



DE NOVO

The Newsletter of
The Law Library of Louisiana

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PORTRAIT OF CHIEF JUSTICE KIMBALL

by Georgia Chadwick



Left to right: LSU Paul M. Hebert Law Center Chancellor Jack M. Weiss; Chief Justice Catherine D. Kimball; Michael Deas; Supreme Court of Louisiana Historical Society Board President Donna D. Fraiche.

On March 12, 2012, the official portrait of Chief Justice Catherine D. Kimball was presented to the Louisiana Supreme Court by Supreme Court of Louisiana Historical Society Board President Donna D. Fraiche on behalf of the Supreme Court of Louisiana Historical Society. The ceremony, held in the courtroom, was attended by justices of the Louisiana Supreme Court, members of the Supreme Court of Louisiana Historical Society and members of the Kimball family.

Ms. Fraiche gave a brief history of the Society's involvement in restoring many of the portraits in the Supreme

Court's collection, including portraits of Louisiana's chief justices, which are on display in the Supreme Court Museum and enjoyed by the many visitors to the building.

The Historical Society was particularly honored to present the portrait in 2012, which marks Chief Justice Kimball's 20th year on the Court. In 1992, she was the first woman elected to the Supreme Court, and for 18 years prior she was a member of the 19th Judicial District Court, which encompasses Iberville, West Baton Rouge, and Pointe Coupee parishes. Overall, Chief Justice Kimball has served as a member of the Louisiana judiciary for 30 years.

French Quarter artist Michael Deas was commissioned by the Historical Society to complete the portrait. Deas's paintings of Theodore Roosevelt, Mark Twain, Franklin Roosevelt, and Thomas Jefferson have appeared on four covers of *Time* magazine. He has also painted over 20 postage stamps, including likenesses of Lewis and Clark, Ronald Reagan, Marilyn Monroe, and James Dean. Most people have seen the Columbia Pictures logo of "Torch Lady," but may not know that this familiar icon is Deas's work. Deas said he was delighted

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PORTRAIT OF CHIEF JUSTICE KIMBALL

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to work with Chief Justice Kimball. He described her in this way: "As a sitter, she was both obliging and charismatic, good-natured and possessing an irresistible smile – a portrait painter's dream come true." He became interested in painting her portrait after a visit to the Court and the Museum afforded him a chance to see the Court's entire collection of portraits of distinguished judges and

members of Louisiana's bar.

After Ms. Fraiche completed her remarks, she was joined by LSU Paul M. Herbert Law Center Chancellor Jack M. Weiss to unveil the portrait. Chancellor Weiss serves on the Historical Society Board and was an active member on the committee to commission the portrait.

On April 18, 2012, Chief Justice Kimball announced she will be retiring in January

2013. She is admired and is recognized by the legal community for her many outstanding contributions throughout her career and as Chief Justice. For 30 years she has been a judge who works hard daily to make sure the justice system works for all of the citizens of Louisiana. The vibrant portrait by Michael Deas will represent a lasting tribute to a remarkable judge. δ

OYEZ, OYEZ, OYEZ! THE COURT AT THE CABILDO

by Miriam Childs

On Monday, May 7, 2012, the Louisiana Supreme Court heard oral arguments in the Sala Capitular at the Cabildo, where the Court hasn't met since moving to 400 Royal Street in 1910. The justices heard one civil case and one criminal case. This return to the past marked the beginning of the Court's commemoration of its bicentennial.

The Louisiana Supreme Court first convened on March 1, 1813. In commemoration of the bicentennial, there will be a number of events leading up to a grand ceremony on the Court's front steps on March 1, 2013.

The Court's first home is presumed to be the "Government House," built in the 1760s during the French Colonial era. After the Government House burned in the 1820s, the Supreme Court moved to the Presbytère until 1853, when it moved to the Cabildo's Sala Capitular, where it sat until 1910.

While sitting at the Cabildo, the Court heard several cases of note, including the Myra Clark Gaines cases; the Slaughterhouse Cases; and *Plessy v. Ferguson*. All three of these cases were appealed to the United States Supreme Court.

The Gaines cases concerned women's property rights and inheritance issues, and still holds the record as the longest continuous civil litigation in U. S. history. The Slaughterhouse Cases involved the rights of private butchers to operate. The Court's narrow interpretation of the 14th amendment was upheld by the U. S. Supreme Court upon appeal. The infamous *Plessy v. Ferguson* established the doctrine of "separate but equal," which was upheld by the U.S. Supreme Court until it was overturned in 1954 in *Brown v. Board of Education*.

