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Gustavus Schmidt, The Civil Law of Spain and Mexico

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BOOK REVIEW

GUSTAVUS SCHMIDT, *THE CIVIL LAW OF SPAIN AND MEXICO*
(William S. Hein & Co., Inc.: Buffalo, New York, 2008) (1851)
Reviewed by Agustín Parise*

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|---|-----|
| I. The Author: Gustavus Schmidt | 184 |
| II. The Book: The Civil Law of Spain and Mexico | 185 |
| A. Historical Outline | 186 |
| B. Project of a Civil Code | 188 |
| III. The Relevance: American and Foreign Impact | 190 |

The bicentennial of the Digest of 1808¹ brought a fresh revival of studies on the legal history of Louisiana. Many long-time scholars with interests in Louisiana kept focusing on this peculiar state of the Union, while newcomers started to look at the rich legal culture of the region. In this milieu, William S. Hein & Co. published a reprint of *The Civil Law of Spain and Mexico*. This classic work on Hispanic comparative law by Gustavus Schmidt was originally published in 1851 in the city of New Orleans. Existing copies of the *editio princeps* are threatened not only by time, but also by natural hazards such as hurricanes and floods that affect the region.

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1. Complete English title: *A Digest of the Civil Laws Now in Force in the Territory of Orleans*.

See the French and English texts of the Digest of 1808 at: www.law.lsu.edu/digest (last visited August 16, 2009).

Hispanic legal history and comparative law are fields of academic pursuit that are quickly developing in the United States.² The reprint of *The Civil Law of Spain and Mexico* will help to preserve and encourage the study of the Louisiana legal culture and the vast Hispanic background of the region.

I. THE AUTHOR: *GUSTAVUS SCHMIDT*

Few libraries existed in Louisiana during the early nineteenth century. Even rarer were privately-owned, complete law libraries.³ Nevertheless, the most prominent lawyers in the region were aware of the importance of the study of comparative law.⁴ One of those lawyers was Gustavus (*Gustaf*) Schmidt. In a fifty-year period, Schmidt gathered an impressive collection of materials for his library. His collection was comparable to those of Joseph Story, James Kent, and Thomas Jefferson.⁵

Gustavus Schmidt was born in Sweden in 1795;⁶ he immigrated to the United States in 1815.⁷ Like many other European immigrants, his first contact with the United States was the port of New York.⁸ From there he moved to Maryland, and later to Virginia.⁹ In Richmond he worked for Judge

2. See Agustín Parise, *Slave Law and Labor Activities during the Spanish Colonial Period: A Study of the South American Region of Río de la Plata*, 32 RUTGERS L. REC. 1, 3 (2008); M.C. Mirow, *Latin American Legal History: Some Essential Spanish Terms*, 12 LA RAZA L.J. 43, 43 (2001).

An example of the development of this area of study is found in Olivier Moréteau & Agustín Parise, *Recodification in Louisiana and Latin America*, 83 TUL. L. REV. 1103 (2009).

See also the recent comment about the development of legal history, Michael H. Hoeflich & Steve Sheppard, *Disciplinary Evolution and Scholarly Expansion: Legal History in the United States*, 54 (supplement) AM. J. COMP. L. 23 (2006).

3. See Roger Philip McCutcheon, *Books and Booksellers in New Orleans, 1730-1830*, 20 THE LOUISIANA HISTORICAL QUARTERLY 606 (1937).

4. Ferdinand F. Stone, *The Tulane Institute of Comparative Law: First Ten Year Report*, 1 INTER-AM L. REV. 201, 201 (1959).

5. MICHAEL H. HOEFLICH ET AL., THE 1877 SALE CATALOGUE OF GUSTAVUS SCHMIDT'S LIBRARY 7 (2005).

6. *Id.* at 5.

7. *Id.* at 6.

8. *Id.* at 5.

9. *Id.* at 6.

