

Outline of American Law January 2, 2012

Contents

| | |
|---|---|
| SOCI>Law>National>American Law | 1 |
| SOCI>Law>National>American Law>Constitution..... | 1 |
| SOCI>Law>National>American Law>Constitution>Amendment | 2 |
| SOCI>Law>History>American Law | 4 |

Note: To look up references, see the Consciousness Bibliography, listing 10,000 books and articles, with full journal and author names, available in text and PDF file formats at
http://www.outline-of-knowledge.info/Consciousness_Bibliography/index.html.

SOCI>Law>National>American Law

American law

Laws {American law} can include Constitution.

courts

Constitution establishes Supreme Court and lesser courts.

rights

Arresting officers must state accused person's rights before arrest and/or asking questions. Rights {rights, accused} are: right to remain silent, right to know that court can use whatever he or she says against him or her, and right to attorney. Arrested persons can claim or not claim rights {waive rights}. Courts can provide free lawyers.

SOCI>Law>National>American Law>Constitution

Constitution USA

USA has basic laws {Constitution, USA}. Constitution requires states to recognize other-state laws and actions. It requires states to be republics. It prohibits discrimination against visitors from other states.

attainder writ

Writs {attainder writ} {writ of attainder} can deprive persons of civil rights. Constitution prohibits attainder writs. Only convicted felons lose civil rights.

ex post facto law

Constitution prohibits retroactive laws {ex post facto law, Constitution}.

extradition

States can return wanted people to other states {extradition}|.

habeas corpus Constitution

Constitution guarantees persons writ of habeas corpus {habeas corpus, Constitution}.

impeachment

House-of-Representatives recommendations and Senate trials, needing two-thirds majorities, can remove federal judges or President {impeachment, Constitution}|.

jury trial Constitution

Constitution guarantees jury trials {jury trial, Constitution} in criminal cases and requires trials to be in states where crimes were.

nullification

States have no rights to declare federal laws unconstitutional {nullification}|.

treason in Constitution

People can betray their country {treason}|. Constitution protects subsequent generations from guilt of people convicted of treason.

SOCI>Law>National>American Law>Constitution>Amendment

Bill of Rights

Constitution has first ten amendments {Bill of Rights}.

1st amendment

Constitution amendment {1st amendment} in Bill of Rights guarantees freedom of religion, freedom of speech, freedom of the press, right to assemble peacefully, and right to petition government for redress of grievances. It prohibits state religion.

2nd amendment

Constitution amendment {2nd amendment} in Bill of Rights guarantees that government shall not infringe on right to keep and bear arms, based on need for well-regulated militia.

speculation

Perhaps, to resolve controversies about the amendment, USA can call National Rifle Association (NRA) members a militia. Such militia regulate and train members. All gun-owners must belong to NRA or other militia. NRA and government can then work together, so militia members can keep and bear arms and otherwise enjoy their weapons in ways acceptable to militia, and citizens can expect to live in unarmed societies.

3rd amendment

Constitution amendment {3rd amendment} in Bill of Rights prohibits troop quartering in homes, except during war as prescribed by law.

4th amendment

Constitution amendment {4th amendment} in Bill of Rights prohibits unreasonable searches or seizures and requires sworn search warrants stating reasons for searches or seizures, places allowed for searching, and objects to find. It guarantees privacy in homes.

5th amendment

Constitution amendment {5th amendment} in Bill of Rights prohibits prosecution for serious crimes, except in war or public danger, unless grand jury indicts person. It prohibits retrial on same grounds as first trial. It prohibits compelling people to testify against themselves. It prohibits depriving people of life, liberty, or property without due process of law. It prohibits arbitrary or harsh laws. It prohibits taking private property for public use without just compensation but does not abridge eminent domain.

6th amendment

Constitution amendment {6th amendment} in Bill of Rights guarantees speedy and public trials, with impartial juries of citizens of existing political district of crime location. It guarantees right to counsel. It guarantees that accused know prosecution nature and cause. It guarantees that prosecution witnesses confront accused directly, to allow cross-examination. It guarantees that accused can compel witnesses to attend trial.

7th amendment

Constitution amendment {7th amendment} in Bill of Rights guarantees jury trials for criminal cases involving common law and civil cases involving more than \$20. It prohibits reexamination of facts determined by juries. It allows appeals only about admissible evidence, law procedures, or laws.

8th amendment

Constitution amendment {8th amendment} in Bill of Rights prohibits excessive bail and prohibits cruel or unusual punishment.

9th amendment

Constitution does not deny or limit rights omitted from Constitution or first eight Bill-of-Rights amendments {9th amendment}.

