



DE NOVO

The Newsletter of
The Law Library of Louisiana

Volume 4, Issue 2
Summer 2006



IN THIS ISSUE:

<i>Catherine Lemann Heads to Alaska</i>	2
<i>Keeping Up With The Supremes</i>	3
<i>The US Supreme Court 100 Years Ago</i>	4
<i>AALL in St. Louis</i>	5
<i>Planiol's Treatise on Civil Law</i>	6
<i>Constitution Day</i>	7

Law Library of Louisiana Hours

Monday—Thursday
9am-9pm

Friday and Saturday
9am-5pm

Telephone (504) 310-2400
Fax (504) 310-2499

Toll free (Louisiana only)
800-820-3038

www.lasc.org

At your service:

- Carol Billings** - Director
- Georgia Chadwick** - Associate Dir.
- Miriam Childs**
Head of Technical Services
- Marie Erickson**
Head of Publics Services
- Gregory Duhe** - Library Associate
- Ruth Mahoney** - Library Associate
- Jason Kruppa**
Operations Manager

LIBRARY STAFF CHANGES INCLUDE PROMOTIONS FOR CHADWICK AND CHILDS

Georgia Chadwick has been promoted to the position of Associate Director of the Law Library, and Miriam Childs has been promoted to the position of Head of Technical Services. Major changes in the library staff are occurring as a result of the retirement last fall of Janice Shull, the former Head of Technical Services, and the recent resignation of Catherine Lemann, former Associate Director, to become the new State Law Li-

brarian of Alaska. The library is currently considering applications for the open positions of Reference/Electronic Resources Librarian and Technical Services Librarian.

Georgia Chadwick has spent 12 of her 24 years as a professional law librarian with our library, having served most recently as Head of Technical Services and previously as Collection Development/Documents Librarian and

Reference Librarian. After graduating from high school in the Maryland suburbs of Washington, DC, Georgia came to New Orleans to earn her bachelor's degree at Newcomb. She went to the University of Denver for her master's degree in librarianship. Her library career includes positions at several large law firms in Washington and Dallas as well as at Gordon, Arata and Adams and Reese in New Orleans, and Gulf Oil in Houston. She was also on the staff at the University of Texas's Tarlton Law Library and at SMU's Underwood Law Library. Recently completing a ten year stretch at this library, Georgia had also worked here in 1978/79 and 1983/84.

Georgia brings many interests and talents to her job. A high school summer job with a Washington international trade attorney was the origin of her passion for making government documents accessible to the public.



Miriam Childs (left) and Georgia Chadwick

continued on page 2

Harvard's Prof. Arthur Miller to Speak at Noon October 23 for Friend's CLE Lecture Series

Noted Harvard Law School professor and author Arthur R. Miller will present this fall's first lecture in the Friends of the Law Library's "Learning at the Law Library" series at noon on Monday, October 23. His topic will be "The Implications of Modern Technology for Privacy," one of his major research interests. The West Publishing Company, a Divi-

sion of the Thomson Corporation, is generously underwriting Professor Miller's visit to New Orleans. The general public and members of the legal community are all invited to attend the free lecture, which will be accompanied by light luncheon refreshments. Louisiana bar members who are also members of the Friends of the Law Library may register to receive

one hour of free CLE credit for attending the program, which has received MCLE Committee approval. Membership dues, which begin at \$25 for individuals, may be paid at the door. To inquire about law firm memberships, please call Carol Billings at (504) 310-2401.

continued on page 3

LIBRARY STAFF CHANGES

continued from page 1

A serious reader and student of American and Louisiana history, she has created many exhibits for the library and written interesting articles for *De Novo*. A respected leader in the law library community, she has presided over the New Orleans Association of Law Librarians and served in several other offices. She has been an executive board member of the Southeastern Chapter of the American Association of Law Libraries and a committee chair for the State, Court, and County Special Interest Section of AALL. In the Louisiana Library Association she has been an officer in several sections.

