

An Economic Analysis of Early Casebook Publishing*

Douglas W. Lind**

Mr. Lind examines the economic considerations faced by legal publishers wishing to enter the rapidly evolving casebook market of the late nineteenth century. He covers the period marked by the publication of the first casebook in 1871 to the introduction of West's American Casebook Series in 1908.

¶1 In fall 1870, Christopher Columbus Langdell, a professor at Harvard Law School who would be appointed dean in 1875, broke away from the traditional instructional approach using lectures and memorization from textbooks and required students in his contracts class to analyze and discuss a collection of cases. This new style of teaching later came to be known as the “case method,” and Langdell’s collection of cases formed the basis for the first published casebook.¹ Although law school casebooks are truly a unique American creation, they do not enjoy the status of cultural icon like jazz and comic books and, to a great extent, their importance to legal education from a publishing point of view has been largely overlooked.

¶2 The history and evolution of both legal education and the casebook have been well documented, but much of what has been written about the casebook has focused only on how the content has evolved to meet the changing needs of legal education.² Furthermore, casebooks are often portrayed merely as by-products of the shift in educational philosophy begun by Langdell and his colleagues. Although a symbiotic relationship is sometimes acknowledged, not enough attention has been given to the determining role the legal publishing industry played in the early years, which resulted in the successful transition in legal instruction from lecture and textbooks to the case method. Were it not for the systematic publishing and marketing of casebooks on a national level, the case method would not have been able to spread as rapidly as it did. This article examines the economic considerations faced by legal publishers wishing to enter the evolving casebook market. The article also looks at casebook production during the crucial early

* © Douglas W. Lind, 2004.

** Collection Development Librarian, Georgetown University Law Center, Edward Bennett Williams Library, Washington, D.C.

1. CHRISTOPHER COLUMBUS LANGDELL, *A SELECTION OF CASES ON THE LAW OF CONTRACTS* (Boston, Little, Brown 1871).

2. For a detailed discussion of the evolution of the case method as well as citations to most of the related articles, see Steve Sheppard, *An Introductory History of Law in the Lecture Hall*, in *THE HISTORY OF LEGAL EDUCATION IN THE UNITED STATES: COMMENTARIES AND PRIMARY SOURCES 7* (Steve Sheppard ed., 1999).

stages and shows that to profitably participate in the new venture, publishers needed to create a product that could both meet broad customer needs and be accepted by the market.

A Brief History of Legal Education

¶3 To understand the evolution of casebook publishing it is important to look briefly at what preceded the case method of instruction. Legal education before the twentieth century was not standardized, and all that was required to practice law was sufficient knowledge to pass a state's bar exam and in some instances a high school diploma.³ A person could decide how to study for the bar, and apprenticeship with a judge or lawyer was a popular means. One could also attend a preparatory school to get the necessary training. Many of the first schools were not affiliated with a university, but were private programs, often run by lawyers, which did not confer degrees.⁴ It was not until the mid-1800s that law schools gained popularity as the formal trainers of lawyers, growing in number from six in 1830 to more than one hundred by 1900.⁵ Most of these schools that emerged in the latter half of the century were not small privately operated schools, but rather part of a larger university. Bar admission requirements were changing as well. By 1900, almost half of the states required some sort of legal study, either as an apprentice or by attending a law school.⁶

¶4 In these early years, the lecture was the primary method of instruction, frequently based on *Blackstone's Commentaries*.⁷ The lecture evolved into the textbook method of instruction where students were assigned readings from a topical treatise to be memorized and either recited back to the instructor or tested through written quizzes.⁸ Finally, in 1870, Langdell initiated a dramatic shift in educational philosophy when he started using a method where students and teacher together analyzed selected cases with the goal of determining the underlying legal principles. Langdell explained the purpose of his case method of instruction in the introduction to his contracts casebook, stating that the law should be studied as an evolving science through the analysis of cases not only to identify the leading principles governing the topic, but also to understand the law's growth and develop-

3. JOSEF REDLICH, THE COMMON LAW AND THE CASE METHOD IN AMERICAN UNIVERSITY LAW SCHOOLS; A REPORT TO THE CARNEGIE FOUNDATION FOR THE ADVANCEMENT OF TEACHING 7 (Carnegie Foundation for the Advancement of Teaching Bulletin no. 8, 1914).

4. See ALFRED ZANTZINGER REED, TRAINING FOR THE PUBLIC PROFESSION OF THE LAW 431-33 (Carnegie Foundation for the Advancement of Teaching Bulletin no. 15, 1921) (providing a state-by-state list of early private law schools not conferring degrees).

5. *Id.* at 443 tbl. 3.

6. See WEST PUBL'G CO., RULES FOR ADMISSION TO THE BAR IN THE SEVERAL STATES AND TERRITORIES OF THE UNITED STATES (1901) (providing a state-by-state listing of bar admission requirements).

7. REDLICH, *supra* note 3, at 8.

8. *Id.*

ment.⁹ He intended to teach students how to be lawyers by thinking analytically rather than merely learning the current state of the law through textbooks or lectures.

¶5 Langdell's method was not immediately successful. In fact, the first time he used it all but seven students withdrew from his class.¹⁰ Nonetheless, one of the students who remained, James Barr Ames, soon joined the Harvard faculty as associate professor and carried on the work Langdell had begun, employing the case method and compiling several casebooks before the turn of the century.¹¹ The case method was vigorously debated,¹² but in time it spread throughout the law schools, and finally in 1914 the United States Bureau of Education issued a report stating that the case method was the primary form of instruction in U.S. law schools.¹³ For more than 130 years, the case method has continued to evolve, and today casebooks remain the primary vehicle for classroom instruction. The piece of this story that has been largely ignored is the importance of the standardization of the casebook and the expansion of its market in allowing the case method to survive and spread more rapidly. This article seeks to remedy that omission.

Problems with the Early Casebook Market

¶6 It is a basic economic principle that in any market a producer of goods must sell a certain amount to meet expenses before profits are realized. This principle holds true in legal publishing. Before the turn of the century the market for law library and legal practice materials was not a large one, but publishers were aware of what was needed to survive. For example, in 1889, West Publishing Company, incorporated for only seven years but understanding the need to produce and sell legal materials on a national level, increased its market share by driving Little, Brown & Company out of the legal digest market.¹⁴ By the turn of the century, West had become the leader in legal indexing and publishing of case reporters.

¶7 Even though a national customer base had been established for selling legal materials to practitioners and libraries by the late 1800s, the market for law school materials, particularly casebooks, was much smaller and a much more difficult one

9. LANGDELL, *supra* note 1, at vi–vii.

10. Rosamund Parma, *The Origin, History and Compilation of the Casebook*, 14 LAW LIBR. J. 14, 15 (1921).

11. Steve Sheppard, *Casebooks, Commentaries, and Curmudgeons: An Introductory History of Law in the Lecture Hall*, 82 IOWA L. REV 547, 604 (1997). Ames, in fact, became one of the most prolific of the early casebook authors. See *infra* Appendix: Bibliography of Casebooks Published before 1908 (entry nos. 3, 5, 6, 12, 13, 14, 27, 28, 36, 65, 119, 120, 121, 133, 137, 144, 145).

12. For a bibliography of more than one hundred articles for and against the case method, see HARVARD LAW SCHOOL ASS'N, *THE CENTENNIAL HISTORY OF THE HARVARD LAW SCHOOL, 1817–1917*, at 365–71 app. 5 (1918).

13. Henry M. Bates, *Recent Progress in Legal Education*, in 1 U.S. BUREAU OF EDUC., REPORT 225, 235 (1914), *microformed on 20th-Century Legal Treatises*, Fiche 38,119 (Primary Source Media).

14. WILLIAM W. MARVIN, WEST PUBLISHING COMPANY, ORIGIN, GROWTH, LEADERSHIP 69 (1969).

for which to publish. In the United States in 1890 there were almost 90,000 lawyers (or potential customers).¹⁵ By contrast, that same year, there were fifty-four law schools with a total enrollment of slightly more than 5000,¹⁶ and only a small portion of these schools employed the case method. In fact, because the format of law school instruction relied on student use of textbooks and treatises, prior to the case method publishers had no reason to look to law schools as a market separate from practicing lawyers. Textbooks on most subjects were currently being published, used by practitioners, and readily available in law libraries. For example, in 1891 the law library at the University of Iowa contained about six thousand volumes, one thousand of which were textbooks.¹⁷ Even after most schools adopted the case method, textbooks were still so integral to legal education that the Association of American Law Schools required law school libraries to have a certain number of textbooks for admission to the organization.¹⁸ Although students may have been required to purchase them for class work, a textbook also could be seen as an investment to be used later as part of their practice library.¹⁹ With the shift in educational philosophy away from textbooks to the case method in the late 1800s, the ability of publishers to make a portion of their profit, however small, from law school textbook customers was increasingly reduced. But for a variety of reasons, the shift away from textbooks did not mean that legal publishers could immediately find success with an alternative product—law school casebooks.

¶8 Before the turn of the century, the merits of the case method were still being debated and many schools had not yet adopted it.²⁰ The ones that did follow the case method used casebooks that were compiled by the school's instructors for use in their classes, and the notes, if any were included, reflected the instructor's point of view. This is much different from today's casebooks which are heavily annotated and provide the student with a general survey of the topic.

¶9 Because they were printed on demand for individual use, the spread of casebooks across law schools was difficult, and this became a major factor in limiting the ability of legal publishers to make a profit. With instructors compiling materials for use by such a small group of customers who would have no future need for the product, it was difficult to find willing publishers. Remember, there were only 5000 law students nationally in 1890 and only a fraction of these attended schools using the case method. Until the turn of the century, the case method was used only in selected classes at the larger university law schools.²¹ To illustrate how marginal

15. *Report of the Committee on Legal Education and Admission to the Bar*, 20 REP. ANN. MEETING A.B.A. 349, 388 tbl. B (1897).