Brokenbrough, and was then admitted to the bar.¹⁰ He finally settled in New Orleans in 1829,¹¹ where he successfully practiced law.¹²

Schmidt not only spoke Swedish, his native language, but was also fluent in the “working” languages of Louisiana, *i.e.* English, French, and Spanish.¹³

In 1841, desiring to make his comparative law doctrines public, Schmidt created the first law journal in Louisiana and named it *Louisiana Law Journal*.¹⁴ In addition, he referred to the comparative law materials in his library before the courts.¹⁵ One of Schmidt’s chief contributions to the study of comparative law was the drafting of *The Civil Law of Spain and Mexico* (the Book) in 1851.¹⁶

II. THE BOOK: *THE CIVIL LAW OF SPAIN AND MEXICO*

To write the Book, Schmidt used the comparative law materials in his law library. His library is reflected in the bibliography (*Authors Cited*) of the Book. Of the 55 works mentioned in the

10. Kjell Mod er, *Mittermaier och brodern Schmidt –Ett bidrag till 1800-talets interkulturella juristkommunikation*, in FESTSKRIFT TILL HANS RAGNEMALM 233, 235(2005).

11. HOEFLICH ET AL., *supra* note 5, at 6.

12. Court records show that he appeared on 98 occasions before the Supreme Court of Louisiana between 1834 [Martin v. Newton, 6 La. 286 (1834)] to 1878 [Ducoing v. Billgery, 30 La. Ann. 250 (1878) (posthumous resolution)].

13. HOEFLICH ET AL., *supra* note 5, at 6.

14. *The Louisiana Law Journal devoted to the Theory and Practice of the Law*, Vol. 1, N. 1, (Gustavus Schmidt ed., New Orleans, Johns & Co., 1841). The journal published four issues in the period 1841-1842, and was then interrupted.

15. See for example the references to Spanish, Roman, and French law cited in Gustavus Schmidt, Brief of Appellant, Supreme Court of Louisiana, No. 6473, *Abel Mangin vs. Mrs. Nicholas Favre*; Gustavus Schmidt, Brief of Appellant, Supreme Court of Louisiana, No. [Illegible], *James Farnet and Noel & Guiraud vs. Their Creditors*; Gustavus Schmidt, Application for a re-hearing, Supreme Court of Louisiana, No. 6524, *Philip Marsoudet vs. Mary Clancy*; Gustavus Schmidt, Brief of Appellant, Supreme Court of Louisiana, No. 2939, *Succession of J.B. Navarro*; and Gustavus Schmidt, Brief of Appellant, Supreme Court of Louisiana, No. [Illegible], *Jean Bourbon vs. Louis Castera, et alia*. All briefs are on file with Mr. Louis V. de la Vergne.

16. GUSTAVUS SCHMIDT, *THE CIVIL LAW OF SPAIN AND MEXICO* (William S. Hein & Co., Inc. ed. 2008) (1851).

bibliography, only 15 are not found in the catalogue of his library.¹⁷ The authors Schmidt cites in his work were authoritative at that time, and their works have become classics of legal literature. No better sources could have been consulted to draft the Book, not even in Spain. Schmidt's interest in comparative law was not limited to North America and Europe. It extended to other regions that, like Louisiana, had been Spanish territories. In the preface Schmidt indicates that:

The following work was originally undertaken with a view to enable the author to acquire a competent knowledge of the laws of Spain, which once governed Louisiana, and which still form the basis of large portions of its jurisprudence . . . The recent acquisition of California and New Mexico will probably render the work at present of some practical utility to the legal profession; and the author also entertains the hope that it may be of some use even to men of business having dealings with the republics of South America.¹⁸

The Book was drafted in English. It was one of the first works of its kind accessible to English readers. For that reason, courts and scholars referred to it early and for many years.