Five justices, as opposed to today's seven, served on the Court at that time. The Court also heard cases in Opelousas until 1894, when New Orleans was designated

as its sole location. In 1910 the Court moved into the New Courts Building at 400 Royal Street. This building was designed to be a safe, fireproof location. Court records had been lost during the Civil War when they were moved to the Old State Capitol, which was burned during the Battle of Baton Rouge.

In 1958 the Court moved to a brand new building at 301 Loyola, near the newly built City Hall and public library buildings. The Department of Wildlife and Fisheries occupied the building at 400 Royal Street until the late 1980s, at which point the building became vacant. The Louisiana Legislature provided appropriations to renovate 400 Royal Street, and the Court returned in 2004 to a beautifully restored historic building.

More information about the Court's bicentennial events will be featured in upcoming issues of *De Novo*. δ

CLE PROGRAMS AT THE LIBRARY

by Jennifer Creevy

The Law Library of Louisiana recently co-sponsored two programs for Continuing Legal Education credit. Both programs were well-attended and held in the Courtroom. On Thursday, December 1, 2011, the A.P. Tureaud Inn of Court and the Law Library of Louisiana sponsored a free CLE, providing one hour each of ethics and professionalism credit. Bobby J. Delise of Delise and Hall and Val Patrick Exnicios of Liska, Exnicios and Nungesser gave a presentation entitled "An Ethical Guide to the Professional in Practice." Justice Bernette J. Johnson welcomed the attendees, and Judge Ethel Simms Julien introduced the speakers. Mr. Delise and Mr. Exnicios filled their presentation with practical advice and food for thought regarding ethics in legal practice, assuring that attendees learned something new by the conclusion of the program.

On Thursday, February 2, 2012, Ed Walters of Fastcase, Inc. presented a free CLE titled "Who Owns the Law?" The CLE was sponsored by the Law Library of Louisiana and the New Orleans Association of Law Librarians. Mr. Walters spoke to a standing-room only crowd about the privatization of public law and what Fastcase and other organizations are doing to challenge the takeover of public law.

Mr. Walters provided examples of several states in which the state statutes have been copyrighted by private companies. These companies, such as Thomson Reuters and Reed Elsevier, claim that the codification process the publishers provide enables them to claim copyright over the intellectual property that they produce. However, Mr. Walters and other organizations make the point that the actual authors of the laws, state Legislatures, do not have access to copyright protection for the work that they produce as elected officials. The open access advocates also make the claim that citizens have a constitutional due process right to have access to the law. Mr. Walters described the efforts of several organizations, including Fastcase and Law.gov, to open up access to public statutes so that an informed citizenry can read and utilize the law that all of the people of the United States own.

Please keep an eye out for future CLE programming. The Law Library hopes to present more quality continuing education programs for the bar and the public! δ

LLA HONORS JUSTICE JOHNSON

by Miriam Childs

Justice Bernette J. Johnson was the keynote speaker of the President's Program at the 2012 conference of the Louisiana Library Association, held in Shreveport March 21-23. After addressing the audience of public, school, and special librarians, LLA President Carla Clark and Louisiana Libraries editor Vivian Solar presented Justice Johnson with a plaque honoring her for "her support of every citizen's right to read, speak, and thrive." During her keynote speech, Justice Johnson discussed the need for public libraries to expand their hours, especially on weeknights, to assist working parents. She also examined how judges must be mindful of their speech and behavior on the bench because they have to set an example for the citizens they serve.

A tireless advocate for social

justice and civil rights, Justice Johnson is the first African-American woman to sit on the Louisiana Supreme Court, having served since 1994. Among many other awards, Justice Johnson has received the Louis A. Martinet Legal Society President's Award (twice), the Louisiana Bar Association President's Award for Exceptional Service, and the 2009 Distinguished Jurist Award from the Louisiana Bar Foundation. Justice Johnson received a Juris Doctorate from LSU in 1969, becoming one of the first African-American women to graduate from the program. Justice Johnson was the first woman elected to the Civil District Court in 1984, and by 1994 was CDC's Chief Judge. LLA's honoring Justice Johnson is the latest recognition of her outstanding career as a jurist.

