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“Fire and Powder”: A marriage in the Sangamon County Courts

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In 1858, William H. Herndon used unusually vivid language when he described the collapse of George and Laura Caldwell’s marriage to the Sangamon County Circuit Court. He blamed their troubles on Laura’s “irritable—fire & powder disposition.” Everything was “hot & full of nettles where she was,” and her temper repeatedly “blazed up and took fire.” “It is reduced to a moral certainty—it is a ‘manifest destiny’” that Laura and George “cannot live together as husband & wife,” Herndon concluded.

But George was not the first Caldwell to seek a divorce. A year earlier, Laura had filed her own bill for divorce. Represented by John Todd Stuart, Abraham Lincoln’s first law partner, she told a much darker story. Laura alleged that George had subjected her to “repeated cruelties” while they lived in Kentucky. She fled to her father’s home in Indiana, but after George moved to Sangamon County, he persuaded her to return with “promises of better treatment.” Those promises did not last. She alleged that George dragged her across a room, struck and choked her, threw her to the floor, and sat upon her. The attack, she said, caused her head to bleed and left her bruised. Laura left George that day and filed for divorce three days later. George retained Lincoln and Herndon, who initially challenged the suit on procedural grounds. By October 1857, however, Herndon drafted a motion to dismiss, signed by both parties, in which Laura informed the court that she and George had “compromised the case” and were “now living together.”

Divorce litigation was familiar territory for Lincoln. He and his partners handled more than 150 divorce-related cases during his 23-year legal career. In 1850s Illinois, there was no equivalent of modern no-fault divorce. Spouses seeking to end a marriage had to establish statutory grounds. As a result, divorce files often preserve unusually intimate accounts of nineteenth-century domestic life.

The reconciliation proved short-lived. According to George, Laura left again a month after their compromise and returned to Kentucky. On May 31, 1858, it was his turn to seek a divorce. In a bill written by Herndon, George called Laura’s earlier accusations “false and not true” and

claimed that after they “compromised their then thousand difficulties,” her fiery temper returned. George accused Laura of staying at Springfield’s American House and Chenery House, where she corresponded with a supposed lover. Herndon insinuated adultery but stopped short, stating that “the charge of infidelity is not made.” George instead described himself as “a young man—a farmer” unable to conduct his business because he lacked “a woman who ought to assist.”

The divorce bill also offers a glimpse into the Lincoln-Herndon partnership. Although Lincoln was the senior partner, Herndon was capable of handling the case himself as Lincoln spent increasing amounts of time away from the courts during his 1858 Senate campaign against Stephen A. Douglas. That summer, Lincoln was arguing that a divided nation could not endure. At the same time, Herndon was asking the Sangamon County Circuit Court, on George’s behalf, to end a marriage that his client believed could not continue.

However, George abandoned the effort. On August 11, through his attorney, he asked the court to dismiss the case at his own cost. The court agreed. That evening Lincoln left Springfield and did not return home for the rest of the month, campaigning across Illinois and meeting Douglas at Ottawa and Freeport in the first two of their seven celebrated debates.

Remarkably, the Caldwells reconciled yet again. The 1860 census found George and Laura living in Williamsville with their one-year-old daughter, Eliza. Whether the reconciliation lasted is unclear. Laura died in 1863. Later in 1863, George returned to Kentucky, where family tradition says he sought out his childhood sweetheart, Gabriella K. “Kittie” Robards, whose parents had once refused him permission to marry her. According to the story, George found Kittie riding in a carriage and told her, “Miss Kittie, you know why I am here.”

The carriage encounter may belong to family legend, but the rest of the story does not. George and Kittie married on January 6, 1864, less than six months after Laura’s death. They settled on George’s Illinois farm and had six children. Kittie died at their home near Williamsville on January 6, 1903—their thirty-ninth wedding anniversary.

Caldwell family tradition largely preserved George’s version of his first marriage. The court records, however, reveal what family memory lost: Laura had sought a divorce first and left her own account of their troubled marriage. Together, the two case files offer conflicting accounts of a marriage that repeatedly fractured and re-formed.