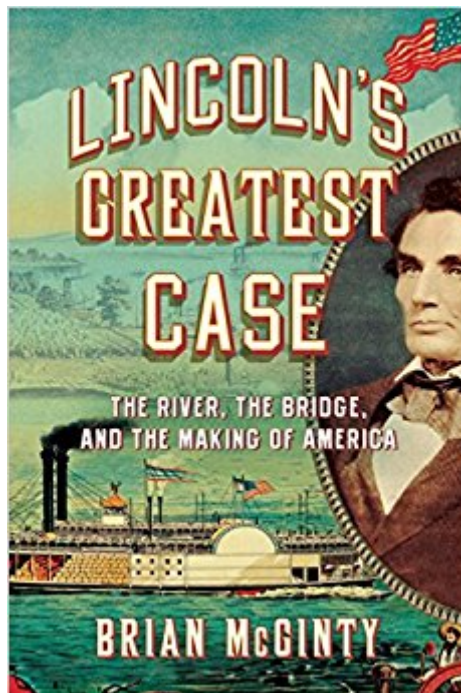




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# Lincoln's Greatest Case: The River, The Bridge, And The Making Of America



## Synopsis

The untold story of how one sensational trial propelled a self-taught lawyer and a future president into the national spotlight. In the early hours of May 6, 1856, the steamboat *Effie Afton* barreled into a pillar of the Rock Island Bridge—the first railroad bridge ever to span the Mississippi River. Soon after, the newly constructed vessel, crowded with passengers and livestock, erupted into flames and sank in the river below, taking much of the bridge with it. As lawyer and Lincoln scholar Brian McGinty dramatically reveals in *Lincoln's Greatest Case*, no one was killed, but the question of who was at fault cried out for an answer. Backed by powerful steamboat interests in St. Louis, the owners of the *Effie Afton* quickly pressed suit, hoping that a victory would not only prevent the construction of any future bridges from crossing the Mississippi but also thwart the burgeoning spread of railroads from Chicago. The fate of the long-dreamed-of transcontinental railroad lurked ominously in the background, for if rails could not cross the Mississippi by bridge, how could they span the continent all the way to the Pacific? The official title of the case was *Hurd et al. v. The Railroad Bridge Company*, but it could have been *St. Louis v. Chicago*, for the transportation future of the whole nation was at stake. Indeed, was it to be dominated by steamboats or by railroads? Conducted at almost the same time as the notorious *Dred Scott* case, this new trial riveted the nation's attention. Meanwhile, Abraham Lincoln, already well known as one of the best trial lawyers in Illinois, was summoned to Chicago to join a handful of crack legal practitioners in the defense of the bridge. While there, he successfully helped unite the disparate regions of the country with a truly transcontinental rail system and, in the process, added to the stellar reputation that vaulted him into the White House less than four years later. Re-creating the *Effie Afton* case from its unlikely inception to its controversial finale, McGinty brilliantly animates this legal cauldron of the late 1850s, which turned out to be the most consequential trial in Lincoln's nearly quarter century as a lawyer. Along the way, the tall prairie lawyer's consummate legal skills and instincts are also brought to vivid life, as is the history of steamboat traffic on the Mississippi, the progress of railroads west of the Appalachians, and the epochal clashes of railroads and steamboats at the river's edge. *Lincoln's Greatest Case* is legal history on a grand scale and an essential first act to a pivotal Lincoln drama we did not know was there. 18 illustrations

## Book Information

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## Customer Reviews

“McGinty provides valuable context unavailable anywhere else and a deep understanding of the dynamic and contested legal, commercial, and political world that informed Lincoln’s support for westward expansion and economic development, shaped his ideas on law, and honed his skills as a lawyer. McGinty’s book gives us the best accounting of Lincoln, the lawyer, to date. Highly recommended.” – Randall M. Miller, *Library Journal* (Starred Review)

“McGinty makes good on his promise to articulate why a now obscure 1857 trial had much broader significance than one would expect of a legal battle over transportation. A masterful popular history that places its focal point in a richly detailed wider context and will get readers interested in Lincoln’s legal career.” – *Publishers Weekly* (Starred Review)

“A fascinating study of the case that capped Lincoln’s career as a lawyer and fostered the creation of the vast railroad network that would bind the nation together.” – Richard Slotkin, author of *The Long Road to Antietam*

“Brian McGinty’s riveting account of the Effie Afton trial of 1857 not only highlights the role of Abraham Lincoln in assuring the superiority of railroad transport over river navigation in the nation’s development but also how the case gave a boost to Lincoln’s career both as a lawyer and as a political leader.” – James M. McPherson, author of *Embattled Rebel: Jefferson Davis as Commander in Chief*

