

# **RUGGED JUSTICE**

## **THE NINTH CIRCUIT COURT OF APPEALS AND THE AMERICAN WEST, 1891–1941**

**DAVID C. FREDERICK**  
**FOREWORD BY SANDRA DAY O'CONNOR**

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# Rugged Justice The Ninth Circuit Court Of Appeals And The American West 1891 1941

**Marvin W. Falk**



## **Rugged Justice The Ninth Circuit Court Of Appeals And The American West 1891 1941:**

*Rugged Justice* David C. Frederick,1994-01-01 And in one celebrated Alaska gold rush case the court in 1900 thwarted an attempt to steal vast sums of gold by judicial process in Nome Alaska      **Rugged Justice** David C. Frederick,2023-04-28 This title is part of UC Press s Voices Revived program which commemorates University of California Press s mission to seek out and cultivate the brightest minds and give them voice reach and impact Drawing on a backlist dating to 1893 Voices Revived makes high quality peer reviewed scholarship accessible once again using print on demand technology This title was originally published in 1994      **The Immigration Battle in American Courts** Anna O. Law,2010-06-14 This book assesses the role of the federal judiciary in immigration and the institutional evolution of the Supreme Court and the US Courts of Appeals Neither court has played a static role across time By the turn of the century a division of labor had developed between the two courts whereby the Courts of Appeals retained their original function as error correction courts while the Supreme Court was reserved for the most important policy and political questions Law explores the consequences of this division for immigrant litigants who are more likely to prevail in the Courts of Appeals because of advantageous institutional incentives that increase the likelihood of a favorable outcome As this book proves it is inaccurate to speak of an undifferentiated institution called the federal courts or the courts for such characterizations elide important differences in mission and function of the two highest courts in the federal judicial hierarchy      *9th Circuit News* ,1979      **Northwest Lands, Northwest Peoples** Dale D. Goble,Paul W. Hirt,2012-03-15 It can be said that all of human history is environmental history for all human action happens in an environment in a place This collection of essays explores the environmental history of the Pacific Northwest of North America addressing questions of how humans have adapted to the northwestern landscape and modified it over time and how the changing landscape in turn affected human society economy laws and values Northwest Lands and Peoples includes essays by historians anthropologists ecologists a botanist geographers biologists law professors and a journalist It addresses a wide variety of topics indicative of current scholarship in the rapidly growing field of environmental history      **The Social History of Crime and Punishment in America** Wilbur R. Miller,2012-07-20 Several encyclopedias overview the contemporary system of criminal justice in America but full understanding of current social problems and contemporary strategies to deal with them can come only with clear appreciation of the historical underpinnings of those problems Thus this five volume work surveys the history and philosophy of crime punishment and criminal justice institutions in America from colonial times to the present It covers the whole of the criminal justice system from crimes law enforcement and policing to courts corrections and human services Among other things this encyclopedia explicates philosophical foundations underpinning our system of justice charts changing patterns in criminal activity and subsequent effects on legal responses identifies major periods in the development of our system of criminal justice and explores in the first four volumes supplemented by a fifth volume containing annotated primary

documents evolving debates and conflicts on how best to address issues of crime and punishment Its signed entries in the first four volumes supplemented by a fifth volume containing annotated primary documents provide the historical context for students to better understand contemporary criminological debates and the contemporary shape of the U S system of law and justice

**Initiating a Federal Court Historical Program** ,2004      **We the Corporations** Adam Winkler,2018-02-27 National Book Award for Nonfiction Finalist National Book Critics Circle Award for Nonfiction Finalist A New York Times Notable Book of the Year A Washington Post Notable Book of the Year A PBS Now Read This Book Club Selection Named one of the Best Books of the Year by the Economist and the Boston Globe A landmark expos and deeply engaging legal history of one of the most successful yet least known civil rights movements in American history Washington Post In a revelatory work praised as excellent and timely New York Times Book Review front page Adam Winkler author of Gunfight once again makes sense of our fraught constitutional history in this incisive portrait of how American businesses seized political power won equal rights and transformed the Constitution to serve big business Uncovering the deep roots of Citizens United he repositions that controversial 2010 Supreme Court decision as the capstone of a centuries old battle for corporate personhood Tackling a topic that ought to be at the heart of political debate Economist Winkler surveys more than four hundred years of diverse cases and the contributions of such legendary legal figures as Daniel Webster Roger Taney Lewis Powell and even Thurgood Marshall to reveal that the history of corporate rights is replete with ironies Wall Street Journal We the Corporations is an uncompromising work of history to be read for years to come

**Reader's Guide to American History** Peter J. Parish,2013-06-17 There are so many books on so many aspects of the history of the United States offering such a wide variety of interpretations that students teachers scholars and librarians often need help and advice on how to find what they want The Reader s Guide to American History is designed to meet that need by adopting a new and constructive approach to the appreciation of this rich historiography Each of the 600 entries on topics in political social and economic history describes and evaluates some 6 to 12 books on the topic providing guidance to the reader on everything from broad surveys and interpretive works to specialized monographs The entries are devoted to events and individuals as well as broader themes and are written by a team of well over 200 contributors all scholars of American history