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YOUNG MAN GO WEST!

by Georgia Chadwick

The Supreme Court of Louisiana Historical Society sponsored a lecture by Professor Kjell Å. Modéer on Thursday, April 12, 2012 at Loyola University New Orleans College of Law. The lecture was co-sponsored by Loyola and the Association Henri Capitant – Louisiana Chapter.

Professor Modéer, Senior Professor of Legal History, Faculty of Law at Lund University in Sweden, entitled the lecture "Young Man Go West! The Brethren Carl and Gustavus Schmidt as Examples of Legal Transfers Between Sweden and Louisiana in the 19th Century." Professor Modéer has written about Carl and Gustavus Schmidt in English, German, and Swedish.

Father Lawrence Moore, Historical Society Board President Donna D. Fraiche, and Profes-

sor Alain A. Levasseur each made remarks before Professor Ray J. Rabalais of Loyola introduced Professor Modéer.

Gustavus Schmidt was an eminent lawyer and legal scholar in 19th Century New Orleans, having come to America as a young man to seek his fortune. He founded the Deep South's first law school and his *Louisiana Law Journal* was the state's first law journal. His 1851 book, *The Civil Law of Spain and Mexico*, is one of the first comprehensive studies on Spanish legal history written in English. At his death in 1877, Schmidt's large private library, containing over 1,000 volumes in 13 languages, was sold at auction.

Throughout his legal career, Schmidt corresponded

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THE LAW AND MAGIC: A BOOK REVIEW

by Marie Erickson



The Law and Magic, by Christine A. Corcos (Carolina Academic Press, 2010), is a charming if uneven collection of essays on the law's interaction with magic that should make a good lawyerly beach read. The essays cover history, copyright, and much more, but not all of the essays are serious academic screeds.

One of my favorites is "The Magic of Civil Procedure," a review of

cases touching on the supernatural, as well as suggestions for examining demonic-possession expert witnesses, and a belt-and-suspenders section of a lending agreement, supposedly discovered during due diligence. It quotes a supposed end-of-the-world clause found by a Swiss bank whose attorneys were doing due diligence.

§10.4 End of the World. Upon the occurrence of the end of the world before full payment and performance of the Notes and Drafts ... (they) will become immediately payable ... enforced against the Company by any terrestrial, extraterrestrial, or spiritual procedure.

"Now You Own It, Now You Don't: Copyright and Related Rights in Magic Productions

and Performances" discusses the applicability of copyright to magic tricks. Tricks and illusions are arguably patentable and copyrightable. However, limitations on patents and copyrights preclude their being of much use to the magician. Many aspects of tricks and illusions fall into that black hole between copyrights and patents where indexes, procedures, processes, and fashion dwell, somewhere between useful articles and an intellectual idea reduced to a fixed medium. Perhaps they would be protected under performers' rights, but the U.S. only recognizes these rights as they apply to musicians.

"Secrets Revealed: Protect-

ing Magicians' Intellectual Property Without Law" discusses magicians' journals of the 19th century and the present (subscription to *The Linking Ring*, anyone?), in which magicians shared illusions, tricks, and the like. Stealing tricks – using them without permission – was seriously frowned on. In such a tight-knit community, shame probably helped control unauthorized use. And the trick is not the half of it – the performance is just as important.

Be sure to stop by the library to check out the book if you are interested! Find it on the shelf at K 487 .M33 L39 2010.

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2012 LSBA SOLO & SMALL FIRM CONFERENCE



by Katie Nachod

When February rolls around, others may be thinking of Groundhog Day, Valentine's Day, Mardi Gras, or Presidents' Day, but here in the Law Library, we are finalizing plans for our participation in the Louisiana State Bar Association's Solo and Small Firm Conference. This year's conference was the fifth annual one, and as usual, we registered for a table in the exhibits area, where library staff members had the opportunity to speak with attorneys, paralegals, and legal assistants attending the conference and to hand out information about the services that we provide.

We sometimes refer to our library as a hidden treasure, since so many people are not aware of the range of resources we offer to our users. We are open to everyone, but we are especially valuable to solo and small firm practitioners who often cannot afford to buy the many paper and electronic resources featured in our collection.

