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Practicing Law in Frontier California

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Practicing Law In Frontier California Law In The American West Series

**Addison Erwin Sheldon,James Lee
Sellers,James C. Olson**



Practicing Law In Frontier California Law In The American West Series:

Law and Order in Buffalo Bill's Country Mark R. Ellis, 2007-01-01 Celebrated accounts of lawless towns that relied on the extra legal justice of armed citizens and hired gunmen are part of the enduring cultural legacy of the American West This work presents a case study of law and legal culture in Lincoln County Nebraska during the nineteenth century It also examines legal institutions on the Great Plains

Sunflower Justice R. Alton Lee, 2014-03-01 Until recently American legal historiography focused almost solely on national government Although much of Kansas law reflects U S law the state court s arbitrary powers over labor management conflicts yellow dog contracts civil rights gender issues and domestic relations set precedents that reverberated around the country Sunflower Justice is a pioneering work that presents the history of a state through the use of its supreme court decisions as evidence R Alton Lee traces Kansas s legal history through 150 years of records shedding light on the state s political economic and social history in this groundbreaking overview of Kansas legal cases and judicial biographies Beginning with the territorial justices and continuing through the late twentieth century R Alton Lee covers the dispossession of Native Americans land the growth and impact of labor unions antimonopoly cases against railroad and mining companies a nine year state ban on the movie Birth of a Nation and implications and effects of desegregation as well as the shooting of Dr George Tiller for performing legal abortions Because judicial decisions are not made in a vacuum Lee presents each of the justices in the context of the era and their personal experiences before examining how their decisions shaped Kansas political economic social and legal history

Women Who Kill Men Gordon Morris Bakken, Brenda Farrington, 2009 The late nineteenth and early twentieth centuries were a revolutionary period in the lives of women and the shifting perceptions of women and their role in society were equally apparent in the courtroom Women Who Kill Men examines eighteen sensational cases of women on trial for murder from 1870 to 1958 The fascinating details of these murder trials documented in court records and embellished newspaper coverage mirrored the changing public image of women Although murder was clearly outside the norm for standard female behavior most women and their attorneys relied on gendered stereotypes and language to create their defense and sometimes to leverage their status in a patriarchal system Those who could successfully dress and act the part of the victim were most often able to win the sympathies of the jury Gender mattered And though the norms shifted over time the press attorneys and juries were all informed by contemporary gender stereotypes

In Cold Storage James W. Hewitt, 2015-07 In 1973 the small southwest Nebraska railroad town of McCook became the unlikely scene of a grisly murder More than forty years later author James W Hewitt returns to the scene and unearths new details about what happened After pieces of Edwin and Wilma Hoyt s dismembered bodies were found floating on the surface of a nearby lake authorities charged McCook resident Harold Nokes and his wife Ena with murder Harold pleaded guilty to murder and Ena pleaded guilty to two counts of wrongful disposal of a dead body but the full story of why and how he murdered the Hoyts has never been told Hewitt interviews law enforcement officers members of the

