

# STUMP YOUR LAWYER!

A QUIZ TO CHALLENGE  
THE LEGAL MIND



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BY HOWARD ZAKHAROFF

# Stump Your Lawyer A Quiz To Challenge The Legal Mind

**Marcel A. Müller**

## **Stump Your Lawyer A Quiz To Challenge The Legal Mind:**

Stump Your Lawyer Howard Zaharoff, 2011-12-16 For the lawyers who think they know it all or for those of you who worry that your legal counsel can't tell a tort from a tart Stump Your Lawyer is a hilarious tour of the quirks and curiosities of our legal system. This tongue-in-cheek volume offers witty practical and thought-provoking challenges for the legally minded. Short case histories, definitions, multiple choice quizzes, and other formats mock the bar exam approach and probe the reader's knowledge of obscure statutes, baffling decisions, bizarre legal concepts, and antiquated jargon. Whether you're studying, practicing, or running from the law, this book will keep you laughing and learning all the way to the courthouse.

Abraham Lincoln Campaign Newspapers 1860 - 1864, 518 pages of Abraham Lincoln campaign newspapers from the elections of 1860 and 1864. Many newspapers at the time took specific and clearly partisan positions which were often reflected in the names of the newspaper. The newspapers in this collection go beyond just a partisan political bias. These newspapers were created and existed only to get Abraham Lincoln elected or re-elected President, then ceased publication after the election.

Election 1860: In 1860 there were three mainstream political parties in the United States: Republican, Democratic, and the new Constitutional Union party. The Democratic Party split into two over the issue of slavery, making 1860 a four-way race. In 1860, Abraham Lincoln was the least known of all candidates seeking the nomination of the Republican Party. Best known and leading the Republican pack was United States Senator, former governor of New York, and future United States Secretary of State, William H. Seward. Second was Ohio governor and future United States Secretary of the Treasury, Salmon P. Chase. Third was Missouri lawyer, politician, and future United States Attorney General, Edward Bates. Fourth was Horace Greeley, founder and editor of *The New York Tribune*, former member of the U.S. House of Representatives from New York's 6th district, and in 1872 the founder of the Liberal Republican Party.

Fifth was Illinois lawyer and former member of the U.S. House of Representatives from Illinois' 7th district (1847-1849). Abraham Lincoln, a former Whig party member, became engaged in Illinois state Republican Party politics in 1854. At the 1856 Republican National Convention, the nominating process for the Vice President spot on the party's ticket ended with Lincoln coming in second place. In 1858, Lincoln sought to replace the incumbent Democrat, United States Senator from Illinois, Stephen A. Douglas. The two clashed during a series of seven debates. In 1858, United States senators were elected by their state legislatures. Democrats won a slight majority of seats in the Illinois General Assembly in 1858. The legislature then re-elected Douglas. Despite his loss due to internal party politics, Lincoln gained popular publicity from his performance during the Lincoln-Douglas debates, which allowed him to enter the pack of Republican candidates in 1860. One by one, the Republican candidates fell away. The consensus was that Greeley was too unpredictable, Bates was too old, and Chase did not possess political skills. Lincoln won out over Seward. Seward's outspokenness on the spread of slavery made many believe that he was too radical on the issue. Lincoln was seen as a moderate when it came to slavery, also it was hoped that since he was from Illinois that he would appeal to voters in the west.

The Democratic Party split into two during its national convention in Charleston South Carolina in April 1860 The leading Democratic candidate was Illinois Senator Stephen Douglas Douglas advocated popular sovereignty where the majority within a state would decide if slavery was to exist in that state This angered most Southern Democrats who wanted the right to hold slaves guaranteed in the western territories and future states Delegates from eight southern states withdrew from the convention and nominated their own candidate Vice President of the United States John C Breckinridge A group of conservative former Whigs along with Know Nothing party members and some Southern Democrats who were against succession joined to form the Constitutional Union Party In their platform they strongly spoke out against disunion and avoided the issue of slavery They nominated former United States Senator from Tennessee John Bell On Election Day Tuesday November 6 1860 Republican Lincoln received 39 9 percent of the popular vote Northern Democrat Douglas 29 5 percent Southern Democrat Breckinridge 18 1 percent and Constitutional Unionist Bell 12 5 percent In the Electoral College Lincoln received 180 electoral votes Breckinridge won 72 of the 303 total available electoral votes Election 1860 Newspaper The Freeport Wide Awake 52 pages of the Freeport Wide Awake constituting 13 issues dating from August 18 1860 to November 17 1860 This weekly campaign newspaper was published between the time of the Chicago Convention and after the election in November it supported Abraham Lincoln and Republican candidates The newspaper s slogan was No slumber till the battle is won Three other newspapers were published in 1860 with Wide Awake in their title in Providence De Witt Iowa and Akron Only one copy of any of the issues of these other Wide Awake newspapers is known to still be in existence In the 1850 s the Republican Party organized marching clubs made up of young men across the United States In 1860 a number of Wide Awake Clubs were organized to support Abraham Lincoln The Wide Awakes adopted a paramilitary style Members wore black glazed hats oil cloth capes to protect themselves from flames and carried six foot long torches with a whale oil canister at its top Wide Awakes held rallies where they marched with their torches lit singing political campaign songs and reciting campaign slogans Also included in this collection is a four page circular produced by the Albany New York Republican Wide Awake Club regarding the uniform and the organization of the club Election 1860 Serial Tract Lincoln and Liberty 38 pages of the tract Lincoln and Liberty constituting 10 issues dating from June 19th 1860 to October 2 1860 This serial was published by the Young Men s Republican Union of the City of New York The Young Men s Republican Union sponsored a lecture given by Lincoln on February 27 1860 at the Cooper Union in New York City The Cooper Union speech would be regarded by many including eminent Lincoln scholar Harold Holzer as The Speech That Made Abraham Lincoln President Election 1860 Newspaper The Rail Splitter 24 pages of The Rail Splitter newspaper constituting 6 issues dating from June 23 1860 to October 27 1860 The Rail Splitter was a campaign newspaper in support of candidate Abraham Lincoln and the Republican Party in the presidential campaign of 1860 This newspaper was based in Chicago Illinois and published 18 weekly issues from June 23 1860 to October 27 1860 by publisher Charles Leib A different pro Lincoln newspaper also

