

RECASTING AMERICAN LIBERTY

GENDER, RACE, LAW, AND THE
RAILROAD REVOLUTION, 1865–1920

BARBARA
YOUNG
WELKE



Recasting American Liberty

R. Scott Huffard Jr.



Recasting American Liberty:

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

Reconstructions Thomas J. Brown, 2008-09-23 The pivotal era of Reconstruction has inspired an outstanding historical literature In the half century after W E B DuBois published *Black Reconstruction in America* 1935 a host of thoughtful and energetic authors helped to dismantle racist stereotypes about the aftermath of emancipation and Union victory in the Civil War The resolution of long running interpretive debates shifted the issues at stake in Reconstruction scholarship but the topic has remained a vital venue for original exploration of the American past In *Reconstructions New Perspectives on the Postbellum United States* eight rising historians survey the latest generation of work and point to promising directions for future research They show that the field is opening out to address a wider range of adjustments to the experiences and effects of Civil War Increased interest in cultural history now enriches understandings traditionally centered on social and political history Attention to gender has joined a focus on labor as a powerful strategy for analyzing negotiations over private and public authority The contributors suggest that Reconstruction historiography might further thrive by strengthening connections to such subjects as western history legal history and diplomatic history and by redefining the chronological boundaries of the postwar period The essays provide more than a variety of attractive vantage points for fresh examination of a major phase of American history By identifying the most exciting recent approaches to a theme previously studied so ably the collection illuminates the creative process in scholarly historical literature

Black Litigants in the Antebellum American South Kimberly M. Welch, 2018-01-02 In the antebellum Natchez district in the heart of slave country black people sued white people in all white courtrooms They sued to enforce the terms of their contracts recover unpaid debts recuperate back wages and claim damages for assault They sued in conflicts over property and personal status And they often won Based on new research conducted in courthouse basements and storage sheds in rural Mississippi and Louisiana Kimberly Welch draws on over 1 000 examples of free and enslaved black litigants who used the courts to protect their interests and reconfigure their place in a tense society To understand their success Welch argues that we must understand the language that they used the language of property in particular to make their claims

recognizable and persuasive to others and to link their status as owner to the ideal of a free autonomous citizen In telling their stories Welch reveals a previously unknown world of black legal activity one that is consequential for understanding the long history of race rights and civic inclusion in America

Licensed to Practice James C. Mohr, 2013-11-15 How did American doctors come to be licensed on the terms we now take for granted Licensed to Practice begins with an 1891 shooting in Wheeling West Virginia that left one doctor dead and another on trial for his life Formerly close friends the doctors had fallen out over the issue of medical licensing Historian James C Mohr calls the murder a sorry personal consequence of the far larger and historically significant battle among West Virginia s physicians over the future of their profession Through most of the nineteenth century anyone could call themselves a doctor and could practice medicine on whatever basis they wished But an 1889 U S Supreme Court case Dent v West Virginia effectively transformed medical practice from an unregulated occupation to a legally recognized profession The political and legal battles that led up to the decision were unusually bitter especially among physicians themselves and the outcome was far from a foregone conclusion So called Regular physicians wanted to impose their own standards on the wide open medical marketplace in which they and such non Regulars as Thomsonians Botanics Hydropaths Homeopaths and Eclectics competed The Regulars achieved their goal by persuading the state legislature to make it a crime for anyone to practice without a license from the Board of Health which they controlled When the high court approved that arrangement despite constitutional challenges the licensing precedents established in West Virginia became the bedrock on which the modern American medical structure was built And those precedents would have profound implications Thus does Dent a little known Supreme Court case influence how Americans receive health care more than a hundred years after the fact

Black Americans and Organized Labor Paul D. Moreno, 2008-01-01 In Black Americans and Organized Labor Paul D Moreno offers a bold reinterpretation of the role of race and racial discrimination in the American labor movement Moreno applies insights of the law and economics movement to formulate a powerfully compelling labor race theorem of elegant simplicity White unionists found that race was a convenient basis on which to do what unions do control the labor supply Not racism pure and simple but the economics of discrimination explains historic black absence and under representation in unions Moreno s sweeping reexamination stretches from the antebellum period to the present integrating principal figures such as Frederick Douglass and Samuel Gompers Isaac Myers and Booker T Washington and W E B Du Bois and A Philip Randolph He traces changing attitudes and practices during the simultaneous black migration to the North and consolidation of organized labor s power through the confusing and conflicted post World War II period during the course of the civil rights movement and into the era of affirmative action Maneuvering across a wide span of time and a broad array of issues Moreno brings remarkable clarity to the question of the importance of race in unions He impressively weaves together labor policy and African American history into a cogent persuasive revisionist study that cannot be ignored

