



Louisianas Legal Heritage

Florence M. Jumonville



Louisianas Legal Heritage:

Louisiana's Legal Heritage Edward F. Haas,1983 A Law unto Itself? Warren M. Billings,Mark Fernandez,2001-01-01 Louisiana s legal heritage has long been a source of fascination curiosity and sadly misinformation Outsiders have viewed the legal system as an anomaly and have shunned its study because of its perceived quirkiness Moreover past writings about the state s legal structure have focused on the minutiae of Louisiana s civil law origins adding to an image of peculiarity Consequently Louisiana has been generally ignored in treatments of American or southern legal history Recently however a new vision has emerged the New Louisiana Legal History A product of an energetic cadre of writers this rendering explores new methods and areas of research with the aim of integrating Louisiana into the mainstream of American legal history southern history and American history in general The ten essays in this volume which address law in the state through the nineteenth century mark the coming of age of the New Louisiana Legal History Grounded in novel research methodologies and underutilized manuscripts this book links the distinctive history of Louisiana law to the wider contexts of southern and American history and offers an exciting new interpretation of the state s unique past

Louisiana's Civil Law Heritage Leonard Oppenheim,1958 **Slavery, the Civil Law, and the Supreme Court of Louisiana** Judith Kelleher Schafer,1997-03-01 Winner of the Francis Butler Simkins Award for 1995 and the 1994 General L Kemper Williams Prize In what may be the most impressive research to date of state supreme court records this study analyzes the evolution of Louisiana s slave laws from the territorial period to the Civil War Schafer presents numerous concise case histories stories that are fascinating and at times heartbreaking in the particulars they reveal about slaves existence Anyone interested in slavery will find Schafer s work riveting reading for it depicts in detail probably better than most fictional or narrative accounts what living in bondage could mean *Louisiana History* Florence M.

Jumonville,2002-08-30 From the accounts of 18th century travelers to the interpretations of 21st century historians Jumonville lists more than 6 800 books chapters articles theses dissertations and government documents that describe the rich history of America s 18th state Here are references to sources on the Louisiana Purchase the Battle of New Orleans Carnival and Cajuns Less explored topics such as the rebellion of 1768 the changing roles of women and civic development are also covered It is a sweeping guide to the publications that best illuminate the land the people and the multifaceted history of the Pelican State Arranged according to discipline and time period chapters cover such topics as the environment the Civil War and Reconstruction social and cultural history the people of Louisiana local parish and sectional histories and New Orleans It also lists major historical sites and repositories of primary materials As the only comprehensive bibliography of the secondary sources about the state *Louisiana History* R is an invaluable resource for scholars and researchers

Networks and Connections in Legal History Michael Lobban,Ian Williams,2020-09-03 Explores networks of lawyers legislators and litigators and how they shape legal development in Britain and the world **Louisiana's Legal Heritage**

Raphael J. Rabalais, Karen Whitt, 1981 **The Literature of American Legal History** William Nelson, John Phillip Reid, 1985 Republishes articles by two senior legal historians Besides summarizing what has now become classical literature in the field it offers illuminating insight into what it means to be a professional legal historian A Companion to American Legal History Sally E. Hadden, Alfred L. Brophy, 2013-02-22 A Companion to American Legal History presents a compilation of the most recent writings from leading scholars on American legal history from the colonial era through the late twentieth century Presents up to date research describing the key debates in American legal history Reflects the current state of American legal history research and points readers in the direction of future research Represents an ideal companion for graduate and law students seeking an introduction to the field the key questions and future research ideas *From Chaos to Continuity* Mark Fernandez, 2015-06-22 Historians have long viewed Louisiana as an anomaly in the American judicial system an eccentric appendage at the mouth of the Mississippi River The diverse Creole culture and civilian heritage of the state s legal system have led many scholars to conclude that it is an anachronism in American law unworthy of serious attention Others embrace this tradition and revel in the minutiae of the Pelican State s unique civil law legacy In *From Chaos to Continuity* Mark F Fernandez challenges both perspectives Using the innovative methods of the New Louisiana Legal History he offers the first comprehensive analysis of the role of the courts in the development of Louisiana s legal system and convincingly argues that the state is actually a representative model of American law and justice Tracing the rise of Louisiana s system from its earliest colonial origins to its closure during Federal occupation in 1862 Fernandez describes the introduction of common law after American takeover of the colony the chaotic combination of French Spanish and Anglo legal traditions the evolution of that jurisdiction the role of the courts especially the state supreme court in maintaining the mixture and the judge s proper function in administering justice According to Fernandez the challenge of integrating two very different systems of law was not unique to Louisiana Indeed most antebellum southern states had legal systems that incorporated important traditional aspects of their colonial legal orders to varying degrees *From Chaos to Continuity* liberates Louisiana s legal history from the quirky restraints of the past and allows scholars and students alike to see the state as an integral part of American legal history *The Genesis of Nineteenth-Century Civil Codes in the United States* Julie Rocheton, 2024-03-04 Starting in Louisiana in the early nineteenth century this book takes the reader on a journey through the USA and the development of their civil codes From Georgia and New York civil codes traveled to California and Dakota Territory in the Great Plains they made their way to Montana North Dakota and South Dakota by the end of the century Unveiling the history of nineteenth century civil codes in the USA this book examines their origin stories circulation and usage by focusing on the social historical context of their drafting and legal concepts Rocheton s work published four decades after Cook s book on The American Codification Movement contains an exhaustive and insightful analysis of nineteenth century civil codes It thoroughly discusses their context how they were conceived discussed drafted and approved