16. *Id.*

17. Eugene Wambaugh, *Library of the Law Department*, LAW BULL. STATE UNIV. IOWA, no. 2 (1891), at 48, 48.

18. FREDERICK C. HICKS, MATERIALS AND METHODS OF LEGAL RESEARCH 285 (1923).

19. Marvin, *supra* note 14, at 124.

20. Sheppard, *supra* note 11, at 613.

21. *Id.*

the casebook market was to the legal publisher, consider the fact that in 1890, the total student enrollment at the top six law schools was only 1733.²² Although Little, Brown & Company has bragging rights to the fact that it published the first casebook,²³ it is also true that James Barr Ames was forced to self-publish his 1874 casebook on torts²⁴ after Langdell's new style of teaching introduced three years previously was seen by most as a failure, leaving Ames unable to find a publisher.²⁵ Other professors during this period also self-published their casebooks,²⁶ although it is unclear if this was due to an inability to find a publisher or simply for convenience.

¶10 In addition to the insignificant market base, the cost of production was another prohibitive factor in entering the casebook market. Early casebooks were lengthy and therefore expensive to produce. These costs were reflected in the price. Langdell's 1871 *Selection of Cases on the Law of Contracts* was an enormous 1022-page collection of 336 cases (most of them unedited) and sold for \$7.50 when it was published.²⁷ The two-volume, 1537-page casebook on torts by Ames and Smith published in 1893 sold for \$10, and Ames's 1881 *Selection of Cases on Bills*, spanning two volumes and containing nearly 1800 pages, would have cost a student \$12.²⁸ These were staggering amounts of money to ask students to spend on an item for which they would have limited use when they eventually entered the profession. Consider that tuition at the University of Iowa Law School was only \$20 per term in 1891.²⁹ These prices seem even more dramatic when contrasted with the fact that textbooks at the time cost an average of \$5 to \$6.³⁰ Even an unabridged set of *Blackstone's Commentaries*, the basis for many early lectures, could be purchased for no more than \$10.³¹ The sharing of casebooks would be a rational response by students that would only reduce any profits to be made by the publishers.

¶11 Another reason that legal publishers would have been hesitant to enter the casebook market was that the economics of law publishing was changing the way publishers sold their products. In the late nineteenth century, publishers were

22. REED, *supra* note 4, at 452 tbl. 13. The schools and their individual enrollments were Columbia (456), Michigan (405), Harvard (265), Georgetown (217), George Washington (210), and Boston (180).

23. LANGDELL, *supra* note 1.

24. JAMES BARR AMES, *SELECT CASES ON TORTS* (Cambridge, Mass., 1874).

25. Parma, *supra* note 10, at 16.

26. Examples of self-published casebooks include C. C. LANGDELL, *CASES ON EQUITY PLEADING* (Cambridge, Mass., 1878); EMLIN McCLAIN, *A SELECTION OF CASES ON THE LAW OF CARRIERS OF GOODS AND OF PASSENGERS* (Iowa City, 1894); LESLIE J. TOMKINS, *CORPORATIONS* (New York, 1899).

27. See JOHN CAMPBELL, *A CATALOGUE OF LAW BOOKS PUBLISHED FOR SALE BY JOHN CAMPBELL & SON* 139 (Philadelphia, John Campbell & Son 2d ed. 1872).

28. See H.E. GRISWOLD, *CATALOGUE OF LAW BOOKS, PUBLISHED FOR SALE BY BANKS & BROTHERS* 211 (New York, Banks & Bros. 1894).

29. See *LAW BULL. STATE UNIV. IOWA*, no. 2 (1891), at rear cover.

30. See WILLIAM GOULD, *CATALOG OF LAW BOOKS* 89-173 (Albany, William Gould, Jr. & Co. 6th issue 1888).

31. *Id.* at 96.

beginning to sell products on a subscription basis whereby customers would pay in advance for a series or collection of books.³² The subscription method was becoming the preferred means of business not only because publishers could better anticipate the customer base for a product, but also because it minimized the need for a large advance outlay of money to produce the materials. These lower production costs also allowed publishers to keep prices down, and with a known minimum number of customers there was also a reduced risk of being saddled with unsold stock.³³ To compare with the previously mentioned prices for early casebooks, which were produced on demand, lawyers in 1888 could purchase an annual subscription to *Lawyers Reports Annotated* for only \$25 and a subscription to the National Reporter System for \$40.³⁴ It is clear that the limited market, physical size of the items, and initial outlay of production costs were determining factors in the high price of early casebooks, especially considering that fifty years later, after casebook production had become standardized and marketed nationally, the average cost of a casebook was between \$5 and \$6.³⁵

¶12 Given the aforementioned reasons not to publish casebooks, there nevertheless was a market need, and legal publishers wishing to meet this need and make a profit would either have to wait until the market grew to a profitable size, or create a product that was general enough to be marketed broadly yet specific enough to meet the individual demands of case method instructors.

Comparisons to Early Growth and Standardization of Case Reports

¶13 The idea of finding a niche in the market was not foreign to legal publishers, and comparisons can be found in the publishing of reporters in the mid-1800s. After the United States Supreme Court ruled in 1834 that the protections of copyright did not extend to written court opinions,³⁶ many legal publishers made their profits by producing collections of selected cases with precedential value to be sold to an already established market desperate for practice materials. Several publishers covered similar jurisdictions during this period, but coexisted in the same market by providing different selections of cases and editorial content.³⁷ In 1879, the West Publishing Company dramatically changed case reporter publishing by introducing the *Northwestern Reporter*, the first title in what would eventually become the National Reporter System.

32. *A Symposium of Law Publishers*, 23 AM. LAW REV. 396, 399 (1889) (remarks of Charles C. Soule).

33. *Id.*

34. Thomas J. Young, *A Look at American Law Reporting in the 19th Century*, 68 LAW LIBR. J. 294, 303 (1975).

35. See JOHN BYRNE & CO., CATALOG OF LAW BOOKS 2-4 (1941).

36. *Wheaton v. Peters*, 33 U.S. (8 Pet.) 591 (1834).

37. Young, *supra* note 34, at 301.

¶14 Unlike other publishers who only compiled selected decisions which their editors felt were the most important, West collected and published *all* decisions from multiple jurisdictions. West's philosophy was that its customer would be a better lawyer by having available the entire body of law on which to base arguments and defenses "with the certainty that no decisions in point have escaped his attention."³⁸ In addition to multijurisdictional and comprehensive coverage, West also offered the opportunity for customers to purchase individual cases on demand for as little as twenty-five cents.³⁹ As West's products received endorsements from judges and courts, they increasingly were cited in opinions, law reviews, and textbooks. As a result, West titles were becoming essential to practicing lawyers' libraries.

¶15 In 1898, the American Bar Association's Committee on Law Reporting and Digesting addressed the problems facing the profession associated with the dramatic increase in case reporting, indexing, and digesting by the various publishers. Although West Publishing was not specifically mentioned, the committee cited the uniform method that West was using in its National Reporter System as the preferred and recommended method.⁴⁰ The committee also weighed in on the debate regarding comprehensive versus selected reporting, stating that "we think it is better that all the bulk of the reports should be unduly increased rather than that important precedents should be omitted."⁴¹ Now with the stamp of approval from the American Bar Association, West continued to expand its National Reporter System, and by the turn of the century it had become the primary publisher of case reports and digests.

¶16 West's ability to dominate the digest and reporter market also was aided by rapid changes in printing technology. At the turn of the century, West had moved from slower methods of typesetting to the Linotype which could set entire lines of type using a keyboard. West's sixteen machines were operated by thirty men doing the work that under the old system required one hundred and fifty.⁴² The combination of the availability of the Linotype and West's large work force also magnified the speed of production. For example, in two weeks West could produce a twenty-five-volume set of the *American Digest*, a process that would otherwise have taken one person over seven years to set with older technology.⁴³

¶17 The evolution of the publishing of case reporters is much different from that of casebooks in that one product served a large established market, while the

38. *A Symposium of Law Publishers*, *supra* note 32, at 404 (remarks of John B. West).

39. *Id.* at 403–04.

40. *Report of Committee on Law Reporting and Digesting*, 21 REP. ANN. MEETING A.B.A. 437, 440–41 (1898).

41. *Id.* at 444.

42. WEST PUBL'G CO., LAW BOOKS BY THE MILLION: AN ACCOUNT OF THE LARGEST LAW-BOOK HOUSE IN THE WORLD, THE HOME ESTABLISHMENT OF THE NATIONAL REPORTER SYSTEM AND THE AMERICAN DIGEST SYSTEM 7 (1901).

43. *Id.* at 6.

casebook market was small and still evolving. But it does provide an important illustration of how the West Publishing Company standardized an area of legal publishing, and in doing so, created a national market for its product. It also shows how West, as *the* publisher of comprehensive case reporters and seller of individual cases, was positioned to meet the demands of law school case method customers whose needs were essentially collections of selected cases.

Identifying and Analyzing Early Casebooks

¶18 To better analyze how publishers responded to the law school market need for casebooks, it is necessary to identify as many of the first casebooks as possible to see the body of published works as a whole. Unfortunately, although many journal articles discussing the evolution of the case method mention individual titles in footnotes and reviews and Josef Redlich mentions that at least eighty-six casebooks were published before 1908,⁴⁴ there is no bibliography that identifies all of these materials. In creating a bibliography of early casebooks for this article,⁴⁵ 1907 was used as the inclusive cutoff date because, as will be discussed in detail later, 1908 saw the beginning of the standardization and marketing of the casebook with West's American Casebook Series, as well as a dramatic increase in the growth of new law schools. It is also important to remember that not all collections of cases during this period were "casebooks" to be used as part of the law school curriculum. Many topical collections of leading cases were produced for use in the practice of law, such as *American Corporation Cases*⁴⁶ and *Leading American Railway Cases*.⁴⁷ An effort has been made to identify and include only those titles that appear to have been created specifically for use in a classroom setting. In most instances, this determination was made on the basis of either title page statements or the author's preface to the collection. These are included as annotations in the bibliography.

