Sometime on the afternoon of October 17, 1874, L.S. Hough, attorney at law, returned to his large, rambling home at the top of High Street with a stack of leather bound books. Hough had just purchased a five volume set of *Bacon’s Abridgement* at the sale of the estate of Margaret Gay, the widow of Mathew Gay, another Morgantown attorney. Hough was returning from the estate sale of his friend and colleague, Mathew Gay, Irish immigrant and one of Morgantown’s most prominent lawyers, having practiced in Morgantown for over 40 years. Although Gay passed away in 1857, the estate was not sold until the passing of Gay’s widow, Margaret.

From courthouse records listing the estate inventory, including purchasers and items sold, these books were the only items Hough purchased at the estate sale. The set of books Hough purchased was known colloquially as *Bacon’s Abridgement*. The title in full: *A New Abridgement of the Law. Alphabetically Digested Under Proper Titles. In Five Volumes. By Matthew Bacon, of the Middle Temple, Esq.* Hough purchased the sixth edition revised and corrected; with additional notes and references, and an additional supplement by T. Cunningham, Esq. This set was printed in Dublin, Ireland by the publisher Luke White in 1793. Hough also purchased two supplemental volumes to the set at the sale, owned by Mathew Gay. Also published by Luke White, the supplemental volumes were printed in 1801, numbered six and seven in the set.

Continued on page 4 What’s in a Name?

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1 A photograph of the Hough home at the top of North High Street can be located on the West Virginia University Libraries website for West Virginia History OnView: Photographs from the West Virginia and Regional History Collection: [http://wvhistoryonview.org/](http://wvhistoryonview.org/).

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As a digest of cases and treatises, *Bacon’s Abridgement* proved to be quite a useful resource for attorneys. J. G. Marvin describes *Bacon’s Abridgement* in his *Legal Bibliography* (1847) as a work “probably in more general use in the United States than any other English Abridgment of the Common Law.” First published in 1736, the abridgement was a work in five volumes, collected and compiled by Matthew Bacon. Unfortunately Bacon’s entry for “Sheriff,” in the fourth volume, would be his last. After his death, Joseph Sayer and Owen Ruffhead, editors of the first edition, completed the task.

If Marvin considered *Bacon’s Abridgement* an essential text for American attorneys in 1847, L.S. Hough’s purchase of the 1793 set in 1874 speaks to the intrinsic and long lasting value of the work. According to Samuel Wiley’s *History of Monongalia County*, Hough was well known as “a lover of books and pictures, has a fine library, including some rare volumes, and is a gentleman of cultivated artistic and literary tastes.” (p. 356). Hough then, could have acquired this set for a variety of reasons; as a memento from a colleague, as a useful working set of books for his own practice, and as an antiquarian addition to his personal library. Whatever Hough’s reasons may have been, he had a desire to mark his purchase. Hough opened the first volume of *Bacon’s Abridgement*, and penned these words inside the front cover on the paste down, writing just beneath Mathew Gay’s book label:

Mathew Gay’s book bought at the sale of A.P. Wilson

L.S. Hough’s book bought at the sale of Mathew Gay’s library from adver of the widow’s
Est. October 17, 1874

Hough then varied the inscription slightly in each of the remaining six volumes:

Bought by me at the sale of Mr. Gay’s Library October 17, 1874

L.S. Hough

With these few words L.S. Hough charts the history of ownership for the seven volume set, providing just enough information for provenancial research to discover a community of early lawyers in Morgantown, WV. The men behind these names blazed their trail through local, state and national history. All of them were lawyers serving the Morgantown community. From Morgantown’s earliest days as a frontier outpost, to a community torn from Virginia to find a new home in West Virginia, and to the rapidly growing town it became in the nineteenth century, these men played important roles in the development of Morgantown and West Virginia University.

As Special Collections Librarian for the WVU’s College of Law, these very words attracted my attention while performing a routine inventory on a portion of our rare book collection. I made

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note of them in the inventory, making a mental promise to myself to return when time permitted. When the opportunity arrived to examine these books, I could never have imaged that this piece of documented book provenance could lead to the discovery of the earliest community of lawyers in Morgantown.

As is the case with genealogical searches, each name leads to another in the chain of ancestry. This inscription proved to be no different. Although, strictly speaking, the names included in this notation are not related by blood, they form the basis of a genealogy nonetheless. Each name leads to the next, often leading to other family members that become an integral part of the larger discourse. In short order I was able to reconstruct an early community of lawyers in Morgantown, tracing the earliest lawyer back to 1781, when Morgantown was still in the state of Virginia and lay on the edge of the Appalachian frontier.

Provenance, also described as “marks in books,” since that is truly what they are, can take many forms. Marginalia, annotations, gift inscriptions, author signatures and autographs are all considered provenance. Book labels, an early form of book plates, are also evidence of provenance. Stamped armorial shields, labeled names on spines, embossed names and businesses, among other methods of marking books show us how book ownership overlaps, not just from individual to individual but also among a group of people, or a specific community of individuals.

Provenance can inform us about the value placed on a particular book among a group of people, who, in this case, happen to be lawyers. Of note, particularly in this example, are the circumstances in which an individual copy of a book has changed ownership, and of evidence left in books that show how readers interacted with them.

The sixth edition of Bacon’s Abridgement, published in 1793, is now 220 years old. Oddly enough, thanks to L.S. Hough, it is easier to trace the earliest ownership history of the set, than it is to uncover its later history. The first line in Hough’s inscription charts our path: “Mathew Gay’s book.”

Mathew Gay

According to Samuel. T. Wiley’s History of Monongalia County, Mathew Gay was born in 1780, the eldest son of John and Margaret Gay of Tyrone County, Ireland. His mother Margaret was the sister of William McCleery, a lawyer living in Morgantown, also originally from Tyrone County, Ireland. Although the exact date of McCleery’s immigration to America is not known, it is believed that he emigrated around 1741. McCleery married twice. His first wife, Isabella Stockton, was well known in the area as the survivor of an Indian raid, having been captured at Fort Neally as a young girl. Neither of McCleery’s marriages produced children. (337-338).

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5 The term “marks in books” was popularized by Roger Stoddard, whose book, Marks in Books, Illustrated and Explained. (Cambridge, Mass.: Houghton Library, 1984), an exhibition catalog examined such markings from a wide variety of books.

6 The fascinating story relating the capture of Isabella Stockton, her rescue and romance, followed by the death of her lover prior to her marriage to McCleery is available in A Fragment. The Centennial Celebration of the Founding of Morgantown. 1785 – 100 – 1885 with addresses and papers. (Published by the Committee of Arrangements. Morgantown, New Dominion Print.
William McCleery had lived in America for nearly 35 years before the outbreak of the Revolutionary War in 1775. During the war McCleery served as a colonel under George Washington. Col. McCleery was actively engaged in the settlement and government of the region surrounding Morgantown and was recognized for defending the area against Indian attacks.

Although it is not known where McCleery read law or when he became a member of the Bar, he is among the earliest lawyers in Morgantown and Monongalia County. His practice in Morgantown can be traced back to 1785. As an early land lawyer, McCleery played an important role in surveying and registering land patents and pensioner claims in Western Virginia.7

McCleery's home was the first built in Morgantown. A frame structure, it was built in 1790 in the Georgian Colonial architectural style. The McCleery house stood at the corner of High and Pleasant Streets. McCleery's home also served as the office for his law practice. Located on Morgantown's main street, the house was later home to Judge Joseph Moreland.8 As businesses overtook the old homes on the main street, McCleery's home became the premises for a drugstore and photographer's shop in the 1930's.9 Eventually the home was razed and Citizen's Bank is now on the original site.

During Gen. Washington's administration McCleery held the office of Collector of the United States Direct Taxes serving throughout the Whiskey Insurrection in Western Pennsylvania. As Collector of Revenue in Morgantown, not far from the Pennsylvania line, the insurrection spread across state borders and into Monongalia County. On the night of August 9, 1794, thirty men, disguised and painted black, came to Morgantown and surrounding McCleery's home, threatened him with loss of life and property. McCleery managed to escape and, sending word that he had resigned his office, convinced the mob to return to Pennsylvania.10

In 1799, after Isabella's death, McCleery wrote to his nephew Mathew and asked him to come to America to live with him. Mathew was 19 in 1800 when he sailed from Londonderry, Ireland, landed in Philadelphia and made his way to Morgantown.

In was in the McCleery home that Mathew Gay came to live and study law with McCleery in his practice.11 After fulfilling residency requirements Mathew renounced his allegiance to King George III and became a naturalized citizen on June 12, 1805.

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8 Ibid. p. 86.
9 A photograph of the McCleery home, approximately dated as 1930's, shows the businesses built around the exterior of the ground floor. This image can be located on the West Virginia University Libraries website for West Virginia OnView: Photographs from the West Virginia and Regional History Collection: http://wvhistoryonview.org/.
In 1807, Gay traveled to Richmond by horseback in order to be examined in the law. He spent the night at the home of Alexander Smith, (1739 – 1839) a wealthy man with a mansion and 1200 acre farm on the north branch of the Potomac. It was there Mathew met his future wife, Smith’s daughter, Margaret. Their courtship was a long one, Mathew and Margaret married 15 years later.12

Mathew’s Uncle, Col. McCleery, held the office of Deputy Attorney-General in the County Court of Monongalia until he resigned in 1811. During the War of 1812 Virginia’s Governor, Wilson Cary Nicholas, sent out a call for soldiers in 1814 to repel a threatened invasion of Virginia by the British, thought to land at the Chesapeake Bay.

Gay, now a naturalized citizen, volunteered to join a Calvary company led by Captain William N. Jarrett of Morgantown. The company was ordered to defend Washington City, as the District of Columbia was called at that time. As they marched the company learned that the Capital had been burned, the British had departed aboard ship, and their services were no longer needed. This turn of events proved fortunate for Gay, clearing the path for Gay’s appointment in June of 1814 as Commonwealth Attorney in the County Court of Monongalia, an office he held for 33 years until he resigned in 1847.13

After McCleery retired Gay succeeded him, continuing to live and practice in the house on High Street. McCleery’s life was a long one, he died at 80 in 1821.