“Accomplished legal historian Brian McGinty has provided the definitive account of a crucial episode in Abraham Lincoln’s career as an attorney: the precedent-setting Effie Afton case. McGinty deftly explains the judicial and political implications of this effort by Lincoln to establish the inevitability (and desirability) of economic development in the West, and does so through superior research, fine reasoning, and lucid prose. Effie Afton was much more than an ordinary legal case and this book is much more than a mere account of a pre-Civil War trial. Anyone seeking to better understand the origins of the growing tensions between political parties in mid-nineteenth-century America will find this

book absolutely essential. — Harold Holzer, Roger Hertog Fellow, New-York Historical Society — “Of the 5,000-plus cases in which attorney Abraham Lincoln participated, none had more national significance than the one that Brian McGinty so ably describes and analyzes in this highly readable volume. Based on thorough research, McGinty not only sheds bright light on Lincoln’s contribution to the defense of the bridge company but also places the story within the larger context of American economic, social, and military history. — Michael Burlingame, author of *Abraham Lincoln: A Life* — “As Brian McGinty demonstrates so well in his latest book, Lincoln showed great political courage as an attorney when he was called upon to defend progress in 1857. While Lincoln successfully defended the Rock Island Railroad from claims of the owners of the river boat *Effie Afton*, he was also a successful mediator, recognizing the importance of both modes of transportation. — Frank J. Williams, founding chairman of the Lincoln Forum — “A lively account of this navigational dispute and its central role in America’s economic and political development | Lincoln’s Greatest Case convincingly shows that 1857 was a watershed year for the moral and political questions surrounding slavery’s expansion to the west | The book is also a case study of discomfort with new technology and the futility of using a tort suit to prevent the adoption of inevitable innovation. — Margaret A. Little, *Wall Street Journal* — “Sometimes, while the future seems to lie in the establishment of invisible connections, it can be rewarding to look to the past, when it was infrastructure that held the promise of unity. McGinty enlivens this history of pre-Civil War America. — Elizabeth Taylor, *Chicago Tribune* — “McGinty does a masterful job bringing this 157-year-old case to life. — David Holahan, *Christian Science Monitor*

Brian McGinty is an attorney and writer who specializes in American history and law. His previous books include *Lincoln’s Greatest Case*, *The Body of John Merryman: Abraham Lincoln and the Suspension of Habeas Corpus*, and *John Brown’s Trial*. He lives in Scottsdale, Arizona.

How sweet it is to read a substantial book about Lincoln’s career before the Presidency. When the St. Louis steamboat “*Effie Afton*” crashed into the very first railroad bridge (1856), Lincoln was a middle-aged lawyer in private practice who rode the circuit of the IL 8th Judicial District. Some said he’d was owned by one of his clients, the Illinois Central Railroad Company. True or not, the Rock

Island Bridge Company of Chicago was affiliated with the Illinois Central and wanted to retain Lincoln as one of its defense lawyers. He was swamped with cases and a sight-seeing trip with Mrs. Lincoln but the bridge company waited for his services until July, 1857, after the witnesses had been interviewed and depositions taken. The September trial, before the Chicago District Court, represented more than railroad Vs. steamboat. It was a battle between St. Louis and Chicago for future control of the U.S. transportation system, including a route for the transcontinental railroad. Did Lincoln win? Let's say he made a difference. His work was covered by the national media, which enhanced his growing reputation from the Lincoln-Douglas debates.

Lincoln's Greatest Case is about much more than the right to construct a bridge across a navigable waterway. While the case set an important legal precedent, the effect was no less than the transformation of the nation's fulcrum of commerce from north-south and river-based to east-west and rail-based. This important work, in a logical and readable manner, argues that the North won the Civil War as the result of becoming independent of the South for inland transportation while simultaneously expanding its footprint with the opening of the West. Henry Posner III, Chairman, Iowa Interstate Railroad (successor to the Rock Island railroad)

This book is very well done. The significance of the issues of that time are presented in a very interesting and readable manner. I am from Illinois and have a new appreciation for the history of the Rock Island area and the great Abraham Lincoln.

This book was the topic at a recent history-book discussion at my local library. It details a part of Lincoln's early legal career. Its main thrust was the competition between the powerful steamboat industry and the emerging railroads moving westward before the Civil War. The case had ramifications for westward expansion and the extension of slavery into the western territories. There are few written records of the trial in Chicago, as they were burned. McGinty worked with remaining records and newspaper accounts - always a problem given the partisan nature at the time. The book is an interesting slice of history that is usually ignored or diminished regarding Lincoln and the importance of the growth of railroads in the North.

For anyone interested in legal history, the history of Illinois and the growing United States, the history of the cauldron brewing towards full boil of the Civil War, Greatest Case is very worthwhile. The writing style is approachable, but might have gotten a bit more aggressive editing to remove

duplications. However, those are tiny issues compared to the view of the era and the forces at work provided.

Interesting book on an obscure part of American history that ties into slavery and the civil war. The author covers the non legal/technical part of the story as well as the law. The steamboat industry vs the railroads. And St Louis vs Chicago. Lincoln was a talented attorney for his time.

I had no idea that Lincoln had been involved in such an important event in railroad history. This story is an interesting and important one around our transportation history. It is well told and riveting.

A nice retelling of one case in which Lincoln was a supporting player, with frequent detours to bring in history of Lincoln, the other principal players, railroads, steamboats, and other subjects. I found it very engaging.

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