Miriam Childs has now completed more than three years on the library staff in the position of Serials/Preservation Librarian and more recently as cataloger. She came to our library from UNO, where she had also worked as cataloger and serials librarian. Her previous positions were at the Jefferson Parish Public Library, the EXXON Chemical Plant Information Center, and LSU's Middleton Library. A Phi Beta Kappa, magna cum laude graduate of LSU, Miriam also completed her master's degree at the university's School of Library and Information Science.

Miriam has also become active in professional law library associations. She has served as both secretary and treasurer of the New Orleans Association of Law Librarians and as a committee member of AALL's Southeastern Chapter; its State, Court, and County Law Libraries Special Interest Section; and its Technical Services Special Interest Section. She is a founding member of the association's new Gen X-Gen Y Caucus. She writes regularly for *De Novo*. 8

Heading to the Far North: Catherine Lemann is Named Alaska State Law Librarian

Congratulations are in order for Catherine Lemann, our library's Associate Director since 2000, as she moves to Anchorage, Alaska, where she has accepted her new position as Alaska State Law Librarian. With 17 court libraries scattered about the vast state in remote spots such as Nome and Barrow under her supervision, Cathy is taking on an exciting challenge. Her colleagues here at the Law Library of Louisiana have no doubt that she will do a fabulous job. Having joined the staff here in October 1991, Cathy has earned the respect and gratitude of court staff, bar members, and the general public to whom she has lent her expertise as a superb researcher, teacher, and technology aficionado.

Not unfamiliar with cold winters, Cathy grew up in Boston, lived in Milwaukee, and went to Carleton College in Minnesota. After training as a paralegal in Philadelphia,

Cathy moved to New Orleans and soon entered Tulane Law School. She received her J.D. degree in 1980 and then practiced with the firm of Polack, Rosenberg, Rittenberg & Endom for ten years. Fortunately for all who have benefitted from her research skills, Cathy eventually turned to law librarianship, completing her master's degree at the LSU School of Library and Information Science in 1991.

Cathy's first four years on our staff were spent as Reference Librarian. Spearheading the enhancement of our electronic research capability, she attended classes to gain additional expertise in network administration, computer mark-up language, and website management. Cathy not only created the library's website, but was a member of a special committee of the American Association of Law Libraries that advised courts in other states about creating and improving their sites. The

Louisiana Library Association conferred upon her its Margaret T. Lane Award for advancing access to government information through her work on the Supreme Court website. In recognition of her achievements, the position of Electronic Resources Librarian was assigned to Cathy in 1995. She became Associate Director five years later. She has served continuously as the library's liaison to the Court Technology Committee. When the library collection was relocated to Royal Street in May 2004, Cathy served as coordinator of the move, devoting much time and energy to devising detailed procedures and carefully supervising our staff and the movers. As a result, the job was accomplished in record time with excellent results.

At the local, regional, and national levels Cathy has been recognized for her leadership in librarians' professional associations. She has served as president of the New Orleans Association of Law Librarians and the Southeastern Chapter of the American Association of Law Libraries. Members of the American Association of Law Libraries elected her for a three year term as national secretary, and she has just assumed the chair of the State, Court, and County Special Interest Section of the association, which will hold its national convention in New Orleans next July.

continued on next page



Cathy Lemann laughs with co-workers at her going away party in the Library on August 2, 2006.

Catherine Lemann: North to Alaska *continued from page 1*

Cathy has written a regular column for the New Orleans Bar's newsletter *Briefly Speaking* and has presented a number of CLE programs on legal research and Internet resources for various organizations, including our own Friends of the Law Library.