10th amendment

Constitution amendment { 10th amendment } in Bill of Rights grants rights not expressly granted to the federal government, and not expressly denied to states, to the people and states.

11th amendment

Constitution amendment { 11th amendment } prevented citizens of one state from suing another state in Supreme Court [1798].

12th amendment

Constitution amendment { 12th amendment } defined election procedures for President and Vice-President [1804].

13th amendment

Constitution amendment { 13th amendment } abolished slavery [1865].

14th amendment

Constitution amendment { 14th amendment } granted all people born or naturalized in USA citizenship and gave all people equal protection under law and equal rights [1868].

15th amendment

Constitution amendment { 15th amendment } guaranteed right to vote to people of any color, race, or previous status, such as having been slaves [1868].

16th amendment

Constitution amendment { 16th amendment } allows Congress to require income tax from any income source, without using the census or state-apportionment formulas [1913].

17th amendment

Constitution amendment { 17th amendment } requires direct election of senators, not election by state legislature [1910].

18th amendment

Constitution amendment { 18th amendment } imposed prohibition, as enforced by National Prohibition Act or Volstead Act [1919].

19th amendment

Constitution amendment { 19th amendment } gave women right to vote [1920].

20th amendment

Constitution amendment { 20th amendment } amended the 12th amendment to make Presidential terms begin on January 20, rather than March 4, and give newly elected Congress responsibility to choose President and Vice-President if Electoral College vote is inconclusive [1933].

21st amendment

Constitution amendment { 21st amendment } repealed prohibition [1933].

22nd amendment

Constitution amendment { 22nd amendment } limits Presidents to two terms [1951].

23rd amendment

Constitution amendment { 23rd amendment } allows the District of Columbia to elect electors for President and Vice-President [1961].

24th amendment

Constitution amendment { 24th amendment } prohibits poll taxes or other taxes that condition the right to vote in federal elections [1964].

25th amendment

Constitution amendment {25th amendment} specifies the line of succession to the Presidency and Vice-Presidency and the methods of selection [1967].

26th amendment

Constitution amendment {26th amendment} set 18 as voting age [1971].

27th amendment

Constitution amendment {27th amendment} prohibits representative salary increases from applying to current Congress [1992].

SOCI>Law>History>American Law**colonial**

law

USA

1600 to 1750

English common law and equity combined in colonial law and later in state law.

Mayflower Compact

law

Plymouth, Massachusetts

1608

Agreement among Pilgrims set up government. Pilgrims were Separatists from Church of England that had left England to come to Plymouth Colony in New England.

House of Burgesses

legislature

Virginia

1619

First American legislature started in Virginia.

John Cotton [Cotton, John]

lawyer

Boston, Massachusetts

1630 to 1648

Divine Right to Occupy the Land [1630]; Democracy as Detrimental to Church and State [1636]; Model of Moses His Judicials [1636: about theocracy]; Way of the Churches of Christ in New England [1645]; Spiritual Milk for Babes [1646]; Way of Congregational Churches Cleared [1648]

He lived 1595 to 1652 and wrote about theocratic government by religious leaders.

Thomas Hooker [Hooker, Thomas]/John Haynes [Haynes, John]/Roger Ludlow [Ludlow, Roger]

lawyer

Connecticut

1639

They published the Fundamental Orders constitution. Thomas Hooker lived 1586 to 1647. John Haynes lived 1594 to 1654. Roger Ludlow lived 1590 to 1664. All were from England.

Nathaniel Ward [Ward, Nathaniel]

lawyer

Boston, Massachusetts

1641 to 1647

Body of Liberties [1641: about individual rights in theocracy]; Simple Coder of Aggawam [1647]

He lived 1578 to 1652. Puritans used his ideas in law codes.

James Harrington [Harrington, James]

writer

USA

1656

Commonwealth of Oceana [1656: power comes from property]

He lived 1611 to 1677.

John Wise [Wise, John]

clergyman

USA

1680

He lived 1652 to 1725, wrote about democracy, and resisted English tax collectors.

Molasses Act

law

USA

1733

Molasses Act passed by English Parliament placed duties on rum and molasses in American colonies, but England did not enforce it.

Billeting

law

USA

1750

Law passed by English Parliament allowed troop billeting in homes in American colonies.

Patrick Henry [Henry, Patrick]

lawyer/statesman

USA

1750 to 1765

He lived 1736 to 1799. In Maury case [1750], he successfully defended merchants against tobacco tax, which supported Anglican clergy. Virginia House of Burgesses had replaced tobacco tax with cash payment, but king vetoed payment. In 1765, he entered House of Burgesses and became leader. He said [1776], "Give me liberty or give me death." From 1789, he worked for Bill of Rights.

