



Abraham Lincoln.

This article summarizes an important book entitled *Lincoln's Sense of Humor* (2014), written by prizewinning Lincoln biographer Richard Carwardine, which explains the background and purpose of Lincoln's storytelling. The article concludes with six examples that illustrate both the content of the stories and Lincoln's ingenuity.

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Lincoln and his cabinet discussing the Emancipation Proclamation.

Abraham Lincoln's trademark—like Theodore Roosevelt's bully pulpit and Dwight Eisenhower's golf game—was his storytelling. Lincoln's "Let me tell you a little story" came from his pre-presidential interactions with the public, "whether they were [with] rough-looking Sangamon County farmers still addressing him familiarly as 'Abe,' sleek and pert commercial travelers, staid merchants, sharp politicians, or preachers, lawyers or other professional men...." Lincoln was "never at a loss for a story or an anecdote to explain a meaning or enforce a point....None of his hearers enjoyed the wit...half as much as he did himself. It was a joy indeed to see the effect upon him.... His body shook all over with gleeful emotion...."¹

Perhaps Lincoln's most remarkable use of stories occurred on September 22, 1862. Lincoln and his cabinet met in a tension-filled session, with Lincoln about to read his preliminary Emancipation Proclamation.² To improve the mood of the members of the cabinet, Lincoln read two stories from one of his favorite humorists, Artemus Ward, before he read the official document.

Lincoln's storytelling was a lifetime habit, which began when he was a boy reciting humorous verse, continued through his twenties in New Salem when he was an attorney in the Eighth Judicial Circuit around Springfield, IL, and then into his

political years, including in his 1858 debates with Stephen Douglas and during his presidency. According to Carwardine, Lincoln's humor mellowed from his time in New Salem to his presidency. At first Lincoln's humor could be mean and insulting. His presidential staff, including John Hay, induced him to moderate his tone. Humor even played a part in Lincoln's last evening alive. Looking to celebrate the end of the war, he attended the comedy, *Our American Cousin*, with its laugh-out-loud dialogue.

Lincoln learned his basic skills from his father, who told stories in Indiana and Illinois taverns; sometimes when Lincoln was through working on the farm, he would be in the audience as his father performed. But Lincoln also developed a hobby of collecting stories himself and later trying them out on visitors, court opponents, and his presidential advisors.

He mainly relied on three English joke-books of the eighteenth century: *Royal Court Jester*, *Job Miller's Jests*, and *Quin's Jests*. Other sources included Lincoln's favorite newspaper, *The Louisville Journal*, filled with wit and humor, as well as Joseph Baldwin's satirical picture of legal life in the Southwest in the 1840s, and the book *Flush Times in Alabama and Mississippi*, with its colorful narrative. He also relied on *Phoenixiana*, "a book of California drollery, whimsy and absurdity by 'Squibob' (George Horatio Derby)."³

Of course, the Bible and Shakespeare provided "literary companionship," and Artemus Ward and Petroleum Nasby (David Locke) gave Lincoln "particular delight" with their satirical writings. They often provided Lincoln "with a low-brow text that, as a gifted mimic, he could perform as well as read."⁴

Lincoln's stories never shied away from self-mockery regarding his looks or his physical awkwardness. He loved tall tales and enjoyed word play and puns. He used his stories to show absurdities in others' arguments. Often his humor was witty—"If Grant is a drunk, send a few more drunks my way." From time to time, his stories were inappropriate. They could be coarse or indecent, describing bodily parts or bodily functions. Today some of the stories would be condemned for repeating slave or Irish immigrant dialect.

The topics were designed initially for a rural frontier audience, and featured horses, fishing, farming, and hunting. One other topic was the itinerant preacher. Lincoln told a story about his friend Jesse Dubois, who controlled use of the Illinois statehouse. A preacher came to town and requested to use the statehouse for a religious lecture. "What's it about," said Jesse. "The Second Coming of Christ," was the reply. "Nonsense," roared Jesse. "If Christ had been to Springfield once, and got away, he'd be damned clear of coming again."