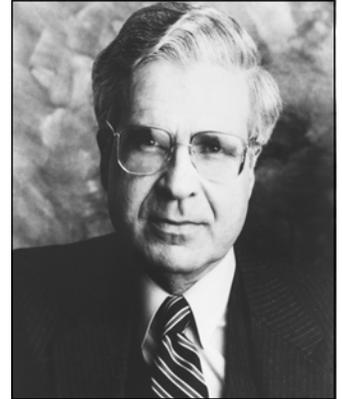
Not confining her association work to the library community, Cathy has been an active volunteer for AIDS Law of Louisiana, serving as a board

member, secretary, and chair of the board. Other board members have hailed her contributions of time, talent, and treasure to the organization, conducting legal research, making educational presentations, and teaching other researchers to assist low-income individuals living with HIV/AIDS.

For her AIDS Law work Cathy was nominated by her co-workers to receive two prestig-

ious awards from AALL, the O. James Werner Award for Distinctive Service to Persons with Disabilities and the Spirit of Law Librarianship Award. Both were presented to her at the AALL meeting in 2001. Cathy has also been an active advocate for Carleton College as an alumnae recruiter. She is a loyal supporter of Earlham College, the alma mater of her sons Mac and Alex. δ

Prof. Arthur Miller to Speak



continued from page 1

Although reservations for the lecture are not required, if you plan to attend, the library will appreciate receiving either a call at 504-310-2400 or an e-mail to rmahoney@lasc.org to assure that sufficient chairs and refreshments are available.

Arthur R. Miller is the Bruce Bromley Professor of Law at Harvard Law School, where he has taught since 1971. He earned his undergraduate degree from the University of Rochester and his law degree from Harvard Law School. Before joining the Harvard faculty, he practiced law in New York City and taught at the University of Minnesota and the University of Michigan. Among lawyers he is nationally known for his work on court procedure, a subject on which he has authored or co-authored more than forty books, copyright and unfair competition, and remedies.

Professor Miller was host of the weekly television show *Miller's Court* for eight years. He comments regularly on legal matters for Boston's WCVB-TV. Professor Miller has moderated numerous Socratic dialogues for several acclaimed PBS series, and won an Emmy award for *The Sovereign Self*. For over twenty years he was the legal editor of ABC's *Good Morning America*, and for several years he hosted a weekly program on the Courtroom Television Network and appeared frequently on other Court TV programs. δ

Keeping Up With The Supremes

by Miriam Childs

The actions of the United States Supreme Court and the cases argued before it receive excellent coverage through Lexis and Westlaw, as well as other online sources. This article puts the spotlight on a few tried and true print resources that also cover the Court's proceedings.

United States Reports: The *U.S. Reports* are the oldest print resource covering the Supreme Court. Before commercial vendors were involved, individuals attended oral arguments and reported on the Court's opinions. The earliest volumes of the *U.S. Reports* bear the actual reporter's name, which is why they are called nominative reporters. The *U.S. Reports* are slow to come out, so this is not the source to use for up-to-date information. Only opinions are published, with no head notes, case notes, or indexing. However, once an opinion is published in

the *U.S. Reports*, the citation given becomes the official citation.

West's Supreme Court Reporter: *West's Supreme Court Reporter* is probably the best-known resource for Supreme Court opinions. Advance sheets are published soon after decisions have been handed down. It has all the familiar features of a West print product, with key numbering, tables of cases, and annotations. Until the official citation is published in the *U.S. Reports*, opinions from a particular term are published in an interim bound volume. After the official citation has been determined, a permanent bound volume is published.

United States Law Week: *U.S. Law Week*, a BNA publication, covers the Court term week by week. Divided into several sections, *U.S. Law Week* can be used in various ways to track the Court's actions. The Case Alert section contains sum-

mary and analysis of state and local court opinions, while Legal News discusses topics of interest from around the nation. The Supreme Court Today section covers oral arguments, orders, and cases docketed and acted upon. This section also includes a journal of the Court's proceedings and a subject summary. The Supreme Court Opinions section publishes opinions rendered by the Court in a particular week. *U.S. Law Week* also includes a Case Status Report, which lists cases by document number and the action taken by the Court on the case. A subject index, general topical index, and table of cases by party name also help the user locate information about a case. *U.S. Law Week* had, at one time, the most up-to-date Court coverage. Though no longer the most current resource, some finding aids in *U.S. Law Week* are quite helpful and aren't duplicated elsewhere. δ



Carol Billings

LAW LIBRARY PRICE LIST

Self service copies

photocopiers \$0.15
fiche/film to paper \$0.15
printer copies \$0.15
(no charge for cite lists)

The minimum charge for all orders filled by library staff is \$3.00. Orders for \$3.00 or more use the prices below.