Albany Congress

conference

USA

1754

Benjamin Franklin suggested that colonies unite {Plan of Union} to fight American Indians.

James Otis [Otis, James]

lawyer

Boston, Massachusetts

1764

Rights of the British Colonies Asserted and Proved

He lived 1725 to 1783 and claimed that Americans were British citizens, that Parliament must conform to Constitution, and that taxation required representation. From 1761 to 1769, he led colonies until severe head injury. He tried to defend merchants from general search warrants {assistance, writ} {writ of assistance}.

Townshend Acts

law

USA

1767

Laws passed by English Parliament put customs duties on imports into American colonies.

First Continental Congress

congress
USA
1774

First Continental Congress stated colony grievances against England, declared basic personal rights, and approved resolutions to alter commerce with England.

Second Continental Congress

congress
USA
1775 to 1783

Congress met throughout Revolutionary War, printed worthless money, and borrowed heavily.

Declaration of Independence

independence
Philadelphia, Pennsylvania
1776.0702

USA declared independence from Britain on July 2. Thomas Jefferson wrote Declaration, with Benjamin Franklin's help. John Hancock, Second Continental Congress president, signed his name in large letters.

Articles of Confederation

law
USA
1777 to 1781

Thomas Paine, Thomas Jefferson, James Madison, and Alexander Hamilton drafted Articles of Confederation, which Second Continental Congress adopted [1777]. Colonies ratified the Articles [1781]. States were sovereign. State legislatures selected and paid for delegates to Congress. In Congress, states had one vote each, and passing laws required nine votes. Federal government had no taxing power and no executive.

James Madison [Madison, James]/Alexander Hamilton [Hamilton, Alexander]/John Jay [Jay, John]

lawyer
USA
1783
Federalist Papers [1787 to 1788]

Madison lived 1751 to 1836. Hamilton lived 1755 to 1804. Jay lived 1745 to 1829. They wrote to gain support to ratify new Constitution.

Indian Reservation

reservation
USA
1784
First reservation created.

Annapolis

conference
Annapolis, Maryland
1786

Maryland and Virginia discussed waterway rights and invited other states to send delegates to Annapolis. Five states came. Delegates called for constitutional convention in Philadelphia.

William Patterson [Patterson, William]

lawyer
New Jersey
1787

He lived 1745 to 1806 and proposed New Jersey Plan for constitution at Constitutional Convention, which was similar to Articles of Confederation, but senators and executives had life terms, like limited elected monarchy.

Edmund Randolph [Randolph, Edmund]

lawyer
Virginia
1787

He lived 1753 to 1813 and proposed Virginia Plan for constitution at Constitutional Convention. Bicameral legislature has two parts. Executive or judiciary can veto state laws that violate Constitution.

Constitutional Convention

congress
Philadelphia, Pennsylvania
1787.05 to 1787.09

Madison, Franklin, and Washington led Constitutional Convention. Washington presided. Madison wrote the mostly adopted Virginia Plan. Paterson wrote New Jersey Plan. Madison was chief Bill of Rights writer and supporter and wrote Virginia Resolution for states' rights. James Monroe was against Federalists.

Oliver Ellsworth [Ellsworth, Oliver]

lawyer
USA
1789 to 1800
Judiciary Act of 1789

He lived 1745 to 1807. First Congress required one Chief Justice and five Associate Justices for Supreme Court. Supreme Court was to try cases involving state relations, ambassadors, ministers, and consuls and to hear appeals from lower courts. President appointed judges, with Senate's consent. Judges had life terms. Only trial in Senate, needing two-thirds majority, can remove judge {impeachment, judge}. Judiciary Act also established fifteen District Courts and two Circuit Courts, which were higher than District Courts but lower than Supreme Court. He lived 1745 to 1807 and became USA Supreme Court Chief Justice [1796 to 1800] after John Jay resigned to run for Governor of New York. He resigned in 1800.

USA Constitution

constitution
USA
1789

The states ratified Constitution, Delaware first.

John Jay [Jay, John]

chief justice
USA
1789 to 1791

He lived 1745 to 1829 and was first USA Supreme Court Chief Justice. He signed Jay's Treaty [1791] between USA and Britain over freedom of navigation, trade restrictions in West Indies, and evacuation of British Northwest forts, but it did not stop naval impressment. He resigned to run for Governor of New York [1791].

Supreme Court

court
USA
1789 to 1795

First Supreme Court favored strong central government and judicial review of legislation, which is not in Constitution.

Chisholm vs. Georgia

case
USA
1793

Case allowed citizen of one state to sue another state in Supreme Court.

