

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

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RECORDS OF THE U.S. DISTRICT COURT FOR
THE EASTERN DISTRICT OF LOUISIANA
1806-1814

Roll 1

Minutes

Vol. 2
Nov. 1808-July 1811(pt.)

Vol. 3
July 1811(pt.)-Dec. 1814



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INTRODUCTION

On the 18 rolls of this microfilm publication are reproduced the first 769 case files, a related docket, and two minute books of the U.S. District Court for the Eastern District of Louisiana, 1806-14. These records are in the custody of the Archives Branch, Fort Worth Federal Archives and Records Center.

The Judiciary Act of September 24, 1789 (1 Stat. 73), which established the U.S. Supreme Court, also divided the country into 13 judicial districts, each with a district court and a district judge. These districts were grouped into circuits. A circuit court, made up of the district judge and two Justices of the Supreme Court, was to convene twice a year in each district. While the powers of the district and circuit courts changed throughout the years, the district courts generally had original jurisdiction in admiralty and bankruptcy cases, suits for penalties and seizures under Federal laws, noncapital criminal proceedings, and lawsuits exceeding \$100 in value in which the United States was the plaintiff. Besides hearing appeals from the district courts, circuit courts exercised original jurisdiction in law and equity cases involving suits exceeding \$500 in value in which the United States was the plaintiff, or an alien was a party, or citizens of two States were involved.

When a Territorial government was established for Louisiana in 1804, the Congress also authorized one Federal judicial district in the Territory with one district court (2 Stat. 285). This U.S. District Court for the District of Louisiana, which began holding sessions in 1806 in New Orleans, was given both district and circuit court jurisdiction. Appeals from the court's decisions went directly to the U.S. Supreme Court. The district court's exercise of circuit powers ended in 1837 when Louisiana was included in the ninth circuit (5 Stat. 176). Although the records reproduced in this publication were originally created by the District Court for the District of Louisiana, these volumes and case files were transferred to the U.S. District Court for the Eastern District of Louisiana when the State was divided in 1823 into two districts, eastern and western (3 Stat. 775).

Reproduced on roll 1 are the two earliest extant volumes of minutes from the U.S. District Court for the Eastern District of Louisiana. These minutes provide a chronological record of court proceedings from November 5, 1808, to December 14, 1814, when the district court was recessed because of the threat of invasion by British Forces. The minute entries, which show the dates of court sessions and the name of the presiding judge, give information about the cases heard during the session, including the names of the parties, case number, and brief abstracts of proceedings. Other information recorded in the minutes includes

the oaths of grand and petit juries and court officials, lists of jury members, orders admitting attorneys for practice before the court, and names of individuals who were certified as naturalized citizens. No minutes for the period 1806 to November 5, 1808, have been located.

Case files 1-769 and a related docket, July 20, 1806-December 14, 1814, are reproduced on rolls 2-18. The docket entries, which are arranged numerically by case number, show the names of the parties, type of case, and a chronological list of court actions and papers filed.

The case files, which are arranged numerically by case number, include suits filed under maritime, civil, and criminal laws. The bulk of the records consists of admiralty cases filed under various maritime laws and includes suits for the seizure of vessels, disputes over seamen's wages, claims for the goods of salvaged ships, forfeitures for nonpayment of customs duties, and settlements of debts by the sale of ships by auction. Although there are a few bills in equity, the majority of civil actions consist of petitions for the payment of debts or attachments used in satisfying judgments in previous cases. Because the district court also had circuit court jurisdiction in criminal matters, many of the criminal cases include capital offenses, such as piracy, mutiny, and murder or assault on the high seas. Noncapital criminal offenses include the outfitting of privateers and trading with the British colonies of West Florida and the Barbados Islands in violation of the neutrality act of March 2, 1811 (2 Stat. 651).

The admiralty cases contain bills of libel, reports of appraisers, warrants of seizure, orders, and claims for salvaged goods. Petitions for attachment, bills in equity, affidavits, answers, orders, and petitions for payment of debts are included in the cases involving civil laws. Papers from the criminal cases include bills of indictments, bills in information, subpoenas, verdicts of juries, and writs. The documents within each case file are arranged chronologically by the filing date of the paper.

The records reproduced in this publication are part of Records of District Courts of the United States, Record Group 21. They are part of the records identified as the records of the U.S. District Court for the Eastern District of Louisiana. Included in the same court records are minutes, 1815-1945; case files, 1815-1933; and related dockets, 1815-1932.

Additional information about the operation of the court is available in the multivolume publication, *Federal Cases*, an annotated reprint of the decisions of U.S. district and circuit courts from 1789 to 1880; Erwin C. Surrency, *Federal District*

Court Judges and the History of Their Courts (History of Federal Courts Pamphlet #1, 1966, privately printed); "History of Federal Courts," 28 *Missouri Law Review*, 214 (1963); Charles Warren, *The Supreme Court in United States History* (Boston, 1935; 2 vols.); and John J. Parker, "The Federal Judicial System," 14 *Federal Rules Decisions*, 361 (1954).

These introductory remarks were written by Barbara Rust, who also prepared the records for filming with the assistance of Jeanette Ford and Debbie Richardson. Thomas Whitfield was the editor.

J. B. Prév. Council
ad. instance of His J. C.
R. Majesty Napoleon
the
Ship *Alata* & her
Carg. —

upon reading the Petition
or libel filed in this case
It is ordered that no more
can be done.

Court then adjourned

District Court Orleans District October 9th 1810
Present The Hon. Mr
D. A. Hall

Polas Moore
vs

Marcellin Bataigne

ordered that the Defendant be
held to Bail in the sum of twenty
eight thousand five hundred \$
has a \$70 —

District of Orleans Feb

Be it remembered that on the eleventh day of
October in the thirty fifth year of the Independence of
the United States of America A. D. 1810 Thomas W. Whit-
ney of the said District hath deposited in this Office the
Title of a Book the right whereof he claims as Pro-
-priator in the words following to wit "New Or-
-leans & Natchez Directory & Louisiana Al-
-manac" In conformity to the act of Congress of the United
-States intitled "An act for the encouragement of Learning
-by securing the Copies of Maps, Charts, and Books, to the au-
-thors and Proprietors of such Copies during the times
-therein mentioned" and also to the act intitled "An
-act for the encouragement of Learning by securing the Copies
-of Maps, Charts, and Books to the authors and Proprietors
-of such Copies during the times therein mentioned"
and extending the benefit thereof to the art of designing or
-engraving, and etching Historical and other Prints —
Thos. J. Kennedy Clerk of the District