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construction. It was slow but of the highest order. The masonry works were absolutely first rate and many survive to this day and are still in active use.

Although Miner is not trying to write a “peoples history” or a social history of the “little people,” what you take away from many of the chapters is how profoundly the early railroads affected the average person. Chapter 5 “Riding the Rails” is a reminder that riding the early trains was no picnic and puts the train of annoyances one must put up with to fly in our time in some perspective. We have it easy compared to 1840, but then again traveling by coach in 1800 was even worse.

Perhaps the most important contribution of this book is Miner’s considerable coverage of the development of the Southern railways. He argues, correctly in my view, that the Southern railroad system was more developed than some histories suggest and that the South was not as agrarian as it appears from endless showings of “Gone with the Wind.” Chapter 9 “Southern Strategy” shows how vigorously Southerners pursued the construction of first local railroads, and then larger systems that crossed state lines. Although not as extensive as the northern network by the outbreak of the Civil War, it was extensive and in many ways the financing was sounder. Miner compares the regions of the United States to each other in most of the chapters so that material on the Southern railroads appears throughout the book.

Chapter 11 “Panic” is concerned with the Panic of 1857 and the role of railroad finance in the panic. The chapter has lots of good examples of shady railroad financing schemes that are familiar fare for most historians of railroads. However, these lead into a discussion of the 1857 Panic and the many contemporaneous quotes are eerily reminiscent of the recent collapse of our own financial bubble from 2006 to late 2008. Then as now, the “smart” people were as easily deceived as everyone else and they seemed to have learned no lessons from the Panic of 1837 that occurred only 20 years before.

In his final chapter, Miner wisely avoids the overwrought (and now standard) discussions of technology as the spoiler of mankind’s simple paradise. Miner states his goal forthrightly: “This book is a history, not a sociological study or a philosophical tract. . .it is a history of the interaction of technology and public opinion. . .” (p. 261). Technology will always be disruptive and especially so if inventors and entrepreneurs are rewarded for their creativity. The “perennial gale of creative destruction” sweeps us along. Miner comes close to answering Maury Klein’s question: What is the meaning of the railroad in American life? Well, we love trains. We put men on the moon. If challenged, we can do anything.

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For proponents of institutional economics, laws are one of the humanly devised constraints that structure human interactions. Like other formal and informal constraints, they define the incentive structure of societies and economies. In Freedom Bound, Christopher Tomlins subtly shifts the emphasis, suggesting that we think of laws not simply as constraints but as a “technology” that provides “. . . a means by which designs, structures, institutions might be imagined, created, implemented, and
implanted" (p. 506). Viewed as technology, legal thought is both a tool enabling action and a constraint, channeling that action in specific directions.

In this expansive history of the legal context of the first two centuries of English settlement in North America, Tomlins clearly and compellingly documents both the power of law to structure the course of the colonizing enterprise, and its adaptability to different circumstances and economic realities. He organizes his narrative around the three challenges of colonizing identified by Richard Hakluyt the elder in 1585, a quarter century before the settlement of Jamestown: recruiting migrant populations—"manning" in Hakluyt's terminology; transporting populations and combining them with land and other resources—"planting"; and claiming sovereignty, securing occupancy and realizing jurisdiction—"keeping."

Before turning to this narrative, though, Tomlins begins by reexamining the quantitative realities of the peopling of North America. It has been well established by now that the majority of English migrants to North America came as indentured servants. But, using the sort of mathematical logic that will appeal to economists, Tomlins shows that the dominance of servants among immigrants did not translate into the dominance of servitude among the colonists. Because terms of service were relatively short, and rates of natural increase were high, servants constituted a small minority of the workforce in most of the mainland colonies for most of their history.