Staff-made copies

photocopiers \$0.30
fiche/film to paper \$0.30

Faxing: \$1.25/page, plus copying charges if necessary

Postage: actual cost

Interlibrary loans: \$10.00 plus lender charges, if any

Certification charge: \$5.00 per document

Westlaw/Lexis: Per-minute charges are \$9.00 for regular files, \$12.80 for allfiles, and \$19.00 for super allfiles.

Printing from Westlaw \$0.04 per line

Printing from Lexis \$7.00 per document.

Mediated Westpack \$25.00 per search

Mediated Lexisone \$25.00 per search

THE UNITED STATES SUPREME COURT ONE HUNDRED YEARS AGO

by Carol Billings

The grand building on Capitol Hill that houses the U.S. Supreme Court today was not completed until 1935. Thus the "Fuller Court" of 1906 listened to arguments in what is now called the "Old Senate Chamber" in the Capitol. Lacking a dining room, the justices lunched in the robing room. Because there were no offices for them or their staffs, they usually worked at home. The Chief Justice was compensated with the magnificent annual sum of \$13,000, and the salary of the associate justices was \$12,500.

Eight of the ten men who sat on the Supreme Court in 1906—one seat changed occupants—had reached maturity before the end of the Civil War. All experienced the gradual transition from Reconstruction into the Gilded Age and then the Progressive Era. The earliest appointee, Kentucky aristocrat John Marshall Harlan, had been nominated by Republican Rutherford B. Hayes in 1877. In his first term Democrat Grover Cleveland chose Chief Justice Melville Weston Fuller, a prominent Chicago lawyer. When Cleveland served again after skipping a term, he named Confederate veteran Edward Douglas White of Louisiana and New York's bar president Rufus Wheeler Peckham. Republican Benjamin Harrison, who served between the two Cleveland terms, was responsible for the appointment of Eighth Circuit judge and Kansas David Josiah Brewer and Michigan federal district judge Henry Billings Brown. Joseph McKenna, a Californian who had become U.S. Attorney General, was Republican William McKinley's single choice. Republican Theodore Roose-

velt, like Cleveland, got to make three appointments: the legendary Massachusetts chief justice and Harvard professor Oliver Wendell Holmes, Jr., Ohio native and Sixth Circuit Judge William Rufus Day, and William Henry Moody of Massachusetts, the U.S. Attorney General, whose term did not begin until December 1906.

The legal education of the ten 1906 justices varied in length and thoroughness. It was common in those days for an aspiring lawyer to spend a rather short time studying at a university law school in combination with reading law with an experienced mentor. Chief Justice Melville Weston Fuller attended Harvard Law School for just six months as well as reading. In addition to taking classes at the law school of the University of Louisiana (Tulane's forerunner) Edward Douglass White was taught at the office of Edouard Bermudez, Louisiana's future chief justice. Rufus Wheeler Peckham read law at his father's firm, and William Henry Moody studied with famous author and lawyer Richard Henry Dana in addition to spending two years at Harvard. His own state's Transylvania Law School was John Marshall Harlan's choice for two years of classes, and the University of Michigan Law School can claim William Rufus Day as an alumnus. Henry Billings Brown spent time at both Harvard and Yale law schools. The most distinguished scholar of the lot, Oliver Wendell Holmes, Jr. not only earned an LL.B. at Harvard, but was a professor of constitutional law there. David Josiah Brewer had his LL.B. conferred by Albany Law School. Having studied law only at the undergraduate level and realizing his deficiency, Joseph McKenna sought

legal training for a few months at Columbia Law School before taking his seat on the court. His early years on the court were difficult because his lack of knowledge of the law.