Carwardine lists several benefits that Lincoln derived from storytelling: It picked him up from his well-known doldrums; it helped him identify with common folk; it allowed him to use the stories as a trial balloon for public reaction; it allowed him to defuse a strong counterargument from an opponent; and it served as a means of public education.

These techniques were often useful in court to win the confidence of jurors. Carwardine writes: "Exposing the false logic of an opposing counsel, he said he was reminded of 'the cooper who, having trouble in closing up a barrel, put

a boy inside to hold the head in place. The plan worked so well that the cooper drove on the hoops and finished the job, forgetting about the boy or how he was to be gotten out.”⁵

Storytelling led to attacks on Lincoln. Confederate spokesmen railed against the “smutty” president, as did Lincoln’s opponents in the 1864 election. After Lincoln’s assassination, however, such attacks faded away. Today Lincoln’s tales are read, according to a recent book by Elizabeth Brown Pryor, as are those of Ben Franklin, Mark Twain, or Will Rogers.⁶

Favorite Examples

1. From *Moonlight: Abraham Lincoln and the Almanac Trial*

by John Evangelist Walsh: Lincoln was defending a man sued for damages for an assault. He rose to speak, then “took off his coat. While he was removing his coat, I and all the others

noticed his eyes very intently fixed on something on the table before him. He picked up the object, a paper, from the table. Scrutinizing it closely and without having uttered a word, he broke out into a long, loud, peculiar laugh, accompanied by his most wonderfully funny facial expression.... He then took off his vest, showing his one yarn suspender, took up the paper, again looked at it and again indulged in his own loud peculiar laugh....[T]he whole audience ... broke out into a long, loud continued roar; all this before Lincoln had uttered a word....He apologized to the court for his seemingly rude behavior and explained that the damages as claimed were at first written as \$1000. He supposed that the plaintiff afterwards had taken a second look at the [defendant’s] pile, and had thereupon concluded that the wounds to his honor were worth \$10,000.”

2. From *Michael Burlingame’s biography*: Lincoln’s client was sued for assault and battery. Defending on the ground that the plaintiff was the aggressor, Lincoln told the jury that his client was in a position similar to that of a man who had been attacked by a fierce dog while walking down a country road. The man defended himself with a pitchfork he was carrying and unfortunately, a prong struck the dog and killed him. The dog’s owner, a farmer, appeared and yelled: “What made you kill my dog?” The man replied that the dog attacked him and he had defended himself. “But why did you not go at him with the other end of the pitchfork?” said the farmer. The man replied: “Why did he not come after me with his other end?”

3. From a *Hartford Courant* report of a speech that Lincoln gave in Hartford on March 5, 1860: Lincoln used the following analogy to explain the pre-Civil War Republican Party’s decision to oppose only the expansion of slavery, not the existence of slavery itself. “For instance, out in the street, or in the field, or on the prairie I find a rattlesnake. I take a stake and kill



him. Everybody would applaud the act and say I did right. But suppose the snake was in a bed where children were sleeping. Would I do right to strike him there? I might hurt the children; or I might not kill, but only arouse and exasperate the snake, and he might bite the children. Thus by meddling with him here, I would do more hurt than good....”

4. From *Mr. Lincoln’s T-Mails* by Tom Wheeler: President Lincoln at the Department of the Treasury, looking at a stack of telegrams, said, “Well, boys, I am down to the raisins.” When asked about the phrase, he explained (in Wheeler’s summary) as follows: “There was a young girl who over-indulged in the food at her birthday party, topping it off with raisins for dessert. During the night she became ill, ‘casting up her accounts.’ When the doctor arrived, he inspected the contents of the basin into which she had been discharging. Noticing the small black objects that had just appeared, the doctor told the anxious parents that the danger was passed as the child was ‘down to the raisins.’” Lincoln did not have to look further in the stack of telegrams; he had reached the end of the most recent dispatches.

