

The History of Ohio Law

Edited by Michael Les Benedict and John F. Winkler

(Athens: Ohio University Press, 2004. 2 vols. Pp. xii, 946. Notes, indexes. \$75.00.)

The History of Ohio Law is an ambitious two-volume work containing an incredibly diverse collection of twenty-two essays. It is the first in what promises to be an extremely useful series, edited by Paul Finkelman, on law, society, and politics in the Midwest.

The aim of this book, and of the series as a whole, is to fill what editors Michael Benedict and John Winkler see as the “empty space” in the academic library regarding state-specific legal studies. *The History of Ohio Law* introduces the general reader to the breadth of Ohio’s legal history through essays covering topics such as state constitutional history, Ohio’s judiciary, and the intersections between race, gender, and the law. The role of Ohio’s judges, both in state and national circles, and the connections between the judicial branch and the other two branches of the government receive frequent mention. No mere list of subject headings, however, can capture the nuance or essence of the volumes’ focus on integrating Ohio’s legal history into a social and cultural context—both in Ohio and the nation as a whole. In his forward, Ohio Supreme Court Chief Justice Thomas J. Moyer contends that through these essays readers will see Ohio as a “microcosm of America” (p. xi). The celebration of Ohio’s role in American history is an underlying theme in most of the essays.

The authors of the essays are as diverse as the essays themselves. Joining Chief Justice Moyer are noted Ohio historian Andrew Cayton, nationally recognized legal historian Paul Finkelman, and historian Barbara Terzian, who has written extensively on Ohio legal topics, and a group of other distinguished historians, law professors, and practicing attorneys. These authors create a book that brings together in one place for the first time a wealth of legal knowledge and expertise.

Gathering legal practitioners and legal historians together to write about Ohio’s legal past also highlights the differing ways in which these two groups often look at the same materials. While legal historians surveying American legal history usually see few jurisdictional differences, lawyers in daily practice are painfully aware of minute distinctions between the various courts where they appear. Judicious readers can easily skim the essay titles, and choose which vista suits their needs or interests at any given moment.

Of particular interest to Hoosier readers is Terzian’s essay on Ohio’s constitutional history. When reading about how public debt, the influence of Jacksonian democracy, and the desire for reform of the judicial branch led Ohioans to call for a mid-nineteenth century constitutional

convention, Indiana readers have to remind themselves that Terzian is writing about Ohio—not Indiana. Winkler's essay on legal literature, including the publication of supreme court decisions in reporters, provokes another Indiana comparison. Winkler reports that the Ohio Supreme Court did not start publishing its decisions until 1823, twenty years after statehood (p. 507). The Indiana Supreme Court, through the painstaking work of Judge Isaac Blackford, began publishing its decisions in 1830; unlike the Ohio Reports, Blackford included decisions dating back to the court's origin in 1816.

There is occasional overlap between some of the essays, especially on topics related to the transition

from territory to state and the resulting dramatic power struggle between Ohio's leading men and their particular interests. Still, this collection of essays provides a valuable survey of legal topics designed to pique the interest of lawyer, legal historian, and general reader alike. It is an excellent addition to any library.

ELIZABETH R. OSBORN is assistant to the Chief Justice of Indiana for court history and public education, and adjunct professor of history at Indiana University-Purdue University Indianapolis. Her doctoral dissertation and other writing examines the influence of culture and gender on constitution-making in antebellum Indiana, Ohio, and Kentucky.



Karl Bodmer's North American Prints

Edited by Brandon K. Ruud. Essays by Ron Tyler and Brandon K. Ruud (Lincoln: University of Nebraska Press, 2004. Pp. xvi, 383. Illustrations, appendices. \$150.00.)

Karl Bodmer's North American Prints is a companion publication to *Karl Bodmer's America*, a comprehensive catalog of the Bodmer drawings and watercolors in the collection of the Joslyn Art Museum's Durham Center for Western Studies. Like that earlier work, this monumental study is based on the museum's Maximilian-Bodmer collection, "an unparalleled written and visual description of nineteenth-century American landscape and cultures" (p. xiii) that contains Maximilian's written records and hundreds of art works by Bodmer.

In 1832, Maximilian (1782-1867), Prince of Wied-Neuwied, Germany, an experienced naturalist who had made an earlier trip to Latin America, hired the young Swiss artist Karl Bodmer (1809-1893) to accompany him on an expedition to the American West. Maximilian's goal was to observe and record what he called the "rude, primitive character of the natural face of North America" (p. 5).

The naturalist and the artist, along with Maximilian's servant, arrived in the United States in the summer of 1832 and immediately