Among Mathew Gay’s considerable achievements included his tenure as a leader in the development of banking in Morgantown. Gay was a member of the first Board of Managers of the Monongalia Farmer’s Company of Virginia, a bank organized in Morgantown under a charter granted by the Virginia General Assembly in 1814. Gay remained a member of the board until the bank ceased business, when he was appointed to manage the bank’s closing finances.

In 1834, the Merchants & Mechanic’s Bank of Wheeling at Morgantown was organized by Thomas P. Ray, another community leader, with Gay serving as Director of the bank until 1841 when Ray, president of the bank, died. At that time Gay was appointed bank president and served until his death in 1857 at age 78.14

Mathew Gay had become one of Morgantown’s leading citizens by 1827, when Gay was elected President of the Board of Trustees of the Monongalia Academy, one of Morgantown’s earliest public schools. He was continuously re-elected to that position until his death in 1857.15

At the time of Gay’s death, the Circuit Court of Monongalia County held proceeding on April, 8, 1857 in order to recognize Gay’s long service to the profession in Morgantown, adjourning in his memory.

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12 Ibid, 338.
13 Ibid, 339.
14 Ibid.
15 Ibid.
Gay’s personal book label is pasted in every volume of Bacon’s Abridgement. The book label, smaller than a bookplate, is a simple rectangle hand printed by letterpress with his given name Mathew, misspelled with two “t’s.” The label is decorated with a running border of printer’s ornaments. Sold in sheets, the labels were individually and crudely cut and pasted by hand on the pastedown. Gay’s signature also makes a frequent appearance on the title page.

Thanks to Hough’s inscription we know how these books came to be in Gay’s possession. The next portion of Hough’s inscription reads, “Mathew Gay’s book bought at the sale of A.P. Willson.”

**A.P. Willson**

Alpheus Poage Willson was the son of attorney and politician Thomas Wilson. The first son of eight children born to Thomas and Mary Wilson, A.P. is the only child to use the variant spelling of the Wilson family name, using two “l”s instead of one, to spell Willson.

His father, Thomas, was born in Eastern Virginia in 1760. Thomas read law and apprenticed with Judge Stuart in Staunton, Va. until he was admitted to the Bar in Staunton. Thomas married Mary Poage (1777-1817) and they moved to Morgantown where Thomas was admitted to the practice of law in September 1781. He practiced in Morgantown until his death January 24, 1826.

Thomas Wilson’s political career spanned twenty five years. Wilson served two terms in the Virginia State Senate (1792 – 1795, 1800 – 1804), two terms as a member of the Virginia House of Delegates (1799 – 1800, 1816 – 1817) and one term as a member of the U.S. House of Representatives from Virginia’s 1st congressional district, March 4, 1811 – March 3, 1813 Thomas Wilson is noted as the first Monongalian to serve in the U.S. House of Representatives. Of the eight children born to Thomas and Mary Wilson, six sons and three daughters, five sons are known to have been lawyers. Alpheus, born in 1794, was a lawyer for a brief period of time due in large part to his untimely death at age 35. Four of his younger brothers also trained in the law, while the occupation of the fifth son, George Washington Wilson, is unknown. Norville Wilson, the second son born to Thomas and Mary, became a minister. Norville converted to Methodism while studying law, serving the Methodist circuit in Winchester, Virginia.

Eugenius Marcus Wilson (b. 1797) was admitted to the Bar at age 22 in 1819. Eugenius was a member of the Representatives of Congress in 1829 when the Convention was held in Richmond. He died suddenly at his brother Norville’s home at age 34 of bilious fever, known today as typhus.

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18 Information on the descendants of Thomas Wilson can be found at: [http://www.wvgenweb.org/calhoun/twilson.txt](http://www.wvgenweb.org/calhoun/twilson.txt). This website repeats erroneous information regarding the birth order of sons Alpheus and Norville. Alpheus was the first son. Additional children of Thomas and Mary Wilson are listed at the Find-a-Grave website: [http://www.findagrave.com/cgi-bin/fg.cgi?page=ag&GSln=WI&GSfn=t&GSpartial=1&GSbyrel=all&GSdyrel=all&GSst=52&GScnty=4&GSob=n&GSsr=201&GRid=7619438&df=all&](http://www.findagrave.com/cgi-bin/fg.cgi?page=ag&GSln=WI&GSfn=t&GSpartial=1&GSbyrel=all&GSdyrel=all&GSst=52&GScnty=4&GSob=n&GSsr=201&GRid=7619438&df=all&).
Edgar Campbell Wilson, (October 18, 1800 - April 24, 1860), was to become, like his predecessor Mathew Gay and his father, Thomas, yet another prominent lawyer with great influence in his community. Born in Morgantown, Virginia, Edgar completed preparatory studies, followed by the study of law. He was admitted to the bar June 24, 1832, and began his practice in Morgantown.

Edgar was elected as an Anti-Jacksonian to the Twenty-third Congress (March 4, 1833-March 3, 1835). He was unsuccessful in his candidacy for reelection to the Twenty-fourth Congress in 1834.

After resuming his practice in Morgantown, Edgar was appointed prosecuting attorney in the circuit court of Marion County in 1842. Edgar owned property as well as a timber company at Yellow Creek in Calhoun County. He was the father of Eugene McLanahan Wilson, a U.S. Representative from Virginia. Edgar died in Morganton in 1860.

George Washington Wilson, the youngest brother, b. 1811, is known to have served in the Civil War on the Confederate side. He too, like his brothers Alpheus and Eugenius, died young, at age 50, and is buried in the Wright Cemetery at Cremo in Calhoun County.

Of the three daughters, Agnes, Louisa and Julia, little is known beyond a glimpse of Louisa’s early married life. What is known is that each of the daughters married ministers.

A. P. Willson was born on March 2, 1794. Alpheus read law with his father Thomas, and initially followed him into politics. Alpheus was elected to the Virginia Legislature in 1819. The year 1821 was a year of great success for Alpheus, he was admitted to the Bar, married Eliza Evans September 20, and was elected to the Virginia State Senate, serving in the Senate from 1821-1825.19

Slack water navigation, a method of regulating water flow with a series of dams in order to increase navigation, had reached Pittsburgh. It was a great desire of the citizens that slack water navigation be brought to Morgantown. Alpheus was a delegate to Washington City, now Washington, D.C., to the Canal Convention of 1826. Although slack water navigation to Morgantown was a necessary means to increase the flow of commerce to and from Morgantown, all efforts made by the Monongahela Navigation Company failed. It was not until the latter part of the nineteenth century that slack water navigation was finally achieved.20

Besides his duties as a lawyer and a political figure, Alpheus also served as the county coroner. Although he campaigned for this position, he hated the job, serving only one year.21 After marrying Eliza Evans, daughter of Jesse Evans, Alpheus was named Director of the Rock Forge Iron Works. The Iron Works were known as Hanway’s Rock Forge for the original owner, Samuel Hanway. Rock Forge is also referred to as Dicker’s Creek Ironworks. John Stealy, who took over the Iron works

20 Greek Sayre, “History of Morgantown to 1853.” (MA thesis, West Virginia University, 1920). This information may also be found in Earl L. Core’s The Monongalia Story, A Bicentennial History, Vol. III Discord. p. 74.
from Hanway, advertised for hands at the Furnace in 1815. From 1815 – 1824, Watts & Kiger, Stealy's sons-in-law, ran the works. Then in 1824 Watts was succeeded by Jesse Evans. Evans placed Alpheus in charge of the Valley Furnace, which smelted iron bloom, a rough mass of iron produced at the bloomery or furnace.\footnote{Earl L. Core, \textit{The Monongalia Story, A Bicentennial History}, Vol. III Discord, p. 74.}

Alpheus’s tenure at the Valley Furnace was short. His death, at age 35, was a result of his work for the foundry. The Swem Library at the College of William and Mary houses the papers of Archibald Woods, an uncle of Alpheus P. Wilson. The following letter, relating the death of Alpheus, is among the Woods papers at William & Mary. The original punctuation and spelling have been retained.

\begin{center}
Brownsville, Monday evening
\end{center}

Dear Washington

You have no doubt heard before this some rumor of the death of Alpheus – and painful as the information may be, I am under the necessity of saying it is too true.

On Thursday evening last, he Mr. Brady of Grandville and Mr. Brand, started from Grandville in a boat loaded with bloom, etc. The river then rising rapidly, it appears they attempted several times to land above this place but could not, the night being so tempestuous and dark, and river so high. When opposite this place they approached the shore so close, as to (allow) Brady & Brand to jump out with the cables, Alpheus staying in the boat but the current was so strong that the cables was torn from their hands, and the boat continued onward, and it being dark about 2 o'clock, it soon went out of sight of Brady. Alpheus (so far as Brady could see) continued to row the boat, and nothing more was seen of him. Brady got a skiff and a hand and immediately followed, and continued to Pittsburgh without any tidings – but the boat was found Friday morning safe in the mouth of Redstone about a mile before town, in a bottom which was overflown, and after the water fell Alpheus' hat was also found not far from the boat, his saddle bags in the boat. Since that time every possible search has been made and will be continued. He most probably attempted to get out of the boat a short distance above the creek, where the shore was very steep and being dark, slipt in and was lost – I have been here since Sunday morning together with . . . Samuel Evans also. This event is most distressing. I left home before Eliza heard anything of it. I will write you again in a few days.

your Brother

One of Alpheus’s sisters, Louisa24, kept a journal. In her journal Louisa remembered the death of her brother Alpheus a year to the date of his death. Fragments of her diary were later collected and compiled by the Rev. Ashbel G. Fairchild25. Unfortunately Louisa died only a few months later at the age of 23 from tuberculosis.