victims family weapons experts and forensic psychiatrists and delves into newspaper reports and court documents from the time Most significant Harold granted Hewitt his first and only interview in which the convicted murderer changed several parts of his 1974 confession In Cold Storage takes readers through the evidence including salacious details of sex and intrigue between the Hoyts and the Nokeses and draws new conclusions about what really happened between the two families on that fateful September night Law in the West Gordon Morris Bakken,Brenda Farrington,2001 This anthology examines Love s Labours Lost from a variety of perspectives and through a wide range of materials Selections discuss the play in terms of historical context dating and sources character analysis comic elements and verbal conceits evidence of authorship performance analysis and feminist interpretations Alongside theater reviews production photographs and critical commentary the volume also includes essays written by practicing theater artists who have worked on the play An index by name literary work and concept rounds out this valuable resource **Lone Wolf V. Hitchcock** Blue Clark,1999-01-01 Landmark court cases in the history of formal U S relations with Indian tribes are Corn Tassel Standing Bear Crow Dog and Lone Wolf Each exemplifies a problem or a process as the United States defined and codified its politics toward Indians The importance of the Lone Wolf case of 1903 resides in its enunciation of the plenary power doctrine that the United States could unilaterally act in violation of its own treaties and that Congress could dispose of land recognized by treaty as belonging to individual tribes In 1892 the Kiowas and related Comanche and Plains Apache groups were pressured into agreeing to divide their land into allotments under the terms of the Dawes Act of 1887 Lone Wolf a Kiowa band leader sued to halt the land division citing the treaties signed with the United States immediately after the Civil War In 1902 the case reached the Supreme Court which found that Congress could overturn the treaties through the doctrine of plenary power As he recounts the Lone Wolf case Clark reaches beyond the legal decision to describe the Kiowa tribe itself and its struggles to cope with Euro American pressure on its society attitudes culture economic system and land base The story of the case therefore also becomes the history of the tribe in the late nineteenth century The Lone Wolf case also necessarily becomes a study of the Dawes Allotment Act of 1887 in operation under the terms of the Dawes Act and successor legislation almost two thirds of Indian lands passed out of their hands within a generation Understanding how this happened in the case of the Kiowa permits a nuanced view of the well intentioned but ultimately disastrous allotment effort Uncivil Disobedience Jennet Kirkpatrick,2008-09-02 Uncivil Disobedience examines the roles violence and terrorism have played in the exercise of democratic ideals in America Jennet Kirkpatrick explores how crowds rallying behind the principle of popular sovereignty and desiring to make law conform to justice can disdain law and engage in violence She exposes the hazards of democracy that arise when citizens seek to control government directly and demonstrates the importance of laws and institutions as limitations on the will of the people Kirkpatrick looks at some of the most explosive instances of uncivil disobedience in American history the contemporary militia movement Southern lynch mobs frontier vigilantism and militant abolitionism She

argues that the groups behind these violent episodes are often motivated by admirable democratic ideas of popular power and autonomy Kirkpatrick shows how in this respect they are not so unlike the much admired adherents of nonviolent civil disobedience yet she reveals how those who engage in violent disobedience use these admirable democratic principles as a justification for terrorism and killing She uses a bottom up analysis of events to explain how this transformation takes place paying close attention to what members of these groups do and how they think about the relationship between citizens and the law *Uncivil Disobedience* calls for a new vision of liberal democracy where the rule of the people and the rule of law are recognized as fundamental ideals and where neither is triumphant or transcendent **Montana Vigilantes, 1863-1870**

Mark C. Dillon, 2018-10-22 A history and legal analysis of vigilantism in Montana in the 1860s from a state Supreme Court justice and legal historian Historians and novelists alike have described the vigilantism that took root in the gold mining communities of Montana in the mid 1860s but Mark C Dillon is the first to examine the subject through the prism of American legal history considering the state of criminal justice and law enforcement in the western territories and also trial procedures gubernatorial politics legislative enactments and constitutional rights Using newspaper articles diaries letters biographies invoices and books that speak to the compelling history of Montana s vigilantism in the 1860s Dillon examines the conduct of the vigilantes in the context of the due process norms of the time He implicates the influence of lawyers and judges who like their non lawyer counterparts shaped history during the rush to earn fortunes in gold Dillon s perspective as a state Supreme Court justice and legal historian uniquely illuminates the intersection of territorial politics constitutional issues corrupt law enforcement and the basic need of citizenry for social order This readable and well directed analysis of the social and legal context that contributed to the rise of Montana vigilante groups will be of interest to scholars and general readers interested in Western history law and criminal justice for years to come Justice Dillon s book reads like a Western Dillon masterfully sets the stage for the rise of the Montana vigilantes by bringing alive the people who created and lived in mining towns There are heroes villains shady characters and more than a few politicians businessmen lawyers and judges What sets Dillon s book apart from historical texts and fictional tales is that he provides legal analyses and explanations of the trials sentences due process and procedures of the day And shed s grisly light on the details of the hangings Dillon s unique background as an attorney and judge and his downright dogged research are what makes this complex story so engaging The prose is clear crisp and gets to the point The book is satisfying because it answers contemporary nagging questions about the law regarding the vigilantes and the hangings Gregory Zenon Brooklyn Barrister Dillon s analysis of the vigilantes of Bannack Alder Gulch and Helena in Montana Territory is the most detailed insightful and legally nuanced yet produced This book is a model for historians to follow when dealing with 19th century criminal proceedings Establishing historical context includes examining the laws in books as well as the law in action Gordon Morris Bakken Great Plains Research *Rebels at the Bar* Jill Norgren, 2016-05 In *Rebels at the Bar* prize winning legal historian Jill Norgren recounts