Fugitive Slave Act

law

USA

1793

Act required federal agents to recapture runaway slaves. Northern states that had passed personal liberty laws did not enforce it.

John Taylor of Caroline [Taylor of Caroline, John]

lawyer

USA

1794 to 1823

Definition of Parties: Or the Political Effects of the Paper System Considered [1794]; Inquiry into the Principles and Policy of Government [1814]; New Views of the Constitution of the United States [1823]

He lived 1753 to 1824, had same ideas as Jefferson, and believed in farming communities with no aristocracy.

John Marshall [Marshall, John]

judge/chief justice

USA

1797 to 1820

Marbury v. Madison [1803]; Fletcher v. Peck [1816]; McCulloch v. Maryland [1819]; Dartmouth College v. Woodward [1819]; Cohens v. Virginia [1821]; Gibbons v. Ogden [1824]

He lived 1755 to 1835, was at Constitutional Convention, defended Jay Treaty, went on X.Y.Z. mission to France [1797], entered Congress, became Secretary of State [1800], and was USA Supreme Court Chief Justice [1801 to 1820]. He increased Supreme Court power by insisting on its right to judge constitutionality of all laws. He allowed expansion of federal powers in opposition to states' rights. He did not like Thomas Jefferson or his ideas and interpreted federal government power broadly.

bankruptcy

law

USA

1800

USA allowed bankruptcy.

corporation

law

USA

1800

USA allowed corporations.

property

law

USA

1800

USA reformed property and estate laws.

mandamus

law

USA

1801

Judiciary Act of 1801

Act allowed Supreme Court to issue writs {mandamus} ordering officials to do legal acts.

Marbury vs. Madison

case

USA

1803

In case of Marbury vs. Madison, Chief Justice John Marshall held that courts could not issue writs ordering officials to do legal acts, because it was unconstitutional. This was the first case in which USA Supreme Court ruled on law constitutionality. Dred Scott case was the next.

Supreme Court

court

USA

1807

Number of judges on USA Supreme Court increased from six to seven.

voting law 1

law

USA

1809

Maryland gave vote to all male adults. New York and Massachusetts soon followed.

Fletcher vs. Peck

case

USA

1810

John Marshall, USA Supreme Court Chief Justice, declared a Georgia-legislature act unconstitutional. This was the first case in which USA Supreme Court ruled on state-law constitutionality.

James Kent [Kent, James]

lawyer

USA

1814 to 1824

Commentaries on American Law [1814]

He lived 1763 to 1847, was conservative Chancellor of New York State, and founded American equity system.

Daniel Webster [Webster, Daniel]

lawyer/senator

USA

1816 to 1850

Dartmouth College v. Woodward [1819]; Gibbons v. Ogden [1821]; McCulloch v. Maryland [1824]; Webster-Ashburton Treaty [1842]

He lived 1782 to 1852, believed in Alexander Hamilton's ideas, was Whig, and argued Dartmouth College case about contracts and McCulloch vs. Maryland case about states' rights. He backed Compromise of 1850 to preserve union.

Trustees of Dartmouth College vs. Woodward [Dartmouth College vs. Woodward, Trustees of]

case

USA

1819

John Marshall, USA Supreme Court Chief Justice, declared New-Hampshire act that altered Dartmouth's charter unconstitutional, because it changed contract.

McCulloch vs. Maryland

case

USA

1819

John Marshall, USA Supreme Court Chief Justice, declared Maryland had no right to tax notes of National-Bank Baltimore branch or to tax federal government parts. He asserted that Congress had right to establish National Bank [created 1791]. This decision curbed states' rights and limited state sovereignty.

Pan-Americanism

doctrine

USA

1820

Henry Clay promulgated act.

Henry Clay [Clay, Henry] or Great Pacificator or Great Compromiser

lawyer

USA

1820 to 1850

Missouri Compromise [1820]; Compromise of 1850 [1850]

He lived 1797 to 1852 and believed in Alexander Hamilton's ideas. He favored strong central government, high tariffs for business protection, Bank of USA, Missouri Compromise, and Compromise of 1850.

Missouri Compromise

law

USA

1821

Act established slave and free areas, admitted Missouri and Maine to union, allowed both slave and free states to enter Union, and opened Utah Territory and New Mexico Territory to slavery.

Monroe Doctrine

law

USA

1823 to 1826

USA did not allow Europe to conquer or make colonies in Americas [1823]. Act prohibited foreign intervention in Americas [1826], but USA expanded into South America, causing resentment.

Gibbons vs. Ogden

case

USA

1824

John Marshall, USA Supreme Court Chief Justice, established that the federal government had exclusive, not just concurrent, power to regulate interstate commerce and that states can only regulate interstate commerce under federal law.

