

**DOROTHY BROWN**  
CLERK OF THE CIRCUIT COURT



**Richard J. Daley Center**  
Room 1001  
Chicago, Illinois 60602  
312- 603-5030  
FAX 312-603-4557  
[www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org)

OFFICE OF THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY

**Clerk of the Circuit Court of Cook County  
Illinois Secretary of State and State Archivist  
Illinois Supreme Court Historic Preservation Commission  
Abraham Lincoln Presidential Library and Museum**

*FOR IMMEDIATE RELEASE*

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CONTACTS:

David Blanchette (217) 370-9223

Enza Raineri (312) 603-5690



**Four government agencies collaborate to preserve the commitment  
papers of the widow of  
President Abraham Lincoln**  
*Mary Todd Lincoln's commitment papers held by the Clerk of the Circuit Court  
of Cook County for almost 140 years*

Clerk Brown presents the Commitment Papers of First Lady Mary Todd Lincoln from her insanity hearing to the Abraham Lincoln Presidential Library and Museum with (L-R) John Simon, Chairman, Illinois Supreme Court Historic Preservation Commission; Eileen Mackevich, Executive Director, Abraham Lincoln Presidential Library and Museum, Jesse White, Illinois Secretary of State and Edmond Ponce de Leon, Presiding Judge, County Division, Circuit Court of Cook County

*CHICAGO* – The original court papers that sent former First Lady Mary Todd Lincoln to an insane asylum will be preserved thanks to a collaboration between Clerk of the Circuit Court of Cook County Dorothy Brown; Illinois Secretary of State and State Archivist Jesse White, the Illinois Supreme Court Historic Preservation Commission; and the Abraham Lincoln Presidential Library and Museum. The Notice of Transfer from the Clerk of the Circuit Court of Cook County was signed today at a news conference held in the Ceremonial Courtroom of the Richard J. Daley Center in Chicago.

The court papers are from 1875 and 1876 and include 16 pleadings and 39 vouchers. Among the court papers are the petition by Mary’s son, Robert Todd Lincoln, to have his mother declared insane; a subpoena and summons for Mary to appear at the hearing; and the jury verdict form that declared Mary insane. They have been on file since the 1870s with the Clerk of the Circuit Court of Cook County, and as a result of the collaboration announced today they will be preserved for future generations at the Abraham Lincoln Presidential Library and Museum (ALPLM).

“I am pleased to be a partner in this historic event, transferring the Mary Todd Lincoln commitment papers through the Illinois Secretary of State, to the Abraham Lincoln Library and Museum. These documents belong to the people of Illinois, and all those who are avid historians of President Abraham Lincoln and his family. As are all our files, Mary Todd Lincoln’s commitment papers have been handled with great care for almost 140 years, a true testament to the great record keeping for all the Clerks of the Court! Now, these documents, like the rest of President Lincoln’s legacy, belong to the ages.” said Dorothy Brown, Clerk of the Circuit Court of Cook County.

The partnership to preserve the papers began with the re-trial of Abraham Lincoln assassination conspirator Mary Surratt held September 23 in Chicago and October 3 in Springfield. The Illinois Supreme Court Historic Preservation Commission (ISCHPC) and the ALPLM, who planned the Surratt re-trial events, decided the next historic legal case to be re-tried would be Mary Lincoln’s commitment hearing. While conducting research for the 2012 event, Illinois Supreme Court Justices Anne Burke and Rita Garman discovered that the ALPLM only had copies of the trial transcripts, not the original documents. The originals were held by the Cook County Circuit Clerk’s Office. The ISCHPC approached Brown and suggested that the invaluable original court file for the case be moved to a location where it could best be preserved for future generations. Brown agreed, and will release the court papers to the ALPLM, which specializes in preserving original Lincoln and other state historical documents. Illinois Secretary of State and State Archivist Jesse White has agreed with the move. The Mary Lincoln commitment file has been open to public scrutiny for some time and confidentiality laws no longer apply.