The Horse in the City Clay McShane, Joel Arthur

Tarr, 2007-07-16 Honorable mention 2007 Lewis Mumford Prize American Society of City and Regional Planning The nineteenth century was the golden age of the horse In urban America the indispensable horse provided the power for not only vehicles that moved freight transported passengers and fought fires but also equipment in breweries mills foundries and machine shops Clay McShane and Joel A Tarr prominent scholars of American urban life here explore the critical role that the horse played in the growing nineteenth century metropolis Using such diverse sources as veterinary manuals stable periodicals teamster magazines city newspapers and agricultural yearbooks they examine how the horses were housed and fed and how workers bred trained marketed and employed their four legged assets Not omitting the problems of waste removal and corpse disposal they touch on the municipal challenges of maintaining a safe and productive living environment for both horses and people and the rise of organizations like the American Society for the Prevention of Cruelty to Animals In addition to providing an insightful account of life and work in nineteenth century urban America *The Horse in the City* brings us to a richer understanding of how the animal fared in this unnatural and presumably uncomfortable setting Rationing Justice Kris Shepard, 2009-04-01 Established in 1964 the federal Legal Services Program later Corporation served a vast group of Americans desperately in need of legal counsel the poor In *Rationing Justice* Kris Shepard looks at this pioneering program s effect on the Deep South as the poor made tangible gains in cases involving federal state and local social programs low income housing consumer rights domestic relations and civil rights While poverty lawyers Shepard reveals did not by themselves create a legal revolution in the South they did force southern politicians policy makers businessmen and law enforcement officials to recognize that they could not ignore the legal rights of low income citizens Having survived for four decades America s legal services program has adapted to ever changing political realities including slashed budgets and severe restrictions on poverty law practice adopted by the Republican led Congress of the mid 1990s With its account of the relationship between poverty lawyers and their clients and their interaction with legal political and social structures *Rationing Justice* speaks poignantly to the possibility of justice for all in America **Fenians, Freedmen, and Southern Whites** Mitchell Snay, 2010-09-01 After the American Civil War several movements for ethnic separatism and political self determination significantly shaped the course of Reconstruction The Union Leagues mobilized African Americans to fight for their political rights and economic security while the Ku Klux Klan used intimidation and violence to maintain the political and economic hegemony of southern whites Founded in 1858 as the Irish Revolutionary Brotherhood the Irish American Fenians sought to liberate Ireland from English rule In *Fenians Freedmen and Southern Whites* Mitchell Snay provides a compelling comparison of these seemingly disparate groups and illuminates the contours of nationalism during Reconstruction By joining the Fenians with freedpeople and southern whites Snay seeks to assert their central relevance to the dynamics of nationalism during Reconstruction and offers a highly original analysis of Reconstruction as an Age of Capital and an Age of Emancipation where categories of race class and gender as well as nationalism were fluid and

contested After the American Civil War several movements for ethnic separatism and political self determination significantly shaped the course of Reconstruction The Union Leagues which began during the war to support the northern effort spread to the South after the war and mobilized African Americans to fight for their political rights and economic security Opposing the Leagues was the Ku Klux Klan which used intimidation and violence to maintain the political and economic hegemony of southern whites Founded in 1858 as the Irish Revolutionary Brotherhood the Irish American Fenians sought to liberate Ireland from English rule Mitchell Snay provides a compelling comparison of these seemingly disparate groups in Fenians Freedmen and Southern Whites illuminating the contours of nationalism during Reconstruction Despite their separate and often opposing goals the Fenians Union Leagues and the Klan Snay reveals shared many characteristics To various extents they were secret societies that sought to advance their mission through both political and extra political means Both the League and the Klan employed elaborate rites of initiation and secret passwords common to nineteenth century fraternal organizations They also shared a similar political culture of secrecy conspiracy and countersubversion All three groups were quasi military in structure and activities and shared a desire for the control of land Among the three organizations Snay shows the Fenians provide the clearest case of nationalist aspirations along the lines of ethnicity though the rise of racial consciousness among both southern whites and blacks also might be seen as expressions of ethnic nationalism According to Snay the political culture of Reconstruction encouraged the nationalist ambitions of these groups but channeled their separatist impulses along civil rather than ethnic lines by focusing on questions of freedom citizenship and suffrage In addition the Republican emphasis on color blind equality limited overt expressions of national identities based solely on ethnicity or race Unlike southern whites and blacks Irish Americans are seldom mentioned in Reconstruction histories By joining the Fenians with freedpeople and southern whites Snay seeks to assert their central relevance to the dynamics of nationalism during Reconstruction and offers a highly original analysis of Reconstruction as an Age of Capital and an Age of Emancipation where categories of race class and gender as well as nationalism were fluid and contested

A Companion to the Gilded Age and Progressive Era Christopher McKnight Nichols, Nancy C. Unger, 2022-06-15 *A Companion to the Gilded Age and Progressive Era* presents a collection of new historiographic essays covering the years between 1877 and 1920 a period which saw the U S emerge from the ashes of Reconstruction to become a world power The single definitive resource for the latest state of knowledge relating to the history and historiography of the Gilded Age and Progressive Era Features contributions by leading scholars in a wide range of relevant specialties Coverage of the period includes geographic social cultural economic political diplomatic ethnic racial gendered religious global and ecological themes and approaches In today's era often referred to as a second Gilded Age this book offers relevant historical analysis of the factors that helped create contemporary society Fills an important chronological gap in period based American history collections

Engines of Redemption R. Scott Huffard Jr., 2019-10-14 After the upheavals of the Civil War and Reconstruction shattered the plantation

economy of the Old South white southerners turned to the railroad to reconstruct capitalism in the region Examining the rapid growth systemization and consolidation of the southern railroad network R Scott Huffard Jr demonstrates how economic and political elites used the symbolic power of the railroad to proclaim a New South had risen The railroad was more than just an economic engine of growth it was a powerful symbol of capitalism s advance However as the railroad spread across the region it also introduced new dangers and anxieties White southerners came to fear the railroad would speed an upending of the racial order epidemics of yellow fever train wrecks violent robberies and domination by corporate monopolies To complete the reconstruction of capitalism railroad corporations and their allies had to sever the negative aspects of railroading from capitalism s powers and deny the railroad s transformative powers to black southerners This study of the New South s experience with the growing railroad network provides valuable insights into the history of capitalism how it evolves expands and overcomes resistance

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