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There is a bridge between some of the events of the Mormon immigration of 1856 and later years, and Abraham Lincoln, then only one of the leading members of the bar on the frontier of the United States.

Many changes in route and mode of commerce within the continental United States occurred in the 1850's. Up until 1856, most immigrants bound for Utah came to New Orleans and changed from ship to river boats for the trip up the Mississippi River until they reached the trails westward across the Great Plains. Rivers formed the structure of the transportation system.

While such a trip was a relatively easy affair, travel along the river, particularly when done in the late spring and early summer, seemed to produce sore distress of body or mind and death struck at many who were seeking the land of promise in the Great Basin.

When the railroads became sufficiently reliable to attract passengers and competition became sufficiently acute to reduce the expenses for the trip, the directors of the Perpetual Emigrating Fund decided to route the Utah-bound immigrant to New York and Boston ports[1] and utilize the railroad for transportation to the jumping-off point in Iowa.

Thus it was that the not untypical company under the direction of Captain Edward Martin found themselves at the Mississippi River on July 8, 1856.

One of the company wrote in his journal, "We crossed the river on a steamboat because the bridge was burned down."[2] This type of crossing necessitated changing trains, but the immigrants had changed trains many times between Boston and Rock Island. Most of my readers who have made the train trip across the country can probably remember changing trains and

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[1]Letter, Brigham Young to F. D. Richards, dtd. September 1855, published *Millennial Star,* XVII (December 27, 1855), 813-14.

[2]McBride, Heber Robert, Journal of, Typescript, B.Y.U. Library, Special Collections.

stations at Chicago. That change, expected beforehand and made with the help of porters, baggage handlers and Parmallee Cars, is relatively easy to negotiate. But in 1856 a far different situation existed. Railroading was still an exciting and new affair.[3]

In 1856, changing trains was necessary at a number of places between Boston and the eastern shore of the Mississippi. There was no bridge yet at the crossing of the Hudson River. Because of changes in railroad lines and the lack of inter-exchanged equipment, it was necessary to change trains at Buffalo, Erie, Cleveland, Toledo and Chicago.

The appropriately named Miss Patience Loader who made the trip about this same time in 1856, wrote in later years of the kindness of "one of the guards" in Cleveland who found a room upstairs in the depot where the family could stay as long as they had to wait for a connecting train.[4] It was a far different story that her brother-in-law John Jaques told of the employees in Toledo.[5] He also wrote of "the night they were in Chicago," when a fire occurred "which some of the emigrants went to see and to help put out."[6]

That most of the changes were anticipated did not make them any easier. It is clear that the immigrants handled their own baggage,[7] and each change of trains meant handling everything at least twice. How often the advice given to them while they were still in England, to leave everything possible behind,

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[3]December 25, 1830 was the date of the first scheduled passenger service in America with American-built equipment. It was 1834 before New England had its first passenger train service, and that between Boston and Newton. Chicago got its first locomotive, the "Pioneer," in 1848, more than a year after the first Utah pioneers were in the Great Salt Lake Valley. *A Chronology of American Railroads* (Association of American Railroads, Washington, D.C., 1962).

[4]Patience Loader Roza Archer Journal, Typescript, B.Y.U. Library, Special Collections.

[5]He wrote: "Toledo was the place where the railroad employees were the most discourteous, uncivil, and harsh in conduct towards the company. Scarcely had the train arrived at the depot there, when the energetic but vulgar salutation was hurled at the emigrants—'Why the h--l don't you get out of those cars?' " He added his own thoughts: "Those employees must have belonged to that peculiar class of people who never tire of boasting that they live not in a despotic empire nor in an effete monarchy, but in a democratic republic, a free country, a land of liberty, where one man is as good as another, and a great deal better if he has more cheek and impudence. . . ." Salt Lake *Herald,* January 5, 1879.

[6]*Ibid.,* December 1, 1878.

[7]Letter to writer from Mr. Charles E. Fisher, Pres., Railway and Locomotive Historical Society, Inc., dtd. September 24, 1963; letter from James G. Pate, Exec. Assistant, Office of Public Relations, Rock Island Lines, dtd. July 31, 1963.

must have come to mind. Some must have said: "It just goes to show that one should follow counsel!"[8]

There was, however, one change that was not expected. Jaques reports: "At Pond Creek it was learned that the Bridge at Rock Island had fallen while a previous train was passing over it."[9] This change was as difficult as any previously experienced, for it required that baggage be off-loaded from the train from Chicago, carried to the steamboat landing at Rock Island, loaded aboard the steamer, and the process reversed and repeated on the Davenport side.

