

REVUE CRITIQUE

DE

Législation et de Jurisprudence.

AN EPITOME OF THE HISTORY AND SOURCES OF
THE LAWS OF LOUISIANA AND OF THE CIVIL
LAW.

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Before I enter upon the consideration of the history and sources of the Civil law, I propose to review the history and sources of the laws of Louisiana.

In Louisiana, the Civil law prevails, and it is the only State in the Federal Union, carved out of the vast territories acquired by the United States from France, Spain and Mexico, in which the Civil law has been retained as the basis of jurisprudence.

The common law modified by statute dominates all our sister States. The intimate relations and intercourse between the people of Louisiana and the citizens of other States, have given rise, in our courts, in consequence of the dissimilarity of the two systems of law, to more numerous and intricate questions of conflict of laws than in the court of any other State.

Happily for us, many of these questions were considered and adjudicated while Chief Justice Martin was, by his ability and learning, the ornament of our Supreme Judicial tribunal.

You will perceive in Story's elaborate work on Conflict of Laws, numerous and copious references to the decisions of the Louisiana Courts. The conflict of laws is a subject daily considered by the legal practitioner in Louisiana, and I commend it to your careful study as an essential branch of the law, and necessary to fit you for the intelligent performance of your professional duties.

Louisiana was settled by the French in 1699, and was subject to the dominion of France until August, 1769, when it was