With Alpheus’s unexpected death, his wife Eliza is forced to sale the contents of the estate, since Alpheus died without a will. It is at this sale, advertised in the local Morgantown paper, that Gay purchased the set of Bacon’s Abridgement, adding his name on the title page beneath that of his colleague in the law, A. P. Willson. 26

**L.S. Hough**

Now we come full circle to L.S. Hough and his purchase of Bacon’s Abridgement. The remaining portion of Hough’s inscription reads:

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L.S. Hough’s book bought
at the sale of Mathew Gay’s
library from adver of the widow’s
Est. October 17, 1874
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L.S. (Lycurgus Stephen) Hough, (March 18, 1818 – May 2, 1886) originally from Loudon County, Virginia, moved to Morgantown in 1842. The Hough family was recognized in the region as among the oldest settlers of Loudoun County27. Hough studied law in the office of the Honorable Edgar

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24 Louisa W. Lowrie. *Memoir of Mrs. Louisa A. Lowrie*. Available at the Internet Archive: [http://archive.org/stream/memoriomrslouis00fair#page/142/mode/2up](http://archive.org/stream/memoriomrslouis00fair#page/142/mode/2up). Louisa was Alpheus’s sister. This memoir was compiled by The Rev. Ashbel G. Fairchild. On the title page of the second edition there is this statement: “Louisa A. Lowrie, who died at Calcutta, Nov. 21st, 1833, aged 24 years.” She and her new husband John C. Lowrie sailed on The Star, May 30, 1833, to Calcutta to begin life as missionaries in India. Louisa’s health deteriorated over the course of the journey. She lived only three weeks after her arrival in Calcutta. She is buried in the Scottish Cemetery there.


C. Wilson, Alpheus’s brother. Hough was admitted to the Bar in Morgantown on March 29, 1844 and married Anna, the daughter of the Rev. Ashbel Fairchild.

Hough too, rose to prominence as a lawyer in Morgantown, practicing law from the date he was admitted to the Bar. On May 20, 1863, Hough was appointed by John J. Jacob, the fourth governor of the state of West Virginia, as one of the Regents of the newly formed West Virginia Agricultural College, as West Virginia University was originally named. Hough served several terms as School Director.

Active in the community, Hough participated in Morgantown’s Centennial Celebration (1785-1885), serving as secretary for the program committee and authoring an essay published in a history of the event. Hough’s essay describes the establishment of Morgantown as the County Seat and its government and officers of the town. The list of trustees and their dates of service contains the names of Mathew Gay, Eugenius Wilson, brother of Alpheus, and Hough himself, serving as a trustee from 1870 – 1877.

Anna and L.S. had several children with two of them, a son and daughter, reaching some success in their lives. Their first son, Walter, was born in Morgantown, Virginia on April 23, 1859. Educated at the Monongalia Academy, the public school where Mathew Gay served as President of the Board of Trustees some years earlier. Walter also attended the earliest incarnation, the West Virginia Agricultural College, and continued his education there after it was renamed West Virginia University, achieving an A.B. degree in 1883, and a Ph.D. in 1894.

Walter found employment at the United States National Museum as an assistant (1886–94), later serving as assistant curator of ethnology (1896–1910), and then as curator after 1910. The National Museum is known today as The Smithsonian Institution. In 1892 Walter was made a Knight of the Order of Isabella when in Madrid as a member of the United States Commission.

In 1901, Dr. Walter Hough, while on an expedition in northeastern Arizona for the National Museum, is quoted with the perennial complaint of the archeologist:

> The great hindrance to successful archaeological work in this region lies in the fact that there is scarcely an ancient dwelling site or cemetery that has not been vandalized by ‘pottery diggers’ for personal gain.

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29 A Civil War era photograph of Anna Fairchild Hough can be located on the West Virginia University Libraries website for West Virginia History OnView: Photographs from the West Virginia and Regional History Collection: [http://wvh历史上onview.org/](http://wvh历史上onview.org/).


33 Ibid. p. 114-120.


35 Ibid.

Walter’s older sister and the Hough’s first daughter, Clara, became West Virginia University’s first librarian, serving in the position of University Librarian from 1890 to 1897 until Eliza Jane Skinner; WVU’s first professional librarian was hired as Library Director in 1897.

Although she no longer worked as a librarian, Clara’s interest in the profession continued. She attended the first session of the Chautauqua Library School at the Chautauqua Institution, established in 1874, on the shores of Chautauqua Lake in southwestern New York State. Long held in high esteem for its education programs, the Chautauqua Institution initiated its Library School program in 1901. Forty-one students from twenty states attended the five week course from July 22 – August 15, 1901. “Principles of cataloging, including accession and shelf-department, classification, reference and loan work, and many practical details were taught.” Melvil Dewey, the creator of the Dewey Decimal classification scheme, was the general director of the school. Dewey’s opening lecture was titled “Qualifications of a Librarian.”

Just when Hough’s set of Bacon’s Abridgement came into the possession of the WVU College of Law Library is unknown. It is possible that Hough’s books were given to WVU after his passing in 1886, to enhance the library’s meager holdings. Unfortunately, due to inadequate record keeping, it is not known when or how the books came to be part of the rare book collections at the College of Law. Robert F. Munn, the future Dean of Libraries at WVU, in his dissertation for his Ph.D. in 1961, wrote the early history of the WVU Libraries. In his dissertation Munn includes the list of the first books to arrive in the library (pgs. 98, 243) and Bacon’s Abridgement is not among them.

The College of Law, founded at WVU in 1878, originally developed its own library and maintained it separately from the main university library. Munn describes the “poverty” of the university library holdings was such that departments, such as the law school, were compelled to set up their own departmental libraries, usually stationed in a faculty office and available to students within their own program. Without further information, it can only be supposed that the books were given to the University sometime after Hough’s death in 1886. Perhaps his daughter Clara donated the set after she became University Librarian in 1890.

L.S. Hough, through his inscription, created a historical record that could be used to trace the earliest ownership history of an integral part of a lawyer’s working library, Bacon’s Abridgement. As it stands, this set of Bacon’s Abridgement remains a memorial to a group of lawyers who contributed largely to the town of Morgantown, increasing its development from frontier outpost to burgeoning town and home to the State University.

In this case study, provenancial research uncovered important information on local, state and national history, and to the discovery of a community of early lawyers who were prominent citizens in Morgantown. Historical information on local landmarks, the development and growth of Morgantown through individual actions, and the history of the development of WVU as well as


information on a prominent WVU alumnus was also part of the discovery process. This case study has shown that there is much more to the names scribbled in books. Research into this kind of provenance can provide important information that is useful to the institution, the region, and library patrons.

As a discovery tool, this research has proven to be invaluable for collection development. Information of this nature provides insight into the shaping of the collection in a way that connects law school history with the community, the university and the College of Law. Provenance information can also open a portal into the collections, creating opportunities for exhibitions, a webpage, or blog post that would be of interest to the wider community both inside and outside the College of Law. This research also connects the College of Law to our own local and legal community and the long standing support given to the university and the College of Law throughout its history and development. Although some questions remain unanswered, this research has furthered and deepened out knowledge of our history, our collections and the lawyers who contributed to the larger legal community of Morgantown.

Bibliography


Barbe, Waitman. West Virginia University Alumni Record 1867 – 1903. Published by the Alumni Association, 1903.


Stewart Plein is Special Collections Librarian at the West Virginia College of Law Library
The AALL annual meeting is right around the corner! It is my favorite professional meeting, most of all for the pleasure of seeing all of you, my LHRB-SIS colleagues, and for the outstanding programming we put together. Registration has already begun for the 2013 meeting in Seattle. I hope to see all of you there.

There are a number of changes for the Seattle meeting. One of the best changes is that the Rare Book Cataloging Roundtable has a new home as part of LHRB-SIS. A big thank-you to the Roundtable’s current chair, my colleague Susan Karpuk, and her predecessor Sarah Yates, for initiating the move. The proximate cause was the new limit of 10 meetings that a SIS is allowed to sponsor at annual meetings. The Technical Services Special Interest Section (TS-SIS), the previous sponsor of the Roundtable, was close to the limit, so shedding the Roundtable eased the scheduling challenges for TS-SIS.

For LHRB-SIS, acquiring the Rare Book Cataloging Roundtable means no more scheduling conflicts with other LHRB-SIS functions (yay!), as occurred several times in recent memory. For me, the Roundtable's meetings exemplify the virtues of professional meetings: lively discussions and lots of useful information sharing. It is one of my favorite events at AALL. We will continue to encourage TS-SIS members, and all others who are interested, to attend. This year’s meeting of the Rare Book Cataloging Roundtable is scheduled for 5:30-6:30 p.m. on Sunday, July 14, in WSCC-Room 303. Susan Karpuk is soliciting suggestions for discussion items; you can email them to susan.karpuk@yale.edu.

Many of you are aware of the sweeping changes that the Annual Meeting Program Committee made to the AALL annual meeting format. One of these changes is that Special Interest Sections are now allowed only one sponsored session per annual meeting. This created challenges for LHRB, one of which was what to do with the presentation by the winner of our annual Morris L. Cohen Student Essay Competition. In consultation with the Education Committee and the Cohen Essay Contest Committee, the winner’s presentation will take place during a meeting of the Cohen Essay Contest Committee. In fact, the presentation will be the only item of business. The Morris L. Cohen Essay Presentation and Luncheon will take place on Sunday, July 14th from 12:30 to 1:45 p.m. in WSCC-Room 206. Note that there will be lunches for the first 40 people to register. So, if you want lunch, sign up soon!

On the subject of meetings, please make plans to attend the LHRB-SIS annual business meeting, set for Monday, July 15, 5:30pm - 6:30 p.m. in WSCC-Room 206. If you have items for the agenda, please send them to me.

One item already slated for the agenda is a proposed amendment to the LHRB-SIS bylaws. The amendment would clarify that it is permissible (but not mandatory) for the Secretary-Treasurer to serve for consecutive terms. Jennie Meade, our Vice Chair, is drafting the amendment and would be happy to get your input. The thinking of the Executive Committee is that there is a learning curve for mastering the AALL financial bureaucracy, and it is a shame to toss out the experience gained after only one term, and start the process all over again.

Following the business meeting, we will head over to the LHRB-SIS reception at the Palomino Restaurant (1420 Fifth Ave., Suite 350), just two short blocks from the Washington State Convention Center. We will have wine, beer and appetizers, and plenty of time to reconnect. The only order of business will be the formal presentation of the Morris L. Cohen Student Essay Prize. The reception will start at 7:00 p.m., a half-hour after we adjourn the business meeting.
There are a number of outstanding sessions relating to legal history and special collections at the Seattle meeting. Our hard-working Education Committee led by Laura Ray has done a superb job, in spite of the limitations placed on SIS programming by the new AMPC rules. Laura gives a rundown of the programs elsewhere in this issue.

