

Morton J. Horwitz

**The
Transformation
of American
Law 1780-1860**



The Transformation Of American Law 1780 186

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Antitrust Law Journal, 1986 *Wisconsin and the Shaping of American Law* Joseph A. Ranney, 2017-07-18 Examines the full course of American history from a comparative state law perspective using Wisconsin as a case study to emphasize the vital role states have taken in creating American law

Yale Journal of Law & the Humanities, 1991 **Heart versus Head** Peter Karsten, 2000-11-09 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 struggle between a jurisprudence of the head which adhered strongly to English precedent and a jurisprudence of the heart a humane concern for the rights of parties rendered weak by inequitable rules and a willingness to create exceptions or altogether new rules on their behalf Karsten first documents the tendency of jurists particularly those in the Northeast to resist arguments to alter rules of property contract and tort law He then contrasts this tendency with a number of judicial innovations among them the sanctioning of deep pocket jury awards and the creation of the attractive nuisance rule designed to protect society's weaker members In tracing the emergence of a pro plaintiff humanitarian jurisprudence of the heart Karsten necessarily addresses the shortcomings of the reigning economic oriented paradigm regarding judicial rulemaking in nineteenth century America Originally published in 1997 A UNC Press Enduring Edition UNC Press Enduring Editions use the latest in digital technology to make available again books from our distinguished backlist that were previously out of print These editions are published unaltered from the original and are presented in affordable paperback formats bringing readers both historical and cultural value

Property Law and Economics Boudewijn Bouckaert, 2010-01-01 This book contains illuminating and carefully written literature reviews on the central topics of the economics of property rights and institutions As a bonus it includes two fascinating chapters on topics off the beaten path slavery and new types of property rights in environmental goods This book will be indispensable for students and experienced scholars alike Eric Posner University of Chicago Law School US This study covers property law and property rights providing a full summary and comprehensive bibliography of the existing law together with discussion from an economic perspective on the most important aspects of property law Leading experts have brought together their knowledge and insight on a full range of issues including comparative property law and the history of property law to create a truly autonomous interdisciplinary resource This essential reference work will strongly appeal to scholars and students enrolled in academic programmes of law and economics Academic lawyers involved in research and teaching of private common law practicing lawyers in the field of real estate law as well as economists involved in researching development economics and transition economics will also find this an invaluable resource

Common Law and Liberal Theory James R. Stoner, 1992 In this book James Stoner's purpose is to recover the common law basis of American constitutionalism American constitutionalism in general he argues and judicial review in particular cannot be fully understood without

acknowledging their roots in both common law and liberal political theory But for the most part the common law underpinnings of constitutionalism have received short shrift Pollution and Property Daniel H. Cole, 2002-07-18

Environmental protection and resource conservation depend on the imposition of property rights broadly defined because in the absence of some property system private common or public resource degradation and depletion are inevitable But there is no universal first best property regime for environmental protection in this second best world Using case studies and examples taken from countries around the world this 2002 book demonstrates that the choice of ownership institution is contingent upon institutional technological and ecological circumstances that determine the differential costs of instituting implementing and maintaining alternative regimes Consequently environmental protection is likely to be more effective and more efficient in a society that relies on multiple and often mixed property regimes The book concludes with an assessment of the important contemporary issue of takings which arise when different property regimes collide UCLA Historical Journal , 1994 **Judicial Review and Judicial Power in the Supreme Court** Kermit L. Hall, 2000 First Published in 2001 Routledge is an imprint of Taylor Francis an informa company *Institutions, Entrepreneurs, and American Economic History* Bradley A. Hansen, 2009-02-15 This book examines the history of the first trust company the Farmers Loan and Trust and its influence on the evolution of corporate law regulation and taxation *The Triumph of Ignorance and Bliss* James Polk, 2008 James Polk explores the mundane symbols interests and power structures that increasingly permeate and define American society **American Economic History** Jonathan R. T. Hughes, Louis P. Cain, 2011 America's present economy understood through its past Rich in both quantitative techniques and economic theory American Economic History demonstrates how an understanding of our past can illuminate economic issues that face society today and in the future In simple elegant language this text walks readers through four centuries of political social and economic history focusing on laws and institutions and emphasizing current economic topics The eighth edition has been updated and revised and includes expanded discussions on population health and labor education the automobile industry income and taxes social security unemployment regulation and the financial industry and the history of economic recessions **Historical Journal of Massachusetts** , 1987 "Young Limbs of the Law" Christine Ann Fidler, 1996 *Race, Class, and Community in Southern Labor History* Gary M. Fink, Merl Elwyn Reed, 1994 Although the subject of gender was generally a minor theme in these sessions work now being done leaves no doubt that at some future conference gender will attract a commanding amount of attention In introducing and describing their respective areas the associate editors Robert M Zieger textile workers Joe W Trotter Jr African Americans and Clifford M Kuhn labor politics have provided a rich historiographical background Journal of Contemporary Law , 1989 Missouri Law Review , 2005 **Regulatory Change in an Atmosphere of Crisis** Gary M. Walton, 1979 **Historical Studies in Industrial Relations** , 2001 *The Transformation of Political Culture* Ronald P. Formisano, 1983 Not only does this splendid book unearth much fresh material from so well tilled a field as

Massachusetts political history It also advances an important and provocative interpretation of the evolution of the American party system The Journal of American History Supersedes everything else written on the Massachusetts politics of the half century after 1790 It is broadly conceived detailed sensitive and often judicious and persuasive The New England Quarterly Focusing on the gradual acceptance of parties by a fundamentally antipartisan society and on the advent of social movements in the 1820s and 1830 and their relation to the formation of mass parties Formisano demonstrates the role of such factors as class industrialization religion and ideology in party formation

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