their main foreign influences and content and their practical operation Aniceto Masferrer University of Valencia While there is a vast corpus of literature on codification and more specifically civil codes in the civil law tradition it is much less known that six US states codified their private laws during the 19th century This book tells the fascinating story Spoiler alert it s a family affair Stefan Vogenauer Max Planck Institute for Legal History and Legal Theory [Signposts](#) Sally E. Hadden, Patricia Hagler Minter, 2013-04-01 In [Signposts](#) Sally E Hadden and Patricia Hagler Minter have assembled seventeen essays by both established and rising scholars that showcase new directions in southern legal history across a wide range of topics time periods and locales The essays will inspire today s scholars to dig even more deeply into the southern legal heritage in much the same way that David Bodenhamer and James Ely s seminal 1984 work *Ambivalent Legacy* inspired an earlier generation to take up the study of southern legal history Contributors to [Signposts](#) explore a wide range of subjects related to southern constitutional and legal thought including real and personal property civil rights higher education gender secession reapportionment prohibition lynching legal institutions such as the grand jury and conflicts between bench and bar A number of the essayists are concerned with transatlantic connections to southern law and with marginalized groups such as women and native peoples Taken together the essays in [Signposts](#) show us that understanding how law changes over time is essential to understanding the history of the South Contributors Alfred L Brophy Lisa Lindquist Dorr Laura F Edwards James W Ely Jr Tim Alan Garrison Sally E Hadden Roman J Hoyos Thomas N Ingersoll Jessica K Lowe Patricia Hagler Minter Cynthia Nicoletti Susan Richbourg Parker Christopher W Schmidt Jennifer M Spear Christopher R Waldrep Peter Wallenstein Charles L Zelden [Slavery & the Law](#) Paul Finkelman, 2002 In this book prominent historians of slavery and legal scholars analyze the intricate relationship between slavery race and the law from the earliest Black Codes in colonial America to the passage of the Fugitive Slave Law and the Dred Scott decision prior to the Civil War Slavery the Law s wide ranging essays focus on comparative slave law auctioneering practices rules of evidence and property rights as well as issues of criminality punishment and constitutional law [Making Race in the Courtroom](#) Kenneth R. Aslakson, 2014-09-26 No American city s history better illustrates both the possibilities for alternative racial models and the role of the law in shaping racial identity than New Orleans Louisiana which prior to the Civil War was home to America s most privileged community of people of African descent In the eyes of the law New Orleans s free people of color did not belong to the same race as enslaved Africans and African Americans While slaves were negroes free people of color were gens de couleur libre creoles of color or simply creoles New Orleans s creoles of color remained legally and culturally distinct from negroes throughout most of the nineteenth century until state mandated segregation lumped together descendants of slaves with descendants of free people of color Much of the recent scholarship on New Orleans examines what race relations in the antebellum period looked as well as why antebellum Louisiana s gens de couleur enjoyed rights and privileges denied to free blacks throughout most of the United States This book however is less concerned with the what and why questions

than with how people of color acting within institutions of power shaped those institutions in ways beyond their control As its title suggests *Making Race in the Courtroom* argues that race is best understood not as a category but as a process It seeks to demonstrate the role of free people of African descent interacting within the courts in this process **Louisiana History**, 1995