The 2012 conference was held on Thursday and Friday, February 23 and 24, at the Hilton Riverside Hotel. A total of 323 attorneys and 37 paralegals/legal assistants registered to attend, and we talked to just about every one of them. From

7:00 a.m. until 5:00 p.m. both days, we had a staff member at the exhibit table telling people about our library and giving out copies of our library brochure and research guides on topics like: Louisiana legislative history, Louisiana quantum evaluation sources, Louisiana court practice materials, Louisiana court decisions, Internet sites for legal information, legal research methodology, and selected electronic resources available at the library. If these sound interesting to you, you can access copies of them on our library's information page, where you can also search our online catalog: http://www.lasc.org/law_library/library_information.asp.

In addition, we handed out pens with the library's name and phone number; bookmarks that highlight our electronic resources and a list of the top ten reasons you should come to our library; and price lists of the services we charge for, such as photocopying, document delivery, and mediated Westlaw searches.

The conference draws attendees from around the state, so we emphasize that we answer questions by phone or e-mail as well as in person, and we can fax or scan and e-mail documents for very reasonable rates. This year we talked to many local attorneys and legal assistants, but also others from Baton Rouge, Houma, Thibodaux, Shreveport, Lake Charles, Ville Platte, and even one attorney from Hawaii who returns to New Orleans for part of the year.

The library staff members enjoy seeing many of our current patrons, who always stop by

to say hello and chat with us. However, the most rewarding experience for us is talking to people who have never been to our library and don't know what they have been missing. We had a laptop computer set up on our table with a slide show featuring photographs of our beautiful library, which is located on the second floor of the historic Louisiana Supreme Court building in the French Quarter.

At the exhibit table, we also provided information about our collection, which includes: federal and state statutes, regulations, and cases; Louisiana Practice Series treatises; general practice treatises and loose-leaf services; self-help legal guides; legal dictionaries and encyclopedias; academic law reviews and general legal periodicals; and legal form books.

Many people don't know that we have not only all the superseded volumes of the Louisiana Statutes Annotated, but also all the pocket part supplements to these volumes from 1970 to the present, bound by year. They are usually very pleased to learn that we can use these superseded volumes and supplements to help them find the text of a statute or code article as of a particular date, after one amending act, but before the next.

The library also subscribes to many electronic databases that users can access for free. These include: Patron Access Westlaw; Loislaw; three legal periodical databases, one of which, HeinOnline, provides access to all major law reviews and legal periodicals starting with volume one of each title; federal courts' and some local courts' docket information; and BNA's Labor and Employment Law

Library and Tax and Accounting Center. You must be in our library to search these electronic resources, and our reference librarians can instruct you on the technical aspects of access as well as on search strategies to maximize your research results. During the two days of the conference, we demonstrated some of our electronic resources for those expressing interest.

Many of the people we spoke with said very nice things about the services we provide, and others who had not yet discovered our library promised to visit and explore the many resources available to them.

Given the current economic climate, all lawyers, not just solo practitioners and those in small firms, are trying to spend their budgets wisely. Using our library's paper and electronic collections as a supplement to their own libraries (if they have them) can help law firms and solos better serve their clients. We look forward to that, and we invite you to call or stop by to see how we can help you.

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HAPPY 200TH BIRTHDAY, LOUISIANA!



by *Miriam Childs*

Louisiana was admitted to the Union on April 30, 1812, two hundred years ago. Special events held statewide during April commemorated this auspicious anniversary. The Louisiana Bicentennial Commission's webpage (<http://www.louisianabicentennial2012.com/>) thoroughly covers information about past events, commemorative merchandise, and more. As with many things pertaining to Louisiana, the story of how it became a state is complicated.

Through the treaty of San Ildefonso in 1800, the territory of Louisiana was retroceded from Spain to France. Thomas Jefferson saw the need to secure the port of New Orleans for the United States because the states in the country's interior depended on exporting goods through New Orleans, and he also desired the ability to expand trade.

Jefferson sent James Monroe to Paris to assist Robert Livingston, the U.S. Ambassador to France, with preparing an offer to purchase New Orleans. Napoleon made a counter offer to sell all of Louisiana, with France renouncing its rights to the territory. The United States agreed and purchased the Louisiana Territory for \$15 million dollars. The Louisiana Purchase Treaty was signed on May 2, 1803, and the territory was formally transferred to the United States on November 30, 1803. Congress soon afterwards passed legislation enabling military and government officials to take possession of the territory.

On March 26, 1804 Congress divided the territory into two parts. The

northern portion, from present-day Arkansas to the Canadian border, was named the Louisiana Territory. The portion of the territory that roughly makes up the state's modern borders was named the Orleans Territory. In 1805 Congress passed a bill providing for the establishment of an organized territorial government.