The early years of the Chief Justice Fuller's court were very conservative and pro-business. Only John Marshall Harlan had dissented in *Plessy v. Ferguson* in 1896. Fuller, White, Peckham, and Brewer had concurred with Brown, who wrote the decision espousing the "separate but equal" doctrine. The court was reluctant to extend constitutional protections to individuals or groups. Congress had passed the Sherman Anti-Trust Act in 1890 to empower the federal government to restrict the monopolistic practices of corporations, but for much of the following decade the court sided with business, rendering the act nearly useless.

The tide turned dramatically by the turn of the century. Theodore Roosevelt assumed the presidency with determination to exert the federal government's power to control the giant corporations. After he ordered the Attorney General to enforce the Sherman Act, a number of important "trust-busting" decisions were issued by the court. In March 1904 Justice Harlan penned the majority opinion in *Northern Securities Company v. U.S.* ordering that the giant holding company organized by billionaire railroad and oil magnates be dissolved. The following year the court unanimously approved the government's

continued on next page

AALL in St. Louis

The 2006 American Association of Law Libraries meeting in St. Louis in July began a year of preparation for the 2007 meeting in New Orleans. In St. Louis, the 2007 local arrangements committee staffed a booth promoting New Orleans. The New Orleans Convention and Visitors Bureau provided literature and the always popular purple, green and gold beads. They also provided videos to show off the music, food, and activities here.

We fielded many questions about the current status of New Orleans. In the wake of

the successful American Library Association conference in June, we know that the city is ready now to host conferences. By next year, there will be more restaurants and activities for visitors to enjoy. Many people indicated that they are looking forward to visiting. We are also discussing the possibility of a community service project prior to the conference.

During the coming year, Louisiana law librarians will help plan the 2007 meeting. From our staff, Georgia Chadwick is co-chairing the Hospitality committee, Miriam Childs

will maintain the list of volunteers, and Carol Billings is co-chairing the Closing Banquet. Other staff members will help out in a variety of ways. We are always pleased to show off the charms of New Orleans and our library. We expect that the state, court and county law libraries group will host a reception in our library during the meeting. There is a good possibility that programs will include issues relating to the effects of Katrina and Rita on the Louisiana legal system. Look for additional information on the conference early next year. δ

100 YEARS AGO *continued from previous page*

prosecution of the beef trust in *Swift and Co. v. U.S.* as expressed in an eloquent opinion by Justice Holmes. Encouraged by these victories, federal attorneys proceeded against the Standard Oil empire in 1906, filing suit under the Sherman Act, and soon succeeded in breaking up the trust.

The court's progressiveness in controlling corporate interests did not extend to its treatment of the labor

movement. While the justices were willing to support the concept of the state's power to assure public health, the majority expressed a distaste for state interference with wage and hour bargaining between employers and their employees. In *Lochner v. New York*, the majority opinion held unconstitutional a New York law limiting the number of hours a baker could work as a violation of liberty of contract. However, Jus-

tice Holmes wrote a famous dissent, and White and Day joined in another by Harlan. In 1908 the court struck down acts enlarging railroads' liability for injured workers and outlawing contracts that forbade workers from joining unions. The enlightened interpretations expressed in Harlan's and Holmes's dissents were eventually to become the prevailing views of future Supreme Courts. δ

JUSTICES WHO SAT ON THE U.S. SUPREME COURT IN 1906

John Marshall Harlan, served 1877-1911

Melville Weston Fuller, Chief Justice
served 1888-1910

David Josiah Brewer, served 1890-1910

Henry Billings Brown, served 1891-May 28, 1906

Edward Douglass White, served 1894-1910
as Associate Justice and
1910-1921 as Chief Justice

