

Portland State University

From the Selected Works of David Peterson del Mar

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Review of Scandal of the West: Domestic Violence on the Frontier by R. E. Mather and Louis Schmittroth

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bered trappings of a partly understood judicial process" (p. 233).

Reid's conclusion seems more tentative than the one he reached for the overlanders' dealings with property in his *Law for the Elephant: Property and Social Behavior on the Overland Trail* (1980), and for good reason. He acknowledges that "what we know, then, about criminal trials and criminal procedure on the Oregon and California trails comes almost exclusively from accounts of trials of defendants accused of deliberate homicide" (p. 117). He disputes (but has the great courtesy to summarize and cite) my own work that has suggested that "trials" for crimes less than murder were often matters of levity and amusement (there are more examples of this than Reid mentions) and that punishments for crimes less than murder were largely ineffectual. One could look at Reid's evidence and agree with him completely in respect to murder, yet still conclude that the overlanders were in too much of a hurry to get across the plains to bother much with any social deviance of lesser status. If so, that would not tell us much about what the overlanders thought of the appropriate way to deal with, for example, assault or burglary in more settled circumstances.

Reid has written another interesting, well-researched book, albeit not as convincing as his study of property law on the overland trail. Would that he might write a book on the overland use of that most paradigmatic feature of nineteenth-century American law—the contract.

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Scandal of the West: Domestic Violence on the Frontier. By R. E. Mather, with introduction by Louis Schmittroth. (Oklahoma City, History West Publishing Company, 1998. vi + 213 pp. \$15.95 paper)

This treatment of domestic violence in the American West from the 1840s to the early twentieth century adds little to our knowledge of a very neglected topic.

The book consists largely of a handful of accounts from divergent times and places: the Sager children who survived the Whitman Massacre of 1847; John and Sarah Grannis and John and Lucinda Vedder, two troubled couples who lived in several western mining towns in the mid-nineteenth century; and Emma LeDoux, who was convicted of killing her husband in Stockton, California, in 1906. Indeed, the LeDoux story alone consumes more than one quarter of the text. Mather's treatment of these episodes lacks both historical context and a broader rationale, and the book's incoherence is exacerbated by her predilection for digression.

Nor does *Scandal of the West* contain much analysis. Mather pays scant attention to other historians of domestic violence or the family, western or otherwise. Rather, the book's interpretation is shaped largely by a sense of moral outrage. This in and of itself is not problematic, but Mather tends to approach uncritically both her sources and those she deems to have been victimized. For example, she asserts that Lucinda Vedder's remarks at the trial of the man who shot her estranged husband "revealed that even after signing the divorce papers, she had never given up hope of somehow saving the marriage" (p. 123). One might wonder if Lucinda's professions of fidelity were instead calculated to rehabilitate her tarnished reputation. But Mather is indignant that prosecutors depicted Lucinda "as a 'bad woman'" bent on pursuing "a man of higher social status" (p. 123). That a subsequent census identified her as a prostitute simply showed "that two years of spousal battery had already damaged her self esteem," not that Lucinda was capable of using sex, one of a handful of levers available to women, to further her own ends (pp. 126–127). Indeed, the women in *Scandal of the West* are consistently portrayed as helpless and virtuous victims. LeDoux, who, by Mather's own account, juggled up to three suitors at a time, "was as vulnerable as a moth fluttering in the glow of a candle flame" (p. 153), a woman who apparently allowed her husband to die "for the sake of her own integrity and for the survival of her children and mother" (p. 182).

This said, *Scandal of the West* has some merit, particularly for nonacademics. Mather at times writes well and has an eye for dramatic and interesting details. We learn, for example, that early twentieth-century autopsies might attract a crowd of spectators. She also identifies and synthesizes some very intriguing unpublished material, such as John Grannis's diary and accounts of Emma LeDoux's marriages. One hopes that other historians will approach these documents more creatively and critically than Mather has.

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Lawman: The Life and Times of Harry Morse, 1835–1912. By John Boessenecker. (Norman, University of Oklahoma Press, 1998. xviii + 366 pp. \$29.95)

Late nineteenth-century California suffered through a period of criminal activity that tested many lawmen. Few were more successful in their response to this lawlessness than Harry Morse. With two previous studies of crime in California (*Badge and Buckshot* and