I also want to recognize all the others who have helped prepare for the 2013 annual meeting: The Morris L. Cohen Student Essay Committee and its co-chairs Rob Mead and Marguerite Most, our Vice Chair Jennie Meade who recruited our candidates for next year, our Secretary/Treasurer Kasia Solon Cristobal for keeping us within budget, our Past Chair Sarah Yates for her wise counsel, our indefatigable newsletter editor Mark Podvia, and our webmaster Kurt Metzmeier who navigated an overhaul of AALLnet. I am grateful to all of them, and to Sabrina Sondhi for agreeing to run for Vice Chair/Chair-Elect.

See y'all in Seattle!

Mike Widener
mike.widener@yale.edu

I have to begin by apologizing for the delay in getting this issue of LH&RB out to you. I had intended on having this issue completed in early April. Unfortunately my 87-year-old mother was unloading pine bark, fell, and broke her hip. As a result I spent much of April in western Pennsylvania caring for her. Needless to say I am now behind on pretty much everything, which is why you are just now reading this. The very good news is that my mom is making great progress and is expected to make a full recovery.

When I started work on this issue I was worried that I would not have enough material to fill it. Instead we have our longest issue ever (you don’t often see newsletters that exceed 100 pages). Thank you to all of you who submitted material for this issue of LH&RB.

Because I had to layout this issue over a period of weeks, it is possible that I overlooked a submission or two. If you sent something and I failed to include it, please feel free to smack me upside the head at AALL. I will include any missed items in the next issue.

Since this issue is coming out late, the due date for our Summer issue will be August 15th. We will need several individuals to review our programs at AALL—please let me know if you would be willing to do that.

I look forward to seeing many (hopefully all) of you in Seattle!

Mark Podvia
mwp3@psu.edu
The Legal History & Rare Books SIS members will have plenty of programs and activities during all three days of the 2013 AALL Annual Meeting in Seattle. Here are highlights of particular interest for our members. On Sunday, July 14th, kick things off with the LHRB-SIS Luncheon and Cohen Essay Presentation at 12:30 p.m. Enjoy a light lunch and hear our 2013 Morris Cohen Essay Contest winner present this year’s winning paper. At 2:00 p.m., check out program B8: State Constitutions: Current, Historical, and How They Change. For our cataloging members, at 5:30 p.m., close out Sunday with the LHRB-SIS Rare Book Cataloging Roundtable. Monday, July 15th, at 1:00 p.m., don’t miss our LHRB-SIS independently-produced program D6: Sharing the Legacy of the Internment of Japanese Americans: How Law Libraries Can Help Preserve and Provide Access to Stories of Advocacy and Justice. This session will examine the legal history of the incarceration of Japanese Americans during World War II, as well as discuss how to showcase collection materials and build collaborative relationships to tell a story of advocating against social injustice. At 5:30 p.m., please come to our LHRB-SIS Business Meeting. This is your chance to catch up on, or get involved in, our latest SIS projects. At 7:00 p.m., everyone is sure to have a grand time at our LHRB-SIS Reception. Tuesday, July 16th, at 2:30 p.m., we have a great follow-up program to our Reception – program H6: Wine and the Law: An Overview of Wine and Winemaking from Ancient Babylon to the Modern Washington State Wine Industry. In addition to describing how wine is made, this session will discuss the historical effect of law upon the wine industry, and the role of the Washington State Wine Commission in the growth of the Washington wine industry. Then, at 3:45 p.m., take in program I2: Beyond Digitization: Designing and Marketing a Collaborative Online Experience Using the Tokyo War Crimes Trial Papers. Check our Web site, for more details on LHRB-SIS activities at the 2013 AALL Annual Meeting.

Long overdue thanks to the coordinators and speakers of our four formal LHRB-sponsored programs at the 2012 AALL Annual Meeting in Boston. Mark Podvia, Lawrence Ross, and Karen Wahl presented The Law of the Salem Witch Trials; Susan Lyons and Wei Fang presented Digitizing Legal History; Jeannie Meade and James Starrs presented “Digging” Legal History in Boston: The Case of the Boston Strangler; and Michael Widener, Karen Beck, and Jeremy Dibbell presented Early Law Libraries as Historical Documents: Recording the Bookshelves of Long-Ago Lawyers. Honestly, were these not among the most excellent sessions of the meeting? Also, most enjoyable was our LHRB luncheon, during which Zoey Orol presented Reading the Early American Legal Profession: A Study of the First American Law Review. Ms. Orol was the second-place winner of our 2012 Morris Cohen Student Essay Contest. John Beerbower, who wrote the winning essay Ex Parte McCardle and the Attorney General’s Duty to Defend Acts of Congress, was unable to attend the meeting, but does have the opportunity of submitting his paper to Law Library Journal.

“You can’t see Canada across lake Erie, but you know it’s there. It’s the same with spring. You have to have faith, especially in Cleveland.” Paul Fleischman

Laura E. Ray

Laura Ray is Instructional Services Librarian at the Cleveland-Marshall College of Law.
Sabrina Sondhi has been elected LH&RB-SIS Vice-Chair/Chair Elect. Sabrina has been the Special Collections Librarian at the Diamond Law Library, Columbia University for the past five years. She received her MLIS from the University of Washington in 2008, her J.D. from Cornell Law School in 2001, and her B.A. from Pomona College in 1998. In addition to working at Columbia, she has worked part-time at the Fordham Law Library, and interned at the law libraries at Yale University and the University of Washington.

Sabrina has been a member of AALL (and LH&RB) since 2007. She has attended and reported on the annual Rare Book Cataloging Roundtable for the LH&RB newsletter for four years now. In addition, this year she is a new member of LH&RB’s Morris L. Cohen Student Essay Competition Committee.

Our secretary, Kasia Solon Cristobal, joined the Tarlton Law Library as a reference librarian in 2009. In 2010, she was appointed Student Services Coordinator and regularly teaches advanced legal research. Ms. Cristobal was previously a rare books and reference librarian at the Jacob Burns Law Library at George Washington University Law School. She received a bachelors degree in history from Rice University, a J.D. from William Mitchell College of Law, and a masters degree from the University of Michigan School of Information. Prior to graduate school, Ms. Cristobal received a Watson Fellowship and spent a year of travel studying Vikings and Icelandic sagas. She is admitted to the practice of law in Minnesota.
The History of Law School Librarians in the United States: An Annotated Bibliography

Part III: Florida

Glen-Peter Ahlers, Sr.

Note: This bibliography is an ongoing attempt to identify, gather, and make known as many pieces of historical information about individual law school libraries in the United States as possible.

The first part of this bibliography, Alabama to California, can be found in the Spring 2010 issue of LH&RB. Part II, Colorado to the District of Columbia, was published in the Summer 2012 issue of LH&RB.

Ave Maria School of Law Library, 1025 Commons Circle
Naples, FL 34119, (239)-687-5500.

- Law School Website: http://www.avemarialaw.edu/
- Library Website: http://www.avemarialaw.edu/library/

The Ave Maria School of Law Library supports the mission of the school by providing a core research collection and a research environment that includes print and electronic formats. The collection is especially strong in Legal History, Legal Ethics, Bioethics, the Catholic Intellectual Tradition, Ancient and Medieval Philosophy, Legal Ethics and Canon Law. The Library’s materials can be located through AQUINAS, the law library online catalog.

The Library offers 100 seating spaces comprised primarily of table space in the main Reading Room and unassigned study carrels elsewhere.

The web page contains General Library Information links, including Contact Information, Library Resources at a Glance, About the Collection, Tours & Training, and Facilities Policies.

Legal Research links include searches in the Library’s Aquinas Catalog, a listing of Databases A-Z, and eJournals.

There is also information for Connecting from Off Campus, and how to Ask a Librarian a question.

Links to Library Services include: Circulation Services, Student Services, Faculty Services, Interlibrary Loan, and Library Displays.

Timeline


2006: 453,833 volumes, 175,613 titles, 285 seats, 5 full-time librarians, open 100 hours per week [2006 ABA/LSAC Guide].

2007: 458,012 volumes, 177,204 titles, 285 seats, 4 full-time employees, open 105 hours per week [2007 ABA/LSAC Guide].
2008: 462,720 volumes, 179,174 titles, 285 seats, 5 full-time librarians, open 105 hours per week [2008 ABA/LSAC Guide].

2009: Law School relocates from Ann Arbor, Michigan to Naples, Florida; 117,104 volumes, 65,002 titles, 285 seats, 8 full-time librarians, open 105 hours per week [2009 ABA/LSAC Guide].

2010: Dean Milhizer appointed the Law School’s second President and Dean; 118,420 volumes, 65,933 titles, 285 seats, 9 full-time librarians, open 105 hours per week [2010 ABA/LSAC Guide].

2011: Roberta (Bobbie) Studwell (from Charlotte School of Law) appointed Associate Dean for Law Library and Information Services & Associate Professor; $890,875 spent on Library materials, 103 seats, 4 full-time librarians, open 104 hours per week [2011 ABA/LSAC Guide].

2012: $594,882 spent on Library materials, 103 seats, 4 full-time librarians, open 108 hours per week [2012 ABA/LSAC Guide].

2013: $650,340 spent on Library materials, 103 seats, 4 full-time librarians, open 105 hours per week [2013 ABA/LSAC Guide].

Barry University, Dwayne O. Andreas School of Law, Euliano Law Library, 6441 East Colonial Drive, Orlando, FL 32807, (321) 206-5700.

Website: http://www.barry.edu/law/future-students/library/

The 32,000 sq. ft. Euliano Law Library is named after Dr. Euliano, founder of the University of Orlando. The library “houses materials to support the law school curriculum and the scholarship needs of Barry students, faculty, and staff. Occupying a three-story building on the north side of the campus, the Library houses an extensive collection of legal materials including federal and state statutes, case reporters, and digests, monographs, treatises, secondary resources, legal periodicals, and newspapers, with a focus on Florida-specific legal resources. Reference Librarians with law degrees are available to assist with research and reference for students, faculty, and members of the Orlando legal community.”

