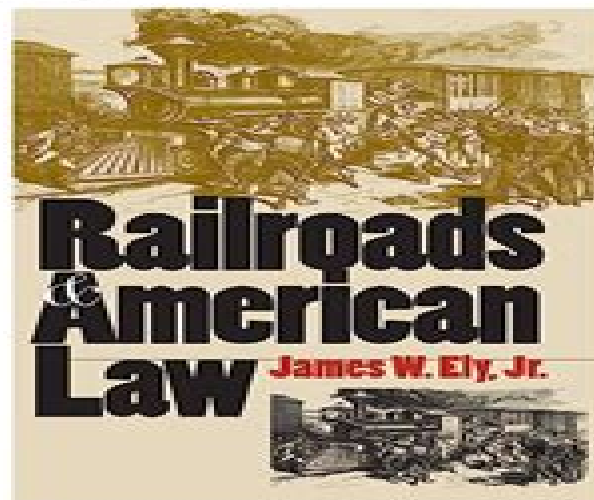


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No enterprise is so seductive as a railroad for the influence it exerts, the power it gives, and the hope of gain it offers. At its peak, the railroad was the Internet of its day in its transformative impact on American life and law. A harbinger and promoter of economic empire, it was also the icon of a technological revolution that accelerated national expansion and in the process transformed our legal system. James W. Ely Jr., in the first comprehensive legal history of the rail industry, shows that the two had a profound influence on each other. Ely chronicles how "America's first big business" impelled the creation of a vast array of new laws in a country where long-distance internal transport had previously been limited to canals and turnpikes. Railroads, the first major industry to experience extensive regulation, brought about significant legal innovations governing interstate commerce, eminent domain, private property, labor relations, and much more. Much of this development was originally designed to serve the interests of the railroads themselves but gradually came to contest and control the industry's power and exploitative tendencies. As Ely reveals, despite its great promise and potential as an engine of prosperity and unifier of far-flung regions, the railroad was not universally admired. Railroads uprooted people, threatened local autonomy, and posed dangers to employees and the public alike situations with unprecedented legal ramifications. Ely explores the complex and sometimes contradictory ways in which those ramifications played out, as railroads crossed state lines and knitted together a diverse nation with thousands of miles of iron rail. Epic in its scope, Railroads and American Law makes a complex subject accessible to a wide range of readers, from legal historians to railroad buffs, and shows the many ways in which a powerful industry brought change and innovation to America.

Railroads American Law

Paul Finkelman, Martin J. Hershock



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Railroads and American Law James W. Ely, Jr., 2001-12-06 No enterprise is so seductive as a railroad for the influence it exerts the power it gives and the hope of gain it offers Poor s Manual of Railroads 1900 At its peak the railroad was the Internet of its day in its transformative impact on American life and law A harbinger and promoter of economic empire it was also the icon of a technological revolution that accelerated national expansion and in the process transformed our legal system James W Ely Jr in the first comprehensive legal history of the rail industry shows that the two institutions the railroad and American law had a profound influence on each other Ely chronicles how America s first big business impelled the creation of a vast array of new laws in a country where long distance internal transport had previously been limited to canals and turnpikes Railroads the first major industry to experience extensive regulation brought about significant legal innovations governing interstate commerce eminent domain private property labor relations and much more Much of this development was originally designed to serve the interests of the railroads themselves but gradually came to contest and control the industry s power and exploitative tendencies As Ely reveals despite its great promise and potential as an engine of prosperity and uniter of far flung regions the railroad was not universally admired Railroads uprooted people threatened local autonomy and posed dangers to employees and the public alike situations with unprecedented legal ramifications Ely explores the complex and sometimes contradictory ways in which those ramifications played out as railroads crossed state lines and knitted together a diverse nation with thousands of miles of iron rail Epic in its scope Railroads and American Law makes a complex subject accessible to a wide range of readers from legal historians to railroad buffs and shows the many ways in which a powerful industry brought change and innovation to America

A Treatise on American Railroad Law

Edward L. Pierce, 2023-10-03 Reprint of the original first published in 1857

Recasting American Liberty

Barbara Young Welke, 2001-08-13 Through courtroom dramas from 1865 to 1920 of men forced to jump from moving cars when trainmen refused to stop of women emotionally wrecked from the trauma of nearly missing a platform or street and women barred from first class ladies cars because of the color of their skin Barbara Welke offers a dramatic reconsideration of the critical role railroads and streetcars played in transforming the conditions of individual liberty at the dawn of the twentieth century The three part narrative focusing on the law of accidental injury nervous shock and racial segregation in public transit captures Americans journey from a cultural and legal ethos celebrating manly independence and autonomy to one that recognized and sought to protect the individual against the dangers of modern life Gender and race become central to the transformation charted here as much as the forces of corporate power modern technology and urban space