Governor William C. C. Claiborne, the first governor of the Territory of Orleans, organized the Orleans Legislative Council, consisting of the governor and 13 members. The Legislative Council divided the Orleans Territory into twelve counties, each with a sheriff, judge, coroner, clerk, and treasurer appointed by the Governor. In 1807 the Legislative Council voted to rename the territory's subdivisions to parishes. Not included in the Orleans territory were the Florida Parishes and the area west of Natchitoches. West Florida was still in Spanish hands, and Spain disputed the western border of the Territory.

The Northwest Ordinance of 1787 laid out the requirements for a territory to become a state and be admitted into the Union. One such requirement was that the territory's population had to meet or exceed 60,000 persons. The Orleans Territory's population in 1810, according to the census, was in excess of 76,000. Thus, in March 1810 the Territory sought admission as a state. Despite Governor Claiborne's belief that the people of Louisiana weren't ready for self-government according to republican principles, in April the U.S. Senate accepted a petition for statehood and ordered the Territory to hold a convention to draft a state constitution. The petition died in the House.

Delegates from the Territory of Orleans again presented a petition to the House of Representatives in December 1810. The bill was debated vigorously. Federalists, who supported Great Britain

during the Napoleonic wars, opposed admitting the new state because of the perception that the residents were too pro-French. Others opposed admitting new states without the consent of the people beyond what was in the Constitution. Another concern was what to do with West Florida. The residents of West Florida rebelled in 1810 to throw off the Spanish government, forming the rogue Republic of West Florida. President Madison quickly quelled the rebellion and annexed West Florida to the United States. A representative added an amendment to remove West Florida from the Orleans territory, and his amendment passed. Another representative was concerned with expanding the border of the United States beyond the territories granted by the Treaty of Paris of 1783, which ended the Revolutionary War.

Finally the House passed the statehood bill on January 15, 1811, and the bill was sent to the Senate. After the Senate amended the bill to restrict the vote to white males--to the exclusion of free men of color--and set the western boundary of the state at the Sabine River, the bill was sent back to the House. The House then amended the bill to allow local rights over voting, but this version was rejected by the Senate many times. Eventually the House gave in to the Senate's demand for restricted voting, and the House passed the bill on February 10, 1811. President Madison signed the legislation on February 16, and on February 18, the President signed the Enabling Act that called for the Orleans Territory to form a constitution and state government.

The opening date for the Constitutional Convention was November 4, 1811. Forty-three delegates, appointed by Governor Claiborne, were selected from among the territory's leading social and political figures. Slightly more

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HAPPY 200TH BIRTHDAY, LOUISIANA!

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than half of the delegates were French/civil law-oriented and the rest were English/common law-oriented. Julien Poydras presided over the convention, and Eligius Fromentin served as secretary. The Committee on the Constitution, chaired by Allan Magruder, prepared a report to be used by the convention as the frame of the constitution.

The draft constitution consisted of a preamble and 7 articles, which included the separation of powers, representation in the Legislature, a guarantee of individual liberties, and a procedure for amendments. The draft, based on the 1792 and 1799 Kentucky constitutions, was debated back and forth in the convention. Apportionment for Senate seats, the structure of the judiciary, and the

procedure for electing the governor were the most troublesome topics. A subcommittee worked on the structure of the judiciary and modified the original provisions to include: a minimum of 3 and maximum of 5 Supreme Court judges; a requirement for judges to ride circuit in two appellate districts; all judges were to be gubernatorial appointments with tenure based on good behavior; and judges could be removed due to misconduct by impeachment. The final draft contained a provision that empowered the Legislature to establish lower courts as needed to administer justice.

The final draft of the constitution, written in French, was prepared by James Brown, Jean Blaque, John Watkins, Alexander Porter, and W. C. Maquillé. The convention reviewed the final draft and made last minute additions, such as making English the official language in judicial and legislative proceedings. The convention selected Louisiana as the name of the state. On January 28, 1812, the constitution was approved and

adopted. Magruder and Fromentin delivered one handwritten copy of the English translation to Congress and included a memorial regarding the annexation of West Florida. Another copy was presented to Secretary of State James Monroe.

Scribes recorded the names of all the delegates on the English copies; Fromentin's original signature served as attestation. The handwritten final draft in French is the only copy of the constitution with all of the delegates' original signatures. This copy is held at the Historic New Orleans Collection. The constitution was ordered by the Convention to be printed in French and English.