Library Facebook Page

Bibliography:

Barry University, Euliano Law Library, Acquisitions List.
Barry Law School Wikisite, maintained by Reference librarians.

Timeline:


1993: University of Orlando licensed by Florida.

1995: Law School Feasibility Study completed.

1995: Part-time evening law classes begin with eighty-six students in September.
1996: John Wherry steps down as Dean in February; full-time day classes begin in September; Wallace Rudolph becomes Dean in December.

1997: Rebecca Trammell appointed Associate Dean for Information Services.

1998: Stan Talcott becomes Dean; volume count grows to 166,777.

1999: Barry Board of Trustees approves acquisition of School of Law.

2000: Volume count grows to 180,533.

2001: Volume count grows to 187,506.

2002: ABA Provisional Approval; Glen-Peter Ahlers (from University of Arkansas) appointed Associated Dean for Information Services and Professor of Law; Library Hosts AALL Academic Library Reception.


2004: Volume count grows to 257,593.

2005: Volume count grows to 259,018.

2006: ABA Approval; 257,593 volumes, 107,624 titles, 326 seats, 9 full-time librarians, open 98 hours per week [2006 ABA/LSAC Guide].

2007: Leticia Diaz becomes 5th Law School Dean; 259,018 volumes, 110,083 titles, 339 seats, 9 full-time employees, open 100 hours per week [2007 ABA/LSAC Guide].

2008: 267,586 volumes, 113,339 titles, 338 seats, 10 full-time librarians, open 100 hours per week [2008 ABA/LSAC Guide].


2010: Glen-Peter Ahlers resigns as Associate Dean for Information Services to teach full-time; 273,067 volumes, 117,550 titles, 338 seats, 7 full-time librarians, open 100 hours per week [2010 ABA/LSAC Guide].

2011: Phil Johnson (from UMKC) appointed Associate Dean for Library Services, serves until 2013; $938,564 spent on Library materials, 338 seats, 11 full-time librarians, open 106 hours per week [2011 ABA/LSAC Guide].

2012: $920,397 spent on Library materials, 346 seats, 8 full-time librarians, open 106 hours per week [2012 ABA/LSAC Guide].

2013: $1,147,607 spent on Library materials, 336 seats, 6 full-time librarians, open 106 hours per week [2013 ABA/LSAC Guide].

Florida A&M University School of Law, Law Library, 201 Beggs Avenue, Orlando, Florida 32801, (407) 254-3263.
The primary mission of the Florida A&M University College of Law Library is to enhance study, learning, research, and service conducted at the College of Law by providing present and future resources and services to meet the informational needs of its faculty, students, and staff. The secondary mission of the Law Library is to contribute a valuable community service by providing public access of its collections to the local legal community and to the general public.

The College of Law Library occupies the entire first, second and Fourth floors of the south wing of the law school, with a computer lab on the third floor.

The website contains links entitled, About The Library; Databases; Orientation; Research Help; Using the Library; and Collections. The Library Guide is available via the About the Library link.

Library collections include over 391,000 print volumes and microform volume equivalents; over 139,250 of these volumes are in print.

The Virgil Hawkins Collection is named the Virgil Hawkins Collection, after the civil rights pioneer who played an important role in the desegregation of legal education in Florida. It is located on the fourth floor of the Library and consists of American and British primary materials, case reporters, legal periodicals, and treatises. This collection originated with the first FAMU College of Law in Tallahassee, which existed from 1949 to 1968. After closing, much of the collection was transferred to Florida’s newest law school, Florida State University College of Law. Florida State transferred the Hawkins Collection back to FAMU in 2006.

The International Law Collection which also supports the College of Law’s Center for International Law and Justice, is located on the fourth floor of the Law Library.

The Orange County Law Library collection was transferred from the Orange County Courthouse to the Orlando Public Library in the 1980s. Pursuant to a 2003 agreement signed by the City of Orlando, FAMU, and the Orange County Bar Association, the volumes formerly housed in Public Library are now housed at, and maintained by, the College of Law Library. Funded by Orange County, this Collection serves the research and practice needs of members of the Orange County Bar and members of the surrounding community. The focus of this collection is on the legal practitioner’s needs with some selections, as well, for lay persons.

The Florida Collection containing Florida Statutes, Laws of Florida, Florida Legislative material, Florida Jurisprudence, West’s Florida Digest, and an extensive array of Florida practice materials, is located in an area of the second floor near the main collection area.

Items in the Civil Rights collection are located throughout the Law Library. A primary focus is the Civil Rights movement in the United States from the 1950s through 1970.

Publications produced by the faculty while teaching at the College of Law are located in display cases in the first floor common area of the Library.

The Law in Popular Culture Collection, located on the first and fourth floors of the Library, contains classic and modern legal-themed DVDs; “works of fiction that either include a lawyer as a central character or have been authored by a lawyer.
Bibliography:
Florida A&M University, College of Law, Law Library Guide

Timeline:
1949: Division of law established at the Florida December 21.
1951: First class admitted in 1951.
1966: Florida Board of Control withdraws permission to admit law students.
1968: Law school graduates last class and closes its doors.
2000: Florida Legislature unanimously passes legislation establishing law school; Percy Luney appointed Dean.
2002: First class admitted in fall.
2005: First class graduated in spring; founding Dean Percy Luney steps down.
2006: 290,520 volumes, 9,591 titles, 174 seats, 6 full-time librarians, open 100 hours per week [2006 ABA/LSAC Guide].
2007: 298,956 volumes, 13,354 titles, 185 seats, 5 full-time employees, open 100 hours per week [2007 ABA/LSAC Guide].
2008: 329,410 volumes, 35,699 titles, 558 seats, 8 full-time librarians, open 100 hours per week [2008 ABA/LSAC Guide].
2009: Full ABA Approval; 344,406 volumes, 46,025 titles, 558 seats, 12 full-time librarians, open 100 hours per week [2009 ABA/LSAC Guide].
2010: 354,300 volumes, 146,957 titles, 557 seats, 6 full-time librarians, open 100 hours per week [2010 ABA/LSAC Guide].
2011: $726,573 spent on Library materials, 416 seats, 5 full-time librarians, open 100 hours per week [2011 ABA/LSAC Guide].
2012: $729,029 spent on Library materials, 416 seats, 4 full-time librarians, open 100 hours per week [2012 ABA/LSAC Guide].
2013: $594,882 spent on Library materials, 103 seats, 4 full-time librarians, open 108 hours per week [2013 ABA/LSAC Guide].

Florida Coastal School of Law, Library & Technology Center, 8787 Baypine Road
Jacksonville, FL 32256, (904) 680-7612.

Website: http://www.fcsl.edu/ltc/
Facebook
The Library webpage includes links to contact librarians by phone or email, and a separate link entitled “LL.M. Library Help.” A link to Library policies brings users to General Library, Circulation, Study Room, Alumni, And Computer Use Policies

There are also links to help users access TWEN, find study aids, and reserve a study rooms

Resource links helped users Search the Library Catalog Encore, the Library Website, Electronic Resources by Topic, Subscription Databases, Exams, CALI, Research Guides, Westlaw, Lexis, and other Technology Resources

Library Hours and Reference desk hours are also provided.

**Timeline:**

1996: Founded

2002: ABA Approval

2005: Nickie Singleton appointed Professor of Law/Associate Dean for Library and Information Services

2006: 216,901 volumes, 102,097 titles, 426 seats, 5 full-time librarians, open 91 hours per week [2006 ABA/LSAC Guide].

2007: 220,091 volumes, 103,667 titles, 479 seats, 8 full-time employees, open 104 hours per week [2007 ABA/LSAC Guide].

2008: 220,381 volumes, 104,402 titles, 507 seats, 10 full-time librarians, open 104 hours per week [2008 ABA/LSAC Guide].

2009: 223,820 volumes, 127,502 titles, 516 seats, 23 full-time librarians, open 104 hours per week [2009 ABA/LSAC Guide].

2010: 221,992 volumes, 128,329 titles, 516 seats, 19 full-time librarians, open 104 hours per week [2010 ABA/LSAC Guide].

2011: $1,244,157 spent on Library materials, 516 seats, 12 full-time librarians, open 105 hours per week [2011 ABA/LSAC Guide].


2013: $1,192,959 spent on Library materials, 618 seats, 15 full-time librarians, open 105 hours per week [2013 ABA/LSAC Guide].

**Florida International University College of Law, Law Library,**

11200 SW 8th St., Miami, FL 33199, (305)-348-7206.

**Website:**

http://law.fiu.edu/library/
The Florida International University College of Law Library is a research center designed to support the curriculum, teaching and scholarly work of the College's faculty, students and staff. Use of the Law Library is reserved for members of the College of Law community and persons using Law Library resources to conduct legal research.

With over 245,000 volumes and volume equivalents, the core collection is comprised of U.S. federal and state legal materials, publications related to foreign and international law, and a rapidly growing collection of Latin American legal materials. The Library's resources also include a wide variety of specialized legal databases, including access to thousands of e-books and digitized legal treatises.

The Library offers study rooms, a computer lab, study carrels and wireless internet access to students of the College of Law. All Library users have access to the Library's electronic resources, including the web-based library catalog, subscription databases, and selected Internet resources.

The librarians and staff are committed to providing a high level of service to the students and faculty of the College of Law, as well as assisting members of the FIU community, the local bar and the general public. The Library staff of eighteen includes seven full-time professional librarians and two part-time librarians.

The page provides links entitled About the Library, Ask a Librarian, Interlibrary Loan, Services & Policies, Subscription Databases, Web Resources, and Staff Directory. Library Hours and the phone numbers for circulation and reference are prominently displayed.

48 photographs of the Library under construction appear at Renovation Timeline

Library Services & Policies are provided and cover YPERLINK"http://law.fiu.edu/library/services-policies/food/"Food in the Library, Group Study Rooms, Library Printing, Faculty Services, Student services, and Lexis & Westlaw Summer Access.

There is also a Staff Directory, links to Subscription Databases and other Web Resources, as well as access to Search the Catalog. There is also a Featured Database, and links to student and faculty email.

