has succeeded in his mission of creating an empirically grounded study of a particular community of lawyers which addresses "ordinary" members of the profession functioning in "ordinary" roles.

Elimination of some repetition would be an improvement.

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Covering a half-dozen years, from the final months of his service as secretary of state in the administration of President John Adams to the sixth anniversary of his confirmation as chief justice, Volume VI of The Papers of John Marshall traces the judicial career of one of the most influential American jurists ever to sit on the bench of any court in the United States. Picking up where Volume IV of the series left off (Volume V having been devoted to selected law cases from Marshall's Richmond-based law practice), the present work prints significant documents, primarily correspondence, from November 1800 through February 1801, as Marshall closed out his responsibilities as secretary of state. Wisely, the editors have dealt with the bulk of the incoming correspondence from this period in two appendices: one consisting of a calendar of routine diplomatic and domestic correspondence from record groups in the National Archives (pp. 501-531), and the second a straightforward listing of diplomatic dispatches written after 1 November 1800, most of which were sent to Washington too late to reach Marshall before his term of office officially ended.

John Adam's loss of the presidential election of 1800, coupled with the resignation of Chief Justice Oliver Ellsworth, proved to be a crucial turning point in John Marshall's career. In part to reward his faithful friend and advisor and in part to ensure strong Federalist leadership of the nation's highest court, Adams appointed the Virginian chief justice in January 1801. Marshall first met with his judicial colleagues in February 1801, but continued to function temporarily in the secretary's office beyond the date of his confirmation as chief justice at the request of the new president, Thomas Jefferson.

Of Marshall's private correspondence during this period—very little of which survives—some of the most interesting is that with fellow Virginian St. George Tucker. A former colleague at the superior court bar, Tucker was a jurist and legal treatise writer who had taken the opposing side to Marshall during the ratification debates. Approaching the chief justice by letter concerning the case of the infamous John Thomas Callender, who was being prosecuted under the federal Sedition Act, Tucker recalled an old and valued relationship. This elicited from Marshall a poignant and telling response. "No man regrets more than I do," Marshall wrote, "that intolerant & persecuting spirit which allows of no worth out of its own pale, & breaks off all social intercourse as a penalty on an honest avowal of honest opinions" (p. 14).

The great bulk of this volume is given over to Marshall's judicial career, and in a number of instances the editors print for the first time series of
documents hitherto unknown or relatively inaccessible. A splendid series of editorial notes on the Supreme Court (pp. 69 ff.), the United States circuit courts for Virginia (pp. 126 ff.) and North Carolina (pp. 142 ff.), and a number of landmark cases, such as *Marbury v. Madison* (pp. 160 ff.), place the edited documents in context. As usual, these notes are wonderfully well written, clear, succinct, and what is particularly welcome, honest summaries of the subject matter at hand. The editors also routinely take previous interpretations to task based not only on new evidence and fresh perspectives, but on an intimate knowledge of Marshall and his career.

Legal historians will naturally find this volume valuable for the judicial opinions it reprints. While the editors are quite correct in pointing out that this is not a documentary history of the Supreme Court, they do wish to publish in full Marshall's constitutional opinions. They also include "a small but representative selection of nonconstitutional opinions given by the chief justice," attempting thereby "to provide a sampling of Marshall's jurisprudence in the several fields that occupied the major share of the court's attention, including procedure, real property, contracts and commercial law, admiralty, and international law .... Priority is given to opinions that illuminate Marshall's broader views on politics, society, and economy; that reflect an important public issue or policy of the time; and that can be amply documented from the official case file and other sources ..." (p. xxvii). Appendix III provides a complete calendar of all opinions delivered by Chief Justice Marshall from the August 1801 to the February 1807 terms of the Supreme Court.

While materials concerning Supreme Court cases are printed on a selective basis, the editors are including in full all of Marshall's opinions—and as much supporting documentation as is available—from the circuit courts for Virginia and North Carolina. Along with more than sixty surviving autograph opinions delivered in the Virginia court, they include opinions originally printed in two dated and not quite rare nineteenth-century volumes of reports. Marshall's elevation to the nation's court did not necessarily mean that he was suddenly able to rise above politics. As Kentucky Federalist Humphrey Marshall reminded the chief justice just after passage of the Judiciary Act, "political Opinions often have an influence in decisions upon private rights, [so] you will readily perceive [sic] the importance of placing in the ... Courts a man well affected to the federal government, by way of counterpoise" (p. 78). "So far as relates to our domestic situation," John Marshall himself noted a few days before President Jefferson took office, "it is belevid [sic] and feard that the tendency of the administration will be to strengthen the state governments at the expense of that of the Union & to transfer as much as possible the powers remaining with the general government to the floor of the house of representatives" (pp. 82-83). As one of his earliest acts as chief justice, Marshall swore in his fellow Virginian as president and the experience did not fill him with confidence for the future. "You will before this reaches you see his inauguration speech," he wrote to Charles Cotesworth Pinckney. "It is in the general well judgd & conciliatory. It is in direct terms giving the lie to the violent party declamation which has elected him; but it is strongly characteristic of the general cast of his political theory" (pp. 89-90).

As usual, there is little to criticize in this important new volume of the *Marshall Papers*. This reviewer found distracting the chronological disbursement through the volume of materials concerning *Marshall v. Hunter and Pendleton* and the Fairfax estate, doubtless because of being spoiled by
the satisfying design of the law cases volume.

In this day of administrative hand-wringing and budget-cutting, it is a genuine pleasure to see a volume of such quality and scholarly integrity appearing from the presses. The National Historical Publications and Records Commission, the sponsoring institutions, and the additional grant funding agencies that have maintained their financial support of this and many other valuable projects in the series of Papers of great American leaders deserve the sincere and unrestrained thanks of historians across the country. Those desperately needed funds ensure the availability of definitive editions of sourcebooks that are imperative to a thorough understanding of the formation of the American republic.

E. Lee Shepard

Virginia Historical Society


This study, short in length but ambitious in scope, explores nineteenth century captivity narratives and the “white slavery panic.” Grittner explores the Progressive legacy upon sexual politics to the present time, ending with a brief conclusion.

The study’s strength is the examination of slave narratives as transformed into popular literature, novels and film, clearly showing the “white slave myth” in the popular mind. Its nativism and xenophobia are made abundantly clear in his analysis.

Ironically, Grittner relies too heavily on this genre as an explanation for the Mann Act and other consequences. Considering the prostitute’s fate during World War I, captivity narratives inadequately explain what happened. Every other aspect of purity literature, voluminous beyond imagination, is virtually ignored, including the important medical and sex education materials of the day. Although there is an immediate connection between the mythology and the Mann Act, the interpretation, in its monolithic view of purity reform, creates major distortions of the historical process.

Grittner’s understanding of the “Americanization of White Slavery” is simple and reductionist. O. Edward Janney, President of the American Purity Alliance and an expert on the subject is not cited. “Age of consent” agitation and legislation, an important struggle against the traffic in women and children prior to the Mann Act is never mentioned. The uses of “red light abatement laws” and the “tin plate” laws are virtually ignored.

The unity of the purity movement was already breaking at the turn of the century. Numerous purity organizations with differing points of view had come into existence. Many of them had united into the World Purity Federation under the Presidency of B. S. Steadwell. Other purity forces within the foreign missions and on the West Coast gave a direction to purity reform in many ways different from the American Purity Alliance or the National Vigilance Committee (quickly to be reorganized as the American Vigilance Association). Nativistic and xenophobic themes within the Chicago based and Western purity organizations were mitigated by counter-themes. Clifford G. Roe, important