

# Beyond the Moon

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Abraham Lincoln and the  
Almanac Trial

Samuel Wheeler, Ph.D.

Illinois Supreme Court Historic Preservation Commission








# THE LAW PRACTICE OF ABRAHAM LINCOLN

SECOND EDITION

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*Abraham Lincoln*

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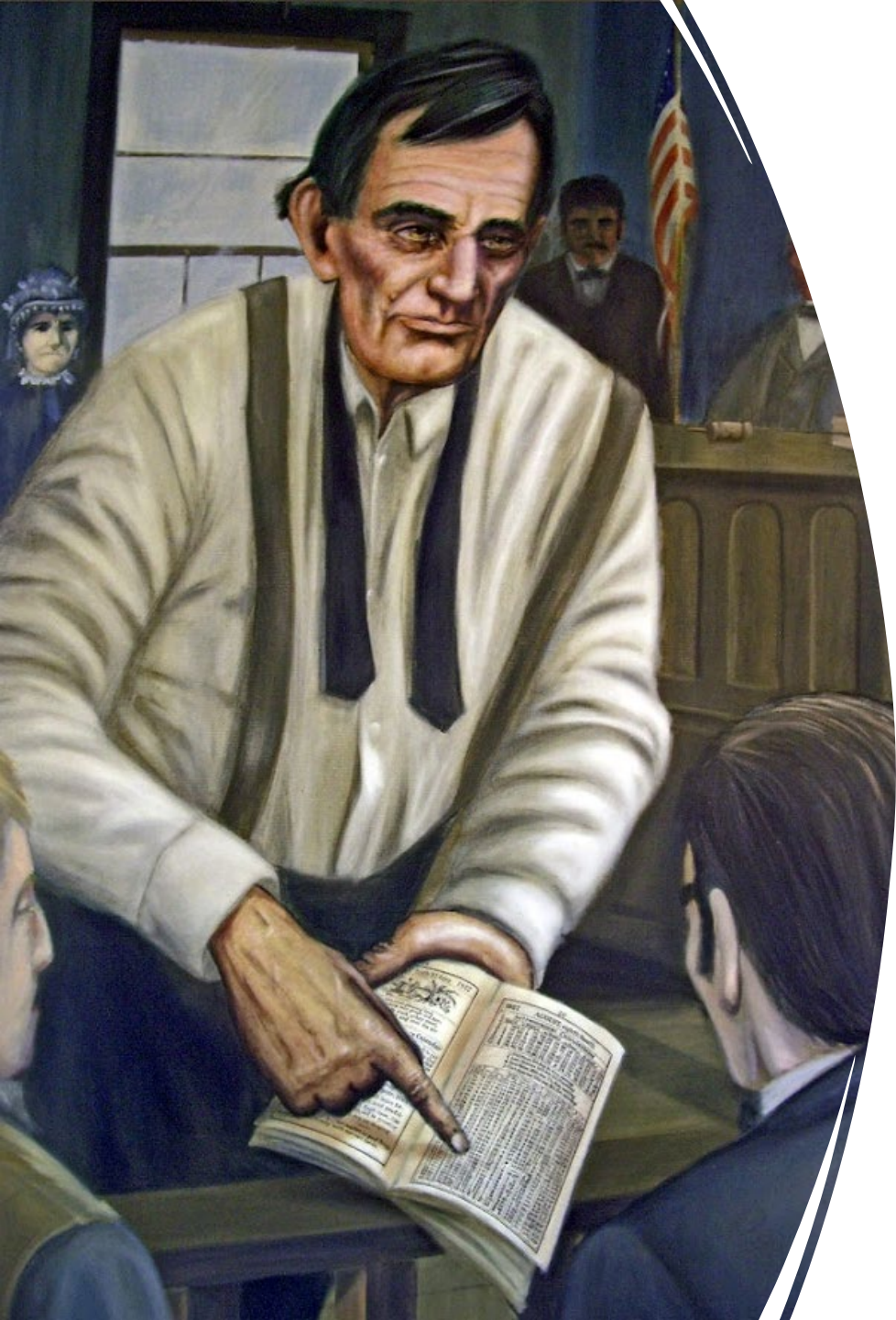
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# The Almanac Trial