Quick Links to FIU News, Calendar, Phonebook, Fact Sheet, and Viewbook round out the page.

Users can connect with the Library via RSS, Twitter, Facebook, Flickr, and Youtube. There is even an opportunity for donors to Make a Gift.

The Library touts two special collections: National Security and Human Rights, and the Cuban Collection.

The library received a grant sponsored by the United States Intelligence Community to develop the library collection on national security and human rights issues, that holds over one hundred and forty titles. Topics of national security and human rights include: homeland security, international and public security, terrorism and counterterrorism, bioterrorism, war on terror, peace and conflict resolution, border control, emigration and immigration, citizenship, ethnic conflicts and genocide, transnational crime, and asylum.
The Library also acquired “the library of the well known Cuban lawyer Mario Diaz Cruz, who practiced law in Havana from 1915 to 1958.” The collection includes approximately 6,000 volumes passed on to Diaz Cruz Jr., and then onto the Rainforth Foundation of Coral Gables who donated the collection to FIU. “The collection represents what a good law firm library in Cuba must have contained during that era.”

Rare books in the collection include “a 1757 edition of the Corpus Juris Civilis Justiniane; the, Coleccion de Circulares Expedidas por la Real Audiencia Pretorial de La Habana (1865-1871); and Ordenes Civiles from the United States Military Government (1900).

“This collection is of particular value for those historians and legal scholars focusing on Cuba, pre-Castro, and post-Castro.”

“Mario Diaz Cruz, Jr. was the editor of the journal Comparative Juridical Review, which started publication in 1964 and ceased publication, at volume thirty one, in 1994. . . the library collection continued increasing the number of journal titles from Latin America.”

Timeline:

2000: FIU School of Law Established


2002: Classes begin.

2004: Provisional ABA Accreditation

2006: Full ABA Approval; 187,210 volumes, 87,180 titles, 196 seats, 4 full-time librarians, open 112 hours per week [2006 ABA/LSAC Guide].

2007: 190,649 volumes, 77,567 titles, 196 seats, 6 full-time employees, open 112 hours per week [2007 ABA/LSAC Guide].

2008: 198,206 volumes, 79,323 titles, 322 seats, 6 full-time librarians, open 110 hours per week [2008 ABA/LSAC Guide].

2009: AALS membership; R. Alexander Acosta appointed Dean; 203,936 volumes, 87,239 titles, 322 seats, 18 full-time librarians, open 110 hours per week [2009 ABA/LSAC Guide].

2010: 211,251 volumes, 101,727 titles, 322 seats, 7 full-time librarians, open 107 hours per week [2010 ABA/LSAC Guide].


2012: $822,378 spent on Library materials, 322 seats, 8 full-time librarians, open 95 hours per week [2012 ABA/LSAC Guide].
2013: $827,692 spent on Library materials, 322 seats, 7 full-time librarians, open 95 hours per week [2013 ABA/LSAC Guide].

Florida State University College of Law, Research Center, 425 W. Jefferson Street
Tallahassee, FL 32306-1601, (850) 644-4095.

Websites:
Florida State Law Research Center

Welcome to the College of Law Research Center. Our primary mission is to train our students to produce highly sophisticated and cost-effective legal research. Florida State Law students have 24/7 access to the Research Center. Our students can also use virtual reference provided by expert research librarians.

Our Research Center offers students:
· one of the nation’s most comprehensive, systematic legal research training programs
· extensive legal research offerings throughout all three years of law school
· specialized classes, long and short, that help students to develop into expert legal researchers
· classes and workshops taught by experienced research attorneys and law librarians

Archives & Rare Books

The Research Center’s collection of rare and archival materials is housed in rooms with separate climate control and fire prevention equipment for the protection of fragile items. Many of the items in the Rare Book Collection, such as the 1986 facsimile edition of the 1086 Domesday Book, were purchased with gifts of generous College of Law alumni.

The collection contains a variety of items, including a legal opinion dating to between 1600 and 1620 handwritten by the great English jurist Sir Edward Coke, a copy of the first printed edition (1553) of the Digests or Pandects of the Emperor Justinian, and the 1565 edition of La Graunde Abridgement by Sir Anthony Fitzherbert, which arranges and summarizes more than 14,000 cases from the Year Books. Perhaps most unusual is a complete eighteen-volume set of the session laws of Henry VIII, published in the mid-sixteenth century. Only two other complete sets of this printing are known to exist in libraries in the United States.

Also notable is the United States Supreme Court Autograph Collection, containing documents and pictures signed by almost all past and present Supreme Court Justices. Other autographs in the Library's collection include a letter of marque signed by Thomas Jefferson as President and James Madison as Secretary of State, and a pleading in Lincoln’s own hand.

Collections & Digital Projects
· Florida Digital Projects

Most of the Florida digital projects were compiled by the Florida State University College of Law Legal Research Center with financial support from the law libraries of Ave Maria School of Law, Barry University, Florida Agricultural and Mechanical University, Florida Coastal School of Law, Florida International University, Florida State University, Nova Southeastern University,
These include the Florida Administrative Code 1963-1970, published by the Division of Elections in looseleaf form with monthly update pages. In 1970, the code was renumbered, and all pages were reissued. This resource contains all pages in place in 1970; the Florida Administrative Code 1970-1982, published by the Division of Elections in looseleaf form with monthly update pages. This database contains pages published during this time. Different versions of a page, which were in place on different dates, can be retrieved through an interactive search; Complete coverage of Florida Attorney General Opinions from 1961 to 1973, as published in the Biennial Report of the Attorney General, and sporadic coverage of opinions back to 1930, including, to the extent possible, unpublished opinions; Florida Governor's Executive Orders and Signing Statements by Jeb Bush and Charlie Crist; Florida Statutes, containing scanned images of many of the Florida statutes beginning in 1941; Florida Supreme Court Briefs and Opinions issued by the Florida Supreme Court since July 1986 and added at the end of each week the Court is in session; Florida Summaries of General Legislation, 1970-1994 published by the Florida Legislative Service Bureau; Florida Selected Legislation—Staff Analyses for selected Florida legislation, many of the documents provided deal with RICO; Florida - Index to Special and Local Laws 1845 - 1970, a 384-page consolidated index to all local and special laws enacted during the period. So-called general acts of local application (population acts) are not included. However, every local or special law enacted during the indicated period is indexed, including those which have been expressly repealed; Index to Laws of Florida Special and Local Laws 1971 to 2012, a 139-page subject guide to special and local laws enacted by the State Legislature and updated annually. Florida Statutes 2012 Definitions Index, Florida Statutes 1941 - Volume III - Helpful and Useful Matter, intended to provide helpful and useful matter to the legal profession of Florida, supplementing the material contained in the previously published Volumes I and II; Florida's Constitutions: The Documentary History, The Documentary History - Table of Contents, a compilation of documents tracing the chronological development of Florida's Constitutions. It includes copies of each of Florida's six constitutions, as they existed upon ratification; each proposed amendment, whether presented by legislative resolution, revision commission, or initiative; and Supreme Court decisions affecting ballot position. The Table of Contents contains reference to the constitutional articles and sections affected by the proposed amendments as well as the disposition of each, and is intended to be used as a research tool to assist in the location of the primary sources which comprise the history of Florida's organic law. Also included, when available, are cites to contemporary analyses of the various proposals, prepared by the Public Administration Clearing Service of the University of Florida, as part of their Civic Information Series, to educate voters on the proposed changes. Jo Dowling, the former Assistant Librarian of the Florida Supreme Court, compiled the documents. Florida State University College of Law and the College of Law Library created the website to provide Internet access; Florida Taxation and Budget Reform Commission Archive Site, which includes final versions of the Constitutional Proposals, Statutory recommendations, and Governmental Services Committee Reports that have been adopted by the Commission.

Other Digital Projects

Decisions of the Board of Appellate Review

Human Rights Documents, a unique collection of documents produced by over 355 non-governmental human rights organizations (NGO's) throughout the world, edited by Human Rights Internet in Ottawa, published by IDC Publishers and reproduced in microfiche format. With permission from IDC Publishers, the FSU Law Research Center digitized the collection's accompanying index and provided electronic access through the Research Center's web site to
facilitate identifying and locating specific items. The index may be searched by organization name, organization number, or by region.

**Limits in the Seas and International Boundary Studies**, the aim of the Limits of the Seas Series is to set forth the basis of national arrangements for the measurement of marine areas by coastal States. The International Boundary Studies Series sets forth the basis of national arrangement for the boundaries between countries. Both the supporting documents and maps are online. This is a work in progress so check back often for new material.

**NSCEP Environmental Publications**, containing select Legal Compilations from the National Service Center for Environmental Publications.

**Library Director's Welcome**

The library has a collection of nearly 500,000 volumes and volume equivalents including basic sources of United States and British law as well as international law.

The Research center staff of 17 includes five librarians with professional library degrees and five attorney/librarians. The Research center offers classes in International Legal Research, Environmental Legal Research, Business, Economics and Tax Law Research.

The Research Center has over 400 seats at carrels, tables and in soft seating to which students and faculty have access seven days a week, 24 hours a day.

**Timeline**

1968: ABA Membership.

1969: AALS Membership.

2004: Faye Jones appointed Director and Professor.

2006: 454,319 volumes, 163,293 titles, 410 seats, 10 full-time librarians, open 168 hours per week 2006 ABA/LSAC Guide.


2008: 510,662 volumes, 199,619 titles, 410 seats, 10 full-time librarians, open 168 hours per week 2008 ABA/LSAC Guide.

2009: 516,850 volumes, 204,428 titles, 413 seats, 10 full-time librarians, open 168 hours per week 2009 ABA/LSAC Guide.

2010: 521,781 volumes, 419 seats, open 168 hours per week 2010 ABA/LSAC Guide.

2011: 866,520 spent on Library materials, 420 seats, 10 full-time librarians, open 168 hours per week 2011 ABA/LSAC Guide.

2012: $822,378 spent on Library materials, 322 seats, 8 full-time librarians, open 95 hours per week 2012 ABA/LSAC Guide.
2013: $941,966 spent on Library materials, 444 seats, 11 full-time librarians, open 168 hours per week 2013 ABA/LSAC Guide.