This loading and unloading was unexpected, for while all earlier immigrants from the eastern port cities had had to make such a change, early 1856 saw the finish of three years' work on the first bridge crossing of the Mississippi River.

A corporation had been formed to represent the interests of the two railroads meeting at this point and plans laid to cross the Father of Waters. As welcome as a bridge across that river may seem to us today, the announcement then of such plans was not greeted with happiness in many quarters. "It was contrary to nature!" "If God had wanted such a bridge, He'd have built it when He was arranging things!" Such a structure, it was claimed, would jam up the ice and flood out the whole countryside. Such a bridge would be a peril to navigation and most important of all, it might divert trade from the river. "After all, the river traffic was here first!"

The Chamber of Commerce of St. Louis, allied as it was with the river interests, declared its view that such a bridge would be "unconstitutional, an obstruction to navigation, dangerous, and that it was the duty of every western state, river city, and town to take immediate action to prevent erection of the structure."[10]

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[8]*Millennial Star,* XVIII (1856), 122-124.

[9]Salt Lake *Herald,* December 29, 1878. He continued: "Erastus Snow and some other Utah people were on that unfortunate train, but escaped uninjured." No one else, to the writer's knowledge, has ever mentioned the involvement of any train (the bridge was open for the *Effie Afton*). It is hard to know what Jaques (then ass't. Church historian) was referring to.

[10]Carl Sandburg, *A. Lincoln, the Prairie Years* (New York: Harcourt, Brace & Co., 1926), Vol. II, p. 37.

To allay the fears of the river men, the bridge was designed with a wide draw and the draw was always to be open save when a train was ready to cross the river.[11]

Still the river men were not to be satisfied. When the construction work started on the rails across the island which sat near the middle of the river, the river men appealed to Jefferson Davis, then Secretary of War. He forbade the Bridge Company to break ground, for that island—Rock Island—was the site of Fort Armstrong. It did not seem to matter that Congress had spoken in 1852 and had granted "rights of way to all rail and plank roads . . . through the public lands of the United States."[12] Davis ordered the United States Attorney for Northern Illinois to seek an injunction to stop the company from using federal lands and to prohibit them from blocking the river. The application for the injunction was heard by Associate Justice John McLean of the United States Supreme Court, who was riding circuit[13] as judges in that day were required to do. Judge McLean upheld the rights of the Bridge Company and denied the application.[14] The Company was free to proceed.

Construction of such a bridge was a large undertaking. A contemporary description helps visualize the magnitude:

> Its . . . length will be 5832 feet, consisting of spans of 250 feet each, exclusive of bearings. The river is divided into two channels at this point by the beautiful isle, Rock Island. The main channel is on the Iowa side, the second channel upon the Illinois side of the river. That portion of the bridge over the main channel is 1583 feet in length. The circular shaped draw-pier, which stands near the center of the channel, is 40 feet in height, 46 feet in diameter at the foundation, and 37 feet at the top. On each side of the draw-pier is a draw of 120 feet, working on the rotary principle, making, in all, a clear space of 240 feet for the passage of river craft.[15]

This structure was completed and the first official train passed over the first railroad bridge ever built across the Mississippi River on April 23, 1856.[16]

Six months previously, Cincinnati had been the scene of another different record-making accomplishment. The fastest

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[11] *Iowa As It Is in 1855, etc.,* (Chicago, Ill.: Keen and Lee, 1855) pp. 91, 95-7.

[12] 10 Stats. 28 (1852).

[13] District Court for the United States for the Northern District of Illinois.

[14] *United States vs. Railroad Bridge Co., et. al.,* 6 McLean 517.

[15] Parker, pp. 95-97. He gives extended additional details.

[16] *A Chronology of American Railroads,* p. 3.

ship of her draft, some two hundred and thirty feet long, side wheels measuring thirty feet across, with seven hundred ton capacity, the *Effie Afton* which had just entered the waters was the talk of the men and boys who lived for the river. Captain John S. Hurd had invested more than forty thousand dollars in the latest word in river boats.