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People v. William "Duff" Armstrong







## The Crime



Slungshot



Neck Yoke



# Indictment for Murder

State of Illinois } Of the Circuit Court of the Mason  
Mason County } Circuit Court in the year of Our  
Lord one thousand eight hundred and fifty  
seven

The Grand Jurors chosen selected and sworn in and  
for the County of Mason, in the name and by the author-  
ity of the People of the State of Illinois upon their oaths  
present that James H. Morris and William Armstrong  
late of the County of Mason and State of Illinois had  
having the fear of God before their eyes, but being moved  
and seduced by the instigations of the Devil on the twen-  
ty ninth day of August in the year of Our Lord one  
thousand eight hundred and fifty seven, with force  
and arms at and within the County of Mason and  
State of Illinois in and upon one James Preston Metzger

late of the County of Mason and State of Illinois  
did unlawfully, feloniously, wilfully and of his malice afore-  
thought, did make an assault, then  
the said James H. Morris, with a certain piece of wood  
about three feet long which he the said James H. Morris  
in his right hand then and there held, the said James P-  
reston Metzger in and upon the back part of the head of  
him the said James Preston Metzger, then and there un-  
lawfully, feloniously, wilfully and of his malice afore-  
thought, did strike, bruise the said James Preston Metzger

James Preston Metzger one mortal bruise, and the said  
William Armstrong with a certain hard metallic substance  
called a bludge, shot which he the said William Armstrong  
in his right hand then and there had and held, the  
said James Preston Metzger in and upon the right eye of  
him the said James Preston Metzger then and there un-  
lawfully, feloniously, wilfully and of his malice afore-

*People v. James Norris*  
Mason County Circuit Court  
November 5-7, 1857

Prosecution

Hugh Fullerton (State's Attorney)

Key Witnesses

- Dr. Benjamin F. Stephenson
- Charles Allen

Defense

William Walker (Public Defender)

Verdict

Guilty of Manslaughter

Sentenced to 8 years hard labor

we the Jury agree to find the defend-  
ant <sup>guilty</sup> of ~~man~~ slaughter & as penalty  
Eight years service in the State peniten-  
tary

John Davis  
Isaac H. Williams  
J. B. Lapham  
Robert Anderson  
H. W. Kent  
Jacob Sease  
J. L. Lutton  
Wm. Hastell  
Chas. E. Kipp  
L. J. Jones  
Francis A. Ward  
E. B. Innes



*People v. William “Duff” Armstrong*  
Cass County Circuit Court  
May 7, 1858

Prosecution

Hugh Fullerton (State’s Attorney)