Nova Southeastern University, Shepard Broad Law Center, Law Library and Technology Center, 3305 College Ave, Ft. Lauderdale-Davie, FL 33314, (954) 262-6100.

Website: http://www.nsulaw.nova.edu/library/

Users may connect with the library via Email, Twitter, Facebook, and Google +1.

The collection is housed on three floors within a 43,000 square foot facility. The first floor

serves as a Federal and United Nations selective Depository and contains our international collection as well as the International Programs Offices and ILSA Journal. The second floor contains Study Guides, Reserves, Faculty Reserve, Tax collection, Reference, Circulation, Interlibrary Loan, and our Federal, State, and Treatise collections. The third floor offers an extensive periodical collection, the Burris Collection, admiralty materials, and the offices of the Nova Law Review. The law library continually adds new resources to its print and electronic collections. Copiers are located on all floors; printers are located on the second and third floors.

Along the left margin of its home page, the Library provides links for LINK“http://www.nsulaw.nova.edu/library/”Library Information, Library Resources, Library Services, Technology Services, Public Resources, and its Blog, Novalawcity, a current awareness service provided by the Law Library and Technology Center (LLTC).

The LLTC provides not only law library services to the students, faculty, and staff of the Shepard Broad Law Center but also technology services including hardware, software, and classroom technology support. We have 13 study rooms with an annual circulation of 10,197. Ten librarians (including six with both the J.D. and M.L.S.) provide reference support to approximately 1,100 students, 70 faculty members, 50 adjuncts, and 100 staff members. Each librarian is a liaison to a number of Law Center faculty and each librarian actively provides workshops and seminars for both students and faculty. Librarians teach Advanced Legal Research and the Assistant Dean for Law Library and Technology Services has a joint appointment as a member of the Law Center faculty teaching substantive courses as well. As such, the LLTC is uniquely positioned to play an important role in the curriculum of the Law Center. The LLTC contains approximately 383,000 volumes. Our average weekly gatecount is 6975 and our annual circulation is 3,267. New initiatives taken this year include the use of QR Codes throughout the LLTC that provide useful information to patrons. Additionally, the LLTC created its “Information Exchange Zone” this past year – an area in the LLTC where group collaboration, food consumption, and talking in normal inside voices are permitted and encouraged.

Along the right margin, the Library shows the Library’s hours and links to popular resources.

The Library’s extensive holdings include special collections in tax, criminal law, law and popular culture, admiralty, and international law. With over 340,000 volume equivalents, the Law Library provides access to primary and secondary sources of US law as well as case-finding and updating
tools. The Law Library and Technology Center is designated as a United Nations depository and as a depository for US and Florida government documents.

**Timeline:**

1975: ABA Approval

1982: Becomes selective U.S. Depository Library

1989: AALS Membership.

1996: Billie Jo Kaufman appointed Director Law Library & Technology Center, serves until 2003; wireless system installed in the law school, claims to be first in nation.

1997: Becomes UN Depository Library

2004: Lisa Smith-Butler appointed Assistant Dean and Director Law Library & Technology Center, & Associate Professor, serves until 2009.

2006: 54,205 volumes, 146,268 titles, 535 seats, 9 full-time librarians, open 104 hours per week [2006 ABA/LSAC Guide].

2007: 359,673 volumes, 149,755 titles, 524 seats, 10 full-time employees, open 104 hours per week [2007 ABA/LSAC Guide].

2008: 364,376 volumes, 152,708 titles, 532 seats, 11 full-time librarians, open 104 hours per week [2008 ABA/LSAC Guide].

2009: 365,269 volumes, 153,281 titles, 514 seats, 16 full-time librarians, open 104 hours per week [2009 ABA/LSAC Guide].

2010: Eric W. Young appointed Assistant Dean, Law Library & Technology Center and Associate Professor of Law; 342,978 volumes, 532 seats, open 104 hours per week [2010 ABA/LSAC Guide].

2011: $1,177,605 spent on Library materials, 532 seats, 10 full-time librarians, open 104 hours per week [2011 ABA/LSAC Guide].

2012: $1,211,520 spent on Library materials, 532 seats, 12 full-time librarians, open 104 hours per week [2012 ABA/LSAC Guide].

2013: $1,333,509 spent on Library materials, 532 seats, 13 full-time librarians, open 104 hours per week [2013 ABA/LSAC Guide].

**St. Thomas University School of Law, Alex A. Hanna Law Library, 16401 NW 37th Avenue, Miami Gardens, FL 33054, (305) 623-2330.**

**Website:** [http://www.stu.edu/LawLibrary/tabid/668/Default.aspx](http://www.stu.edu/LawLibrary/tabid/668/Default.aspx)

**Twitter:** Follow@stulawlibrary

The Library, with its ample seating, 12 group study rooms, and 3 AV viewing rooms, provides an attractive, functional environment for group or individual study. The Library’s strong electronic
collection provides convenient access to many resources from both on and off campus. [2012 ABA/LSAC Official Guide]

Library web page resource links provide access to online catalog searches, digital resources, Library Research Guides, Law School news, and Fiat Lux, the Law Library Newsletter

Library Information links provide Library hours and phone numbers, Library Staff contact information, Library Maps, Library procedures and regulations, and the study room policy

Links to the Audio/Visual Department provide general information about classroom support and Library facilities and equipment

Links to Faculty Services and Publications are also provided.

**Bibliography:**

St. Thomas University School of Law, Alex A. Hanna Law Library, *Fiat Lux*. There are fifteen issues beginning October 2007.

**Timeline:**

1984: St. Thomas University School of Law founded.

1988: ABA Approval

2001: AALS Membership

2004: Karl Gruben appointed law Library Director and Associate Professor of Law, serves until 2009.

2006: 317,379 volumes, 87,970 titles, 472 seats, 6 full-time librarians, open 106 hours per week [2006 ABA/LSAC Guide].

2007: 324,202 volumes, 114,453 titles, 472 seats, 6 full-time employees, open 106 hours per week [2007 ABA/LSAC Guide].

2008: 328,842 volumes, 117,124 titles, 472 seats, 6 full-time librarians, open 106 hours per week [2008 ABA/LSAC Guide].

2009: Roy Balleste appointed Law Library Director and Professor of Law; 330,143 volumes, 118,323 titles, 472 seats, 12 full-time librarians, open 106 hours per week [2009 ABA/LSAC Guide].

2010: New library furniture installed; 332,325 volumes, 472 seats, open 106 hours per week [2010 ABA/LSAC Guide].

2011: Library renovations enlarge study rooms and improve lighting in Library; $680,406 spent on Library materials, 480 seats, 6 full-time librarians, open 106 hours per week [2011 ABA/LSAC Guide].

2012: Renovations continue by adding study rooms and recarpeting; $644,307 spent on Library materials, 480 seats, 6 full-time librarians, open 106 hours per week [2012 ABA/LSAC Guide].

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2013: $675,516 spent on Library materials, 500 seats, 6 full-time librarians, open 106 hours per week [2013 ABA/LSAC Guide].

**Stetson University College of Law, Dolly & Homer Hand Law Library, 1401 61st Street South Gulfport, FL 33707-3299, (727) 562-7821.**

Website: [http://www.law.stetson.edu/library/](http://www.law.stetson.edu/library/)

The Stetson University College of Law libraries in Gulfport and Tampa support the research efforts of students, faculty, staff, bench, and bar. The Gulfport library is open to the public.

The libraries are a significant part of the Stetson University College of Law. Their combined collections of statutes, court reports, journals, and treatises in a variety of formats, feature extensive electronic resources, abundant study space, and wireless internet access.

**Bibliography**

Lycan, Gilbert L., *Stetson University; The First 100 Years*, (Stetson University Press 1983).


Stetson Lawyer, *Graduate Evans Name Librarian, Professor*, 11 Stetson Law. 6 (Nov. 1967).


**Timeline**

1930: ABA Approval

1931: AALS Membership.

1954: Francis Nicholson appointed Library Director; school moves to Gulfport; Library held 18,000 volumes.

1955: Gladys Henderson appointed Library Director

1956: Jack Rappaport appointed Library Director

1957: Richard Dillon appointed Library Director

1958: Paul Barnard appointed Library Director

1959: Wallace Storey appointed Library Director

1960: Charles Waygood appointed Library Director

1961: Edward Platt appointed Library Director

1965: Connie Bolden appointed Library Director
1967: Ken Evans appointed Library Director.

1969: Dana Library held 59,400 volumes; early reports say the library grew to 165,182 volumes by the time Dean Dillon left to return to full-time teaching, and that early on Sebring had no library staff “except for a faculty member who served as part-time librarian.” By the end of the Dillon era, however, the library staff consisted of three professional librarians, four clerical assistants, and ten student assistants.

1971: J. Lamar Woodard promoted to “Director of Stetson Law Library and Information Services, effective February 1 and holds the position until 2001.

1980: First computer-assisted information-retrieval system—a LEXIS data retrieval terminal arrives.

1998: New three-floor, 58,000 square-foot Stetson Law Library and Information Center dedicated December 5; Justice Ruth Bader Ginsburg gave the dedicatory address; collection grows to over 350,000; new Center contained 19 student group study rooms, 130 study carrels, four seminar rooms, eight conference rooms, and two computer classrooms.

Funds for the new library came included a $125,000 contribution for Barnett Charities, Inc., and Barnett Bank for a business and banking collection in the new library. The newspaper St. Petersburg Times, gave $100,000, as did alumnus Robert P. Rosin, class of '59,

1999: Gary Vause becomes Dean, succeeds Liz Moody; Moody quoted as saying the Library was her most significant contribution to the law school during her deanship.

2002: Lamar Woodard retires as Library Director; Dr. Madison Mosley promoted to Law Librarian and Director of Information Services with the rank of associate professor.

2005: Madison Mosley dies March 29, at the age of fifty-five.

2006: 394,552 volumes, 118,826 titles, seating capacity 609, full-time professional librarians 7, open 103 hours per week [2006 ABA/LSAC Guide].

2007: 403,644 volumes, 121,993 titles, seating capacity 487, full-time professional librarians 6, open 105 hours per week [2007 ABA/LSAC Guide].