It was the meeting of this boat and the new bridge that made history. Railroad historians describe the events leading up to May 6, 1856 in dark and sinister terms:

> The *Effie Afton* was moving slowly. None knew the steamboat's mission. Her destination hadn't been announced publicly. It never was.[17] Her appearance was a surprise; her mission was a closely guarded secret.[18]

To be objective, one must admit it is difficult to see into men's hearts, especially after the lapse of more than one hundred years. There is no reason to think that a ship of this size moving slowly on its first trip through a strange and new drawbridge was suspicious. It is impossible to say whether anyone knew of the ship's mission. It is reported that she carried two hundred passengers. If that is so, it is hard to imagine that they were on board but unaware of their destination.[19]

Whatever the reason for the ship's being at Rock Island, there is not very much dispute about the sequence of events thereafter. The railroad account reports that the *Effie Afton* had cleared the draw, then heeled over hard to the right, her starboard engine stalled, her port engine seemingly speeded up.[20] Beveridge reports only that while in the draw, the boat struck one of the piers.[21] Sandburg says, "She rammed into a pier of the . . . bridge. . . ."[22] John J. Duff wrote of the event: ". . . Parker, the pilot, pulled the bell ropes, and was answered by faint jinglings in the engine room below, while the boat's speed slackened. The handsome river boat swung into the draw of the bridge, and then, as one of her side wheels stopped,

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[17]Albert J. Beveridge, *Abraham Lincoln 1809-1858* (Boston: Houghton Mifflin Company, 1928), p. 598, says she was bound for St. Paul.

[18]*Rock Island Lines News Digest,* XI, No. 10, (October 1952), 16.

[19]They could have debarked at Davenport, where the *Effie Afton* landed on May 5.

[20]*Rock Island Lines News Digest,* XI, No. 10, (October 1952), 16.

[21]Beveridge, p. 598.

[22]Sandburg, II, 37.

struck one of the piers, was catapulted against another and bounced back onto the first."[23]

The impact must have done some damage to the bridge and its piers, but the disaster came from a fire resulting from an overturned stove in one of the boat's cabins. The fire spread to the deck of the boat, ignited its cargo, and then leapt high to ignite the bridge timbers. The wooden work of the bridge, pine and oak, burned easily. One span was completely destroyed and fell into the river. In five minutes the steamer was a total loss.

The bridge was closed to further rail use until September 8. During that period, all traffic—passenger and freight—returned to the river. It is impossible to reconstruct the volume of that traffic, but we know that from the date traffic was restored until August 8 of the following year (11 months), 74,179 passengers made the crossing on the bridge.[24] We know that 4,395 emigrants were sent out from Liverpool by the Church authorities, during the 1856 season[25] and those who crossed the river must have made the same changes that Robert McBride did.

Captain Hurd, who had just lost $50,000 in the value of his ship and who faced claims for loss of cargo and injuries to passengers, lost no time in bringing suit against the Bridge Company.[26] The river men said, "I told you so!" The St. Louis *Republican* wrote: "The Railroad Bridge at Rock Island is an intolerable nuisance. . . . It is utterly impossible for any man not an idiot to note the disasters at Rock Island and honestly ascribe them to any other cause than the huge obstruction to navigation which the Bridge Company have built there and insist shall remain, even though lives by the score and property by the millions are destroyed each year. . . . We have rarely seen such illustration of [such] supercilious insolence. . . ."[27] The

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[23]John J. Duff, *A. Lincoln, Prairie Lawyer* (New York: Rinehart & Co., 1960), p. 334.

[24]The figure is used by Lincoln in his closing argument to the jury. Quoted by Duff, *op. cit.*, p. 342, quoting the Chicago *Daily Press*.

[25]*Millennial Star, LeRoy,* XVIII (1856), 542.

[26]*Hurd, et. al., v. the Rock Island Bridge Co.,* better known as the *Effie Afton* case. The Plaintiff alleged that the Effie Afton was carefully and skillfully navigated at the time, and that the boat was "forcibly driven by the currents and eddies caused by the said piers against one of them. . . ." They also alleged that the bridge was a permanent obstruction to navigation. The defendants denied the charges.