Louisiana's first constitution was a blend of Anglo-American and European concepts. It wasn't a progressive constitution, leaving the status quo unchallenged. The drafters of the constitution included provisions to keep common law in check and to limit judicial power. To reduce the influence of common law, existing territorial laws governing civil matters were

allowed to continue. Further, the Legislature was prohibited from adopting new statutes by general reference. Judges were to base their decisions in writing on specific reasons and Legislative enactments.

On March 20, 1812, the House passed the bill to allow Louisiana to enter the Union as the 18th state. On April 1, the Senate passed it without further amendments, and President Madison signed the bill into law. On April 8 Congress ratified the bill and set the date for statehood on April 30, the 9th anniversary of the Louisiana Purchase. (Though Congress allowed the annexation of West Florida, the western border of Louisiana wasn't finalized until the Adams-Onís treaty in 1819, making the Sabine River the official border.)

In January 1815 Louisiana showed its value to the Union during the battle of New Orleans at Chalmette Battlefield. Its loyalty to the United States, once questioned, was now solidly proven through the tenacity of its people. The Bicentennial of Louisiana's statehood provides an opportunity to reflect upon Louisiana's continued importance to the American Union.

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THE LIBRARY'S E-RESOURCES

BNA Labor &
Employment Law

Gale LegalForms

HeinOnline

LegalTrac

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Lexis Shepard's

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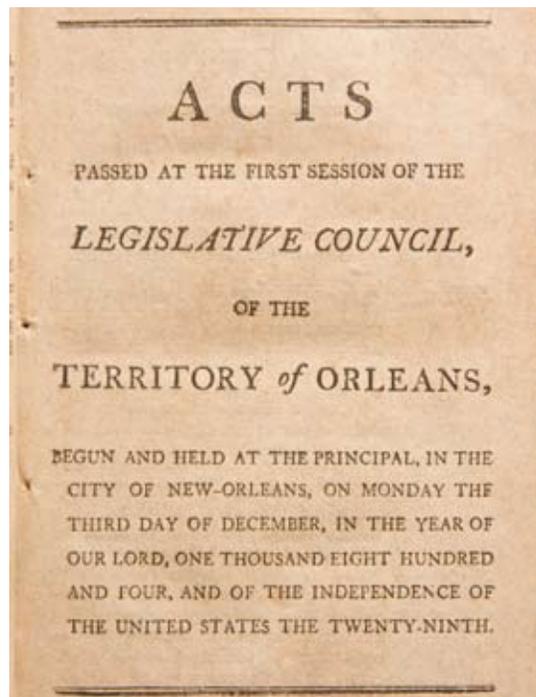
NFPA Standards

Nineteenth Century U.S.
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Periodicals



Title page of the published acts from the 1st Session of the Legislative Council of the Orleans Territory, 1804. Courtesy of the Law Library of Louisiana.

NO COURTS, NO JUSTICE, NO FREEDOM

by Javier Gutierrez



Southeast view of 20th JDC Courthouse in Clinton, LA after renovation.

Imagine a world in which the “wheels of justice” didn’t turn anymore. This year’s Law Day theme, “No Courts, No Justice, No Freedom,” provides an opportunity to explore the importance of Louisiana’s state courts in administering justice, as well as how the state’s judicial system works.

The Law Library’s 2012 Law Day exhibit opened on May 1, 2012. Four display cases are dedicated to each of the types of courts in Louisiana: courts of special jurisdiction, courts of limited jurisdiction, District Courts and Courts of Appeal.

Courts of special jurisdiction include drug, family, and juvenile courts. The exhibit provides a list of drug court districts and an explanation of how some judicial districts have separate juvenile and family courts that specialize on the Children’s Code.

Courts of limited jurisdiction are the city (in Orleans Parish, municipal and traffic are included), mayor’s, justices of the peace, and parish courts of the state. These courts have been given a very limited scope of jurisdiction, and mainly deal with minor violations of city and/or parish ordinances or lower dollar value disputes.

The next category of state courts are the District Courts. These are the courts that most people interact with, whether it is jury duty, divorce, or other legal matters. The District Courts have general jurisdiction, and most cases originate there. There are 42 judicial districts in the state, and most of them serve more than one parish. The exhibit provides a brief description of the jurisdiction of the District Courts, as well as some fun facts, such as which judicial district courthouse is the oldest in the state.