Brown vs. Maryland

case

USA

1826

John Marshall, USA Supreme Court Chief Justice, declared that Maryland not tax goods in state that held by importer just as received, because interstate commerce was under federal control.

New York

code

USA

1827

New York State codified laws. Most states then adopted law codes.

Francis Leiber [Leiber, Francis]

lawyer

Germany/USA

1829 to 1863

Encyclopaedia Americana [1829 to 1833: translated from Brockhaus encyclopedia]; Manual of Political Ethics [1838]; Essays on Property and Labor [1841]; On Civil Liberty and Self-Government [1853]; Instructions for the Government of Armies of the United States in the Field or General Order No. 100 [1863]

He lived 1800 to 1872 and established war rules for USA Civil War.

income

tax

USA

1830

Income taxes began in some states.

Indian Removal Act

law

USA

1830

Cherokee and four other tribes had to move from east to Indian Territory in Oklahoma.

Cherokee Nation vs. Georgia

case

USA

1831

Supreme Court denied right of American natives to sue states or set up nations.

debt

law

USA

1832

Congress ended imprisonment for debt.

Worcester vs. Georgia

case

USA

1832

Supreme Court allowed American natives to use their own law and land.

John C. Calhoun [Calhoun, John C.]

lawyer/senator/vice-president

South Carolina

1832 to 1850

On the Clay Compromise Measures [1850]

He lived 1782 to 1850 and believed in balanced powers and states' rights. In a tariff case {tariff of abominations}, he supported state right to declare federal law unconstitutional {nullification, Calhoun}. Vice-president and senator championed states' rights of veto and secession.

Joseph Story [Story, Joseph]

lawyer

Boston, Massachusetts

1833 to 1834

Commentaries on the Constitution of the United States [1833]; Commentaries on the Conflict of Laws [1834]

He lived 1779 to 1845 and wrote about bailments [1832], equity jurisprudence [1835 to 1836], equity pleadings [1838], agency [1839], partnership [1841], bills of exchange [1843], and promissory notes [1845].

Roger B. Taney [Taney, Roger B.]

chief justice

USA

1836 to 1864

He lived 1777 to 1864 and became USA Supreme Court Chief Justice [1836 to 1864].

Supreme Court

court

USA

1837

Number of judges increased from seven to nine.

Isaac Ray [Ray, Isaac]

lawyer

USA

1838

Treatise on Medical Jurisprudence of Insanity [1838]

He lived 1807 to 1881 and developed Doe-Ray insanity tests. Insanity is a fact for juries to decide.

McNaughton Rules or M'Naghten Rules

law

England/USA

1843 to 1957

Judges of House of Lords allowed defense of insanity against responsibility for crime [1843]. Insanity is mental disease that causes defect of reason, which causes defendant either not to know act's nature and quality or to know what he was doing but not that it was wrong.

Admiralty Law

law

USA

1845 to 1860

Admiralty Law changed to include all navigable water. Federal jurisdiction extended to all tidal waters.

commerce

law

USA

1845 to 1860

Public interest laws regulating railroads, canals, and banks began.

judges

law

USA

1845 to 1860

Judicial terms shortened. People elected judges, rather than having appointed judges.

property

law

USA

1845 to 1860

Women received more property rights.

normal school

school

USA

1845 to 1860

States began to pay for public education and trained teachers in special schools.

reformatories

prison

USA

1845 to 1860

Reformatories began for minors.

right to sue

law
USA
1845 to 1860
Third-party beneficiary had right to sue.

voting

law
USA
1845 to 1860
Law ended voting and office-holding restrictions based on religion or property.

Compromise of 1850

law
USA
1850
Act allowed both slave and free states to enter Union. California became a free state, and Utah and New Mexico became territories.

Kansas-Nebraska Act

law
USA
1854
Congress repealed Missouri Compromise, opening whole Louisiana Territory to slavery if territory voted for slavery. Texas, Indian Territory (Oklahoma), Missouri, Kentucky, Virginia, and all southern states were already slave states.

Dred Scott vs. Sandford

case
USA
1857
USA Supreme Court ruled that slaves were always slaves, unless bought out, that Scott was not a citizen, though he had lived free for several years, and that Missouri Compromise was unconstitutional. Ruling increased tension between north and south USA.

Oliver Wendell Holmes, Jr. [Holmes, Jr., Oliver Wendell]

chief justice/inventor
USA
1862 to 1932
stereoscope [1862]; Common Law [1881]
He lived 1841 to 1935. As USA Supreme Court Chief Justice [1902 to 1932], he emphasized human rights over property rights.