Rufus Wheeler Peckham, served 1896-1909

Joseph McKenna, served 1898-1925

Oliver Wendell Holmes, Jr.,
served 1902-1932

William Rufus Day, served 1903-1922

William Henry Moody, served
December 17, 1906-1910

Billings Receives Distinguished Service Award

At the July Annual Meeting of the American Association of Law Libraries in St. Louis, library director Carol Billings was presented with the Bethany J. Ochal Distinguished Service Award "for outstanding contributions to law librarianship." The award, named for the now-retired director of the Orange County, California Law Library, is given by the State, Court, and County Law Libraries Special Interest Section of AALL triennially. Billings was nominated by fellow staff members Georgia Chadwick, Miriam Childs, Marie Erickson, and Catherine Lemann.

Billings, who joined the library staff in 1976 and became director in 1981, was president of the American Association of Law Libraries in 1994/95.



The Louisiana Book Festival

Mark your calendar now for The Louisiana Book Festival on October 28 in Baton Rouge. See www.louisianabookfestival.org for details and a volunteer form.



Judy Gainsburgh

Welcome, New Law Clerks!

We're happy to have three new Supreme Court law clerks on board:

Erin Leigh Waddell in Chief Justice Calogero's chambers

Danielle Mitternacht in Justice Kimball's chambers

Stuart Ponder in Justice Victory's chambers

Westlaw is now available free of charge to all library patrons. Just ask at the main information desk.



From the President of the Friends

by Judith Gainsburgh

In July, at the invitation of Carol Billings, Director, Law Library of Louisiana and a past president of the American Association of Law Libraries (AALL), I was privileged to participate in the AALL's annual meeting in St. Louis. Carol and I joined Jennie Meade from the Jacob Burns Law Library at George Washington University and Mark Podvia from the Penn State Law School Library on

a panel entitled *Forging Connections with Library Friends Groups*.

Attendance at the meeting provided a wonderful opportunity to meet many talented individuals with great passion for what they do. Also, it confirmed what I suspected was the case, that is, that the Law Library of Louisiana does indeed have a director and staff who are well respected by their peers.

There were many topics of interest. I attended sessions on legal history, ways to increase a library's patron base, funding, storage and destruction of printed materials, friends groups and the current challenges confronting the various types of law libraries. I am grateful to Carol for the opportunity afforded me and I look forward to sharing my experience with you, our *Friends*. δ

GOOD OL' PLANIOL

by Miriam Childs

Marcel Planiol's *Treatise on the Civil Law (Traité Élémentaire de Droit Civil)* is a treasured resource at the Law Library. In the collection is the English translation (KJV 450 .P5513 1959) and the original treatise in French (KJV 450 .P55 1950). Both can be located in the Foreign Law section, which is in the Periodicals R-Z room.

There was a perceived need in the 1950s to have some sort of commentary on the Louisiana Civil Code in English. Louisiana lawyers, up to that point, relied upon the writings of French legal scholars for doctrinal discussions about aspects of the Louisiana Civil Code. Our Civil Code is based heavily upon the Code Napoleon. During the state's early years, the laws and codes were published both in French and English. Much of the Code, when translated, did not change from the original French. It is for this reason that the French legal writings could be consulted and were considered Louisiana doctrine. However, by the 1950s, the tradition of having laws printed in both languages had all but disappeared, and the con-

temporary lawyers were not familiar enough with French to rely upon French legal scholars as had been done in the past.

Marcel Planiol published the first of the three volumes of the *Traité Élémentaire de Droit Civil* in 1899. At the time, Planiol's approach to the Civil Law was revolutionary to the teaching of French law. His simply worded, user-friendly format was in contrast to the more rigid texts produced by previous scholars. Planiol said that he "pointed out the relationship of the civil law with the whole of life, not only that of the present, but also that of the past from which it evolved." His juridical knowledge of Roman law was almost unsurpassed. Almost immediately upon publication, Planiol's *Traité* became the text for French law students.