The final category of state courts are the Courts of Appeal. This category is divided into the Courts of Appeal and the Louisiana Supreme Court. The State is divided into five Appellate Circuits, and there is one Court of Appeal that serves each Circuit. Each Appellate Court has supervisory jurisdiction over their circuit. The Louisiana Supreme Court is the highest Court of Appeal in the state. The Supreme Court maintains supervisory jurisdiction over the Courts of Appeal and original jurisdiction over attorney disciplinary matters and certain other cases. The Supreme Court also has the authority to admit attorneys to the state bar, and also can appoint pro tempore

and ad hoc judges in other courts.

The Law Day exhibit will be on display throughout the year. Please stop by the Law Library and enjoy the exhibit, as it demonstrates the important role that the judiciary occupies in protecting our rights. δ

Photo courtesy of John Milner Associates, Inc., architects for the renovation, and Timothy Dunford, photographer.

YOUNG MAN GO WEST!

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with his older brother Carl Christian, who remained in Sweden and eventually became a Justice of the Swedish Supreme Court. The original correspondence between the brothers is part of the Gustavus Schmidt family papers, held at Tulane’s Louisiana Research Collection. A finding aid to the papers can be accessed here: <http://specialcollections.tulane.edu/archon/index.php?p=collections/controlcard&id=317>

Professor Mod er fielded a number of questions from Loyola faculty and students at the conclusion of his engaging presentation. A handful of Schmidt descendants were in the audience, including Louisiana bar members Louis V. de la Vergne, Douglas M. Schmidt, and his daughter Rachel C. Schmidt.

The previous day, Lynn Becnel, Tulane Law School Manager of Publications, arranged a gathering of students and faculty to meet with Professor Mod er. Historical Society Board member and Dean of

Tulane University Law School David D. Meyer welcomed Professor Mod er to Tulane. (Schmidt’s Louisiana Law School was absorbed into the University of Louisiana Law Department, predecessor of Tulane University Law School.)

The most recent issue of Tulane’s online journal *Civil Law Commentaries*, volume III (2010/2011), contains an article by Professor Mod er.

Professor Mod er’s presentation was recorded, and the Law Library will soon catalog the DVD recording to make it available to the bar and the public. δ

Did You Know?

The Law Library owns the following items related to Gustavus Schmidt:

Louisiana Law Journal
Located in Special Collections

The Civil Law of Spain and Mexico
Call Number: KKT 500 .S36 1851
Copies in Foreign Law stacks and Special Collections

The 1877 Sale Catalogue of Gustavus Schmidt’s Library
Call Number: KF 4 .S8745 2005
Located in stacks



Schmidt portrait, Gustavus Schmidt family papers, Louisiana Research Collection, Tulane University

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THE SHOW JUST GOES ON!

by Georgia Chadwick



Professor Paul R. Baier performing "Father Chief Justice" at the Rural Life Museum on Law Day. Photo courtesy Susan Moreau.

On Law Day, May 1 at the Rural Life Museum in Baton Rouge, Professor Paul R. Baier presented a preview of his play *"Father Chief Justice": Edward Douglass White and the Constitution* at the annual meeting of the Louisiana Association of Museums. Nothing could be more appropriate on Law Day than Professor Baier sharing the life of Chief Justice White of the United

States Supreme Court, Louisiana's only native son to serve on the court. Professor Baier's play has been in production for fifteen years, playing Louisiana's Old State Capitol, Baton Rouge, and twice in the Louisiana Supreme Court Chamber at 400 Royal Street, New Orleans. On Mardi Gras, March 8, 2011, the play was presented in the Coolidge Auditorium, Jefferson

Building, the Library of Congress, Washington, D.C. The production on that date can be viewed on YouTube, retrievable by searching "Father Chief Justice" in Google.

And the show goes on. Boston is the production's next stop, on September 21, 2012, at the Social Law Library, John Adams Courthouse, Pemberton Square. This time Professor Baier's cast includes four members of the Massachusetts Supreme Judicial Court. Justice Ralph D. Gants plays Chief Justice White; Justice Robert J. Cordy, White's buddy Oliver Wendell Holmes, Jr.; Justice Margo Botsford will play Fanny Holmes; and Justice Francis X. Spina plays Brandeis. Rehearsals are ongoing. What does Professor Baier say about bringing Chief Justice White & Co. to Boston? He quotes Shakespeare's Prospero: "We are such stuff as dreams are made on." *The Tempest*.
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