5. From a collection of the Rev. William Hayes Ward (1895), also available in other works: President Lincoln had to decide whether to approve or coun-

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Supreme Deliberations

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sufficient to allow them to make an informed decision regarding disposition of stored pre-embryos. Fourth, most state courts have adopted the contractual approach. Fifth, various professional organizations involved in the field recommend the use of advance directives regarding disposition of pre-embryos. Having defined the playing field, the Court makes quick work of reversing the trial court's conclusion that there was no consideration for the parties' storage agreement with UConn or that it was unenforceable because the parties were required to check a box indicating their decision.

Upon finding a valid contract between the parties, the Court might have been content to call it a day. It left dangling, however, two potential issues. First, the Court held open the possibility that, where a contract would require one party to become a genetic parent against their wishes, the contractual approach might not be appropriate or, if it was, such a contract might be found unenforceable for other reasons, including public policy. Second, the Court

also left open what to do in the absence of an enforceable agreement between the parties.

Finally, there remained how, if at all, to deal with the husband's claim that the pre-embryos were human beings. Justice D'Auria's solution is adroit. First, the husband's claims were made based on the assumption that the trial court had correctly concluded the parties did not have an enforceable agreement. And because there was an enforceable agreement, his claims fail. Second, to the extent that the husband claimed that any agreement that would allow for the disposal of pre-embryos is unenforceable as a matter of public policy, that claim is not reviewable, given that the husband did not raise it in the trial court and did not present any evidence in support of his thesis that pre-embryos are human beings. Case closed. At least for the time being. ■

NOTES

1. The brief is available here: www.supremecourt.gov/DocketPDF/18/18-280/112010/20190812151259076_18-280bsacSenatorSheldon-Whitehouse.pdf.

Consumer Protection

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5. See, e.g., *Web Press Services v. New London Motors*, 203 Conn. 342 (Conn. 1987) discussing the difference between mere "puffing" (such as a general statement that a used car is in "excellent" or "mint" condition) and express warranties (such as a statement that a used car will provide at least XX miles to the gallon if driven at a steady 60 miles per hour) and various Connecticut Statewide Grievance Committee advertising advisory opinions, counseling against the use of superlative terms in lawyer advertising to describe legal services (because such terms generally cannot be supported by a reasonable factual foundation).

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Lincoln Storyteller

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term and an order given by Edwin Stanton, Secretary of War, to a Union general in Alabama. "Well, that is very much like the occasion of a certain horse sale I remember that took place at the cross roads down in Kentucky when I was a boy. A particularly fine horse was to be sold, and the people gathered together. They had a small boy to ride the horse up and down while the spectators examined the horse's points. At last one man whispered to the boy as he went by: 'Look here, boy, hain't that horse got the splints?' The boy replied: 'Mister, I don't know what the splints is; but if it is good for him he has got it, if it ain't good for him he ain't got it.'"

6. From Elizabeth Samet, *The Annotated Memoirs of Ulysses S. Grant*: This account, taken from a memoir by a servant at the White House, shows the relationship between Lincoln, his wife Mary, and Grant. "Mrs. Lincoln could not tolerate General Grant. 'He is a butcher,'" she would often say, 'and is not fit to be at the head of an army.' 'But he has been very successful in the field,' argued the President. 'Yes, he generally manages to claim a victory, but such a victory! He loses two men to the enemy's one. He has no management, no regard for life. If the war should continue four years longer, and he should remain in power, he would depopulate the North. I could fight an army as well myself....' 'Well, mother, supposing that we give you command

of the army. No doubt you would do much better than any general that has tried.' There was a twinkle in the eyes, and a ring of irony in his voice." ■

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NOTES

1. Henry Villard reporting in *Sixteenth President-In-Waiting* (Michael Burlingame, ed. 2018), n.77.
2. This proclamation stated that unless the South ended hostilities by January 1, 1863, there would be an emancipation of slaves effective on that date in certain regions of the Confederacy.
3. Carwardine, p.38.
4. *Id.*
5. *Id.*, p. 100.
6. *Six Encounters with Lincoln*, p. 74.