The Louisiana Law Institute selected *Traité Élémentaire de Droit Civil* as one of the first items to translate as interest in Louisiana's legal history grew during the 1930s and 1940s. The Institute hoped that a translation of this work would provide the Louisiana lawyer with

an expansive view of the historical development and philosophy of civil law, upon which the Civil Code is largely based. In addition, an English version of Planiol's work would provide an English commentary on the Code that had been historically lacking. Many Louisiana legal scholars contributed to the translation of the treatise, including: Pierre Crabites, Léandre Maréchal, Robert L. Henry, Jaro Mayda, and Carlos E. Lazarus. West Publishing Company published the 1959 edition, and William S. Hein reprinted the treatise in 2005.

Planiol's *Treatise on the Civil Law* continues to be the standard for resolving issues of intent or delving deeper into concepts presented by the Louisiana Civil Code. Without the effort of the Louisiana Law Institute, this masterful work could have been lost to generations of Louisiana attorneys. (Sources: Preface to *Treatise on the Civil Law*; *The Planiol Treatise on the Civil Law: French and Louisiana Law for Comparative Study*, Joseph Dainow, 10 Am. J. Comp. L. 175 1961) δ

CONSTITUTION DAY: LET'S CELEBRATE

by Georgia Chadwick

The hot, humid, and uncomfortable summertime is an appropriate time to consider the convention held from May to September in Philadelphia, PA, in 1787, when delegates from twelve of the thirteen states met at the Pennsylvania State House, now called Independence Hall. While they had originally intended to revise the Articles of Confederation, the delegates instead ended up working together to write the Constitution of the United States. The Revolutionary War ended in 1781, and in 1783 the Treaty of Paris between the United States and Great Britain was ratified. The United States at that time stretched from the Atlantic Ocean on the east to the Mississippi River on the west, and from British Canada on the north to Spanish Florida on the south. It soon became obvious that the Articles of Confederation gave the government too little authority to deal with the problems arising in the rapidly expanding new nation. The Confederation government lacked effective taxing power and also did not have the power to regulate interstate commerce or to levy tariffs.

By 1786, farmers and others in the various states were in debt with no relief in sight. In Massachusetts, Daniel Shays led a group of discontented farmers protesting mortgage foreclosures against struggling farm owners. Although the insurgent farmers retreated in the face of 4,000 troops, many considered this episode as evidence of the conspicuous need for stronger government. Founding fathers George Washington, Alexander Hamilton, James Madison, and others suggested to Congress that a grand convention be held to improve the existing Articles of Confederation. All the states except Rhode Island chose delegates to attend. The bustling city of Philadelphia was chosen as the location for the convention as it was the nation's principal city with a population of 40,000.

The convention was scheduled to begin on May 14, but it was not

until May 25th that enough delegates had arrived to begin the proceedings. Fifty-five delegates were sent by twelve states, although usually not more than thirty were present at one time. George Washington was elected president of the convention, and William Jackson was chosen as secretary, although James Madison's daily record has proved over time to be the most valuable account. Madison sat in the front of the hall and took careful, systematic notes which reflect the content of the debates during the convention. The delegates did not want to be distracted by the outside world; so the proceedings were held in secret, and despite sweltering heat, the doors and windows of the State House were kept closed.

Early on some delegates thought a new plan was needed. Edmund Randolph presented what was called the Virginia Plan, which was inspired by James Madison. The Virginia Plan provided for three separate branches of government: legislative, executive and judicial. While many in the convention were initially shocked that the new plan was not just a re-vamping of the Articles of Confederation, but instead a new government to be supreme over the states, the delegates voted that a new form of national government should be established.