**Bong Hits 4 Jesus** James C. Foster,2010-10-15 Before Sarah Palin Alaska gave us Morse v Frederick the 2007 Supreme Court case conventionally known as Bong HiTs 4 Jesus Foster s book puts the case in context The precipitous slide in Supreme Court protection for free speech in high school since Tinker in the 1960 s is only part of the story John Brigham University of Massachusetts Amherst author of Material Law Book Jacket

**Slipping Backward** James W. Hewitt,2007-01-01 Globally at least one in four women experiences domestic violence at some point in her life according to World Bank figures which are confirmed by local surveys throughout the world Since domestic violence can cause both acute physical injuries and long term chronic illness an abused woman is likely to appeal to a family doctor or general practitioner as one of her first

resources for help     The Federal Courts Peter Charles Hoffer, William James Hoffer, N. E. H. Hull, 2016 There are moments in American history when all eyes are focused on a federal court when its bench speaks for millions of Americans and when its decision changes the course of history More often the story of the federal judiciary is simply a tale of hard work of finding order in the chaotic system of state and federal law local custom and contentious lawyering The Federal Courts is a story of all of these courts and the judges and justices who served on them of the case law they made and of the acts of Congress and the administrative organs that shaped the courts But even more importantly this is a story of the courts development and their vital part in America's history Peter Charles Hoffer William James Hull Hoffer and N E H Hull's retelling of that history is framed the three key features that shape the federal courts narrative the separation of powers the federal system in which both the national and state governments are sovereign and the widest circle the democratic republican framework of American self government The federal judiciary is not elective and its principal judges serve during good behavior rather than at the pleasure of Congress the President or the electorate But the independence that lifetime tenure theoretically confers did not and does not isolate the judiciary from political currents partisan quarrels and public opinion Many vital political issues came to the federal courts and the courts decisions in turn shaped American politics The federal courts while the least democratic branch in theory have proved in some ways and at various times to be the most democratic open to ordinary people seeking redress for example Litigation in the federal courts reflects the changing aspirations and values of America's many peoples The Federal Courts is an essential account of the branch that provides what Massachusetts Supreme Judicial Court Judge Oliver Wendell Holmes Jr called a magic mirror wherein we see reflected our own lives     American by Birth Carol Nackenoff, Julie Novkov, 2022-01-06 In this abridged edition for the Landmark Law Cases and American Society series American by Birth is now available in a format designed for students and general readers and includes a chronology outlining the key points in the case plus a bibliographical essay American by Birth explores the history and legacy of Wong Kim Ark and the 1898 Supreme Court case that bears his name which established the automatic citizenship of individuals born within the geographic boundaries of the United States In the late nineteenth century much like the present the United States was a difficult and at times threatening environment for people of color Chinese immigrants invited into the United States in the 1850s and 1860s as laborers and merchants faced a wave of hostility that played out in organized private violence discriminatory state laws and increasing congressional efforts to throttle immigration and remove many long term residents The federal courts backed by the Supreme Court supervised the development of an increasingly restrictive and exclusionary immigration regime that targeted Chinese people This was the situation faced by Wong Kim Ark who was born in San Francisco in the 1870s and who earned his living as a cook Like many members of the Chinese community in the American West he maintained ties to China He traveled there more than once carrying required reentry documents but when he attempted to return to the United States after a journey from 1894 to 1895 he was refused entry and detained Protesting

that he was a citizen and therefore entitled to come home he challenged the administrative decision in court Remarkably the Supreme Court granted him victory This victory was important for Wong Kim Ark for the ethnic Chinese community in the United States and for all immigrant communities then and to this day because the Supreme Court's ruling inscribed the principle in constitutional terms and clarified that it extended even to the children of immigrants who were legally barred from becoming citizens

**Alaska History** Marvin W. Falk, 2006-03-30 Marvin W Falk offers a systemic and select listing of just over 3 000 publications on the history of Alaska published from the 18th century to early 2004 Early explorations were conducted by nationals from several nations and the results were published in Russian German French Spanish and English Many of these foreign language accounts have been published in translation and are included in the bibliography This bibliography covers a wide span of Alaskan history including historical literature from Discovery in 1741 The Russian period ending in 1867 The U S territorial period ending with statehood in 1959 The oil boom

**Audacious Scoundrels** Steven L. Piott, 2021-05-01 During the late nineteenth and early twentieth century a growing number of ordinary citizens had the feeling that all was not as it should be Men who were making money made prodigious amounts but this new wealth somehow passed over the heads of the common people As this new breed of journalists began to examine their subjects with scrutiny they soon discovered that those individuals were essentially simple men of extraordinary boldness And it was easy to understand how they were able to accomplish their sinister purposes at first abruptly and bluntly by asking and giving no quarter and later with the same old determination and ruthlessness but with educated satellites who were glad to explain and idealize their behavior i Nothing is lost save honor said one infamous buccaneer and that was an attitude that governed the amoral principles and extralegal actions of many audacious scoundrels Relying on secondary sources magazine and newspaper articles and personal accounts from those involved this volume captures some of the sensational true stories that took place in the western United States during the late nineteenth and early twentieth century The theme that runs through each of the stories is the general contempt for the law that seemed to pervade the culture at the time and the consuming desire to acquire wealth at any cost what Geoffrey C Ward has called the disposition to be rich End Notes Introduction i