A. Historical Outline

The Book not only reflects the importance of comparative law, and it also captures doctrines from the German Historical School of Law.¹⁹ Those doctrines are spread throughout the entire text beginning with the very first page: the Book is dedicated to his friend Christian Roselius,²⁰ who was one of the first legal historians in the southern region of the United States.²¹

The first part of the Book is a comprehensive study of Spanish legal history. It provides a rich and unique glossary for scholars

17. See *Authors Cited* in SCHMIDT, *supra* note 16 and HOEFLICH ET AL., *supra* note 5, at 25-92.

18. See *Preface* in SCHMIDT, *supra* note 16.

19. Kjell Modéer, *Gustavus Schmidt's Library: The Swedish Connection*, in HOEFLICH ET AL., *supra* note 5, at 95, 96.

20. See the dedication in SCHMIDT, *supra* note 16.

21. Mitchell Franklin, *The Foundations and Meaning of the Slaughterhouse Cases*, 18 TUL. L. REV. 1, 55 (1943).

today as it did then. The study, referred to by Schmidt as a historical outline, is extensively developed in 102 pages.²²

This historical study is divided into four periods: Spain under the Romans,²³ Spain under the Visigoths,²⁴ Spain under the Arabs,²⁵ and Spain after the expulsion of the Arabs.²⁶ Approximately 2000 years of history and legislation are included. Even when brief, the accounts are clear and they cover the basic information that an English reader would need when researching the Spanish legal roots of the American colonies.

Currently, the historical outline is used by English-speaking scholars who study the intricate legal history of Spain and its *ultra mar* territories in the Americas.²⁷ Even when Schmidt's English is imperfect and several translations are defective, the final result of the historical outline is certainly positive. Readers get a unique glossary of the legal terms and institutions that were applied in Hispanic America.

His comparative law ideas are also present in the historical outline. His study does not focus on Mexico and Spain alone. At one point, while analyzing a Spanish area of law, Schmidt makes a reference to the law of Sweden.²⁸

That first part of the Book contains one of the first English descriptions of the origins and contents of many Spanish legal works. It includes succinct descriptions of the *Fuero Juzgo*, the *Fuero Viejo*, the *Fuero Real*, the *Siete Partidas*, the *Leyes de Estilo*, the *Ordenamiento de Alcalá*, the *Leyes de Toro*, the *Nueva Recopilación*, and the *Novísima Recopilación*. The outline also addresses Mexican legal history. The last chapter of the historical outline includes a description of the Spanish and *Indiano* legislation, with a view focused "more especially of Mexico."²⁹

22. See *Historical Outline* in SCHMIDT, *supra* note 16, at 1-102.

23. *Id.* at 13-20.

24. *Id.* at 21-42.

25. *Id.* at 43-75.

26. *Id.* at 75-85.

27. See, e.g., Jorge Sánchez Cordero, *The Reception of Legal Systems in the Americas: Diversities and Convergences*, 24 TUL. EUR. & CIV. L.F. 231 (2009); and Georgia D. Chadwick, *Schmidt: Civil Law of Spain and Mexico*, 57 LA. B.J. 110 (2009).

28. See *Historical Outline* in SCHMIDT, *supra* note 16, at 36.

29. *Id.* at 91.

See also the interesting observations by María del Refugio González regarding the content of the historical outline of the Book, *available at*

To finish, Schmidt discusses the overwhelming amount of legal dispositions that Spaniards enacted over many centuries of legislative activity. Schmidt provides a chart from an encyclopedic work of Antonio Pérez y López that indicates the quantity of laws, books, titles, and volumes from different Spanish legal bodies.³⁰ Schmidt correctly concludes that the legal enactments embodied in the Spanish legislation probably exceeded 100,000.³¹

B. Project of a Civil Code

The second part of the Book is a civil code project premised on the laws of Spain and Mexico. Because it was drafted in English but based on Spanish texts, the project was a monumental work at that time. The project is developed in 306 pages and follows the format of the nineteenth-century civil codes that were inspired by the *Code Napoléon*. The project includes concordances (indicating Spanish and Mexican legislation, and scholarly writing) for the great majority of the articles, and resembles the work that García Goyena conducted for Spain that same year of 1851.³²

