The separate answer of Abraham Lincoln to a Petition exhibited in the Fayette circuit court in the Commonwealth of Kentucky, against said Lincoln, Ninian W. Edwards, and George B. Kinkead, by Edward Oldham and Thomas Hemingway, surv. surviving partners of Oldham, Todd & Co.—

This Respondent, saving, reserving &c. for answer to said Petition says he believes it is true, and therefore he admits that said Petitioners are the surviving partners of said firm of Oldham Todd & Co; that said firm did consist of the persons named as the members thereof in said Petition; and that said Robert S. Todd did depart this life about the time stated in said Petition.— But this Respondent utterly denies that he is, or ever was, indebted to said firm, or to said Petitioners as surviving partners thereof, or in any way howsoever; he denies that he ever collected $472.54/100 or any other sum whatever, for said firm, or of money belonging to said firm, or to said Petitioners, in any capacity whatever; he denies that he ever had placed in his charge for collection, any debt or claim for said firm, or for said Petitioners, of any sort whatever; and he denies that he ever was employed as the attorney, or in any other capacity, of said firm, or of said Petitioners, in any matter whatever, so far as he remembers or believes.— Respondent can not conceive on what the charge of said Petitioners against him is founded, unless it be the following facts.— In the autumn of 1843, and after Respondent had intermarried with said Robert S. Todd's daughter, said Robert S. Todd visited Springfield, Illinois, when and where Respondent, for the first time in his life, met him—

During that visit, said Todd remarked to this Respondent that there were two desperate or doubtful debts due Oldham Todd & Co — one at, or near Beardstown, Illinois, in charge of an attorney by the name of Henry E. Dummer, and the other at Shelbyville, Illinois, in charge of whom Respondent does not remember, and that if any thing could be collected on said debts he desired Respondent to take and retain it as his own — Afterwards, and, as Respondent remembers, in 1846, said Dummer paid over to this Respondent, the sum of fifty dollars, representing that sum to be all, beyond charges, that could be collected on the said claim in his hands — And as to the said debt at Shelbyville, nothing whatever has come to the hands of this Respondent directly or indirectly; and Respondent supposes said debt has not been paid to any one else, but remains wholly unpaid — If Respondent ever knew, he has forgotten the name of the debtor at Beardstown; but he believes one Marshall Basye was the debtor, or one of the debtors, at Shelbyville — Respondent was not desired to take, and did not take charge of said claims as an attorney, or in any otherwise than as herein stated; so far as he remembers or believes he never spoke or wrote to either of the debtors on the subject; nor ever in any way attempted to ~~say~~ supersede the attorneys in whose hands the claims were originally placed; and, with the exception of the fifty dollars aforesaid, received by Respondent under the circumstances aforesaid, Respondent denies that he ever received any thing whatever, to which said firm, or said Petitioners could

have a pretence of a claim— Respondent further states that when he visited Lexington in the Autumn of 1849, as he remembers, he stated this whole matter to said Hemingway and to L. O. Todd, as he now states it; and that, more recently, in the Spring of 1852, he again fully stated it, in his sworn answer to a Bill filed for the adjustment of the estate of said Robert S. Todd, which answer doubtless is on file in the said Fayette Circuit court, and Respondent supposes said court, in that case decided and adjusted the rights of the parties arising upon said state of facts— Respondent cases but little for said fifty dollars; if it is his legal right he prefers retaining it; but he objects to repaying it once to the estate of said Robert S. Todd, and again to said firm, or to said Petitioners; and he particularly objects to being compelled to pay money to said firm or said Petitioners which he never received at all— Respondent prays that said Petitioners may be ruled to file a Bill of particulars, stating the names and residences of the persons of whom, they claim that Respondent has collected money belonging to them— Respondent admits that he resides in Illinois; that said George B. Kinkead is his attorney; and that he had means in his hands belonging to Respondent, substantially as is in said Petition stated; and now having fully answered &c.

A. Lincoln—

State of Illinois }
Vermilion County } ss

Before me, Samuel G. Craig, clerk of the circuit court of the county aforesaid, this day personally appeared Abraham Lincoln, whose name is subscribed to the answer written on this sheet, and who being by me first duly sworn, states on oath that all the statements in said answer are true in substance and in fact— In witness whereof I have hereunto subscribed my name and affixed the seal of said court on this 27th day of May AD. 1853.

Saml. G. Craig, Clk

Oldham & Hemingway
vs } Answer of Lincoln
Lincoln & others;
Filed & Rates June
13th 1853.
Att Jno. S. Reed
Clk