With this quantitative foundation established, Tomlins turns to the legal context in which transatlantic migration took place. Chapter 2 is concerned with the basis of the King's authority to prohibit or allow workers to leave his jurisdiction, as well as his ability to establish governments in the colonies. Chapters 3 and 4 describe the evolution of English legal thought regarding the legitimacy of claims to territory in the Americas. Tomlins explores two themes here: the first is the effort to establish the legitimacy of English claims vis-à-vis other European states, while the second concerns the relationship of English settlers with the indigenous populations they encountered. In the latter case, he documents an evolution in English thought that "... progressively banishes existing inhabitants to the margins of consciousness by denying their civic capacity..." (p. 132).

In the next three chapters, Tomlins begins to explore the legal context of colonial settlement with a particular focus on labor law. Chapter 5, which is largely synthetic, argues that English emigrants brought with them not a single, unified legal tradition, but multiple traditions that reflected the differing economic and legal context of the locales from which they were emigrating. Coming overwhelmingly from pastoral regions, migrants to New England brought traditions of well-ordered village self-government; while settlers in the Chesapeake, who were drawn mainly from arable regions, brought a more heavy-handed tradition of law as a tool for social control. Chapter 6 questions the prevailing wisdom of a unidirectional movement in employment relationships from unfreedom toward freedom. According to Tomlins, labor regulations varied considerably both regionally, and across different types of labor. As a result, statutes created considerable space within which adult white males at least experienced considerable freedom. In chapter 7, Tomlins provides additional support for this argument through an analysis of court records from one county drawn from each of the three major regions of settlement: the Chesapeake, Middle Atlantic, and New England. While courts did provide support to employers seeking to impose work discipline, he shows that they also provided considerable protection to servants.

Tomlins next turns (chapter 8) to the broader political sphere, where again he takes issue with the prevailing wisdom which has depicted a steady movement toward civic modernization. Instead, he argues that a close reading of the documentary evidence
suggests that arguments for governmental authority based on contract and patriarchy coexisted with each other throughout the colonial period.

The final topic Tomlins considers is the evolving legal status of slaves. Accounting for almost one-fifth of this book, chapter 9, documents the evolution of the colonists’ efforts to rationalize their possession of African slaves and to establish a legal framework for controlling this captive population in their midst. In every colonial region, he documents the correlation between rising slave numbers and the elaboration of slave laws. In this sense, the law appears to have responded endogenously to what the free population perceived as a potentially dangerous captive work force. Although there were regional differences in the statutes enacted to control the slave labor force, the more striking feature is the degree of similarity in legal regimes. In part, this reflects a common pattern of borrowing from legal traditions established earlier in Barbados, which was a source of both slaves and of slaveowners who relocated to the mainland in search of more abundant land.

Tomlins’ narrative ends with American independence, but the concluding chapter argues that the legal regime established during the colonial period formed the basis for American expansion until the crisis of the Civil War. More specifically, he argues that the Supreme Court’s ruling in the Dred Scott case is entirely of a piece with this legal foundation. The cost of departing from this long chain of legal precedent was the Civil War, and without this costly conflict change would have been impossible.

By focusing on the legal context of English colonization, Tomlins provides a new perspective on a familiar topic. His richly detailed reexamination of American origins forcefully illustrates the power of ideas to shape and constrain human actions, while at the same time illustrating how legal ideas were themselves shaped by their evolving social and economic context. In both its wealth of detail and the broad sweep of its argument, this is an important contribution that deserves the attention of scholars of American history as well as those interested in better understanding the role of law in economic development.

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*Cooking in Other Women’s Kitchens* is about black women who worked as cooks for white families in the South prior to the 1964 Civil Rights Act. Most of the story is centered in the late nineteenth and early twentieth century. In this setting, race, gender, history, and the technology of household production complicate the usual tensions between employees and employers. On its own terms, the book is successful, particularly in meeting its goal to “discover how African American cooks successfully functioned within a world of extremely hard work, low wages, and omnipresent racial strife” (p. xiii) and to do so by drawing heavily on the women’s “own words and ideas” (p. xvii). Rebecca Sharpless provides compelling insights into black women’s struggle to support their families and to navigate the extraordinary demands on their time, energy, and dignity.

The chapters are arranged by theme, rather than chronologically. In turn, they address how women became cooks, the food they prepared, their compensation in cash and