¶19 Contrary to Redlich's findings, the bibliography shows that, in fact, at least 171 titles were produced before the introduction of the American Casebook Series in 1908, with the Harvard faculty alone producing 65. But because the case method did not begin to rapidly spread until 1900, the 171 titles represent the work of only sixty-three authors. The bibliography also supports the assumption that most early casebooks were published locally, probably on an as-needed basis. Instructors from Harvard used Harvard Law Review (located in Cambridge, Massachusetts), C. W. Sever (Cambridge), or Little, Brown (Boston). Instructors

44. REDLICH, *supra* note 3, at 49 n.3.

45. See *infra* Appendix: Bibliography of Casebooks Published before 1908.

46. THE AMERICAN CORPORATION CASES: EMBRACING THE DECISIONS OF THE SUPREME COURT OF THE UNITED STATES, THE CIRCUIT COURTS OF THE UNITED STATES, AND THE COURTS OF LAST RESORT IN THE SEVERAL STATES, SINCE JANUARY 1, 1868, OF QUESTIONS PECULIAR TO THE LAW OF CORPORATIONS (Thomas F. Withrow ed., Chicago, E. B. Myers 1872).

47. ISAAC F. REDFIELD, LEADING AMERICAN RAILWAY CASES (Boston, Little, Brown 1872).

from Michigan tended to use Callaghan (Chicago) or West (St. Paul, Minnesota). James Brown Scott at Columbia used Baker, Voorhis (New York).

¶20 The tables below illustrate two different aspects in the growth of casebook production. Table 1 shows clearly that 1895–99 was the period when most casebooks were produced and when publishers other than the local Harvard ones began entering the market. Although the following years saw a slight decline in the number of titles produced, the market was now large enough to support an increasing array of publishers coexisting by producing materials for local authors. This is also the period when the number of law schools began to expand rapidly. In the first decade of the twentieth century more than twenty new law schools had opened, bringing the total to 124, and the total number of schools was doubling every twenty years.⁴⁸

Table 1
Casebook Production by Publisher

| Publisher | 1871–79 | 1880–89 | 1890–94 | 1895–99 | 1900–07 | Total |
|--------------------------------|----------------|----------------|----------------|----------------|----------------|--------------|
| West | | | 3 | 25 | 7 | 35 |
| Harvard Law Rev. Pub. Ass'n | 1 | | 6 | 5 | 14 | 26 |
| Little, Brown | 3 | 1 | 5 | 5 | 8 | 22 |
| Callaghan | | | 1 | 2 | 8 | 11 |
| T. & J.W. Johnson | | | 5 | 6 | | 11 |
| Banks | | | 3 | 3 | 3 | 9 |
| Baker, Voorhis | | | 1 | 6 | 2 | 9 |
| C. W. Sever | 1 | 2 | 1 | 1 | 2 | 7 |
| Harvard University Press | | | | 2 | 3 | 5 |
| Bowen-Merrill | | | | 1 | 2 | 3 |
| G. Wahr | | | | | 3 | 3 |
| J. Wilson | 1 | 1 | 1 | | | 3 |
| Boston Book Co. | | | 1 | | 1 | 2 |
| Diossy | | | | 2 | | 2 |
| Gibb & Moran | | | 1 | | | 1 |
| Houghton | | | | | 1 | 1 |
| Rees Welsh | | | | 1 | | 1 |
| Soule & Bugbee | | 1 | | | | 1 |
| F. H. Thomas | | | | 1 | | 1 |
| Tompkins | | | | | 1 | 1 |
| Self or other | 4 | 1 | 4 | 2 | 6 | 17 |
| Total | 10 | 6 | 32 | 62 | 61 | 171 |

48. REED, *supra* note 4, at 444 tbl. 6.

¶21 Not only were more law schools being established, the pace of the adoption of the case method also was growing rapidly as Langdell's disciples accepted positions at schools across the country and increased the number of converts. In 1889, Eugene Wambaugh went to the University of Iowa, and in 1890 William Keener went to Columbia. In the following years, both published several casebooks for their classes.⁴⁹ As another example, in 1893 John Henry Wigmore joined the faculty of the law school at Northwestern, became dean in 1901, and by 1902 had converted all of the faculty to the case method.⁵⁰

¶22 Although legal publishers may have recognized the pace of case method adoption, they were still faced with the fact that casebooks were being produced locally, primarily for use in individual law schools, and were not yet generalized enough to be adopted broadly across schools. Just as table 1 illustrates how legal publishers' output mirrored the expansion of the case method, table 2 shows that as schools adopted the case method, professors did not rely on the casebooks that were already available, but rather preferred to compile their own. Although this practice expanded the market and allowed more titles to be produced by more publishers, these school-specific titles only continued to impede the ability of publishers to make a profit because of the small customer base. However, this is not to say that publishers did not attempt to market their products broadly. T. & J.W. Johnson's Pattee Series provides a good illustration of many of the problems facing publishers in the early casebook market.

Table 2

Casebook Production by School

| School | 1871-79 | 1880-89 | 1890-94 | 1895-99 | 1900-07 | Total |
|---------------------|---------|---------|---------|---------|---------|-----------|
| Harvard | 10 | 6 | 15 | 9 | 25 | 65 |
| Michigan | | | 1 | 10 | 13 | 24 |
| Minnesota | | | 6 | 14 | 0 | 20 |
| Columbia | | | 5 | 8 | 5 | 18 |
| New York University | | | 1 | 4 | 3 | 8 |
| Cornell | | | 1 | 3 | 3 | 7 |
| Detroit | | | | 4 | | 4 |
| Iowa | | | 2 | 1 | 1 | 4 |
| Missouri | | | | | 4 | 4 |
| Boston | | | | 1 | 2 | 3 |
| Chicago | | | | 2 | 1 | 3 |
| Georgetown | | | | 3 | | 3 |
| Yale | | | | 1 | 1 | 2 |
| Nebraska | | | | | 1 | 1 |

(cont.)

49. HARVARD LAW SCHOOL ASS'N, *supra* note 12, at 14.

50. Sheppard, *supra* note 2, at 33.

| School | 1871–79 | 1880–89 | 1890–94 | 1895–99 | 1900–07 | Total |
|---------------------------------------|-----------|----------|-----------|-----------|-----------|------------|
| Northwestern | | | | | 1 | 1 |
| Pennsylvania | | | | | 1 | 1 |
| University of the City of New York | | | | 1 | | 1 |
| Unattributable | | | 1 | 1 | | 2 |
| Total | 10 | 6 | 32 | 62 | 61 | 171 |

The Pattee Series

¶23 Introduced in 1893, the Pattee Series marked a seminal period in the production of casebooks because it was the first time a legal publisher attempted to create a series of general products and market them to a broad group of customers. T. & J.W. Johnson, Philadelphia-based publishers, relied on collections of cases compiled between 1893 and 1897 by William Sullivan Pattee, dean of the University of Minnesota Law School, and his colleague, Professor James Paige, for use in their classes. T. & J.W. Johnson published and sold these collections under the general title of the Pattee Series in the hope that other schools would adopt them for their own courses.⁵¹ Covering nine subjects by 1897, the casebooks were marketed to a large audience by including a series designation on the title page and a preface stating that although designed for a single class at Minnesota, the books covered each topic generally so that other schools could adopt them.⁵² Some of the titles also listed available and forthcoming books in the series and included their prices (which ranged from two to six dollars).⁵³

¶24 This first attempt to standardize casebooks faced several internal and external problems. The books in the series lacked uniformity, and the marketing of the several titles as a “series” seems to have been an afterthought. Not all of the titles listed as being part of the series actually had the series designation on their title page.⁵⁴ Similarly, some books that did contain the series mark lacked the preface which both explained the intent of the series and provided the list of available titles.⁵⁵ From a marketing point of view, there was the danger that a customer using one of the casebooks could be unaware that it was part of a series.

51. See JAMES PAIGE, *ILLUSTRATIVE CASES IN DOMESTIC RELATIONS*, at iii (Philadelphia, T. & J.W. Johnson 1893).

52. See, e.g., *id.*

53. See, e.g., W. S. PATTEE, *ILLUSTRATIVE CASES IN REALTY* (Philadelphia, T. & J.W. Johnson 1896) (unnumbered pages following the preface).

54. See, e.g., *id.*; W. S. PATTEE, *ILLUSTRATIVE CASES IN CONTRACTS* (2d ed. 1896); W. S. PATTEE, *ILLUSTRATIVE CASES IN EQUITY* (3d ed., Philadelphia, T. & J.W. Johnson 1896); W. S. PATTEE, *ILLUSTRATIVE CASES IN INSURANCE* (Philadelphia, T. & J.W. Johnson 1896); W. S. PATTEE, *ILLUSTRATIVE CASES IN PERSONALTY* (Philadelphia, T. & J.W. Johnson 1893).

55. See, e.g., JAMES PAIGE, *ILLUSTRATIVE CASES IN COMMERCIAL PAPER* (Philadelphia, T. & J.W. Johnson 1895); JAMES PAIGE, *ILLUSTRATIVE CASES IN TORTS* (Philadelphia, T. & J.W. Johnson 1896).

¶25 Another problem with the Pattee Series was that despite the market shift to the case method in the 1890s, Johnson seemed to be selling a product that, although a collection of cases, made an effort to distance itself from customers who had abandoned textbooks for the case method. Those titles that did contain a list of books in the series also contained the curious statement: “This series is not intended to supersede text-books, but rather to supplement them.”⁵⁶ It also should be noted that Johnson did not offer textbooks that could be supplemented by the series.