Prosecution’s Witnesses

Dr. Benjamin F. Stephenson  
Charles Allen

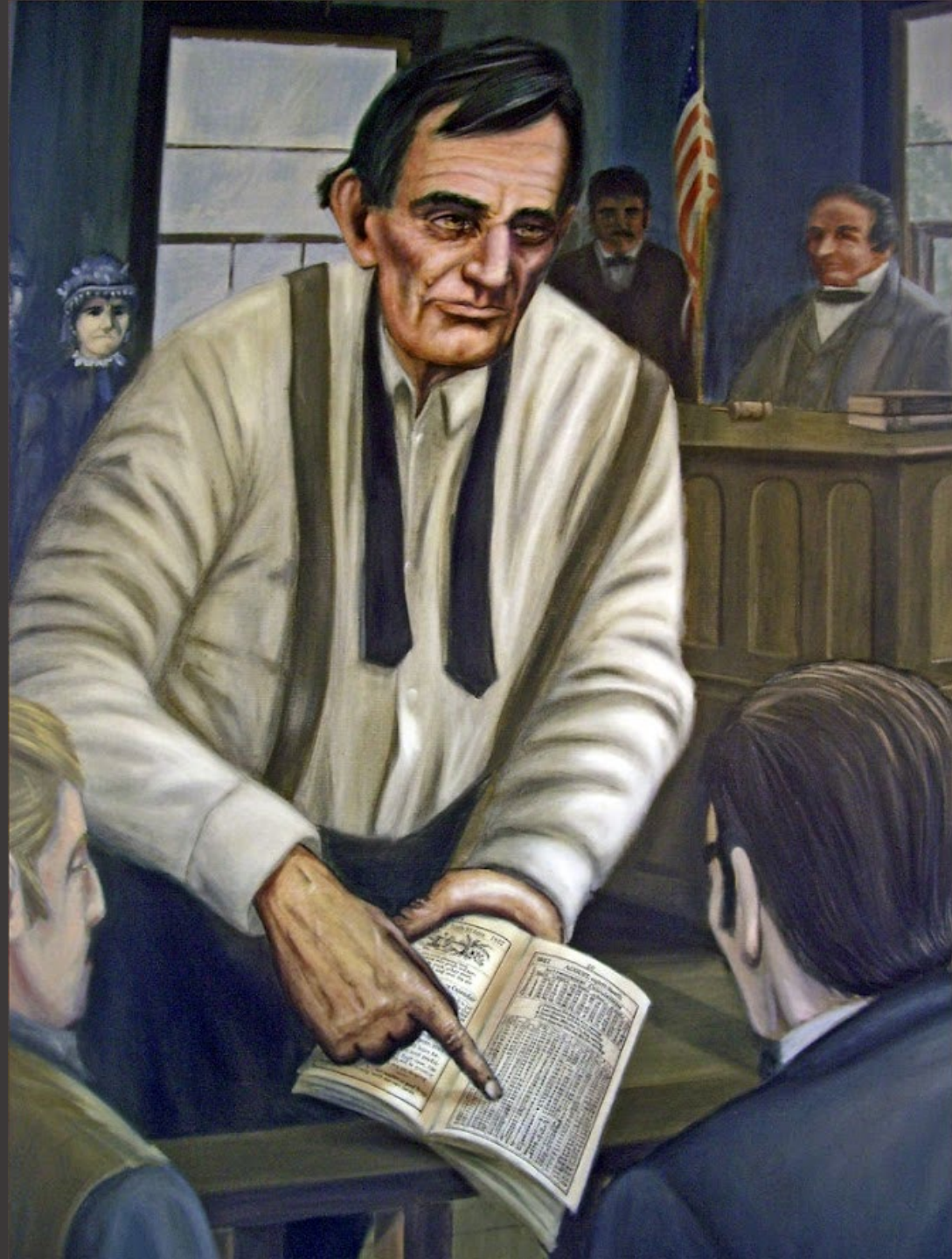
Defense

Caleb Dilworth, William Walker, Abraham Lincoln

Defense’s Witnesses

Dr. Charles Parker  
Nelson Watkins







The Court instructs the jury.

That if they have any reasonable doubt as to whether Metyker came to his death by the blow on the eye, or by the blow on the back of the head, they are to find the defendant "Not guilty" unless they also believe from the evidence, beyond reasonable doubt, that Armstrong and Norris acted by concert, against Metyker, and that Norris struck the blow on the back of the head.