The similarity with the *Code Napoléon* is not surprising. In 1832, Pablo Gorosábel presented to Spain a project of a civil code that was inspired by the *Code Napoléon*.³³ Schmidt's library contained a copy of a work by Gorosábel that contained that Spanish project: *Redacción del Código Civil de España* (1832).³⁴

<http://www.bibliojuridica.org/libros/2/719/2.pdf> at 34-35 (last visited August 16, 2009).

30. See 1 ANTONIO XAVIER PÉREZ Y LÓPEZ, *TEATRO DE LA LEGISLACIÓN UNIVERSAL DE ESPAÑA E INDIAS* lix (1791). Compare *Historical Outline* in SCHMIDT, *supra* note 16, at 102. Schmidt includes figures for the *Novísima Recopilación*, which Pérez y López does not include.

31. See SCHMIDT, *supra* note 16, at 102.

32. FLORENCIO GARCÍA GOYENA, *CONCORDANCIAS, MOTIVOS Y COMENTARIOS DEL CÓDIGO CIVIL ESPAÑOL* (1852). The work of Schmidt was developed in one volumen, while the work of García Goyena was presented in four volumes.

33. 1 JOSÉ PUIG BRUTAU, *COMPENDIO DE DERECHO CIVIL* 36 (1987).

34. PABLO GOROSABEL, *REDACCIÓN DEL CÓDIGO CIVIL DE ESPAÑA: ESPARCIDO EN LOS DIFERENTES CUERPOS DEL DERECHO Y LEYES SUELTAS DE ESTA NACIÓN* (Tolosa, Imprenta de la Viuda de Lama ed. 1832).

See HOEFELICH ET AL., *supra* note 5, at 56.

This work is cited in the bibliography of the Book and was used by Schmidt when drafting his comparative law study.³⁵

The structure of Schmidt's project replicates the work of Gorosábel.³⁶ Schmidt translated Gorosábel's Spanish text almost *verbatim*.³⁷ However, he added some 20 articles³⁸ and references to Mexican law, and he expanded the Spanish law references.³⁹ Like the *Code Napoléon*, the Book follows a tripartite division, consisting of a preliminary title⁴⁰ and three books. Schmidt's project is divided into Book I, Of the Domestic Relations;⁴¹ Book II, Of Things, and the Rights which may be Acquired over Them;⁴² and Book III, Of the Different Means of Acquiring Property.⁴³ Each book is divided into units: titles, chapters, sections, and where relevant, paragraphs. Schmidt introduced the units and most of the 1439 articles in the project with a detailed account and review of the relevant Spanish and Mexican laws.⁴⁴ For example, the note to article 680, on the nature

35. See *Authors Cited* in SCHMIDT, *supra* note 16.

36. Both projects have the same structure. The only difference is that Title 8, Book III and Title 9, Book III are inverted in the Book. See *Civil Law* in SCHMIDT, *supra* note 16, at 361-373 and GOROSABEL, *supra* note 34, at 315-326.

37. Starting in the sixteenth century, it was not rare for authors to claim creative imitation as valid. Schmidt may have accepted that doctrine, and therefore, may have intended to use creative imitation when drafting the project in his Book. Creative imitation is no longer considered valid, and is mainly considered plagiarism. About some aspects of the evolution of creative imitation see, RICHARD A. POSNER, *THE LITTLE BOOK OF PLAGIARISM* 49-74 (2007).

About the evolution of borrowing ideas and writings see JUDY ANDERSON, *PLAGIARISM, COPYRIGHT VIOLATION AND OTHER THEFTS OF INTELLECTUAL PROPERTY* 2-3 (1998); THOMAS MALON, *STOLEN WORDS* 3-24 (1991); ALEXANDER LINDEY, *PLAGIARISM AND ORIGINALITY* 62-94 (1952).