¶26 Although the market was in transition toward the case method, another issue limiting the success of the series was that many professors still preferred to create their own collections of cases to be used in their classes. In fact, many of the prefaces of the Pattee Series supported this despite Johnson’s attempts to market them broadly. For example, William Pattee’s prefaces included statements such as, “they are not designed to be used alone, but in connection with my lectures.”⁵⁷ Further illustrating this external problem was the fact that faculty from other schools used Pattee titles not as required classroom reading, but rather to help them produce their own casebooks.⁵⁸

West Tests the Market

¶27 T. & J.W. Johnson was not the only publisher experimenting at the time with ways to profit from the evolving casebook market. The most significant figure in table 1 is the twenty-five titles published by West in the five-year period between 1895 and 1899. Like other publishers, West concentrated its publications in a local market, publishing for professors at the University of Michigan⁵⁹ and Detroit College of Law,⁶⁰ but it also produced titles for professors at Georgetown⁶¹ and Columbia.⁶² Clearly this sudden increase in production was West testing the viability of an evolving national casebook market as well as establishing itself as the dominant force in the future market regardless of current profitability. In fact, as early as 1891, West boasted of having a separate department specifically dedicated to producing casebooks and curriculum materials other than textbooks.⁶³

¶28 As with the market for case reporters, West was keenly aware that the case

56. PATTEE, *supra* note 53.

57. W. S. PATTEE, *ILLUSTRATIVE CASES IN EQUITY* (3d ed., Philadelphia, T. & J.W. Johnson 1896).

58. For example, the title page of HARRY B. HUTCHINS, *CASES ON EQUITY JURISPRUDENCE* (St. Paul, West 1895), states that the book was produced “for use in connection with his (Hutchins) lectures” and “have been chiefly selected from Fetter’s *Cases on Equity Jurisprudence* and Pattee’s *Cases in Equity*.” Similarly, the title page of SETH SHEPARD, *CASES ON EQUITY JURISPRUDENCE* (St. Paul, West 1895), includes the notation: “selected from Fetter’s *Cases on Equity Jurisprudence* and Pattee’s *Cases in Equity*.”

59. *E.g.*, JOHN W. CAMPLIN, *CASES ON THE LAW OF CORPORATIONS* (St. Paul, West 1896).

60. *E.g.*, JASPER C. GATES, *CASES ON THE LAW OF EVIDENCE* (St. Paul, West 1897).

61. *E.g.*, SETH SHEPARD, *CASES ON CORPORATIONS* (St. Paul, West 1896).

62. *E.g.*, G. M. CUMMING, *CASES ON PRIVATE CORPORATIONS* (St. Paul, West 1894); JAMES BROWN SCOTT, *CASES ON INTERNATIONAL LAW* (1906).

63. WEST PUBL’G CO., *THE PUBLICATIONS OF WEST PUBLISHING COMPANY* 6 (1901).

method was rapidly expanding and that as a result it would soon be in competition with other publishers for the casebook market. And as with case reporters, West sought to dominate the casebook market both by providing a product that could be sold nationally and by driving out competition. Illustrating this fact was West's unsuccessful attempt to purchase the copyright of casebooks by the Harvard faculty in the 1890s when they represented the majority of titles currently available.⁶⁴ Undeterred, West began producing titles locally on an as-needed basis and quickly became the single largest publisher of casebooks from 1895 through the turn of the century.⁶⁵

¶29 Both the case method and the casebook market continued to expand throughout the first decade of the twentieth century. In fact, so rapid was the spread of the case method, either wholly or in part, that it has been described as growing "like kudzu through American law schools."⁶⁶ Nevertheless, although rapid advances in printing had reduced production costs, the other problems inherent in the early casebooks remained. Apart from the small but growing market size, the largest problems now facing publishers were that casebooks were not standardized enough to be adopted by many schools and that they tended to be increasing in size. For a publisher to make a profit, the product needed to be modified to address these problems yet still meet customer needs. In 1908, with the introduction of the first title in the American Casebook Series,⁶⁷ West Publishing Company was on its way to accomplishing this and thereby facilitating the continued spread of the case method.

The American Casebook Series

¶30 In the American Casebook Series, West produced a collection of books whose content could meet the specific needs of the increasing number of law schools moving to the case method, yet was general enough to be adopted by any of them. In addition, and perhaps more important, each book in the series served not only as a marketing tool describing the virtues of West's casebook system, but also as an instrument in swaying opinion toward the continued use of the case method and expansion of the market. Unlike the Pattee Series which tried to accommodate only those professors using textbooks, every West title contained a preface by series editor James Brown Scott (himself an early casebook author), first defending and praising the case method, then describing how it was now easier for schools to adopt the casebooks because the series was geared to standard law school courses. Advocating for the case method, the preface cited the "faulty" lecture system and contains the strong if not presumptuous statement: "It is not too

64. HARVARD LAW SCHOOL ASS'N, *supra* note 12, at 83.

65. *See supra* table 1.

66. SHEPPARD, *supra* note 2, at 33.

67. WILLIAM E. MIKELL, *CASES ON CRIMINAL LAW: SELECTED FROM DECISIONS OF ENGLISH AND AMERICAN COURTS* (1908).

much to say that the lecture system is doomed.”⁶⁸ Unlike other casebooks which in effect were specific to one instructor and one school, West’s casebooks were arranged and annotated to be a survey of the law. The preface also distinguished the series from the competition, arguing that their casebooks were too large and too specific. Defending the series, Scott explained that because the case method approached the learning of the law as a science, casebooks should “cover the general principles of a given subject in the time allotted, even at the expense of a considerable sacrifice of detail.”⁶⁹

¶31 Like the National Reporter System which was developed over a ten-year period, the American Casebook Series was not complete when introduced.⁷⁰ The promise was to have one casebook for each of the thirty-one classes in the standard law school curriculum, but the series was introduced with only five titles. Ten years later, the series was still not complete. Nevertheless, by including a catalog of available and forthcoming titles in every casebook, West staked its claim on the market and put customers on notice that a system was in place to meet all of their curricular needs.

¶32 West had now created a product that could be marketed to all customers, but there was no guarantee that they would accept it. At the time, there was much debate over whether students should be taught from “pure” casebooks (that is, ones containing only unedited cases) or ones that were annotated, edited, and that provided a general survey of the law (like those of the American Casebook Series).⁷¹

Pure Casebooks versus the American Casebook Series

¶33 An analysis of one author’s casebooks can best illustrate both the rationale and publishing problems associated with the pure casebook and how West responded. University of Michigan professor Floyd Mechem was a convert to the case method and published several of the early casebooks. He was also a believer in the pure casebook. Mechem explained the absence of annotations in the preface to his 1893 casebook on agency, stating that “the volume is intended primarily for the use of students, for whom the making of their own abstracts is a most valuable exercise.”⁷² One assumes that the students were not consulted.

¶34 Mechem’s agency casebook also illustrates the problem previously discussed that early casebooks reflected the compiler’s point of view and therefore prohibited broad adoption among schools. In his preface, Mechem acknowledges the fact that opinions will differ as to which cases should be included, but it was

68. See, e.g., *id.* at v.

69. See, e.g., *id.* at vi.

70. See *id.* at x.

71. See generally Albert Ehrenzweig, *The American Casebook: “Cases and Materials,”* 32 GEO. L.J. 224 (1944) (providing good discussion of the pure casebook debate, including many references and citations to examples).

72. FLOYD R. MECHEM, *CASES ON THE LAW OF AGENCY*, at iii (Chicago, Callaghan 1893).

hoped that his book could be adopted by others because it could be accompanied by his textbook on the same topic.⁷³ In effect, students would have to purchase two books if Mechem's casebook was adopted.

¶35 Apart from the difficulty of wide adoption across schools, other problems with pure casebooks from a publisher's point of view were the constant need for new editions and their ever-increasing size. This was particularly true in evolving or rapidly changing areas of law. For example, Mechem's *Cases on the Law of Damages*, published in 1895, contained a reasonable 249 pages.⁷⁴ The second edition, published only three years later, had grown to 487 pages,⁷⁵ and the third edition, arriving only four years after the second, had tripled from its original size, spanning 758 pages with over 260 cases.⁷⁶ Further illustrating this point, Mechem's 1896 casebook on partnership⁷⁷ required a new edition in 1903.⁷⁸ The preface to this new edition acknowledged that the primary difference from the first edition was that "the number of cases has considerably increased."⁷⁹ From an instructional standpoint, providing the student with more information may have been more valuable, but it would also have the effect of increasing production costs and therefore price.

¶36 Ironically, Mechem's work also best demonstrates how West responded with a profitable alternative to the pure casebook. In 1909, West republished a modified version of Mechem's 1902 third edition on damages as part of its casebook series.⁸⁰ Barry Gilbert, a law professor at the University of Illinois, was added as a collaborator to transform Mechem's work into a standardized West product that could be marketed more broadly. Gilbert omitted 113 of the 263 cases and edited the remaining 150 so as to cut out the "extraneous matter."⁸¹ In addition, Gilbert rearranged the entire scheme and included annotations, restatements of the facts, and cross-references.⁸² The book also included the standard preface by series editor Scott arguing for the case method and distinguishing the series from the competition. Ten years later, when the preface was updated, this version of Mechem's casebook was unchanged.⁸³

73. *Id.*

74. FLOYD R. MECHEM, *CASES ON THE LAW OF DAMAGES* (St. Paul, West 1895).

75. FLOYD R. MECHEM, *CASES ON THE LAW OF DAMAGES* (2d ed. 1898).

76. FLOYD R. MECHEM, *CASES ON THE LAW OF DAMAGES* (3d ed. 1902).

77. FLOYD R. MECHEM, *CASES ON THE LAW OF PARTNERSHIP* (Chicago, Callaghan 1896).

78. FLOYD R. MECHEM & FRANK L. SAGE, *CASES ON THE LAW OF PARTNERSHIP* (2d ed. 1905). Although the title page of this book indicates a publication date of 1905, the verso of the title page indicates a copyright date of 1903 and the author's "note to second edition" is dated June 15, 1903.