[27]St. Louis *Republican* as quoted in the Chicago *Tribune,* May 18, 1857, p. 3.

Chicago *Tribune,* aware of the value of a railroad connection across the river to its community, took up the challenge. "Facts . . . do not warrant the incessant clamor kept up by those who insist that the magnificent and necessary structure shall be torn down. . . . We trust that . . . the outcries of the St. Louis and river press may be silenced."[28]

The complete story is told elsewhere, and is too long to recount here.[29] Of special interest, however, is the fact that Abraham Lincoln was retained by the owners of the bridge to defend their interests. The battle which took place is regarded as "one of the most celebrated cases in Lincoln's entire career. . . ." It ". . . stands out as the highest point of his career at the Illinois bar. . . . It did more for his reputation as a lawyer than any other case he ever tried."[30]

Lincoln shared his assignment to defend the bridge owners with two other then well-known and able attorneys; the interests of the river men in general and of Captain Hurd in particular were extremely well-attended to by outstanding counsel. But because of later events in history, Lincoln's part in this case has survived as part of the folklore surrounding that great man. With Lincoln were Norman Judd and Joseph Knox for the defense. Hezekiah M. Wead, Corydon Beckwith and Timothy D. Lincoln[31] carried the burden for the plaintiffs. It appears that Judd and Knox conducted the presentation of the evidence and most of the cross-examination for the bridge interests. There is no question, however, that Abraham Lincoln took part in the presentation of the case, and to him was reserved the critical matter of closing the defendant's case before the jury.

Lincoln spent a great deal of time at the site of the wreck. With the bridge engineer, Benjamin Brayton, Sr., he went back and forth and back and forth through the draw.[32] He talked to river pilots and boat captains. He measured and measured and remeasured. It was said that Lincoln "knew the bridge better than the man who made it."[33]

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[28]Chicago *Tribune,* April 17, 1857, p. 2.
[29]Duff, Chapter XX.
[30]*Ibid.,* p. 332.
[31]Apparently no kin to A. Lincoln. *Ibid.,* p. 336.
[32]B. B. Brayton, "The Crossing of the River: the Turning Point for the Railroad and the West," Davenport *Democrat and Leader,* (Half Century Edition) Oct. 22, 1905.
[33]Russell, Charles Edward, *A-Rafting on the Mississippi* (New York: Century, 1928), p. 67-72.

Models and maps were prepared and presented to the jury. Lincoln turned his experience on the river to good advantage. He could correct the boat's pilot on matters of navigation and currents and the effects of the *Effie Afton's* displacement in the draw.[34]

Mr. Lincoln's seven hour closing speech to the jury has been characterized as demonstrating his "aversion to long-windedness";[35] perhaps so. Timothy D. Lincoln stated the plaintiff's position and the jury received a long charge from Judge McLean, who was back again from Washington.

The jury retired to seek a verdict. After some hours it reported back that it stood nine to three and could not see any hope for agreement. Judge McLean then recalled them, accepted the foreman's report and dismissed them. This was the end of the "*Effie Afton* Case."[36]

Thus the bridge remained, though still subject to attack,[37] to carry countless thousands, even tens of hundreds of thousands of settlers across the Father of Waters to the great regions of the West. Not only the Utah immigrants but all those who sought a better life were benefitted by the abilities of Judd, Knox and Lincoln. Lincoln had a vision of the value of the bridge: ". . . Demands of travel and traffic from east to west are . . . important. . . . It is growing larger and larger, building up new countries with a rapidity never before seen in the history of the world. . . . This current travel has its rights as well as that of north and south. . . . This bridge must be treated with respect in this court and is not to be kicked about with contempt."[38] How few of those who subsequently crossed that bridge ever suspected what an obligation they owed to Abraham Lincoln, prairie lawyer.

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[34]"Pilot Parker has shown here that he does not understand the draw. I heard him say that the fall from the head to the foot of the pier was four feet; he needs information. He could have gone there . . . and seen there was no such fall." Chicago *Daily Press,* September 24, 1857.

[35]Duff, p. 343.

[36]According to Duff, for the defendant, (*ibid.*) but see Beveridge who reports the majority stood for the plaintiff (603).

[37]*Rock Island Lines News Digest,* p. 17.

[38]Chicago *Daily Press.*