the life stories of a small group of nineteenth century women who were among the first female attorneys in the United States Beginning in the late 1860s these determined rebels pursued the radical ambition of entering the then all male profession of law They were motivated by a love of learning They believed in fair play and equal opportunity They desired recognition as professionals and the ability to earn a good living Rebels at the Bar expands our understanding of both women s rights and the history of the legal profession in the nineteenth century It focuses on the female renegades who trained in law and then like men fought considerable odds to create successful professional lives In this engaging and beautifully written book Norgren shares her subjects faith in the art of the possible In so doing she ensures their place in history **George Hearst** Matthew Bernstein,2021-08-19 Rising from a Missouri boyhood and meager prospecting success to owning the most productive copper silver and gold mines in the world and being elected a United States senator George Hearst 1820-91 spent decades veering between the heights of prosperity and the depths of financial ruin In *George Hearst Silver King of the Gilded Age* Matthew Bernstein captures Hearst s ascent casting light on his actions during the Civil War his tempestuous marriage to his cousin Phoebe his role as disciplinarian and doting father to future media magnate William Randolph Hearst and his devious methods of building the greatest mining empire in the West Whether driving a pack of mules laden with silver from the Comstock Lode to San Francisco bribing jurors in Pioche and Deadwood or unearthing bonanzas in Utah and Montana Territories Hearst s cunning energy and industry were always evident along with occasional glimmers of the villainy ascribed to him in the television series *Deadwood* In this first full length biography George Hearst emerges in all his human dimensions and historical significance an ambitious complex flawed and quintessentially American character *The World of the American West* Gordon Morris Bakken,2016-12-12 Addressing everything from the details of everyday life to recreation and warfare this two volume work examines the social political intellectual and material culture of the American Old West from the California Gold Rush of 1849 to the end of the 19th century What was life really like for ordinary people in the Old West What did they eat wear and think How did they raise their children How did they interact with government What did they do for fun This encyclopedia provides readers with an engaging and detailed portrayal of the Old West through the examination of social cultural and material history Supported by the most current research the multivolume set explores various aspects of social history family politics religion economics and recreation to illuminate aspects of a society s emotional life interactions opinions views beliefs intimate relationships and connections between the individual and the greater world Readers will be exposed to both objective reality and subjective views of a particular culture as a result they can create a cohesive accurate impression of life in the Old West during the second half of the 1800s *An Aristocracy of Color* D. Michael Bottoms,2013-11-05 In the South after the Civil War the reassertion of white supremacy tended to pit white against black In the West by contrast a radically different drama emerged particularly in multiracial multiethnic California State elections in California to ratify Reconstruction era amendments to the U S Constitution raised the question of whether

extending suffrage to black Californians might also lead to the political participation of thousands of Chinese immigrants As historian D Michael Bottoms shows in *An Aristocracy of Color* many white Californians saw in this and other Reconstruction legislation a threat to the fragile racial hierarchy they had imposed on the state s legal system during the 1850s But nonwhite Californians blacks and Chinese in particular recognized an unprecedented opportunity to reshape the state s race relations Drawing on court records political debates and eyewitness accounts Bottoms brings to life the monumental battle that followed Bottoms begins by analyzing white Californians mid century efforts to prohibit nonwhite testimony against whites in court Challenges to these laws by blacks and Chinese during Reconstruction followed a trajectory that would be repeated in later contests Each minority challenged the others for higher status in court at the polls in education and elsewhere employing stereotypes and ideas of racial difference popular among whites to argue for its own rightful place in civilized society Whites contributed to the melee by occasionally yielding to blacks in order to keep the Chinese and California Indians at a disadvantage These dynamics reverberated in other state legal systems throughout the West in the mid to late 1800s and nationwide in the twentieth century As *An Aristocracy of Color* reveals Reconstruction outside of the South briefly promised an opportunity for broader equality but in the end strengthened and preserved the racial hierarchy that favored whites