79. *Id.* at iii.

80. FLOYD R. MECHEM & BARRY GILBERT, *CASES ON DAMAGES SELECTED FROM DECISIONS OF ENGLISH AND AMERICAN COURTS* (1909).

81. *Id.* at xiii.

82. *Id.*

83. It should also be noted that the casebooks that contained the new preface dated 1919 and written by William R. Vance, the general editor who replaced James Brown Scott, retained the 1909 copyright date and are in all other respects indistinguishable from the original edition.

Case Method Becomes the Accepted Form of Teaching

¶37 Due in part to the availability of a collection of standardized casebooks, the case method continued to spread rapidly and in 1914 the Bureau of Education issued a report stating that it was “the principle, if not the exclusive, method of teaching in nearly all of the stronger law schools of the country.”⁸⁴ Not only had legal education made a complete transition, but a niche market for legal publishers was now secure. Recognizing this fact, in 1915 West changed its standard casebook preface arguing for schools to adopt the case method and replaced it with an acknowledgment that legal education had changed, citing the Bureau of Education report, but still pushing for the continued adoption of both the American Casebook Series and the case method (and therefore expansion of the market).⁸⁵

¶38 The fact that the market had become stable and profitable was evidenced by the rapid growth in casebook production by publishers other than West. It has been estimated that between 1915 and 1941 nearly one hundred casebooks were published every year.⁸⁶ Today there continues to be an ever-increasing number of titles available on every legal topic and subtopic. From early on, the case method seemed to have the momentum to survive, but were it not for the West Publishing Company leading the way in the standardization and marketing of casebooks, the case method would not have spread as quickly as it did.

84. Bates, *supra* note 13, at 235.

85. See, e.g., CHARLES M. HEPBURN, CASES ON THE LAW OF TORTS [iii] (1915).

86. Ehrenzweig, *supra* note 71, at 224.

Appendix
Bibliography of Casebooks Published before 1908⁸⁷

Chronological

1. Langdell, Christopher Columbus. *A Selection of Cases on the Law of Contracts*. Boston: Little, Brown, 1871.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
2. Langdell, Christopher Columbus. *A Selection of Cases on Sales of Personal Property*. Boston: Little, Brown, 1872.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
3. Ames, James Barr. *Select Cases on Torts*. Cambridge, Mass.: s.n., 1874.
[Harvard]
4. Langdell, Christopher Columbus. *Cases in Equity Pleadings*. Cambridge, Mass.: Printed for the Author, 1875–76.
[Harvard]
5. Ames, James Barr. *A Selection of Cases on Pleading at Common Law*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1875.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
6. Ames, James Barr. *A Selection of Cases on Pleading at Common Law*. Cambridge, Mass.: Press of John Wilson and Son, 1875.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
7. Langdell, Christopher Columbus. *Cases in Equity Pleading*. Cambridge, Mass.: C. W. Sever, 1878.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
8. Langdell, Christopher Columbus. *Cases in Equity Pleading*. Cambridge, Mass.: Printed for the Author, 1878.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
9. Langdell, Christopher Columbus. *Cases on Equity Jurisdiction*. Cambridge, Mass.: [1879].
[Harvard]
10. Langdell, Christopher Columbus, and Samuel Williston. *A Selection of Cases on the Law of Contracts*. 2d ed. Boston: Little, Brown, 1879.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
11. Langdell, Christopher Columbus. *Summary of the Law of Contracts*. 2d ed. Boston: Little, Brown, 1880.
Not a true casebook, but included in this list because it was intended to be used as a supplement to the 1879 casebook and due to its importance to the early case method movement. [Harvard]

87. The bibliography is arranged chronologically by date of publication. Author and subject indexes are included. Annotations include textual statements from either the title page or preface that indicate the title was intended for classroom use. The casebook author’s law school affiliation is listed in brackets.

12. Ames, James Barr. *A Selection of Cases on the Law of Bills and Notes and Other Negotiable Paper*. Boston: Soule & Bugbee, 1881.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
13. Ames, James Barr. *A Selection of Cases on the Law of Partnership*. Cambridge, Mass.: Riverside Press, 1881–87.
[Harvard].
14. Ames, James Barr. *A Selection of Cases on the Law of Trusts*. Cambridge, Mass.: John Wilson & Son, 1881–82.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
15. Gray, John Chipman. *Select Cases and Other Authorities on the Law of Property*. Cambridge, Mass.: Charles W. Sever, 1888.
“This Collection of Cases is prepared for the convenience of students in the Law School of Harvard University” (preface). [Harvard]
16. Keener, William A. *A Selection of Cases on the Law of Quasi Contracts*. Cambridge, Mass.: Charles W. Sever, 1888.
“[A] collection intended primarily for the use of Harvard Law Students” (preface). [Harvard]
17. Burdick, Francis M. *Cases on Torts*. New York: Banks & Bros., 1891.
“Selected and arranged for the use of law students” (title page). [Columbia]
18. Chaplin, H. W. *Cases on Criminal Law*. Boston: Little, Brown, 1891.
“Prepared for use in the law school of Harvard University” (title page). [Harvard]
19. Keener, William A. *Selections From Leake’s Elements of the Law of Contracts and Finch’s Cases on Contracts*. New York: Baker, Voorhis, 1891.
“Arranged as a text-book for law students” (title page). [Columbia]
20. Thayer, James Bradley, and Frederick Green. *Cases on Evidence*. Cambridge, Mass.: s.n., 1891.
“For the use of the class in evidence at the Harvard Law School” (title page). [Harvard]
21. Burdick, Francis M. *Cases on Torts*. New York: Banks & Bros., 1892.
[Columbia]
22. Cumming, G. M. *Cases on Private Corporations*. Cambridge, Mass.: John Wilson and Son, 1892.
“Arranged for use as a text-book” (title page). [Columbia]
23. Harvard Law School, *Cases on Constitutional Law*. S.l.: s.n., 1892–93.
“For the use of the class in constitutional law at the Harvard Law School” (title page). [Harvard]
24. Thayer, James Bradley. *Select Cases on Evidence at the Common Law*. Cambridge, Mass.: Charles W. Sever, 1892.
“This book is designed, primarily, for the use of these (Harvard Law School) classes” (preface). [Harvard]
25. Abbott, Austin. *Select Cases on Code Pleading*. New York: Gibb Bros. & Moran, 1893.
[New York University]

26. *Adams' Illustrative Cases on the Law of Sales*. St. Paul, Minn.: West, 1893.
"[S]elected by professors of leading law schools" (title page); "issued by the publishers for the use, more especially, of law students" (preface).
27. Ames, James Barr. *A Selection of Cases on the Law of Trusts*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1893.
[Harvard]
28. Ames, James Barr, and Jeremiah Smith. *A Selection of Cases on the Law of Torts*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1893.
[Harvard]
29. McClain, Emlin. *A Selection of Cases on the Law of Carriers*. Iowa City: The author, 1893.
[University of Iowa]
30. Mechem, Floyd R. *Cases on the Law of Agency*. Chicago: Callaghan & Co., 1893.
"Prepared at the request of several leading educators" (preface). [University of Michigan]
31. Paige, James. *Illustrative Cases in Domestic Relations*. Philadelphia: T. & J.W. Johnson, 1893.
"[C]hiefly for the use of students in our own school" (preface). Pattee Series. [University of Minnesota]
32. Pattee, William Sullivan. *Illustrative Cases in Contracts*. Philadelphia: T. & J.W. Johnson, 1893.
"This collection of cases has been made for use in the classroom in connection with my lectures upon the subject of Contracts" (preface). [University of Minnesota]
33. Pattee, William Sullivan. *Illustrative Cases in Equity*. St. Paul, Minn.: West, 1893.
[University of Minnesota]
34. Pattee, William Sullivan. *Illustrative Cases in Personalty*. Philadelphia: T. & J.W. Johnson, 1893.
"[F]or use in the class-room in connection with my lectures upon that subject" (preface). [University of Minnesota]
35. Snow, Freeman. *Cases and Opinions on International Law*. Boston: Boston Book Co., 1893.
"The object has been primarily to provide a convenient collection of materials relating to International Law, for the use of students" (preface). [Harvard]
36. Ames, James Barr. *A Selection of Cases on Bills and Notes and Other Negotiable Paper*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1894.
"Prepared for use as a text-book in Harvard law school" (title page). [Harvard]

