

Before Dred Scott: Slavery and Legal Culture in the American Confluence, 1787-1857

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in the former Illinois Country and the emergence of agriculture as the region's dominant economic activity.

The transformation from furs to farms is the book's organizing theme, but, as Reda skillfully demonstrates, the transition was neither direct nor easy. His story is multifaceted and complex, boasts a disparate cast of characters, is well documented, and reflects current scholarship. His emphasis on the local perspective offers a richness of detail absent from more generalized accounts. Among other things, he makes a compelling case for the importance of local and regional history. Readers with an interest in the history of the Midwest will find much to like in this well-written book.

Before Dred Scott: Slavery and Legal Culture in the American Confluence, 1787-1857, by Anne Twitty. Cambridge Historical Studies in American Law and Society. New York: Cambridge University Press, 2016. xiii, 285 pp. Map, charts, tables, appendix, index. \$49.99 hardcover.

Reviewer Rebekah M. K. Mergenthal is associate professor of history at Pacific Lutheran University. Her research explores the accommodations and exclusions among the variety of racial and ethnic groups in the lower Missouri River valley during the first half of the nineteenth century.

Anne Twitty's *Before Dred Scott* is a legal history of the freedom suits filed in the St. Louis Circuit Court, where the particular legal culture enabled some slaves to bring suit. The most common grounds the 241 plaintiffs used were prior residence in a free territory or state, previous emancipation, or free at birth. Most did not ultimately gain their freedom (40.2 percent won freedom and 46.5 percent did not, with the rest unknown), and most slaves in the region did not file such suits. However, Twitty shows that careful reading of the cases can illuminate how regular people "made savvy use of the law," often for their own goals (21). These lawsuits were filed in St. Louis, but, because of the mobility of slaveholders and their slaves, they illuminate a broader region, one encompassing the convergences of the Ohio, Mississippi, and Missouri Rivers. Twitty does not explicitly discuss Iowa, although its eastern end is included on her map of the "American Confluence" region (4). Still, her ideas about the unclear boundary between slavery and freedom, and its legal ramifications, could certainly resonate with the study of antebellum Iowa.

In three chapters in the first section of *Before Dred Scott*, Twitty shows the "ambiguity" (56) between slavery and freedom in the region, the way some slaves learned "to use formal law to their own advantage" (94), and the limited antislavery perspectives of their lawyers.

The four richly detailed chapters in the second section each focus on a specific example drawn from the freedom suits and illustrate in particular the general points made in the first section. (Twitty's structural choices do lead to some looping back and repetition.) Chapter 4 traces the physical and legal journeys of the slave Maria Whiten, illuminating how small slaveholders "used the law to fashion their own identities and the identities of others" (138), an emphasis echoed in chapter 6. Chapter 5 more directly showcases a slave's own initiative through the story of Vincent, a slave in Kentucky who was hired out in Illinois. "By conducting an ongoing battle" about the location and shape of his labor, Vincent "carved out a kind of independence for himself" (178), of which filing a suit was only part. Chapter 7 juxtaposes the freedom suits of Polly Wash in the 1830s and '40s with the slave narrative written by her daughter near the end of the century (Lucy A. Delany, *From the Darkness Cometh the Light, or Struggles for Freedom*, [1891?]) to explore how slavery was remembered in the area. This intriguing chapter opens up *Before Dred Scott* to repercussions *after* that case, which would have been interesting to analyze more broadly, especially in terms of its regional implications. The book culminates in a conclusion that focuses directly on the *Dred Scott* case. By placing this crucial case in the context of her previous discussion, Twitty is able to show that it was "utterly unexceptional" (237) because of the similarities to other suits, and also that Judge Roger B. Taney's decision signaled a "death knell" (239) for the long-standing legal culture of the American Confluence region.

Twitty helpfully engages the broader literature on slave agency, especially Walter Johnson's *Soul by Soul: Life Inside the Antebellum Slave Market* (1999), which grounds her analysis and provides important context. There is also a growing historical literature focusing on the St. Louis Circuit Court freedom cases. Twitty references several works, although she does not fully set up the historiographical debates and differences between them. She does, though, critique the breadth of Lea VanderVelde's conclusions in *Redemption Songs: Suing for Freedom before Dred Scott* (2014) as incorrectly focusing on the "transhistorical sublime motives" instead of "the fine-grained contexts in which those motives and rationales were deployed" (22), which are Twitty's focus. Yet, because *Before Dred Scott* focuses so narrowly on the St. Louis freedom suits, it is not as broadly compelling and regionally illuminating as Matthew Salafia's recent work, *Slavery's Borderland: Freedom and Bondage along the Ohio River* (2013). However, Twitty is an able guide to the details and implications of the St. Louis freedom suits, and her book provides important evidence of how regular people engaged with and utilized formal law on the antebellum frontier.

Looking for Lincoln in Illinois: A Guide to Lincoln's Eighth Judicial Circuit, by Guy C. Fraker. Carbondale: Southern Illinois University Press. xiii, 130 pp. Illustrations, maps, appendix, bibliography, index. \$21.95 paperback.

Reviewer John A. Lupton is the executive director of the Illinois Supreme Court Historic Preservation Commission. He was formerly an assistant editor on *The Papers of Abraham Lincoln* and has written extensively about Lincoln as a lawyer.

Guy Fraker's new book is the third in a series that offers guided tours of Lincoln sites in Illinois. Specifically, Fraker leads us around central Illinois on the Eighth Judicial Circuit during the height of Lincoln's circuit-riding practice. The guide provides valuable information about highways, roads, and streets, including a key to different types of markers and wayside exhibits. Many illustrations show readers the people and places Lincoln experienced. Fraker demonstrates that Lincoln's time on the circuit served two important purposes: building a substantial law practice while also creating a network of political operatives.

Fraker does not delve into scholarly issues related to Lincoln's law practice, but this book is not meant for that. The purpose is to hold the reader's hand while Fraker points out many Lincoln sites in a very well-done driving and walking tour of Lincoln's circuit law practice. The book provides tidbits about some of Lincoln's cases and personal interactions—not enough to know full details, but enough to whet the appetite. As a result, a larger "For Further Reading" section would have been helpful to direct readers to some of those cases. Surprisingly absent were the two *Papers of Abraham Lincoln* publications on Lincoln's law practice. The four-volume book edition, particularly, has two in-depth tours of Lincoln's circuit. Minor quibbles aside, Fraker succeeds in giving readers a taste of what life was like on the circuit with Lincoln, whose practice mirrored that of many attorneys in the Midwest.

Making an Antislavery Nation: Lincoln, Douglas, and the Battle over Freedom, by Graham A. Peck. Urbana, Champaign, and Chicago: University of Illinois Press, 2017. ix, 264 pp. Maps, appendix, notes, index. \$34.95 hardcover.

Reviewer Stephen Hansen is emeritus dean and professor of history at Southern Illinois University Edwardsville. He is the author of *The Making of the Third Party System: Voters and Parties in Illinois, 1850–1876* (1980).

In this study of the rise of antislavery politics, Graham A. Peck uses Illinois as the context for examining the political conflict over slavery from the Northwest Ordinance in 1787 to the election of Abraham