Notorious Woman Elizabeth Urban Alexander, 2004-10-01 The legal crusade of Myra Clark Gaines 1804-1885 has all the trappings of classic melodrama a lost heir a missing will an illicit relationship a questionable marriage a bigamous husband and a murder For a half century the daughter of New Orleans millionaire Daniel Clark struggled to justify her claim to his enormous fortune in a case that captivated the nineteenth century public Elizabeth Urban Alexander taps voluminous court records and letters to unravel the twists and turns of Gaines's litigation and reveal the truth behind the mysterious saga of this notorious woman Myra the daughter of real estate heir Clark and Zulime Carriere a beautiful young Frenchwoman was raised by friends of Clark and kept ignorant of her real parentage until 1832 when she discovered her true lineage in letters among her foster father's papers She thereupon returned to Louisiana with tales of a lost will and a secret marriage between Clark and Carriere and claimed to be Clark's missing heir Was Myra the legitimate daughter of the prominent merchant or the fruit of an adulterous union The courts would decide The Great Gaines Case wound its tortuous path through the United States legal system from 1834 until 1891 It was considered by the U.S. Supreme Court seventeen times and pursued even after Gaines's death by lawyers trying to recoup fees By courageously bringing her case to the courtroom and doggedly keeping it there Alexander asserts Gaines helped instigate a new type of family law that provided special protection of women children and marriages Though Gaines never recovered more than a tiny fraction of the rumored millions this riveting chronicle of her struggle for legitimacy and legacy as told by Elizabeth Urban Alexander is a gold mine for anyone interested in legal history women's studies or a good yarn superbly spun [Southern Slavery and the Law, 1619-1860](#) Thomas D. Morris, 2004-01-21 This volume is the first comprehensive history of the evolving relationship between American slavery and the law from colonial times to the Civil War As Thomas Morris clearly shows racial slavery came to the English colonies as an institution without strict legal definitions or guidelines Specifically he demonstrates that there was no coherent body of law that dealt solely with slaves Instead more general legal rules concerning inheritance mortgages and transfers of property coexisted with laws pertaining only to slaves According to Morris southern lawmakers and judges struggled to reconcile a social order based on slavery with existing English common law or in Louisiana with continental civil law Because much was left to local interpretation laws varied between and even within states In addition legal doctrine often differed from local practice And as Morris reveals in the decades leading up to the Civil War tensions mounted between the legal culture of racial slavery and the competing demands of capitalism and evangelical Christianity **The Louisiana Purchase** Robert D. Bush, 2013-10-15 In 1803 the United States purchased 828 000 square miles of land from France at a price of approximately three cents per acre dramatically altering the young nation's geography and its political future

President Thomas Jefferson had struggled for three years over the purchase which many believed to be unconstitutional during which time the land changed hands between the French and the Spanish In perhaps the nation's most formative development since the Revolutionary War the deal secured the U S territory that would become fifteen new states sparked intense public argument about the American Frontier and ensured Jefferson a complicated legacy in American history With special attention to the diplomatic and constitutional background of the purchase The Louisiana Purchase examines the event in the context of the Atlantic world including the impact of the French Revolution and Napoleonic wars in Europe colonial revolutions in the Caribbean and the westward expansion of the U S population In five concise chapters bolstered by primary documents including treaties letters and first hand observations Robert D Bush introduces students to the political history of this momentous land acquisition

Re-Interpreting Blackstone's Commentaries Wilfrid Prest, 2014-12-01 This collection explores the remarkable impact and continuing influence of William Blackstone's Commentaries on the Laws of England from the work's original publication in the 1760s down to the present Contributions by cultural and literary scholars and intellectual and legal historians trace the manner in which this truly seminal text has established its authority well beyond the author's native shores or his own limited lifespan In the first section Words and Visions Kathryn Temple Simon Stern Cristina S Martinez and Michael Meehan discuss the Commentaries aesthetic and literary qualities as factors contributing to the work's unique status in Anglo American legal culture The second group of essays traces the nature and dimensions of Blackstone's impact in various jurisdictions outside England namely Quebec Michel Morin Louisiana and the United States more generally John W Cairns and Stephen M Sheppard North Carolina John V Orth and Australasia Wilfrid Prest Finally Horst Dippel Paul Halliday and Ruth Paley examine aspects of Blackstone's influential constitutional and political ideas while Jessie Allen concludes the volume with a personal account of Reading Blackstone in the Twenty First Century and the Twenty First Century through Blackstone This volume is a sequel to the well received collection Blackstone and his Commentaries Biography Law History Hart Publishing 2009

Louisiana Cecile Vidal, 2014 Louisiana Crossroads of the Atlantic World offers an exceptional collaboration between American Canadian and European historians who explore the many ways and means of colonial Louisiana's relations with the rest of the Atlantic world

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