Homestead Act

law
USA
1862 to 1976
It entitled people to 160 acres of undeveloped land, to build homes. It replaced Preemption Act [1841]. It ended, except in Alaska, with Federal Land Policy and Management Act [1976]. Alaska ended homesteading [1986].

Supreme Court

court
USA
1863
Number of judges increased from nine to ten.

13th Amendment

constitution

USA
1865
Amendment abolished slavery.

Amnesty Proclamation

law
USA
1865
Act allowed South to organize itself, so North's military withdrew.

Black Codes

law
USA
1865
After Civil War, southern states prohibited intermarrying, required special labor contracts, apprenticed blacks under 18 without self-sufficient parents, imprisoned or apprenticed unemployed blacks over 18, and prohibited blacks from carrying firearms or knives.

Freedman's Bureau

department
USA
1865
Department helped freed slaves and war refugees.

Civil Rights Act

law
USA
1866
All Negroes became citizens.

Supreme Court

court
USA
1866
Number of judges decreased from ten to seven.

Reconstruction Acts

law
USA
1867
Laws placed military governments in Southern states. Congress had no southerners.

Tour of Office Act

law
USA
1867
Act required President to obtain Senate's consent to remove officials appointed with Senate consent.

Supreme Court

court
USA
1869
Number of judges increased from seven to nine.

Henry George [George, Henry]

lawyer

USA

1870 to 1877

Our Land and Land Policy [1870]; Progress and Poverty [1877]

He lived 1839 to 1897, was against laissez-faire, and favored taxing only real estate.

Civil Rights Act

law

USA

1875

Act tried to end discrimination against blacks.

railway workers

strike

USA

1877

Baltimore & Ohio Railroad workers reacted to pay cuts that followed Panic of 1873. Then national railroad workers also struck. Pittsburgh and Chicago had rioting, and workers seized St. Louis and Toledo, until federal troops intervened.

Knights of Labor

labor union

USA

1880

First labor union in USA began.

Chinese Exclusion Act

law

USA

1882

Act ended right of Chinese to come to USA.

Indian Territory

territory

Oklahoma/Arkansas

1882 to 1907

After Indian Removal Act [1830], Indian Intercourse Act [1834] established a territory. Cherokee, Chickasaw, Choctaw, Creek, and Seminole, the Five Civilized Tribes, of the South moved there along Trail of Tears and built Tulsa, Ardmore, Tahlequah, and Muskogee. Delaware, Cheyenne, and Apache also relocated there. Oklahoma Territory began [1890] in west Oklahoma. Indian Territory ended when Oklahoma became state [1907].

Civil Rights

case

USA

1883

Supreme Court declared Civil Rights Act unconstitutional, because it was about social, rather than legal, rights.

Civil Service Act

law

USA

1883

Act based government service more on competency than patronage.

Ex Parte Yarborough

case

USA

1884

USA Supreme Court allowed black people to seek relief for hindrance of voting rights.

Nixon vs. Heindon or Texas White Primary Case

case

USA

1885

USA Supreme Court established right of blacks to vote in primary elections.

Dawes General Allotment Act

law

USA

1887

Act put American natives under legal protection and permanently gave families several hundred acres [increased in 1904].

labor-management

law

USA

1888

Federal commission mediated labor-management disputes.

Sioux Act

law

USA

1889

Lakota reservations delineated.

Classic vs. U.S.

case

USA

1890

USA Supreme Court established right of blacks to vote in primary elections.

Smith vs. Allwright

case

USA

1890

USA Supreme Court established right of blacks to vote in primary elections.

voting

law

Wyoming

1890

Women gained right to vote.

union

law

USA

1890 to 1920

Old rule in common law was to enjoin combinations that restrained trade. Court injunctions stopped picketing and boycotting.

initiative

law

USA

1897 to 1898

initiative [1897]

States allowed citizens to gather signatures to put statutes directly before voters {initiative}|. Nebraska was the first locally, and South Carolina the first statewide.

referendum

law

USA

1897 to 1898

referendum [1897]

States allowed citizens to gather signatures to allow voters to judge statute {referendum}|. Nebraska was the first locally, and South Carolina the first statewide.

Open Door Policy

law

USA

1900

Act guaranteed equal trading rights for all nations in China.

common carrier

law

USA

1906

Common carriers became responsible for injuries to employees, even if there was no negligence.

Hepburn Act

law

USA

1906

Act expanded Interstate Commerce Commission (ICC) power.

railway workers

law

USA

1906

Congress limited work hours of trainmen and telegraphers.