37. Beale, Joseph Henry. *A Selection of Cases and Other Authorities Upon Criminal Law*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1894.
[Harvard]
38. Beale, Joseph Henry. *A Short Selection of Illustrative Criminal Cases*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1894.
[Harvard]
39. Bigelow, Melville Madison. *Cases on the Law of Bills, Notes and Cheques*. Boston: Little, Brown, 1894.
“To accompany *Elements of the Law of Bills, Notes and Cheques, for Students*” (title page). [Harvard]
40. Cumming, G. M. *Cases on Private Corporations*. St. Paul, Minn.: West, 1894.
“Arranged for use as a text-book” (title page). [Columbia]
41. Huffcut, Ernest W., and Edwin H. Woodruff. *American Cases on Contract*. New York: Banks & Bros., 1894.
“This volume is the outcome of a need experienced in the classes of a professional law school” (preface). [Cornell and Stanford]
42. McClain, Emlin. *A Selection of Cases on the Law of Carriers of Goods and of Passengers*. Iowa City: Published by the Author, 1894.
“The aim has been to print at least one case on each question which a teacher would feel called upon to present to his class in a course of instruction on the subject” (preface). [University of Iowa.]
43. Paige, James. *Illustrative Cases in Partnership*. Philadelphia: T. & J.W. Johnson, 1894.
“[P]repared for the use of law students” (preface). [University of Minnesota]
44. Pattee, W. S. *Illustrative Cases in Realty*. Philadelphia: T. & J.W. Johnson, 1894.
“I have been encouraged to prepare for my students . . . a similar collection of cases in realty” (preface). [University of Minnesota]
45. Wambaugh, Eugene. *Cases for Analysis*. Boston: Little, Brown, 1894.
“[P]repared as a basis for a course of instruction in the use of the reports” (preface). [Harvard]
46. Wambaugh, Eugene. *The Study of Cases*. 2d ed. Boston: Little, Brown, 1894.
“The aim of this volume is to teach students the methods by which lawyers detect dicta and determine the pertinence and weight of reported cases” (preface). [Harvard]
47. Williston, Samuel. *A Selection of Cases on the Law of Contracts*. Boston: Little, Brown, 1894.
“Prepared for use as a text-book in Harvard law school” (title page). [Harvard]
48. Williston, Samuel. *A Selection of Cases on the Law of Sales of Personal Property*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1894.
[Harvard]

49. Abbott, Austin. *Select Cases on Code Pleading*. 2d ed. New York: Diossy Law Book Co., 1895.
[New York University]
50. Abbott, Austin. *Select Cases on the Law of Evidence*. New York: Diossy Law Book Co., 1895.
“[C]ollected for the purpose of instructing my classes in the New York University Law School” (preface). [New York University]
51. Beale, Joseph Henry. *A Collection of Cases on the Measure of Damages*. Boston: Little, Brown, 1895.
“[T]his collection of cases is offered primarily for the use of students” (preface). [Harvard]
52. Burdick, Francis M. *Cases on Torts*. 2d ed. New York: Banks, 1895.
“Selected and arranged for the use of law students” (title page). [Columbia]
53. Griffin, Levi T. *Cases on Personal Property*. St. Paul, Minn.: West, 1895.
“[P]rinted at the request of Levi T. Griffin, A. M. Fletcher Professor of Law in the University of Michigan, for use in connection with his lectures in that school” (title page). [University of Michigan]
54. Hutchins, Harry B. *Cases on Equity Jurisprudence*. St. Paul, Minn.: West, 1895.
“[P]rinted at the request of Prof. H. B. Hutchins, Dean of the Law Department of the University of Michigan, for use in connection with his lectures in that law school” (title page). [University of Michigan]
55. Johnson, Elias Finley. *Illustrative Cases on the Law of Bills and Notes*. St. Paul, Minn.: West, 1895.
“It is deemed advisable that the student in the law should be required, during his course, to master, in connection with each general branch of the law, a few well selected cases which are illustrative of the philosophy of that subject” (preface). [University of Michigan]
56. Keener, William A. *Selections from Leake’s Elements of the Law of Contracts and Finch’s Cases on Contracts*. New York: Baker, Voorhis, 1895.
“Arranged as a text-book for law students” (title page). [Columbia]
57. Keener, William A. *A Selection of Cases on Equity Jurisdiction*. New York: Baker, Voorhis, 1895.
[Columbia]
58. Mechem, Floyd R. *Cases on the Law of Damages*. St. Paul, Minn.: West, 1895.
“[P]rinted at the request of Professor Mechem, of the Law Department of the University of Michigan, for use in connection with his lectures in that law school” (title page). [University of Michigan]
59. Mechem, Floyd R. *Cases on the Law of Succession to Property After the Death of the Owner*. St. Paul, Minn.: West, 1895.
“[P]rinted at the request of Professor Mechem, of the Law Department of the University of Michigan, for use in connection with his lectures in that law school” (title page). [University of Michigan]

60. Paige, James. *Illustrative Cases in Agency*. Philadelphia: T. & J.W. Johnson, 1895.
“[P]repared by Mr. Paige, lecturer upon that subject in our Law School” (preface). [University of Minnesota]
61. Paige, James. *Illustrative Cases in Commercial Paper*. Philadelphia: T. & J.W. Johnson, 1895.
“[P]repared by Mr. Paige who lectures upon that subject in our College of Law” (preface). [University of Minnesota]
62. Shepard, Seth. *Cases on Equity Jurisprudence*. St. Paul, Minn.: West, 1895.
“[P]rinted at the request of Hon. Seth Shepard, Lecturer before Georgetown University School of Law, for use in connection with his lectures in that law school” (title page). [Georgetown]
63. Thayer, James Bradley. *Cases on Constitutional Law*. Cambridge, Mass.: Charles W. Sever, 1895.
[Harvard]
64. Williston, Samuel. *A Selection of Cases on the Law of Sales of Personal Property*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1895.
[Harvard]
65. Ames, James Barr. *Cases on Suretyship*. Cambridge, Mass.: Harvard University Press, 1896?
[Harvard]
66. Baldwin, Simeon E. *Cases on Railroad Law*. St. Paul, Minn.: West, 1896.
“Made for use, in connection with a text-book, in instructing a class of law students in Railroad Law” (preface). [Yale]
67. Brown, Henry Billings. *Cases on the Law of Admiralty*. St. Paul, Minn.: West, 1896.
“For use in connection with lectures in that law school” (preface). [Georgetown]
68. Elliott, Charles B. *Illustrative Cases on the Law of Insurance*. St. Paul, Minn.: West, 1896.
[University of Minnesota]
69. Hopkins, Earl P. *Hopkins’ Selected Cases on the Law of Contracts*. St. Paul, Minn.: West, 1896.
[University of Minnesota]
70. Huffcut, Ernest W. *Cases on the Law of Agency*. Boston: Little, Brown, 1896.
[Cornell]
71. Hughes, Thomas Welburn. *Cases on the Law of Evidence*. St. Paul, Minn.: West, 1896.
“For use in connection with the lectures of Professor Levi T. Griffin, of the Law School of the University of Michigan” (title page). [University of Michigan]
72. McClain, Emlin. *A Selection of Cases on the Law of Carriers of Goods and of Passengers*. 2d ed. Boston: Little, Brown, 1896.
[University of Iowa]

73. Mechem, Floyd R. *Cases on the Law of Partnership*. Chicago: Callaghan, 1896.
[University of Michigan]
74. Paige, James. *Illustrative Cases in Torts*. Philadelphia: T. & J.W. Johnson, 1896.
[University of Minnesota]
75. Pattee, W. S. *Illustrative Cases in Contracts*. 2d ed. Philadelphia: T. & J.W. Johnson, 1896.
“[F]or use in the classroom in connection with my lectures upon the subject of Contracts” (preface). [University of Minnesota]
76. Pattee, William S. *Illustrative Cases in Equity*. 3d ed. St. Paul, Minn.: West, 1896.
“They are not designed to be used alone, but in connection with my lectures upon these topics, as aids to the student in his work” (preface). [University of Minnesota]
77. Pattee, W. S. *Illustrative Cases in Insurance*. Philadelphia: T. & J.W. Johnson, 1896.
“It is hoped the selection of cases here presented will prove of benefit to students in their investigation of this somewhat difficult subject” (preface). [University of Minnesota]
78. Pattee, W. S. *Illustrative Cases in Realty*. Philadelphia: T. & J.W. Johnson, 1896.
[University of Minnesota]
79. Shepard, Seth. *Cases on Corporations*. St. Paul, Minn.: West, 1896.
“[P]rinted at the request of Hon. Seth Shepard, Lecturer before the Georgetown University School of Law, for use in connection with his lectures in that law school” (title page). [Georgetown]
80. Smith, Walter Denton. *Cases on the Law of Corporations*. St. Paul, Minn.: West, 1896.
“[P]rinted and published for use in connection with the lectures of Professor John W. Champlin of the law school of the University of Michigan” (title page). [University of Michigan]
81. Van Zile, Philip T. *Illustrative Cases in Personalty*. St. Paul, Minn.: West, 1896.
“[T]o be used in connection with my lectures before the law classes in the Detroit College of Law” (preface). [Detroit College of Law]
82. Van Zile, Philip T. *Illustrative Cases in Sales*. St. Paul, Minn.: West, 1896.
“[T]o be used in connection with my lectures before the law classes in the Detroit College of Law” (preface). [Detroit College of Law]
83. Wambaugh, Eugene. *A Selection of Cases on Agency*. Cambridge, Mass.: Harvard University Press, 1896.
“[P]urpose has been to furnish material for the study of the principle topics of Agency” (preface). [Harvard]

84. Wilgus, H. L. *Cases on the Law of Evidence*. St. Paul, Minn.: West, 1896.
[University of Michigan]
85. Burdick, Francis M. *Cases on Torts*. 2d ed. New York: Banks & Bros., 1897.
“For the use of law students” (title page). [Columbia]
86. Burdick, Francis M. *Selected Cases on the Law of Sales of Personal Property*. Boston: Little, Brown, 1897.
[Columbia]
87. Gates, Jasper Calvin. *Cases on the Law of Evidence*. St. Paul, Minn.: West, 1897.
[Detroit College of Law]
88. Kremer, Charles E. *Cases on the Law of Admiralty*. St. Paul, Minn.: West, 1897.
“For use in his classes in the Chicago College of Law” (title page). [Chicago College of Law]
89. Paige, James. *Illustrative Cases in Criminal Law*. Philadelphia: Rees Welsh, 1897.
[University of Minnesota]
90. Smith, Jeremiah. *A Selection of Cases on Private Corporations*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1897.
[Harvard]
91. Smith, John Day. *Cases on Constitutional Law*. St. Paul, Minn.: West, 1897.
“The cases have been selected by the author to be studied in connection with his lectures, at the University of Minnesota, on American constitutional law” (preface). [University of Minnesota]
92. Tiedeman, Christopher Gustavus. *Selected Cases on Real Property*. St. Louis, Mo.: F. H. Thomas Law Book Co., 1897.
“[A]s an aid to students in a course of lectures” (preface). [City University of New York]
93. Woodruff, Edwin H. *A Selection of Cases on Domestic Relations and the Law of Persons*. New York: Baker, Voorhis, 1897.
[Cornell]
94. Abbott, Howard S. *Cases on Private Corporations*. St. Paul, Minn.: West, 1898.
[University of Minnesota]
95. Abbott, Howard S. *Cases on Public Corporations*. St. Paul, Minn.: West, 1898.
[University of Minnesota]
96. Barrett, Elmer E. *Cases on the Law of Real Property*. St. Paul, Minn.: West, 1898.
97. Beale, Joseph Henry. *A Selection of Cases on the Law of Carriers*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1898.
[Harvard]