Montana Justice Keith Edgerton,2011-10-01 Since the days of the wild West Montanans have struggled to be tough on crime with limited resources During Montana s early territorial years criminal justice was almost nonexistent a few towns had inadequate and chronically overcrowded jails occasional prisoners were sent east to the federal penitentiary in Detroit and vigilantes summarily dealt with others suspected of crimes In 1871 the federal government funded a penitentiary in Deer Lodge that was turned over to Montana when it achieved statehood in 1889 In this absorbing book Keith Edgerton provides a social history of the Montana Penitentiary with a primary focus on its early formative years After statehood Montana leased its penitentiary to contractors who utilized cheap inmate labor to turn a profit for themselves and for the state Warden Frank Conley became a regional political boss and amassed a personal fortune using inmates for road construction and a variety of public and private projects Eventually charges of corruption led to his ouster by Governor Joseph M Dixon and sparked a trial and heated controversy that resulted in Dixon s political downfall After 1921 the prison system came under full control of the state government Although there were changes at the penitentiary during the rest of the twentieth century and two full scale riots in the 1950s there was also a depressing repetition of corruption neglect and underfunding Industrial Cowboys

David Igler,2001 This text uses the example of Henry Miller and Charles Lux two San Francisco butchers who turned themselves into landed industrialists to illuminate the industrial and environmental transformation of the American West

Invitation to an Execution Gordon Morris Bakken,2010-11-16 Until the early twentieth century printed invitations to executions issued by lawmen were a vital part of the ritual of death concluding a criminal proceeding in the United States In this study Gordon Morris Bakken invites readers to an understanding of the death penalty in America with a collection of

essays that trace the history and politics of this highly charged moral legal and cultural issue Bakken has solicited essays from historians political scientists and lawyers to ensure a broad treatment of the evolution of American cultural attitudes about crime and capital punishment Part one of this extensive analysis focuses on politics legal history multicultural issues and the international aspects of the death penalty Part two offers a regional analysis with essays that put death penalty issues into a geographic and cultural context Part three focuses on specific states with emphasis on the need to understand capital punishment in terms of state law development particularly because states determine on whom the death penalty will be imposed Part four examines the various means of death from hanging to lethal injection in state law case studies And finally part five focuses on the portrayal of capital punishment in popular culture

California History, 2003 **Heart Versus Head** Peter Karsten, 1997 Challenging traditional accounts of the development of American private law Peter Karsten offers an important new perspective on the making of the rules of common law and equity in nineteenth century courts The central story of that era he finds was a

Encyclopedia of Immigration and Migration in the American West Gordon Morris Bakken, Alexandra Kindell, 2006-02-24 To read some sample entries or to view the Readers Guide click on Sample Chapters Additional Materials in the left column under About This Book Immigration from foreign countries was a small part of the peopling of the American West but an important aspect in building western infrastructure cities and neighborhoods The Encyclopedia of Immigration and Migration in the American West provides much more than ethnic groups crossing the plains landing at ports or crossing borders this two volume work makes the history of the American West an important part of the American experience Through sweeping entries focused biographies community histories economic enterprise analysis and demographic studies this Encyclopedia presents the tapestry of the West and its population during various periods of migration The two volumes examine the settling of the West and include coverage of movements of American Indians African Americans and the often forgotten role of women in the West s development Key Features Represents many of the American Indian tribes and bands that constitute our native heritage in an attempt to reintegrate the significance of their migrations with those of later arrivals Examines how African Americans and countless other ethnic groups moved west for new opportunities to better their lives Looks at specific economic opportunities such as mineral exploration and the development of instant cities Provides specific entries on immigration law to give readers a sense of how immigration and migration have been involved in the public sphere Includes biographies of certain individuals who represent the ordinary as well as extraordinary efforts it took to populate the region Key Themes American Indians Biographies Cities and Towns Economic Change and War Ethnic and Racial Groups Immigration Laws and Policies Libraries Natural Resources Events and Laws The Way West The Encyclopedia of Immigration and Migration in the American West brings new insight on this region stimulates research ideas and invites scholars to raise new questions It is a must have reference for any academic library

"Let No Guilty Man Escape" Roger Harold Tuller, 2001 Let No Guilty Man Escape the first new Parker biography in four decades

corrects this simplistic image by presenting Parker's unique brand of frontier justice within the legal and political context of his time. Using primary documents from the National Archives, Missouri court records, and other sources not included by previous biographers, Roger H. Tuller demonstrates that Parker was an ambitious attorney who used the law to advance his own career. Parker rose from a frontier Missouri lawyer to become a congressional representative, and when Reconstructionist era politics denied him continued progress, he sought the judicial appointment for which he is most remembered.

BOOK JACKET **Nebraska History** Addison Erwin Sheldon, James Lee Sellers, James C. Olson, 2004

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