Louis Filler Crusaders for American Liberalism Yellow Springs OH Antioch Press 1964 14

**The Battle Over Patents** Stephen H. Haber, Naomi R. Lamoreaux, 2021 An examination of how the patent system works imperfections and all to incentivize innovation Do patents facilitate or frustrate innovation Lawyers economists and politicians who have staked out strong positions in this debate often attempt to validate their claims by invoking the historical record but they frequently get the history wrong The Battle over Patents gets it right Bringing together thoroughly researched essays from prominent historians and social scientists this volume traces the long and contentious history of patents and examines how they have worked in practice Editors Stephen H Haber and Naomi R Lamoreaux show that patent systems are the result of contending interests at different points in production chains battling over economic surplus The larger the potential surplus the more

extreme are the efforts of contending parties now and in the past to search out generate and exploit any and all sources of friction Patent systems as human creations are therefore necessarily ridden with imperfections This volume explores these shortcomings and explains why despite all the debate historically US style patent systems still dominate all other methods of encouraging inventive activity

**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

**Chinatown Opera Theater in North America** Nancy Yunhwa Rao, 2017-01-11 Awards Irving Lowens Award Society for American Music SAM 2019 Music in American Culture Award American Musicological Society AMS 2018 Certificate of Merit for Best Historical Research in Recorded Country Folk Roots or World Music Association for Recorded Sound Collections ARSC 2018 Outstanding Achievement in Humanities and Cultural Studies Media Visual and Performance Studies Association for Asian American Studies AAAS 2019 The Chinatown opera house provided Chinese immigrants with an essential source of entertainment during the pre World War II era But its stories of loyalty obligation passion and duty also attracted diverse patrons into Chinese American communities Drawing on a wealth of new Chinese and English language research Nancy Yunhwa Rao tells the story of iconic theater companies and the networks and migrations that made Chinese opera a part of North American cultures Rao unmask a backstage world of performers performance and repertoire and sets readers in the spellbound audiences beyond the footlights But she also braids a captivating and complex history from elements outside the

opera house walls the impact of government immigration policy how a theater influenced a Chinatown's sense of cultural self the dissemination of Chinese opera music via recording and print materials and the role of Chinese American business in sustaining theatrical institutions The result is a work that strips the veneer of exoticism from Chinese opera placing it firmly within the bounds of American music and a profoundly American experience **A Most Wicked Conspiracy** Paul

Starobin, 2020-06-30 A tale of Gilded Age corruption and greed from the frontier of Alaska to America's capital In the feverish money making age of railroad barons political machines and gold rushes corruption was the rule not the exception Yet the Republican mogul Big Alex McKenzie defied even the era's standard for avarice Charismatic and shameless he arrived in the new Alaskan territory intent on controlling gold mines and draining them of their ore Miners who had rushed to the frozen tundra to strike gold were appalled at his unabashed deviousness A Most Wicked Conspiracy recounts McKenzie's plot to rob the gold fields It's a story of how America's political and economic life was in the grip of domineering self dealing seemingly untouchable party bosses in cahoots with robber barons Senators and even Presidents Yet it is also the tale of a righteous resistance of working class miners muckraking journalists and courageous judges who fought to expose a conspiracy and reassert the rule of law Through a bold set of characters and a captivating narrative Paul Starobin examines power and rampant corruption during a pivotal time in America drawing undoubted parallels with present day politics and society

Prestatehood Legal Materials Michael Chiorazzi, Marguerite Most, 2013-05-13 Explore the controversial legal history of the formation of the United States Prestatehood Legal Materials is your one stop guide to the history and development of law in the U S and the change from territory to statehood Unprecedented in its coverage of territorial government this book identifies a wide range of available resources from each state to reveal the underlying legal principles that helped form the United States In this unique publication a state expert compiles each chapter using his or her own style culminating in a diverse sourcebook that is interesting as well as informative In Prestatehood Legal Materials you will find bibliographies references and discussion on a varied list of source materials including state codes drafted by Congress county state and national archives journals and digests state and federal reports citations surveys and studies books manuscripts papers speeches and theses town and city records and documents Web sites to help your search for more information and more Prestatehood Legal Materials provides you with brief overviews of state histories from colonization to acceptance into the United States In this book you will see how foreign countries controlled the laws of these territories and how these states eventually broke away to govern themselves The text also covers the legal issues with Native Americans inter state and the Mexico and Canadian borders and the development of the executive legislative and judicial branches of state government This guide focuses on materials that are readily available to historians political scientists legal scholars and researchers Resources that assist in locating not so easily accessible materials are also covered Special sections focus on the legal resources of colonial New York City and Washington DC which is still technically in its prestatehood stage Due to the

enormity of this project the editor of Prestatehood Legal Materials created a Web page where updates corrections additions and more will be posted

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