38. Some of those new articles were divisions of Spanish articles. See, e.g., the breakdown of article 425 of *Gorosábel* into articles 426 and 427 of Schmidt. *Civil Law* in SCHMIDT, *supra* note 16, at 96 and GOROSABEL, *supra* note 34, at 95.

39. See, e.g., the reference to Mexican law in *Civil Law* in SCHMIDT, *supra* note 16, at 15.

40. See arts. 1-6 in *Civil Law* in SCHMIDT, *supra* note 16, at 1-2.

41. See arts. 7-172 in *Civil Law* in SCHMIDT, *supra* note 16, at 3-41.

42. See arts. 173-395 in *Civil Law* in SCHMIDT, *supra* note 16, at 42-88.

43. See arts. 396-1439 in *Civil Law* in SCHMIDT, *supra* note 16, at 89-306.

44. See *Civil Law* in SCHMIDT, *supra* note 16, at 1-306. The work of Gorosábel has 1419 articles. See GOROSABEL, *supra* note 34, at 314.

of the contract of *mutuum*, reads “*Partidas, L.1, T.1, P.5.*”⁴⁵ Likewise, the introduction to Title VI, Book III on Deposit includes references to Spanish scholarly writing and legislation.⁴⁶

Schmidt also included, as expected, references to the Louisiana Civil Code that do not appear in the work by Gorosábel. In the notes to some articles of the project, Schmidt included the English terms used in the Louisianan text and in the *Code Napoléon*, surely expecting they would help readers to understand the Spanish expressions.⁴⁷

Finally, the Book includes seven appendices with a selection of acts by the Mexican congress and decisions by the Spanish courts. The appendices contain 50 pages and are written in English and Spanish. The appendices include acts relative to abolition of entails, authorization of foreigners to take interests in mines, colonization, passports, and rules of naturalization.⁴⁸

III. THE RELEVANCE: AMERICAN AND FOREIGN IMPACT

The influence of the Book in the jurisprudence and scholarly opinions was immediate.⁴⁹ In 1877, the Book was used at the shortly-lived Trinity Law Department of what is now the Trinity University at San Antonio, Texas. There, judge Ewing changed the curriculum to incorporate the study of the Book.⁵⁰ The judge understood that the text ably portrayed the Hispanic laws of the

45. *Id.* at 145.

46. The note to the unit reads:

See / *Escrache, Confianza, Depositante, Depositario, and Deposito.* / *Sala, B.2 T.19, “Del contrato literal y de los Reales.”* § 11-15 “*Del Deposito.*” / *Asso y Manuel, B.2, T.10, “Del Deposito y Prestamo.”* / *Tapia, Febr. Novis., B.2, T.4, chap.21, “Del Deposito.”* / *Ib. Prontuario, P.1, T.7, “Del Deposito.”* / *Fuero Real, B.3, T.15. “De Las Cosas Encomendadas.”* / *Partidas, T.3, P.5.* / *Novis. Recop., B.10 T.9, “De los Depositos y Confianzas.”*

Id. at 193.

47. See, e.g., the notes to articles 911 and 1016 of his project. *Id.* at 191 & 215.

48. *Id.* at 308-359.

49. See, e.g., Peter L. Reich, *Siete Partidas in My Saddlebags: The Transmission of Hispanic Law from Antebellum Louisiana to Texas and California*, 22 TUL. EUR. & CIV. L.F. 79 (2007).

50. Mark W. Lambert, *The Trinity University School of Law, 1873-1878, and the Jurisprudence of Texas*, 41-DEC HOUS. LAW. 34, 37 (2003).