98. Boyd, Carl Evans. *Cases on American Constitutional Law*. Chicago: Callaghan & Co., 1898.
“[T]o form the basis of a course on that subject” (preface). [University of Chicago]
99. Burdick, Francis M. *Selected Cases on the Law of Partnership*. Boston: Little, Brown, 1898.
[Columbia]
100. Elliott, Charles B. *Leading Cases on Private Corporations*. 2d ed. Indianapolis: Bowen-Merrill, 1898.
“The book is intended primarily for the use of students of the law” (preface). [University of Minnesota]
101. Erwin, Frank A. *Cases on Sales of Personal Property*. New York: Banks & Bros, 1898.
[New York University]
102. Finch, William A. *Selected Cases on the Law of Property in Land*. New York: Baker, Voorhis, 1898.
“This book contains a classified selection of cases on the topics usually taught in our law schools in the course on Real Property” (preface). [Cornell]
103. Gates, Jasper Calvin. *Cases on the Law of Real Property*. St. Paul, Minn.: West, 1898.
[Detroit College of Law]
104. Keener, William A. *A Selection of Cases on the Law of Contracts*. New York: Baker, Voorhis, 1898.
“[P]repared primarily with reference to the needs of the students in the School of Law of Columbia University” (preface). [Columbia]
105. Mechem, Floyd R. *Cases on the Law of Damages*. 2d ed. St. Paul, Minn.: West, 1898.
“[M]ade primarily for use in connection with the lectures upon that subject given in the Law Department of the University of Michigan” (preface). [University of Michigan]
106. Smith, Jeremiah. *Cases on Selected Topics in the Law of Municipal Corporations*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1898.
“The selection of cases has been made with special reference to the wants of the class at the Harvard Law School” (preface). [Harvard]
107. Boston University School of Law. *A Selection of Cases for Study in the Course of Contracts*. [Boston]: Printed by the University, 1899.
“For use of students in the Boston University Law School” (title page). [Boston University]
108. Keener, William A. *A Selection of Cases on the Law of Private Corporations*. New York: Baker, Voorhis, 1899.
[Columbia]

109. Smith, Jeremiah. *Cases on Selected Topics in the Law of Persons*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1899.
[Harvard]
110. Tomkins, Leslie J. *Corporations*. New York: [s.n.], 1899.
“Prepared for use in classes of N.Y. University Law School” (title page). [New York University]
111. Beale, Joseph Henry. *A Selection of Cases on the Conflict of Laws*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1900.
[Harvard]
112. Erwin, Frank A. *Cases on Torts*. New York: Banks Law Pub. Co., 1900.
[New York University]
113. Farrah, Albert J., and John W. Dwyer. *Cases on the Law of Husband and Wife*. Ann Arbor, Mich.: George Wahr, 1900.
“These cases have been selected primarily to be used in connection with the course of lectures on the Law of Husband and Wife, given by Professor Otto Kirchner in the Law Department of the University of Michigan” (preface).
[Stetson University and University of Michigan]
114. Huffcut, Ernest W., and Edwin H. Woodruff. *American Cases on Contract*. 2d ed. Albany, N.Y.: Banks, 1900.
[Cornell]
115. Hughes, Thomas Welburn. *Cases on the Law of Evidence*. St. Paul, Minn.: West, 1900.
“For use in connection with the lectures of Professor Levi T. Griffin, of the Law School of the University of Michigan” (title page). [University of Michigan]
116. Hutchins, Harry B., and Robert E. Bunker. *Illustrative Cases on Equity Jurisprudence*. 2d ed. St. Paul, Minn.: West, 1900.
[University of Michigan]
117. McClain, Emlin. *A Selection of Cases on Constitutional Law*. Boston: Little, Brown, 1900.
“The object of this collection is to furnish to the student the means of pursuing the study of constitutional law by the case method” (preface). [University of Iowa]
118. Thayer, James Bradley. *A Selection of Cases on Evidence at the Common Law*. 2d ed. Cambridge, Mass.: Charles W. Sever, 1900.
“I have been driven to the preparation of this book by the necessities of my own classes at the Harvard Law School” (preface). [Harvard]
119. Wyman, Bruce, James Barr Ames, and Jeremiah Smith. *Cases on Restraint of Trade*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1900.
[Harvard]
120. Ames, James Barr. *A Selection of Cases on the Law of Admiralty*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1901.
[Harvard]

121. Ames, James Barr. *A Selection of Cases on the Law of Suretyship*. Cambridge, Mass.: H. O. Houghton, 1901.
[Harvard]
122. Burdick, Francis M. *Selected Cases on the Law of Sales of Personal Property*. 2d ed. Boston: Little, Brown, 1901.
[Columbia]
123. Beale, Joseph Henry, and Bruce Wyman. *Cases on Public Service Companies*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1902.
[Harvard].
124. Bunker, Robert E. *Cases on Guaranty and Suretyship*. Ann Arbor, Mich.: G. Wahr, 1902.
[University of Michigan]
125. Knowlton, Jerome Cyril. *Cases on Criminal Law*. Chicago: Callaghan & Co., 1902.
“[P]repared with the idea of assisting the student in his study of the substantive law of crimes” (preface). [University of Michigan]
126. Martin, Alexander. *A Selection of Cases on Equity Jurisdiction*. Columbia, Mo.: E.W. Stephens, 1902.
[University of Missouri]
127. Mechem, Floyd R. *Cases on the Law of Damages*. 3d ed. St. Paul, Minn.: West, 1902.
[University of Michigan]
128. Smith, Jeremiah. *A Selection of Cases on Private Corporations*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1902.
[Harvard]
129. Wambaugh, Eugene. *A Selection of Cases on Insurance*. Cambridge, Mass.: Harvard University Press, 1902.
[Harvard]
130. Webb, James Henry. *Cases in Criminal Procedure*. New Haven, Conn.: The Law Dept., E. A. Robinson, printer, 1902.
[Yale]
131. Wilgus, H.L. *Cases on the General Principles of the Law of Private Corporations*. Indianapolis: Bowen-Merrill, 1902.
[University of Michigan]
132. Williston, Samuel. *Selected Cases and Statutes on the Law of Bankruptcy*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1902.
[Harvard]
133. Wyman, Bruce, James Barr Ames, and Jeremiah Smith. *Cases on Restraint of Trade*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1902.
[Harvard]

134. Tompkins, Leslie J. *Cases on Corporations*. 2d ed. New York: [s.n.], 1903.
“Prepared for use of students in the university law school” (title page). [New York University]
135. Williston, Samuel. *A Selection of Cases on the Law of Contracts*. Boston: Little, Brown, 1903.
“[A] selection of cases on the law of contracts adapted to the use of students” (preface). [Harvard]
136. Wyman, Bruce. *A Selection of Cases on Mortgages*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1903.
[Harvard]
137. Ames, James Barr. *A Selection of Cases in Equity Jurisdiction*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1904.
[Harvard]
138. Dwyer, John W. *Leading Cases on Private International Law*. 2d ed. Chicago: Callaghan & Co., 1904.
[University of Michigan]
139. Goddard, Edwin C. *Selected Cases on the Law of Bailments and Carriers*. Chicago: Callaghan & Co., 1904.
“For use by those who prefer the ‘case-method’ of study exclusively” (preface). [University of Michigan]
140. Hutchins, Harry B., and Robert E. Bunker. *Illustrative Cases on Equity Jurisprudence*. 2d ed. St. Paul, Minn.: West, 1904.
[University of Michigan]
141. Lawson, John Davison. *Cases on Quasi-Contracts*. Columbia, Mo.: Press of E. W. Stephens, 1904.
“Prepared for the use of students of the law department of the University of Missouri” (title page). [University of Missouri]
142. Williston, Samuel. *A Selection of Cases on the Law of Contracts*. Boston: Little, Brown, 1904.
[Harvard]
143. Williston, Samuel, and Bruce Wyman. *Cases on Engineering Contracts*. Boston: Little, Brown, 1904.
[Harvard]
144. Wyman, Bruce, James Barr Ames, and Jeremiah Smith. *Cases on Restraint of Trade*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1904–05.
[Harvard]
145. Ames, James Barr. *A Selection of Cases on Pleading*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1905.
“Prepared for use as a text-book in Harvard Law School” (title page). [Harvard]
146. Bigelow, Melville Madison, and Frank Leslie Simpson. *Cases on the Law of Bills, Notes, and Cheques*. 2d ed. Boston: Little, Brown, 1905.
[Harvard and Boston University]