called the Rail Splitter was published in Cincinnati during the same time period In the first issue June 23 1860 Leib wrote this in the introduction to his newspaper We have in our Prospectus given the reasons that induced us to establish The Rail Splitter It is occasionally thrown into our teeth that in 1856 we labored earnestly for the election of James Buchanan and it is true We believed him to be an honest man and that he he in italics for emphasis would be President if elected We were however mistaken for he is the willing tool of the slavery propagandists who have put a collar around his neck and will not even permit him to bark unless in their presence He finished his introduction by stating We are responsible for all articles that appear in The Rail Splitter and as this promises to be a warm and exciting campaign in which there will be a great deal of crimination and recrimination if we should incur the displeasure of any of the Democracy the term Democracy was often used at the time to refer the Democratic Party and its rule for telling the truth and they should feel aggrieved they can call at our office at 66 Randolph Street up stairs where we will be most happy to give them any satisfaction they may desire We will not however take back any statement we make of the truth of which we are satisfied Election 1864 The election of 1864 was disrupted by the Civil War Electoral votes were not counted from states in rebellion Tennessee and Louisiana under Union control chose Electoral College electors however Congress did not count their votes The Democrats in non rebellion states were divided between Peace Democrats and War Democrats The Republican Party in a move to appeal to Northern Democrats in favor of the war changed its name to the National Union Party for the 1864 election Lincoln was the Republican National Union Party nominee Union Major General George B McClellan was the Democratic Party nominee McClellan ran as a peace candidate McClellan was still a U S Army general on active duty during the campaign He did not resign his commission until Election Day McClellan campaigned on continuing the war and restoring the Union He was not seeking the abolition of slavery The former position differed from the Democratic Party platform which called for an immediate end to the war and negotiated settlement with the Confederacy The Democratic platform included the statement Resolved That this Convention does explicitly declare as the sense of the American people that after four years of failure to restore the Union by the experiment of war during which under the pretense of military necessity or war power higher than the Constitution the Constitution itself has been disregarded in every part and public liberty and private right alike trodden down and the material prosperity of the country essentially impaired justice humanity liberty and the public welfare demand that immediate efforts be made for a cessation of hostilities with a view to the ultimate Convention of all the States or other peaceable means to the end that at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States Lincoln had strong doubt that he would be re elected President The last President to be re elected was Andrew Jackson in 1832 Military victories during the fall of 1864 boosted President Lincoln s popularity On Election Day November 8 1864 only 4 percent of the votes casted were by servicemen Each state decided how they would handle voting by members of the military Only seven states California Kansas Kentucky Maine Michigan Rhode Island and Wisconsin allowed servicemen

to vote Many servicemen would have been happy to see the election end the war However it is believed that most thought that ending the war would mean that their sacrifices would have been in vain Many soldiers wrote to family members urging them to vote for Lincoln Election Day results saw Lincoln winning 55% of the popular vote approximately 403 000 votes Lincoln received 30 503 75 8 percent of the votes cast by soldiers Since the last election in 1860 the Electoral College added three new states Kansas West Virginia and Nevada all free soil states In the Electoral College Lincoln received 212 of the 233 votes Lincoln won all but 3 of the 25 states convening in the Electoral College losing New Jersey Delaware and Kentucky Election 1864 Newspaper The Campaign Dial 404 pages of The Campaign Dial newspaper consisting of all 51 issues published The paper was published from September 8 1864 to November 5 1864 The Campaign Dial had higher production value than other campaign newspapers of the era It was published daily except on Sunday At a time when many major newspapers were only 4 pages The Campaign Dial was 8 pages The front page of most issues contained an illustration Download for free the 38 page paper written by historian Gary L Bunker for the Journal of the Abraham Lincoln Association concerning The Campaign Dial at The Campaign Dial A Premier Lincoln Campaign Paper 1864 by Gary L Bunker pdf It contains a week by week analysis of the content of the newspaper Election 1860 Newspaper The Kentucky Campaign In addition to the 518 pages described above this collection includes 24 pages 3 issues of the Southern Democrat campaign newspaper The Kentucky Campaign which was in support of John C Breckinridge for president The slogan of the newspaper was a Breckinridge quote The constitution on equality of the States These are symbols of everlasting union Let these be the rally cry of the people      **Editor & Publisher** ,1990      *The Billboard* ,1948      Syndicate Directory ,1988      **The Guardian Index** ,1988

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