A History of American Law Lawrence M. Friedman, 2019-09-09 Renowned legal historian Lawrence Friedman presents an accessible and authoritative history of American law from the colonial era to the present day This fully revised fourth edition incorporates the latest research to bring this classic work into the twenty first century In addition to looking closely at timely

issues like race relations the book covers the changing configurations of commercial law criminal law family law and the law of property Friedman furthermore interrogates the vicissitudes of the legal profession and legal education The underlying theory of this eminently readable book is that the law is the product of society In this way we can view the history of the legal system through a sociological prism as it has evolved over the years *Railroads and the American People* H. Roger Grant, 2018-11-01 A wealth of vignettes and more than 100 black and white illustrations Does a fine job of humanizing the iron horse The Wall Street Journal In this social history of the impact of railroads on American life H Roger Grant concentrates on the railroad s golden age from 1830 to 1930 He explores four fundamental topics trains and travel train stations railroads and community life and the legacy of railroading in America illustrating each with carefully chosen period illustrations Grant recalls the lasting memories left by train travel both of luxurious Pullman cars and the grit and grind of coal powered locals He discusses the important role railroads played for towns and cities across America not only for the access they provided to distant places and distant markets but also for the depots that were a focus of community life and reviews the lasting heritage of the railroads in our culture today This is an engaging book of train stories from one of railroading s finest historians Choice Highly recommended to train buffs and others in love with early railroading Library Journal With plenty of detail Grant brings a bygone era back to life addressing everything from social and commercial appeal racial and gender issues safety concerns and leaps in technology A work that can appeal to both casual and hardcore enthusiasts Publishers Weekly starred review **Enterprise and American Law, 1836-1937** Herbert Hovenkamp, 2009-06-01 In this integration of law and economic ideas Herbert Hovenkamp charts the evolution of the legal framework that regulated American business enterprise from the time of Andrew Jackson through the first New Deal He reveals the interdependent relationship between economic theory and law that existed in these decades of headlong growth and examines how this relationship shaped both the modern business corporation and substantive due process Classical economic theory the cluster of ideas about free markets became the guiding model for the structure and function of both private and public law Hovenkamp explores the relationship of classical economic ideas to law in six broad areas related to enterprise in the nineteenth and early twentieth centuries He traces the development of the early business corporation and maps the rise of regulated industry from the first charterbased utilities to the railroads He argues that free market political economy provided the intellectual background for constitutional theory and helped define the limits of state and federal regulation of business behavior The book also illustrates the unique American perspective on political economy reflected in the famous doctrine of substantive due process Finally Hovenkamp demonstrates the influence of economic theory on labor law and gives us a reexamination of the antitrust movement the most explicit intersection of law and economics before the New Deal Legal economic and intellectual historians and political scientists will welcome these trenchant insights on an influential period in American constitutional and corporate history *A History of American Law: Third Edition* Lawrence

M. Friedman,2005-06-01 In this brilliant and immensely readable book Lawrence M Friedman tells the whole fascinating story of American law from its beginnings in the colonies to the present day By showing how close the life of the law is to the economic and political life of the country he makes a complex subject understandable and engrossing A History of American Law presents the achievements and failures of the American legal system in the context of America s commercial and working world family practices and attitudes toward property government crime and justice Now completely revised and updated this groundbreaking work incorporates new material regarding slavery criminal justice and twentieth century law For laymen and students alike this remains the only comprehensive authoritative history of American law **A History of**

American Law, Revised Edition Lawrence M. Friedman,2010-06-15 A History of American Law has become a classic for students of law American history and sociology across the country In this brilliant and immensely readable book Lawrence M Friedman tells the whole fascinating story of American law from its beginnings in the colonies to the present day By showing how close the life of the law is to the economic and political life of the country he makes a complex subject understandable and engrossing A History of American Law presents the achievements and failures of the American legal system in the context of America s commercial and working world family practices and attitudes toward property slavery government crime and justice Now Professor Friedman has completely revised and enlarged his landmark work incorporating a great deal of new material The book contains newly expanded notes a bibliography and a bibliographical essay Strategies for Improving the Project Agreement Process Between Highway Agencies and Railroads Michael L Bradley & Associates Consulting,Gordon Proctor & Associates,StarIsis Corporation,2010 This report from the second Strategic Highway Research Program SHRP 2 which is administered by the Transportation Research Board of the National Academies examines the procedures that highway agencies and railroads follow to develop agreements for highway projects that cross or lie alongside railways It provides a comprehensive collection of successful practices and standard processes that promote cooperation between railroads and public agencies and that can help them reduce the time and cost of project reviews The report also includes a series of model legal agreements The American Law of Railroad Reorganization Harold Gwyn Wren,1957*

Encyclopedia of North American Railroads William D Middleton,George M. Smerk,Roberta L. Diehl,2007-04-06 Lavishly illustrated and a joy to read this authoritative reference work on the North American continent s railroads covers the U S Canadian Mexican Central American and Cuban systems The encyclopedia s over arching theme is the evolution of the railroad industry and the historical impact of its progress on the North American continent This thoroughly researched work examines the various aspects of the industry s development technology operations cultural impact the evolution of public policy regarding the industry and the structural functioning of modern railroads More than 500 alphabetical entries cover a myriad of subjects including numerous entries profiling the principal companies suppliers manufacturers and individuals influencing the history of the rails Extensive appendices provide data regarding weight fuel statistical trends and more as

well as a list of 130 vital railroad books Railfans will treasure this indispensable work *The American Law Register* ,1858

