

pontificating about a duty to preserve a distinctive culture, “[a] confederate government that could not protect its citizens’ property would lose legitimacy” (p. 90).

Most generally, it is plausible that Lincoln’s lawyerly habits of mind, honed by two decades of legal practice, had an impact on his presidential decision making. Both as a practicing lawyer and as president, Lincoln admired Blackstone for having brought order and coherence to a wide range of precedents and developments. Like the model lawyer, Lincoln valued reason over passion, and he greatly preferred to begin with general principles and then draw specific conclusions regarding a given set of facts. Hence, the principle of “military necessity” drove many of his decisions regarding seizure of enemy property, retaliation against the enemy, and devastation of enemy

cities and farms. Carnahan concedes that other psychological and philosophical factors affected Lincoln’s decisions, but he, like most of the essayists assembled by Billings and Williams, maintains that Lincoln’s years as a lawyer affected his presidency. When Lincoln left Springfield, he told his partner not to alter their shingle because he planned to return to practice, but in striking ways Lincoln’s presidency demonstrates that he did not have to return to Springfield to continue working and thinking as a lawyer.

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The Lincoln Assassination Crime & Punishment, Myth & Memory

Edited by Harold Holzer, Craig L. Symonds, and Frank J. Williams

(Bronx, N.Y.: Fordham University Press, 2010. Pp. xii, 259. Illustrations, index. \$27.95.)

This collection is the fourth volume of published essays originally presented at the annual Lincoln Forum in Gettysburg, Pennsylvania; unlike the previous two titles in the series, which relied heavily on essays from academic historians, *The Lincoln Assassination* includes a number of contributions from independent historians. The editors promise that the

essayists “will provide a fresh examination . . . into the legal, social, and iconographic impact of Abraham Lincoln’s death,” (p. 8) but the book provides few, if any, original insights.

In the first essay, co-editors Holzer and Williams examine artistic depictions of Lincoln’s deathbed. They illustrate the essay with examples (many of them from the Lincoln

Financial Foundation Collection at the Indiana State Museum) of the lithographs and engravings of Lincoln's final hours produced for popular consumption. While the authors purport to show how the American public learned about and responded to Lincoln's assassination, their essay offers little more than a running commentary on the illustrations and the "rubber room phenomenon" that depicted a larger crowd keeping vigil at Lincoln's side than the actual room could possibly have accommodated. An assessment of marketing strategies for these prints or an interpretive analysis regarding the public's reception of these images would have strengthened this chapter.

In other essays, Richard E. Sloan writes about Lincoln's funeral in New York City, an interesting local history study for residents of that metropolis who can picture the Radio Shack that now stands where the funeral procession once crossed. Former Rhode Island Chief Justice Frank Williams evaluates the justness of military tribunals during the Civil War and draws parallels with President Barack Obama's handling of the Guantanamo detainees. Nearly a third of Williams's footnotes refer to modern newspaper sources, and his conclusion seems more fitting for an op-ed piece than a historical essay. Elizabeth D. Leonard presents a biographical essay on Judge Advocate General Joseph Holt, who authorized the military trial of Indiana civilian Lambdin P. Milligan and subsequently led the obsessed prosecution of the

assassination conspirators. Yet Leonard's essay presents no new insights that were not previously shared in her book, *Lincoln's Avengers* (2004).

In addition to Leonard's essay, contributions from Thomas R. Turner, Edward Steers Jr., and Michael W. Kauffman deal directly with the assassination conspiracy and trial. While these chapters offer no new insights or interpretations of the events, they are perhaps the strongest of the book. The diverging arguments of Steers and Kauffman regarding the complicity of Samuel Mudd in the assassination conspiracy and the overall fairness of the trial are particularly interesting. As Turner observes, "these positions cannot be easily reconciled" (p. 171). A general reader could nevertheless have benefitted from some editorial commentary introducing these opposing positions and the authors' interpretations of the evidence.

Thomas P. Lowry's essay is the most troublesome contribution to this volume. "Not Everybody Mourned Lincoln's Death," based upon the case files of court-martialed soldiers, tackles an interesting subject but is unfortunately dampened by repetitive, uninspired prose. Furthermore, Lowry's recent confession to the Office of the Inspector General that he intentionally altered the date on a Lincoln pardon raises serious doubts about his research.

The editors' decision to reprint a fifty-year-old chapter from Richard Current's *The Lincoln Nobody Knows* (1958) sums up the value of this

book. While this volume promises new insights on the Lincoln assassination, there is nothing new here for the specialist or informed Lincoln enthusiast. A general reader interested in this topic might find some value in this book, but would probably enjoy one of James Swanson's books on the assassination more.

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The Brilliant Bandit of the Wabash
The Life of the Notorious Outlaw Frank Rande
 By Mark Dugan with Anna Vasconelles

(DeKalb: Northern Illinois University Press, 2010. Pp. [xiii], 207. Illustrations, appendix, notes, bibliography, index. \$22.95.)

Mark Dugan has produced a slim and eminently readable biography of Charles Scott, alias Frank Rande, a self-styled desperado whose sordid career won him an equally squalid celebrity.

At his trial for murder, Rande's family described him as a promising young man. He was a good student and occasional preacher whose career as a teacher and talents as a blacksmith were ruined by twin tragedies: first, a carriage accident which allegedly led to major changes in his personality; second, the loss of his young wife to illness, which triggered what Dugan calls a dormant mental illness. Consequently, Rande became an aggressive drifter whose demeanor and actions frightened his family and former associates.

Dugan claims that an arrest for suspicion of larceny at age thirty-one led Rande to declare that he would

make himself a "terror in the land" (p. 16). Over the next several years, Rande was involved in a string of burglaries, assaults, and finally murders (including among his victims several police officers) throughout the midwestern states. His capture in Missouri made him a regional celebrity. He played the part beautifully, and was clearly obsessed with maintaining his public image as a violent bandit in order to reap the monetary rewards he anticipated from the sale of his memoirs and photographs of himself. Even though his many crimes were open-and-shut cases, a jury bizarrely decided to sentence him to life imprisonment instead of execution. (As Dugan notes, upon hearing that one member of the jury had initially held out for a not-guilty verdict, Rande exclaimed, "That man is crazier than I" [p.146]). In prison, he developed a hatred for one of his