United States frontier.⁵¹ The judge also recognized that the Book was important for by 1855, it had been mentioned often by the Supreme Court of Texas.⁵²

Courts in the United States referred to the Book on several occasions, both by direct citation and by citing sections of other cases that referred to the Book. The Book was mentioned in six instances by the United States Supreme Court from 1894 through 1911 (60 years after its publication).⁵³ In addition, at least 65 federal and state court decisions referred to the Book. The first reference was by a court in Texas in 1851, the year of the Book's publication.⁵⁴ The most recent reference was by a court in New Mexico in 2006, more than 150 years after its publication.⁵⁵ In that 150-year period, the Book has been mentioned by courts of California,⁵⁶ Florida,⁵⁷ Louisiana,⁵⁸ Missouri,⁵⁹ New Mexico,⁶⁰ Puerto Rico,⁶¹ Rhode Island,⁶² Texas,⁶³ and Washington.⁶⁴

The impact of the Book was not limited to the legal community of the United States. For example, in 1957, a summary bibliography of Mexican law was published in Mexico⁶⁵ under the

51. *Id.*

52. *Id.*

53. The Supreme Court decisions are: *Arnett v. Reade*, 220 US 311 (1911); *Tiglaio v. Insular Government of Philippine Islands*, 215 US 410 (1910); *Royal Ins. Co. v. Miller*, 199 US 353 (1905); *Hayes v. US*, 170 US 637 (1898); *US v. City of Santa Fe*, 165 US 675 (1897); and *Maxwell Land-Grant Co. v. Dawson*, 151 US 586 (1894).

54. *Gortario v. Cantu*, 7 Tex. 35 (1851).

55. *Medina v. Medina*, 139 N.M. 309 (2006); citing sections of a previous case referring to the Book (*Beals v. Ares*, 25 N.M. 459, 185 P. 780 N.M. (1919)).

56. *See, e.g., Stewart v. Stewart*, 199 Cal. 318 (1926).

57. *See, e.g., Blood v. Hunt*, 97 Fla. 551 (1929).

58. *See, e.g., Williams v. Employers Liability Assur. Corp.*, 296 F.2d 569 (1961).

59. *See, e.g., Cutter v. Waddingham*, 22 Mo. 206 (1855).

60. *See, e.g., Leitensdorfer v. Webb*, 1 N.M. 34 (1853).

61. *See, e.g., De la Torre v. National City Bank of New York*, 110 F.2d 976 (1940).

62. *See, e.g., Barrows v. Downs*, 9 R.I. 446 (1870).

63. *See, e.g., Coles' Adm'rs v. Perry*, 7 Tex. 109 (1851).

64. *See, e.g., Board of Trade of City of Seattle v. Hayden*, 4 Wash. 263 (1892).

65. MARGARITA DE LA VILLA & JOSÉ LUIS ZAMBRANO, *BIBLIOGRAFÍA SUMARIA DE DERECHO MEXICANO* (Instituto de Derecho Comparado de la Universidad Nacional Autónoma de México ed. 1957).

direction of the Institute of Comparative Law of the National Autonomous University of Mexico.⁶⁶ The bibliography includes a section on the legal history of the Mexican civil law. That section includes only three works, and the Book is one of those and is the only one written in English.⁶⁷

The Book also had influence in Europe. Schmidt's brother circulated copies of the Book to newspapers and law journals in Sweden.⁶⁸ Schmidt also sent copies of his Book to his brother to distribute them to scholars around Europe.⁶⁹ One of the addressees was Von Savigny in Berlin.⁷⁰ With that delivery, Schmidt's interest in the German Historical School of Law was united with its source.

To conclude it may be stated that the Book follows closely the Spanish law. It could have been used, and may still be, to determine the meaning of Spanish provisions of the Louisiana Civil Code of 1825. The Book's English expositions of Spanish law may be compared to the Spanish works by Febrero and Sala that continue to be referenced in Louisiana.⁷¹

The Book is valuable for its unique contribution to the existing literature. It has not been eclipsed with more in-depth and up-to-

66. The prologue of the bibliography states that:

This book does not try to offer a complete panorama of the Mexican legal bibliography. According to the above mentioned purposes [*i.e.* drafting of legal bibliographies by the different member countries, encouraged by the International Committee of Comparative Law], it attempts to complete an inventory of the legal works that may better serve foreign jurists who wish to start to explore the study of our national law, with brief commentaries that may guide scholars in the consultation of texts and their evaluation.