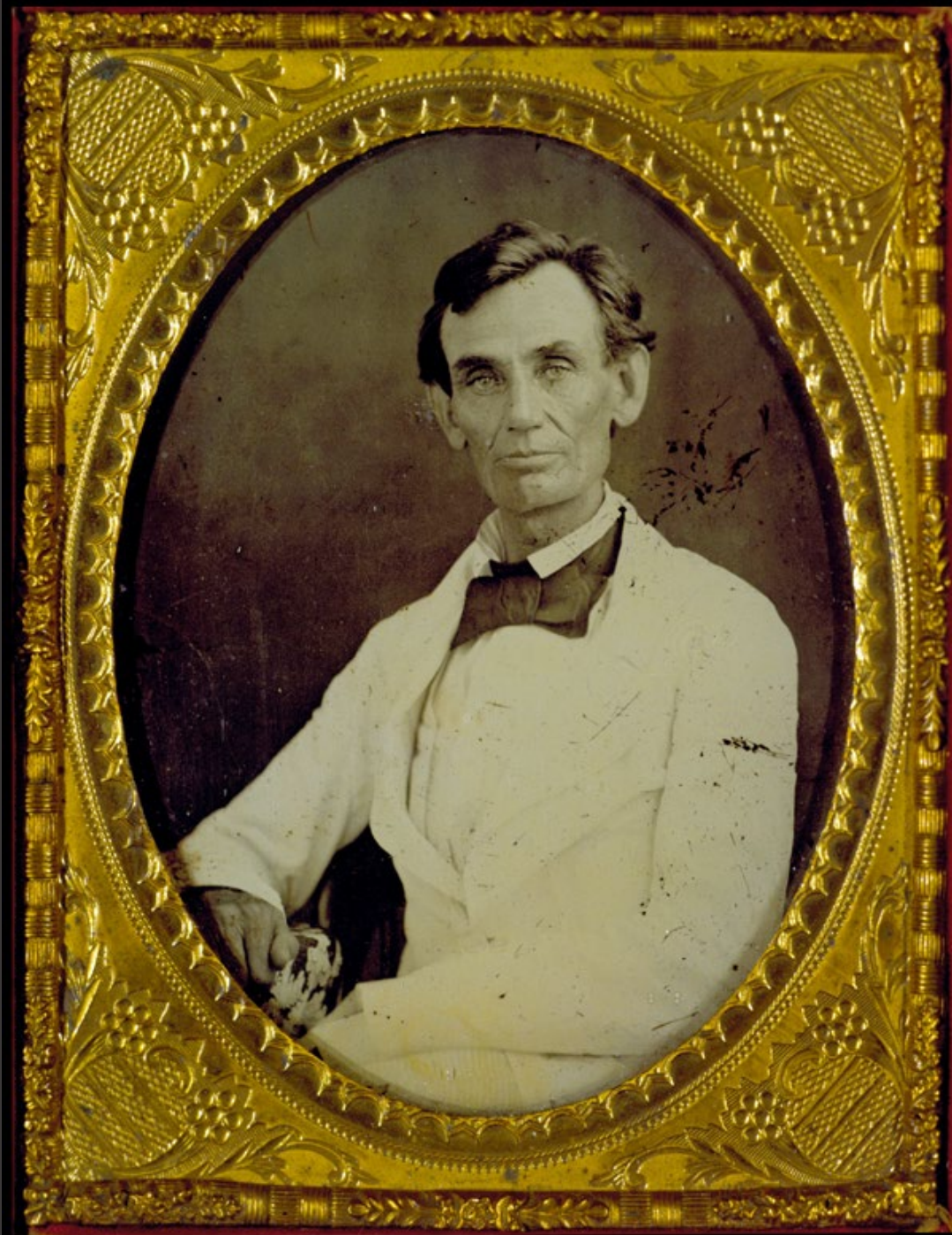
That if they believe from the evidence that Norris killed Metyker, they are to acquit Armstrong, unless they also believe beyond a reasonable doubt that Armstrong acted in concert with Norris in the killing, or pur-  
pose to kill or hurt Metyker.

We the Jury acquit the Defendant  
from all charges preferred against him in  
the Indictment.