“As State Archivist, I am proud to be a part of this significant transfer. Preserving the rich history of Illinois is an important priority,” said Jesse White, Illinois Secretary of State and State Archivist. “I am pleased to have the original court papers relating to the sanity trial of Mary Todd Lincoln placed in the Abraham Lincoln Presidential Library and Museum where the expertise of its professionals in preserving documents as old as these is crucial in assuring their availability to future generations.”

In 1875 Robert Todd Lincoln started proceedings to commit his mother to an insane asylum. A formidable corporate powerhouse, he assembled a large team of lawyers and medical experts who swore in court that Mrs. Lincoln was insane. A jury agreed on May 19, 1875 sending her to an asylum in Batavia, Illinois for treatment. Mary's "Insanity Trial," as it became known, has since been criticized for the apparent lack of fairness accorded Mrs. Lincoln since 17 witnesses were called to testify against her, but none were summoned on her behalf.

After her committal, Mary sought the services of Myra Bradwell, who helped secure Mrs. Lincoln's release on June 15, 1876. Bradwell fought a lengthy battle to be allowed to practice law in Illinois, a battle she won in 1890. Bradwell was also known for publishing the *Chicago Legal News*, which she started in 1868.

"These documents not only provide a record of Mary Lincoln's insanity trial, but also shed light on the fairness of her trial and the motives of those who had her committed," said Abraham Lincoln Presidential Library and Museum Director Eileen Mackevich. "They are also a wonderful resource for those researching the legal status of 19<sup>th</sup> century women, the evolution of the legal and medical treatment of insanity, guardianship, and other historical issues."

"The collaboration of Clerk Dorothy Brown, Secretary of State Jesse White and ALPLM Executive Director Eileen Mackevich recognizes the need to secure for posterity the artifacts that allow our citizens to better understand the importance of the rule of law in our contemporary society," said ISCHPC Chair John B. Simon. The ISCHPC was created by legislation passed by the Illinois General Assembly and signed into law by the Governor to preserve the judicial history of the State of Illinois. For more information visit [www.illinoiscourthistory.org](http://www.illinoiscourthistory.org).

Mrs. Lincoln's erratic behavior leading up to the 1875 commitment hearing had several likely causes. She had suffered an extraordinary amount of tragedy in just a few years. Three of her four sons died while still young, and her husband was assassinated while sitting beside her. She spent lavishly during her husband's presidency on extravagances such as kid gloves, draperies and jewelry and upon his death found herself deeply in debt. She also suffered hallucinations, possibly due to the abuse of sleeping medication.

In a forward to the book called *The Insanity File, The Case of Mary Todd Lincoln*, written by Mark E. Neely, Jr. and R. Gerald McMurtry, the grandson of Robert Todd Lincoln, Robert Todd Lincoln Beckwith said that he found a bundle of letters, papers and documents marked by his grandfather that said "MTL Insanity File". Beckwith indicated that though his grandfather destroyed most of his incoming correspondence, and family letters, he retained the MTL Insanity File for a reason, "I believe that he did so knowing that in the future its contents should be made known." said Robert Todd Lincoln Beckwith.

The Abraham Lincoln Presidential Library and Museum in Springfield, Illinois includes the world's foremost collection of original Lincoln materials, including 330 Mary Lincoln letters, as well as hundreds of original Civil War diaries and photographs, rare maps, and sheet music. For more information about the Abraham Lincoln Presidential Library and Museum, visit [www.presidentlincoln.org](http://www.presidentlincoln.org). For additional information about archived material in possession of the Clerk of the Circuit Court of Cook County, visit [www.cookcountyclerkofcourt.org](http://www.cookcountyclerkofcourt.org).

Photos attached:

1. Mary Todd Lincoln portrait

2. Bellevue Place, where Mary Todd Lincoln was committed  
Both photos provided as a courtesy by the Abraham Lincoln Library and Museum,  
Springfield, Illinois.

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Mary Todd Lincoln



BELLEVUE PLACE 1880