Roscoe Pound [Pound, Roscoe]

lawyer

USA

1906 to 1936

Causes of Popular Dissatisfaction with the Administration of Justice [1906]; Theory of Interests [1921]

He lived 1870 to 1964 and was dean of Harvard Law School [1916 to 1936]. He wrote about patterns of living together of actual people. Law must determine between conflicting interests. Law is tool for social engineering.

child labor

law

USA

1906 to 1950

Child labor laws were held unconstitutional, until 1950's.

Australian

ballot

USA

1908

By 1908, all states used secret ballot {Australian ballot}.

Gentleman's Agreement

law
USA
1908

Act provided that Japan only issue emigration papers to USA-citizen relatives or to people who manage businesses.

minimum wage law

law
USA
1908

Congress passed law for minimum wage for women in industry, but Supreme Court declared it unconstitutional.

Muller vs. Oregon

case
USA
1908

USA Supreme Court, under Brandeis, said that law that prohibited women from working more than ten hours a day was constitutional.

recall

law
USA
1908
recall [1908]

Oregon and then other states allowed citizens to gather signatures to allow voters to remove official from office {recall from office}].

Mann-Elkins Act

law
USA
1910

Act expanded Interstate Commerce Commission (ICC) power.

workmen's compensation

law
USA
1910

All states had workmen's compensation laws by 1910.

Charles Evans Hughes [Hughes, Charles Evans]

judge
USA
1910 to 1941

Supreme Court of the United States [1928]

He lived 1862 to 1948 and was USA Supreme Court Associate Justice [1910 to 1916 and 1930 to 1941].

Department of Labor

department
USA
1913

It prepares workers for new and better jobs and protects workers. It includes Bureau of Labor Statistics.

Adamson Act

law
USA
1916

Act limited railway workers to eight work hours a day.

Louis D. Brandeis [Brandeis, Louis D.]

judge

USA

1916 to 1939

Erie Railroad Co. v. Tompkins [1938]

He lived 1856 to 1941 and was liberal USA Supreme Court Associate Justice [1916 to 1941] concerned about social justice. Constitution allows experimentation. Justices need to use what public thinks its interest is, not just law or policy.

Espionage Act

law

USA

1917

Act suppressed dissent.

Immigration Law

law

USA

1917

Act required literacy test and set quotas.

Sedition Act

law

USA

1918

Act suppressed dissent.

16th Amendment

constitution

USA

1919 to 1933

Amendment prohibited alcohol sale, starting Prohibition. Organized crime started to make and sell alcohol. Democratic Party split over issue.

18th Amendment

constitution

USA

1920

Amendment gave women right to vote. Some women voted in England in 1918, and all in 1939. Women voted in France in 1946.

Clayton Anti-Trust Act

law

USA

1920

Act was against monopolies.

Industrial Rehabilitation Act

law

USA

1920

Act protected injured workers.

Seamen's Act

law
USA
1920
Act exempted labor from anti-trust law. Senator LaFollette wrote it.

Duplex Printing Press Co. v. Deering

case
USA
1921
USA Supreme Court allowed injunctions against unions.

Immigration Law

law
USA
1921
Act required literacy test and set quotas.

Sheppard-Tower Act

law
USA
1921
Act gave federal aid for childbirth care.

Truax vs. Corrigan

case
USA
1921
USA Supreme Court allowed injunctions against unions.

Act of Congress

law
USA
1924
Native Americans became citizens.

Immigration Act

law
USA
1924
Act revised immigration quotas.

Clarence Darrow [Darrow, Clarence]

lawyer
USA
1924 to 1934
He lived 1857 to 1938 and defended at Leopold-Loeb trial [1924], Scopes "monkey trial" [1925], and Massie trial [1934].

Learned Hand

judge
USA
1924 to 1951
I Am an American Day Speech [1944]
He lived 1872 to 1961.

Scopes Trial or Scopes Monkey Trial

trial
USA
1925

Trial prosecuted teaching evolution in schools. Clarence Darrow defended Scopes. William Jennings Bryan helped prosecute.

Benjamin Cardozo [Cardozo, Benjamin]

judge
USA
1932 to 1938

Nature of the Judicial Process [1921]

He lived 1870 to 1938 and was Supreme Court Associate Justice [1932 to 1938].

Banking Act

law
USA
1933

Act reformed banking. Gold standard ended.

Emergency Housing Division

department
USA
1933

Housing Corporation helped build houses.

Emergency Relief Act

law
USA
1933

Act set up aid to unemployed and purchased surpluses.

National Industrial Recovery Act

law
USA
1933

Act formed industry trade associations, to establish fair-trade laws. It set up collective bargaining, minimum wage, maximum hours, and import controls. Supreme Court declared it unconstitutional.