Milton Legan Foreman

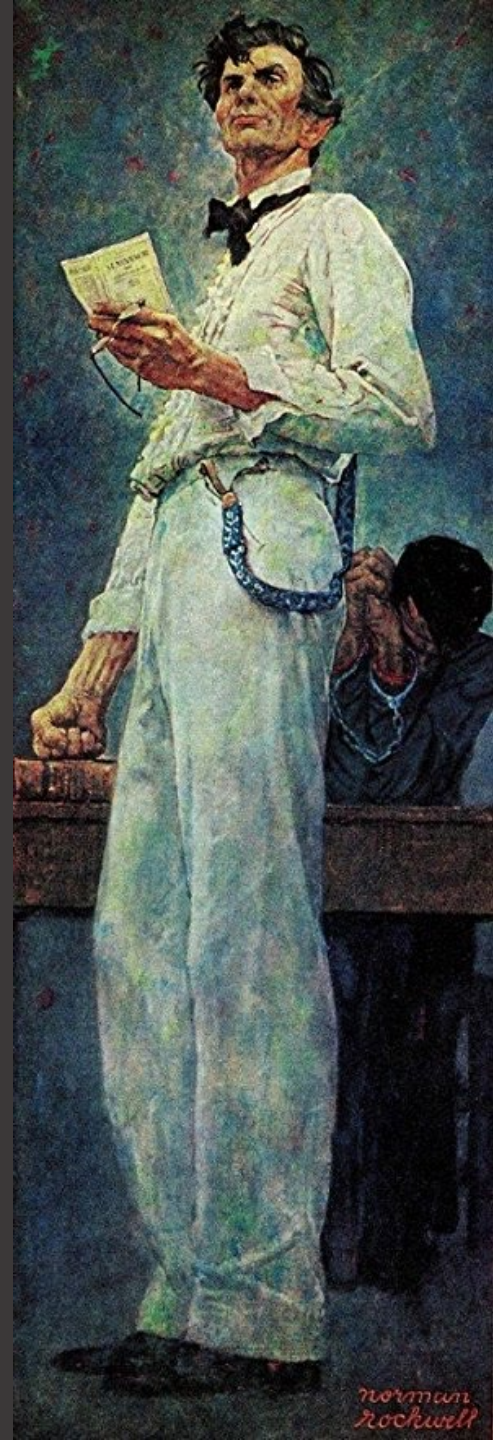
Wm. J. Davis Juror









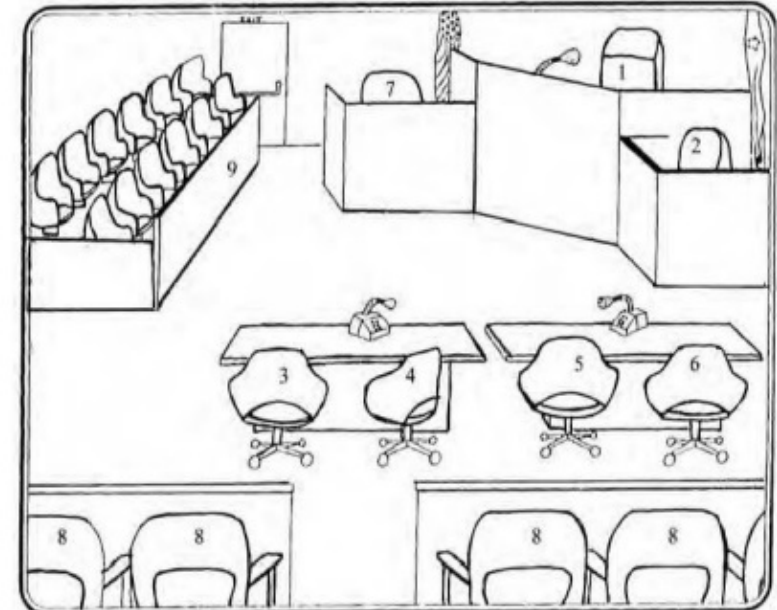


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## Creating a Courtroom

The room utilized for the mock trial should be arranged, as closely as possible, to resemble a real courtroom. The diagram below depicts the layout of an actual courtroom. Please consider these when arranging seating, tables, and placement of the participants for the mock trial at your school. The photos on the following pages are examples of courtroom set-up from past Law Day events.



**DIAGRAM NUMBER GUIDE**

1. Judge
2. Court Clerk
3. Plaintiff
4. Attorney for Plaintiff
5. Attorney for Defendant
6. Defendant
7. Witness
8. Audience
9. Jury





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