147. Burdick, Francis M. *Cases on Torts*. 3d ed. Albany, N.Y.: Banks, 1905.
“Selected and arranged for the use of law students” (title page). [Columbia]
148. Gray, John Chipman. *Select Cases and Other Authorities on the Law of Property*. 2d ed. Cambridge, Mass.: C. W. Sever, 1905.
[Harvard]
149. Keen, James Tower. *Cases on Pleading*. Boston: Boston Book Co., 1905.
[Boston University]
150. Keen, James Tower. *Cases on Pleading*. St. Paul, Minn.: West, 1905.
[Boston University]
151. Mechem, Floyd R. *Cases on the Law of Partnership*. 2d ed. Chicago: Callaghan & Co., 1905.
“[M]ade primarily for use in connection with the writer’s lectures on Partnership in the Law School of this University” (preface). [University of Michigan]
152. Scott, James Brown. *Cases on Quasi-Contracts*. New York: Baker, Voorhis & Co., 1905.
“[P]repared to meet the needs of classroom instruction” (preface). [Columbia]
153. Williston, Samuel. *A Selection of Cases on the Law of Sales of Personal Property*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1905.
[Harvard]
154. Woodruff, Edwin H. *Selected Cases on the Law of Quasi-Contracts*. Indianapolis: Bobbs-Merrill, 1905.
[Cornell]
155. Bunker, Robert E. *Selected Cases on the Law of Negotiable Instruments*. Chicago: Callaghan & Co., 1906.
“Primarily for the use of students . . . particularly for students of the Law Department of the University of Michigan” (preface). [University of Michigan]
156. Gray, John Chipman. *Select Cases and Other Authorities on the Law of Property*. 2d ed. Cambridge, Mass.: Kent, 1906–08.
[Harvard]
157. Hinton, Edward W. *A Selection of Cases on the Law of Pleading Under Modern Codes*. Chicago: Callaghan & Co., 1906.
[University of Missouri]
158. Rood, John R. *A Digest of Important Cases on the Law of Crimes*. Ann Arbor, Mich.: G. Wahr, 1906.
[University of Michigan]
159. Scott, James Brown. *Cases on Equity Jurisdiction*. New York: Baker, Voorhis & Co., 1906.
[Columbia]
160. Scott, James Brown. *Cases on International Law*. St. Paul, Minn.: West, 1906.
“[I]ntended to be a revision of the late Dr. Snow’s Cases and Opinions on International Law” (preface). [Columbia]

161. Walsh, William. *Select Cases on the Law of Real Property*. New York: L. J. Tompkins, 1906.
“Prepared in accordance with the courses on the Law of Real Property . . . at the New York University Law School” (preface). [New York University]
162. Wigmore, John Henry. *A Selection of Cases on Evidence*. Boston: Little, Brown, 1906.
“For the use of students of law” (title page). [Northwestern]
163. Williston, Samuel. *Selected Cases and Statutes on the Law of Bankruptcy*. Cambridge, Mass.: Harvard Law Review Pub. Association, 1906.
[Harvard]
164. Wyman, Bruce. *A Selection of Cases on Mortgages*. 2d ed. Cambridge, Mass.: Harvard Law Review Pub. Association, 1906.
“[O]nly those cases have been left which it was believed it was worth while for the student to read” (preface). [Harvard]
165. Beale, Joseph Henry. *A Selection of Cases and Other Authorities upon Criminal Law*. Cambridge, Mass.: Harvard University Press, 1907.
[Harvard]
166. Beale, Joseph Henry. *A Shorter Selection of Cases on the Conflict of Laws*. Cambridge, Mass.: Harvard University Press, 1907.
[Harvard]
167. Boyd, Carl Evans. *Cases on American Constitutional Law*. 2d ed. Chicago: Callaghan & Co., 1907.
[University of Chicago]
168. Huffcut, Ernest W. *Cases on the Law of Agency*. 2d ed. Boston: Little, Brown, 1907.
[Cornell]
169. Lewis, William Draper, and Miriam McConnell. *Equity Jurisdiction: A Collection of Cases with Notes*. Philadelphia: International Print. Co., 1907–08.
[University of Pennsylvania]
170. Martin, Alexander. *A Selection of Cases on Equity Jurisdiction*. St. Paul, Minn.: West, 1907.
“Chiefly for the use of students engaged in the study of equity jurisprudence” (preface). [University of Missouri]
171. Wilson, Henry H. *Selected Cases on the Law of Suretyship and Guaranty*. Chicago: Callaghan & Co., 1907.
“The hope of lessening the labors of those who teach, as well as those who study . . . furnished the motive for this volume” (preface). [University of Nebraska]

Author Index

| | |
|--------------------------------|---------------------------------------|
| Abbot, Austin | .25, 49, 50 |
| Abbot, Howard S. | .94, 95 |
| Ames, James Barr | .3, 5, 6, 12, 13, 14, 27, 28, 36, 65 |
| | .119, 120, 121, 133, 137, 144, 145 |
| Baldwin, Simeon E. | .66 |
| Barrett, Elmer E. | .96 |
| Beale, Joseph Henry | .37, 38, 51, 97, 111, 123, 165, 166 |
| Bigelow, Melville Madison | .39, 146 |
| Boyd, Carl Evans | .98, 167 |
| Brown, Henry Billings | .67 |
| Bunker, Robert E. | .116, 124, 140, 155 |
| Burdick, Francis M. | .17, 21, 52, 85, 86, 99, 122, 147 |
| Chaplin, H. W. | .18 |
| Cumming, G. M. | .22, 40 |
| Dwyer, John W. | .113, 138 |
| Elliot, Charles B. | .68, 100 |
| Erwin, Frank A. | .101, 112 |
| Farrah, Albert J. | .113 |
| Finch, William A. | .102 |
| Gates, Jasper Calvin | .87, 103 |
| Goddard, Edwin C. | .139 |
| Gray, John Chipman | .15, 148, 156 |
| Green, Frederick | .20 |
| Griffin, Levi T. | .53 |
| Hinton, Edward W. | .157 |
| Hopkins, Earl P. | .69 |
| Huffcut, Ernest W. | .41, 70, 114, 168 |
| Hughes, Thomas Welburn | .71, 115 |
| Hutchins, Harry B. | .54, 116, 140 |
| Johnson, Elias Finley | .55 |
| Keen, James Tower | .149, 150 |
| Keener, William A. | .16, 19, 56, 57, 104, 108 |
| Knowlton, Jerome Cyril | .125 |
| Kremer, Charles E. | .88 |
| Langdell, Christopher Columbus | .1, 2, 4, 7, 8, 9, 10, 11 |
| Lawson, John Davison | .141 |
| Lewis, William Draper | .169 |
| Martin, Alexander A. | .126, 170 |
| McClain, Emlin | .29, 42, 72, 117 |
| McConnell, Miriam | .168 |
| Mechem, Floyd R. | .30, 58, 59, 73, 105, 127, 151 |
| Paige, James | .31, 43, 60, 61, 74, 89 |
| Pattee, William Sullivan | .32, 33, 34, 44, 75, 76, 77, 78 |
| Rood, John R. | .158 |
| Scott, James Brown | .152, 159, 160 |
| Shepard, Seth | .62, 79 |
| Simpson, Frank Leslie | .146 |
| Smith, Jeremiah | .28, 90, 106, 109, 119, 128, 133, 144 |
| Smith, John Day | .91 |

| | |
|--------------------------------|---|
| Smith, Walter Denton | .80 |
| Snow, Freeman | .35 |
| Thayer, James Bradley | .20, 24, 63, 118 |
| Tiedeman, Christopher Gustavus | .92 |
| Tomkins, Leslie J. | .110 |
| Van Zile, Phillip T. | .81, 82 |
| Walsh, William. | .161 |
| Wambaugh, Eugene | .45, 46, 83, 129 |
| Webb, James Henry | .130 |
| Wigmore, John Henry | .162 |
| Wilgus, H. L. | .84, 131 |
| Williston, Samuel | .10, 47, 48, 64, 132, 135, 142, 143, 153, 163 |
| Wilson, Henry H. | .171 |
| Woodruff, Edwin H. | .41, 93, 114, 154 |
| Wyman, Bruce | .119, 123, 133, 136, 143, 144, 164 |

Subject Index

| | |
|------------------------|--|
| Admiralty | .67, 88, 120 |
| Agency | .30, 60, 70, 83, 168 |
| Bankruptcy | .132, 163 |
| Carriers | .29, 42, 72, 97, 139 |
| Cases | .45, 46 |
| Conflict of Laws | .111, 166 |
| Constitutional Law | .23, 63, 91, 98, 117, 167 |
| Contracts | .1, 10, 11, 16, 19, 32, 41, 47, 56, 69, 75 .104, 107, 114, 135, 141, 142, 143, 152, 154 |
| Corporations | .22, 40, 79, 80, 90, 94, 95, 100, 108, 110, 128, 131, 134 |
| Criminal Law | .18, 37, 89, 125, 158, 165 |
| Criminal Procedure | .130 |
| Damages | .51, 58, 105, 127 |
| Domestic Relations | .31, 93, 109, 113 |
| Equity | .4, 7, 8, 9, 33, 57, 76, 126, 137, 159, 169, 170 |
| Evidence | .20, 24, 50, 71, 84, 87, 115, 118, 162 |
| Insurance | .68, 77, 129 |
| International Law | .35, 138, 160 |
| Mortgages | .136, 164 |
| Municipal Corporations | .106, 123 |
| Negotiable Instruments | .12, 36, 39, 55, 61, 146, 155 |
| Partnership | .13, 43, 73, 99, 151 |
| Personalty | .34, 81 |
| Pleading | .5, 6, 25, 49, 145, 149, 150, 157 |
| Property | .15, 44, 53, 59, 78, 92, 96, 102, 103, 148, 156, 161 |
| Railroad Law | .66 |
| Restraint of Trade | .119, 133, 144 |
| Sales | .2, 26, 48, 64, 82, 86, 101, 122, 153 |
| Suretyship | .65, 121, 124, 171 |
| Torts | .3, 17, 21, 28, 52, 74, 85, 112, 147 |
| Trusts | .14, 27 |