An important matter facing delegates was the bitter controversy between the large and small states over the issue of representation in the legislative branch. There were problems as well between the southern and northern states as to how to count slaves for enumerating population. What was called the "Great Compromise" was adopted on Monday, July 16, when the weather briefly became a little cooler, and delegates agreed the states would have equal votes in the Senate, and the number of votes in the House of Representatives would be tied to a state's population, with slaves to be counted as three-fifths of a person in enumerating population. By the end of July the fifteen

resolutions presented of the original Virginia Plan had been expanded to twenty-three, and the convention had accomplished determining the general principles upon which the new government should be formed.

The task of the actual framing of the constitution, encompassing the details of setting up the machinery of government, was assigned to a committee of five. The Convention adjourned for ten days, and the committee worked day and night to accomplish its work. The report of the committee was discussed by the reconvened delegates starting on August 6, and persistent work continued for the next five weeks. Delegates agreed upon changes and modifications, and on September 8 a committee on style was appointed to arrange the articles as they had been agreed to. This committee presented its report to the convention, and three days were spent going over each article and section and adding the final touches. On Saturday the work of the Convention was finished, and the final document was ordered engrossed. The delegates met for the last time on September 17th when the Constitution was read aloud. Speeches were made, and then thirty-nine delegates from twelve states signed their names to the document. According to George Washington's diary, after the last session the delegates dined together at nearby City Tavern before returning to their homes.

The President issues a proclamation each year designating September 17th as Constitution Day and Citizenship Day as a time when citizens should celebrate the genius of the Constitution and reaffirm their commitment to the purposes stated in the Preamble. There will be an exhibit in the library about the Constitutional Convention ready on September 15th. A number of interesting sources will be featured, and everyone will be encouraged to remember this important event.



Georgia Chadwick

Major Sources about the Constitution in Our Library

A Comprehensive Bibliography of American Constitutional and Legal History, 1896-1979.

by Kermit Hall. 1984.

The Documentary History of the Ratification of the Constitution. Edited by Merrill Jensen, John P. Kaminski, and Gaspare J. Saladino. 16 vol. 1976-

The Founders' Constitution. Edited by Philip B. Kurland and Ralph Lerner. 5 vol. 1987.

Miracle at Philadelphia: The Story of the Constitutional Convention, May to September 1787.

by Catherine Drinker Bowen. 1966.



The Newsletter of
The Law Library of
Louisiana

Louisiana Supreme Court
400 Royal St., 2nd Floor
New Orleans, LA 70130-2104

Phone: 504-310-2400
Toll Free (LA only) 1-800-820-3038
Fax: 504-310-2499
Email: library@lasc.org



**New Student
Workers For
Law Library**

The Law Library welcomes two new graduate student workers who are enrolled in LSU's School of Library and Information Science, Tara Lombardi and Eric Krieger. They join Celeste Porche, also an SLIS graduate student, who has been with us since December 2005. Please say hello to them next time you're in the library.

Access the library's
online catalog
[http://207.67.203.47/
L20013/Index.asp](http://207.67.203.47/L20013/Index.asp)

This public document was printed at a total cost of \$500. 1000 copies of this document were published by the Law Library of Louisiana, 400 Royal St., New Orleans, LA, as the quarterly newsletter of the Law Library of Louisiana under the authority of the Judicial Budgetary Control Board.

Friends of the Law Library of Louisiana Membership Form

Enroll me as a Friend of the Law Library of Louisiana in the following category:

- \$25 Regular Member
- \$50 Contributing Member
- \$100 Sustaining Member
- \$250 Life Member
- \$100 Law Firm-up to 20 attorneys
- \$200 Law Firm-21 to 50 attorneys
- \$500 Law Firm-over 50 attorneys

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail _____

Dues paid prior to March 31, 2007 will extend membership through March 31, 2008.
Please make check payable to "Friends of the Law Library of Louisiana," and mail to:

Law Library of Louisiana-Friends
Supreme Court Building
400 Royal Street, 2nd Floor
New Orleans, LA 70130-2104