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Book Reviews

Charles F. Burden M.D.

Ellyn C. Ballou

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BOOK REVIEWS

The Early Potters and Potteries of Maine. By M. Lelyn Branin. (Augusta, Maine: Maine State Museum, 1978. Pp. 262. Hardcover. \$22.00.)

There are many aspects of Maine's past that are deserving of in-depth study. In this respect, much has been accomplished by Roger Grindle's monographs on the lime and granite industries, as well as by Jennie Everson's wonderful book on the technical aspects of ice harvesting, William A. Baker's superb two-volume study of the shipbuilding industry at Bath, and by Richard Wood's and David C. Smith's independent and complementary studies of lumbering in Maine.

Although not of equivalent economic importance, Maine's redware and stoneware manufacture is of even greater interest to many people, particularly to antique collectors. Both pottery types, handsome relics of a time when containers were more precious than our present throw-away glass and plastic, have deservedly received much attention as folk art.

Lelyn Branin has written a definitive study of the pottery industry in Maine for the two centuries between the end of Indian pottery making after the coming of the white man and the beginning of the present-day pottery tradition. Modern pottery may be defined as an art form with utilitarian usages, as contrasted with the utilitarian objects with artistic aspects that characterized stoneware and redware from the early 1700s to the early 1900s with which Branin concerns himself.

Early Potters and Potteries of Maine demonstrates the effect of the Industrial Revolution on a typical manufactory. A potter worked under the apprentice system to learn his trade. Sometimes waterpower for his wheel, wood for his kiln, perhaps a horse for his pugmill, and clay from a nearby riverbank were the simple sources of most of the material and energy needed. Potters were trained and, in turn, trained others under the apprentice system. They were often assisted by members of their families, and they frequently farmed in the late spring and summer and occupied themselves with potting in the colder months. From this simple home craft of the late 1700s and early 1800s, Branin traces its transformation into three or four large concerns employing many potters. Among these was the Winslow enterprise in Portland, which developed into a large complex of buildings, kilns, docks, and railroad sidings, operated by over two hundred employees by the turn of the century.

Branin has obviously searched diligently for every available scrap of information about every potter and pottery-making concern in Maine. His thoroughness in recording this information is the book's only drawback — wading through numerous deed descriptions makes the text a bit ponderous for light bedtime reading. No doubt, such is the quandry of every author and publisher of a definitive historical work. Should one omit a considerable portion of the documentation in order to make the book appealing to a larger audience and deposit the extensive background material in one or two appropriate places for consultation by the few scholars who require it? Perhaps we will be forced to do this if the energy shortages effect publishing the way they have home heating.

Early Potters and Potteries of Maine is an outstanding example of a scholarly, definitive study by a non-historian. It belongs in every public and research library in the state.

Anyone with more than the slightest interest in the subject would do well to own a copy. We hope that similar studies will be forthcoming on such comparable eighteenth and nineteenth-century Maine industries as cabinetmaking, silversmithing, clockmaking, and tool manufacturing.

Charles E. Burden, M.D.
Bath, Maine

The Promise of Power: The Emergence of the Legal Profession in Massachusetts, 1760-1840. By Gerard W. Gawalt. (Westport, Conn.: Greenwood Press, 1979. Pp. 225. Hardcover. \$19.95.)

Gerard Gawalt has written a work which refines and adds statistical support to earlier studies of American law and lawyers before 1850. *The Promise of Power* remains only a promise, however, as Gawalt draws few conclusions concerning the effect of the leadership by lawyers he has documented.

The book provides valuable information and analysis of the emergence of the judiciary and lawyers as a third branch of government. When early statutes threatened professional monopoly, judges undermined legislative intent by contrary interpretation. Lawyers also turned back legislative attempts to replace courts with arbitration. The book's description of these institutional trends are its strong point.

Less successful are the passages concerning lawyers themselves. The work does not make the era come alive to the reader (and is probably not meant to). It contains some puzzling observations which are either

wrong or irrelevant. At note 20, page 121, for example, Gawalt writes: "Lawyers now [1835?] spent most of their time preparing legal papers that would keep their clients out of court rather than working on adversary actions in court." Such a major development, if real, demands further scrutiny. Yet it appears once without substantiation or further discussion. A less important error appears at page 116, where the author claims lawyers abandoned calling each other "brother" early in the nineteenth century. While this may be true of Massachusetts lawyers, Maine lawyers ceased using the term only when women began to enter the profession in significant numbers in the 1970s. While the mistake is minor, it indicates a lack of background familiarity with the profession and the region.

Mainers will find particularly interesting Gawalt's report (pp. 83-91) of the role one of their own attempted to play in reforming the legal profession. John Gardiner, a lawyer with impressive English training and contacts, practiced in Pownalboro after the Revolution. As representative to the Massachusetts legislature, he unsuccessfully proposed a comprehensive code governing bar meetings, admissions, fees, prevention of conflict of interest, free legal services for the poor, simplification of language and procedure, and imprisonment for debt. Maine, in fact, adopted Gardiner's "no standards" admissions policy from 1843 to 1859. Whether this change had any real effect ought to be explored and might have added to Gawalt's work.

The book does document more accurately than previously the progressive entrenchment of the legal profession and a lawyer judiciary. It also provides passages of interest such as the Gardiner story. Ultimately, however, Gawalt fails to grapple with the result of the achievement of power. To say, as he does in his introduction, that lawyers were too individualistic to use power as a group underestimates them.

Lawyers have always used legislative and judicial power, and sometimes executive power. Lawyers may disagree among themselves, but they have never been so individualistic as to pass up opportunities to benefit themselves and their clients. As those best educated in how government works, lawyers have been able to do this better and more subtly than anyone else. The seeds for studying their effect are within this book. The fascinating tables showing a high proportion of lawyers in Congress as compared with the state legislature point to one area of examination. How did the difference in lawyer domination affect laws passed (or not passed) by these two bodies? Other ways to approach the problem might have been to examine the effect on statutes of the lawyers assigned to codify them, to compile voting records by profession, to see what the bar lobbied for and against, and to examine the decline of lawyer participation in today's legislatures.

Ellyn C. Ballou
Portland, Maine