Id. at v.

67. The other two works, which are well known in Mexico, are *Evolución del Derecho Civil* (1942) by Pablo Macedo and *La Evolución del Derecho Civil Mexicano desde la Independencia hasta nuestros días* (1911) by Manuel Mateos Alarcón. *Id.* at 101.

68. Kjell Modéer, *Carl und Gustavus Schmidt als Zeitschriftenherausgeber. Zwei schwedische Juristenbruder als Pioniere juristischer Zeitschriften im 19. Jahrhundert* JURISTISCHE ZEITSCHRIFTEN IN EUROPA 55, 64 (Michael Stolleis & Thomas Simon eds. 2006).

69. Modéer, *supra* note 10, at 252.

70. *Id.*

71. JOSÉ MARÍA CASTÁN VÁZQUEZ, LA INFLUENCIA DE LA LITERATURA JURÍDICA ESPAÑOLA EN LAS CODIFICACIONES AMERICANAS 149 (Real Academia de Jurisprudencia y Legislación, Madrid ed. 1984).

date studies in English.⁷² The Book also illustrates the perception that scholars and practitioners had of the laws of Spain in the Hispanic American former colonies. The use of the Book, together with related recent works, may help in discovering the evolution of Hispanic legal studies in the Americas. As important, the Book proves Schmidt's worth as a ground-breaking jurist on Hispanic comparative law. The Book should be embraced by all scholars interested in this growing area of comparative law.

72. Spanish legal history in English has been developed early in the twentieth century in complete works by Walton (CLIFFORD STEVENS WALTON, *THE CIVIL LAW IN SPAIN AND SPANISH-AMERICA* 1-115 (1900)) and Altamira (Rafael Altamira, *Spain, in 1 A GENERAL SURVEY OF EVENTS, SOURCES, PERSONS AND MOVEMENTS IN CONTINENTAL LEGAL HISTORY* 579-702 (John Henry Wigmore trans. 1912)); and in a doctoral dissertation by Vance (JOHN THOMAS VANCE, *THE BACKGROUND OF HISPANIC-AMERICAN LAW: LEGAL SOURCES AND JURIDICAL LITERATURE OF SPAIN* (1943)).

A recent study, although brief, was elaborated by Merino-Blanco (ELENA MERINO-BLANCO, *SPANISH LAW AND LEGAL SYSTEM* 1-24 (Thomson, 2d ed. 2006)).

In addition, other valuable works have contributed to the existing legal literature of the area. See, among others, E.N. VAN KLEFFENS, *HISPANIC LAW UNTIL THE END OF THE MIDDLE AGES* (1968); THOMAS WAVERLY PALMER, *GUIDE TO THE LAW AND LEGAL LITERATURE OF SPAIN* 26-38 (1915); Charles Sumner Lobingier, *Introduction, in LAS SIETE PARTIDAS* xlix-lxxvii (Samuel Parsons Scott trans. 1931); and 1 JOSEPH M. WHITE, *A NEW COLLECTION OF LAWS, CHARTERS AND LOCAL ORDINANCES* 352-356 (1839).

Finally, Louisiana scholars have embarked on related studies while exploring the legal and cultural roots in the region (*e.g.*, John H. Tucker, *Source Books of the Louisiana Law Part III-Spanish Laws*, 8 TUL. L. REV. 396 (1934); and KATE WALLACH, *BIBLIOGRAPHICAL HISTORY OF LOUISIANA CIVIL LAW SOURCES, ROMAN, FRENCH, AND SPANISH* 61-79 (1955)).