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Louisiana Microcosm Of A Mixed Jurisdiction Hardcover

Mark F. Fernandez



Louisiana Microcosm Of A Mixed Jurisdiction Hardcover:

Louisiana Vernon V. Palmer, 1999 Comparative law scholars have long known that Louisiana possesses one of the most intriguing legal systems in the world a living laboratory of common law and civil law From the circumstances of its birth to the nature of its law legal methods and institutions Louisiana presents a model a microcosm to which other mixed jurisdictions such as the Philippines South Africa and Quebec may be compared Palmer elucidates the nature of the Louisiana experience over the past two centuries What were the original forces at work demographic political linguistic and economic which produced this dual legal structure Was it necessity or rather discretion which led to the founding of a mixed system As Louisiana s French speaking population declined would it be possible to sustain a vibrant civil law element What kind of judges judicial institutions and legal education would emerge from these crosscurrents In areas where judges exercised the choice of discretion such as the development of commercial law and civil procedure where would they turn And what new creations would be generated by the constant interaction of common law and civil law Through these and other questions this book serves to inform and stimulate new thinking about Louisiana and the far flung world of mixed legal systems

Mixed Jurisdictions Compared Vernon Palmer, 2009-10-15 Returning to a theme featured in some of the earlier volumes in the Edinburgh Studies in Law series this volume offers an in depth study of mixed jurisdictions legal systems which combine elements of the Anglo American Common Law and the European Civil Law traditions This new collection of essays compares key areas of private law in Scotland and Louisiana In thirteen chapters written by distinguished scholars on both sides of the Atlantic it explores not only legal rules but also the reasons for the rules discussing legal history social and cultural factors and the law in practice in order to account for patterns of similarity and difference Contributions are drawn from the Law Schools of Tulane University Louisiana State University Loyola University New Orleans the American University Washington DC and the Universities of Aberdeen Strathclyde and Edinburgh

The Louisiana Civilian Experience Vernon V. Palmer, 2005 Louisiana Property Law John A. Lovett, Markus Georg Puder, Evelyn L. Wilson, 2014 Louisiana Property Law The Civil Code Cases and Commentary is the first new case book in its field in more than a generation Authored by three experienced scholars from Louisiana this book presents classic and current cases in a rich contextual setting informed by contemporary property scholarship from the United States and abroad After introducing the origins and sources of Louisiana property law each chapter situates Louisiana property jurisprudence in its codal and doctrinal context In addition to explaining the history structure and meaning of relevant provisions of the Louisiana Civil Code and ancillary statutes the book introduces readers to property texts from mixed jurisdictions such as Qu bec South Africa and Scotland and compares Louisiana and common law property institutions In light of this comparative approach the book will appeal to scholars interested in alternative regulatory models for the law of property Specific topics include Sources of Louisiana Property Law Chapter 1 Ownership Real Rights and the Right to Exclude Chapter 2 The Division of

Things Chapter 3 Classification of Things Of Movables and Immovables Corporeals and Incorporeals Chapter 4 Voluntary Transfers of Ownership Chapter 5 Accession Chapter 6 Acquisition of Ownership through Occupancy Chapter 7 Possession and the Possessory Action Chapter 8 Acquisitive Prescription with Respect to Immovables Chapter 9 Vindicating Ownership through Real Actions Chapter 10 Co Ownership Chapter 11 Usufruct Chapter 12 Natural and Legal Servitudes Chapter 13 Conventional Predial Servitudes Chapter 15 Limited Personal Servitudes Habitation and Right of Use Chapter 15 and Building Restrictions Chapters 16

From Chaos to Continuity Mark F. Fernandez, 2001 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 BOOK JACKET

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