The History of Michigan Law Paul Finkelman,Martin J. Hershock,2006 The History of Michigan Law offers the first serious survey of Michigan s rich legal past Michigan was among the first states to admit African Americans and women to its law schools and was the first governmental entity to abolish the death penalty Additionally the state unlike its midwestern neighbors did not enact racial exclusion laws in the post Civil War era Michigan has also played a leading role in developing modern rape laws in protecting the environment and in assuring the right to counsel for those accused of crimes The story of Michigan s legal development includes high profile cases such as the Dr Ossian Sweet murder trial the cross district busing case Milliken v Bradley and the affirmative action cases brought against the University of Michigan Law School The History of Michigan Law documents and analyzes as well Michigan legal developments in environmental history civil rights and women s history This book will serve as the entry point for all future studies that involve the law in Michigan With 2005 marking the bicentennial of the establishment of the Michigan Supreme Court as well as the bicentennial of the creation of the Michigan Territory The History of Michigan Law has appeal beyond the legal community to scholars and students of American history ABOUT THE EDITORS Martin Hershock is an associate professor of history at the University of Michigan Dearborn He is author of The Paradox of Progress Economic Change Individual Enterprise and Political Culture in Michigan 1837 1878 Ohio 2003 Paul Finkelman is Chapman Distinguished Professor of Law at the University of Tulsa College of Law He is the author of many articles and books including His Soul Goes Marching On Responses to John Brown and the Harpers Ferry Raid and the Library of Congress Civil War Desk Reference *The Economics of Railroad Safety* Ian Savage,2012-12-06 The American public has a fascination with railroad wrecks that goes back a long way One hundred years ago staged railroad accidents were popular events At the Iowa State fair in 1896 89 000 people paid 20 each at current prices to see two trains throttles wide open collide with each other Head on Joe Connolly made a business out of cornfield meets holding seventy three events in thirty six years Picture books of train wrecks do good business presumably because a train wreck can guarantee a spectacular destruction of property without the messy loss of life associated with aircraft accidents A train wreck has also entered the popular vocabulary in a most unusual way When political manoeuvring leads to failure to pass the federal budget and a shutdown is likely of government services this is widely called a train wreck In business and team sports bumbling and lack of coordination leading to a spectacular and public failure to perform is also called causing a train wreck A person or organization who is disorganized may be labelled a train wreck It is therefore not surprising that the public perception of the safety of railroads centers on images of twisted metal and burning tank cars and a general feeling that these events occur quite often After a series of railroad accidents such as occurred in the winter of 1996 or the summer of 1997 there are inevitable calls that government should do something **American Law Reports Annotated** ,1920 Working for the Railroad Walter Licht,2014-07-14 Walter Licht chronicles the working and personal

lives of the first two generations of American railwaymen the first workers in America to enter large scale bureaucratically managed corporately owned work organizations Originally published in 1983 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905

Wisconsin and the Shaping of American Law Joseph A. Ranney, 2017-07-18 Examines the full course of American history from a comparative state law perspective using Wisconsin as a case study to emphasize the vital role states have taken in creating American law

Railroads in the Old South Aaron W. Marrs, 2022-02-03 An original history of the railroad in the Old South that challenges the accepted understanding of economic and industrial growth in antebellum America Drawing from both familiar and overlooked sources such as the personal diaries of Southern travelers papers and letters from civil engineers corporate records and contemporary newspaper accounts Aaron W Marrs skillfully expands on the conventional business histories that have characterized scholarship in this field He situates railroads in the fullness of antebellum life examining how slavery technology labor social convention and the environment shaped their evolution Far from seeing the Old South as backward and premodern Marrs finds evidence of urban life industry and entrepreneurship throughout the region But these signs of progress existed alongside efforts to preserve traditional ways of life Railroads exemplified Southerners pursuit of progress on their own terms developing modern transportation while retaining a conservative social order Railroads in the Old South demonstrates that a simple approach to the Old South fails to do justice to its complexity and contradictions The time is right to bring the South into the story of the economic transformation of antebellum America Aaron Marrs does this with force and grace in Railroads in the Old South John L Larson Purdue University I am hard pressed to think of another volume that better catches the overall effect railroads had on the Old South Kenneth W Noe Auburn University Interesting regional history It is a thoughtful and instructive study that examines not only the pervasiveness of transportation but also some of the social political and economic consequences associated with the evolution of southern railroads Choice

American Law and the Constitutional Order Lawrence Meir Friedman, Harry N. Scheiber, 1988 This is the standard reader in American law and constitutional development The selections demonstrate that the legal order once defined by society helps in molding the various forces of the social life of that society The essays cover the entire period of the American experience from the colonies to postindustrial society Additions to this enlarged edition include essays by Michael Parrish on the Depression and the New Deal Abram Chayes on the role of the judge in public law litigation David Vogel on social regulation Harry N Scheiber on doctrinal legacies and institutional innovations in the relation between law and the economy and Lawrence M Friedman on American legal history

The American and English Railroad Cases, 1895

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Railroads American Law Introduction

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