Norris-LaGuardia Act

law
USA
1933

Act prohibited injunctions against unions.

Public Works Administration

department
USA
1933

Department was for dams and other projects.

Resettlement Administration

department
USA
1933

Department was for rural housing.

Social Security Act

law

USA

1933

Act granted retirement and disability benefits.

Unemployment Relief Act/Civilian Conservation Corps

law

USA

1933

Act created Civilian Conservation Corps.

Wagner-Connally Labor Relations Act or Wagner Act

law

USA

1933

Act compelled collective bargaining, stopped employer tampering with union, and formed Labor Relations Board. It allowed labor leaders to talk to workers but not employers. It did not put controls on entrenched union leadership and did not require public incorporation or accounting.

Civil Works Administration

department

USA

1933 to 1934

Agency employed construction workers to build public buildings and bridges.

Agricultural Adjustment Act

law

USA

1933 to 1935

Act established price supports for food products and paid for reducing supplies. Supreme Court declared it unconstitutional [1935].

Civilian Conservation Corps

law

USA

1933 to 1942

Agency did outdoor work in camps by employing young men, who had to send money home to their families.

Indian Reorganization Act

law

USA

1934

All tribes became self-governing.

Securities Act/Securities and Exchange Act

law

USA

1934

Act created Securities and Exchange Commission and required information disclosure. Sarbanes-Oxley Act [2002] added to it.

kidnapping

law

USA

1936

Men kidnapped Charles Lindbergh's son and killed him, leading to federal laws against kidnapping.

Walsh-Healy Government Contracts Act

law

USA

1936

Act set wage and hours controls for government contract work.

Hugo Black [Black, Hugo]

judge

USA

1937 to 1971

Adamson v. California [1947]; Dennis v. United States [1951]; Engel v. Vitale [1962]; Gideon v. Wainwright [1963]

He lived 1886 to 1971 and was USA Supreme Court Associate Justice [1937 to 1971].

Food, Drug, and Cosmetic Act

law

USA

1938

It revised the 1906 Food and Drugs Act. Food and Drug Administration Modernization Act [1997] updates law.

Felix Frankfurter [Frankfurter, Felix]

judge

Austria/USA

1939 to 1962

He lived 1882 to 1965 and was USA Supreme Court Associate Justice [1939 to 1962].

Lend-Lease Act

law

USA

1941

Act lent and leased equipment to Allies.

Truman Proclamation

law

USA

1945

Act gave USA sovereignty over continental shelf and fisheries.

Taft-Hartley Act

law

USA

1948

Act replaced Wagner Act labor laws.

Hoover Commission

commission

USA

1949

Herbert Hoover headed commission to study executive branch.

Administrative Procedures Act

law

USA

1950

Act established uniform laws for dealing with government agencies.

arbitration

law

USA

1950

Arbitration laws began.

declamatory judgment

law

USA

1950

Law allowed suit settlement by giving facts {declamatory judgment} but making no final judgment.

minors

law

USA

1950

Minors began to have special courts.

small claims

court

USA

1950

Small claims courts began.

Grenville Clark [Clark, Grenville]

attorney

USA

1950 to 1958

Plan for Peace [1950]; World Peace through World Law [1958: with Louis Sohn]

He lived 1882 to 1967.

Checkers Speech

speech

USA

1952

Richard Nixon spoke about involvement in the Alger Hiss case against Whittaker Chambers, because he investigated Communists.

Earl Warren [Warren, Earl]

chief justice

USA

1953 to 1969

He lived 1891 to 1974 and was USA Supreme Court Chief Justice [1953 to 1969]. USA Supreme Court ended legal segregation, forced one man-one vote legislatures, and defended rights of accused people.

Uniform Commercial Code

law

USA

1960

Act is business law in all states, except for Louisiana.

Civil Rights Act

law

USA

1965

Act discontinued segregation.

American Indian Civil Rights Act

law

USA

1968

Act is Title II of Civil Rights Act of 1968. USA has more than 550 Native-American nations.

Code of Professional Responsibility

law

USA

1969

Code of Professional Responsibility [1969]

Code of Professional Responsibility requires lawyers to keep all conversations between lawyer and client confidential and has other duties.

Warren Burger [Burger, Warren]

chief justice

USA

1969 to 1986

He lived 1907 to 1995 and was USA Supreme Court Chief Justice [1969 to 1986].

William Rehnquist [Rehnquist, William]

judge

USA

1978 to 2005

He lived 1924 to 2005 and was USA Supreme Court Justice [1972 to 1986] and Chief Justice [1986 to 2005].

American lawyers

lawyer

USA

1990

Lawyers in USA number 350,000, with two-thirds in private practice.