2008: 413,166 volumes, 124,957 titles, seating capacity 619, full-time professional librarians 7, open 105 hours per week [2008 ABA/LSAC Guide].

2009: Collection grows to 419,501 volumes, 149,972 titles; seating capacity 628; full-time professional librarians 13, open 105 hours per week [2009 ABA/LSAC Guide].

2010: Collection grows to 418,297 volumes, 714,559 titles; seating capacity 680; full-time professional librarians 8, open 105 hours per week [2010 ABA/LSAC Guide].

2011: $1,872,380 spent on library materials; seating capacity 680; full-time equivalent professional librarians 10; library is open 93 hours per week [2011 ABA/LSAC Guide].

2012: $1,453,751 spent on Library materials; seating capacity 867; full-time equivalent professional librarians 10; library is open 93 hours per week [2012 ABA/LSAC Guide].
2013: $1,605,666 spent on Library materials; seating capacity 863, full-time equivalent professional librarians 9 library is open 93 hours per week 93 [2013 ABA/LSAC Guide].

University of Florida Levin College of Law, Lawton Chiles Legal Information Center, PO Box 117628, Gainesville, FL 32611-7628, (352)-273-0700.

Law School Website: http://www.law.ufl.edu/

Law Library Website: http://www.law.ufl.edu/library

Along the left border, the Library website includes links entitled Research, Using the Library, and Contact Us; along the right users find the library hours for the week and a link for the Library’s complete schedule.

There’s another link, “Ask a Librarian,” which provides appropriate contact information for phone, 352.273.0724; text, 352.448.1542; and email, librequest@law.ufl.edu.

The Library can be followed on Facebook, Twitter, and Vimeo.

In the center of the page near the top, appears a text box researchers can use to search OneSearch, The Library Catalog, and various Databases.

There are links to Library Notes in the online law school newsletter FlaLaw, and links to Search the Catalog, Find an Article, Find a Book, Find a Database, Research a Topic, and explore Off Campus Access Options.

About the Library, http://www.law.ufl.edu/lic/about.shtml

The University of Florida law center purports to be “one of the first to rename its library the Legal Information Center (LIC) as a recognition that it includes library, computer support and media services.”

In 2005 the LIC was “renamed the Lawton Chiles Legal Information Center in honor of the former governor and senator and housed in a completely renovated facility that is the largest in the southeast.” The facility “includes 13 student study rooms, a mediation/mediation room, lounge seating, open reserve area and commodious carrels."

Timeline

1909: College of Law opens September 29, with two full-time faculty members: Albert J. Farrah, serving as the new Dean (formerly Dean at Stetson) and Harry R. Trusler (formerly Professor at Stetson), and four Special Lecturers: Judge Horatio Davis, Judge Thomas M. Shackleford, Col. W. W. Hampton, and Col. William E. Baker.

The College occupied two rooms on the third floor of Thomas Hall, which accommodated thirty-eight men and a library of 2,481 volumes.

1910: Three law students become first students to graduate from the College of Law. Collection grows to 4,548 volumes.
1911: Legislature appropriates $1,000 for the purchase of new books for the Law Library.

1913: Construction begins on a new building for the law school.

1914: Building was completed in time to begin fall classes.

1915: Professor Harry R. Trusler, appointed Dean when Thomas W. Hughes left to become Dean at Washburn University.

1918: Library collection grows to 4,548 volumes.

1920: School becomes charter member of AALS

1925: Stella Biddle (Fisher) becomes first woman to attend the law school.

1927: Law library receives gift of John W. Henderson’s law book collection. In addition to standard books, volumes of rare value and historical importance were included.

1928: The law library collection grows to 8,258 volumes, not counting the Henderson collection.

1929: Ida Pridgen becomes Library Director 1929; serves until 1955.

1930: Archival postcard picture of the Library

1931: College becomes among the first law schools to offer a credit course in Legal Research.

1932: The library collection grows to 10,765 volumes; exceeds AALS minimum of 10,000 volumes.

1934: Library collection grows to 11,476 volumes.

1936: Library expanded into a classroom and renovations made to improve library space; collection grows to 12,068 volumes.

1937: 143 students enrolled.

1938: Funding for a library addition secured. New building to be 50% larger and provide more library space, additional classrooms, consultation rooms, and offices.

1939: 165 students enrolled. Law building planning nears completion; four-story addition to house 50,000 volumes.

1940: The library collection grows to 14,000 volumes. Construction of a four-story concrete and brick building to house the law library begins in February. Archival postcard picture of the Library: 1940.

1941: Library wing, or annex, completed and houses 60,000 volumes. Space vacated by library renovated for classrooms, offices, and study and consultation rooms. College of Law named in honor of Nathan Philemon Bryan, founding Chairman of the Board of Control of the College of Law.

1950: New law school wing completed; provides a library reading room seating 150 students, a courtroom, and offices for Law Review.

1955: Order of the Coif established.

1956: Frank McCoy Appointed Library Director; serves until 1962; “Betty” W. Taylor appointed Assistant Law Librarian.

1961: Second Wing expansion provided additional space for reading room and offices; collection grows to 60,000 volumes.

1962: Fire seriously damages Library after student empties ash trays from the reading room into a wastebasket behind Circulation desk. Replacement costs estimated at $150,000; Grace “Betty” W. Taylor appointed Library Director; serves until 2003.

1963: Library renovation and restoration completed.


1970s: Law library collection triples, and expands to include videotape equipment, computers, and other electronic devices.

1971: Grace “Betty” W. Taylor, Library Director, serves as Acting Dean for two months while Dean Hunt was on leave.

1973: Grace “Betty” W. Taylor appointed Professor of Law and Law Library Director.

1975: Collection grows to over 200,000 volumes.

1976: Library becomes first in the country to subscribe to Westlaw, then containing about 2,000 reported decisions, on March 9.

1977: Library becomes first in the country to subscribe to both Westlaw and Lexis.

1980: Law Library renamed the Legal Information Center.

1994: Betty Taylor Appointed Clarence J. TeSelle Professor of Law and Director of the Legal Information Center; first volume of the Florida Tax Review published.

2003: M. Kathleen Price (From NYU) Appointed Associate Dean, Library and Technology, and Clarence J. TeSelle Professor of Law; serves until 2010.

2005: U.S. Supreme Court Associate Justice Sandra Day O’Connor speaks at dedication of the new 82,750-square-foot Lawton Chiles Legal Information Center, “the largest law library in the Southeast [with] adequate shelf space to last 10 years.” The library collection grows to 625,000 volumes.

2006: 608,612 volumes, 179,714 titles, 215 seats, 10 full-time librarians, open 99 hours per week [2006 ABA/LSAC Guide].
2007: 620,792 volumes, 181,906 titles, 765 seats, 11 full-time employees, open 94 hours per week [2007 ABA/LSAC Guide].

2008: 628,749 volumes, 205,221 titles, 765 seats, 9 full-time librarians, open 104 hours per week [2008 ABA/LSAC Guide].

2009: 635,308 volumes, 206,729 titles, 765 seats, 27 full-time librarians, open 94 hours per week [2009 ABA/LSAC Guide].

2010: Arthur 'Rick' Donnelly appointed Interim Library Director; 625,336 volumes, 203,215 titles, 765 seats, 10 full-time librarians, open 96 hours per week [2010 ABA/LSAC Guide].

2011: Claire M. Germain (from Cornell) appointed Associate Dean for Legal Information and Clarence J. TeSelle Professor of Law; $1,312,442 spent on Library materials, 765 seats, 9 full-time librarians, open 96 hours per week [2011 ABA/LSAC Guide].

2012: $1,281,541 spent on Library materials, 765 seats, 7 full-time librarians, open 98 hours per week [2012 ABA/LSAC Guide].


**University of Miami School of Law Library, 1311 Miller Drive, Coral Gables FL 33146, (305) 284-3585.**

**Website:**

http://www.law.miami.edu/library/index.php

About the Law Library, http://www.law.miami.edu/library/about.php

The Law Library is a research facility designed to support the work of students and faculty of the University of Miami School of Law. With over 620,000 volumes and equivalents, it is “one of the largest legal research libraries in the Southeast.” Strong collections of the library include “[t]axation and estate planning, labor law, ocean law, environmental law, and foreign and international law.”

The rather clean Library home page provides links to University Library Catalogs, Subscription Databases, Internet Resources, NK http://www.law.miami.edu/library/everglades/” \t”_new


The Library’s extensive Everglades collection of legal and scientific materials underlies years of environmental litigation over the Florida Everglades. Cases in the repository “collectively constitute one of the longest and most complex pieces of litigation in the United States.” The collection contains over one million pages of pleadings, deposition and hearing transcripts, exhibits, scientific data and agency reports; and one million microfilm reel frames covering extensive document productions in federal and state actions.

**Timeline:**

1926: University of Miami begins offering a “first professional course” three-year course of study
leading to degree of bachelor of laws.

1928: School of Law officially opens doors as a professional school in the Anastasia Building in Coral Gables; Richmond Rasco, (Stetson) appointed first dean and served until 1931; initial collection had 3,500 books.

1929: Law School's first class of fourteen students graduate.

1941: ABA Membership.

1946: AALS Membership.

1948: Evening division established; continued to accept entering evening students until 2002.

1949: Attendance surpasses 1,000 students for the first time; Law School moves to newer quarters in Coral Gables; School announces fund-raising campaign and decides on site for law school building on the Coral Gables campus of the University.

1950: Law School makes interim move to the Merrick building Coral Gables campus

1952: Law School begins offering LL.M. in Taxation.

1956: Baron de Hirsch Meyer, a prominent Miami Beach attorney, financier and philanthropist, provides funds for a new four-building complex, the School's first permanent home.

1957: Graduate program in Inter-American Law established.

1959: Masters of Comparative Law first offered.

1962: School institutes the LL.M. in International Law.

1965: Continued Generosity of de Hirsch Meyer allowed School to enlarge the library and add four-story wing; Professor Philip E. Heckerling founds the School's Estate Planning Institute, later renamed in his honor.

1970: Ocean & Coastal LL.M. founded by Professor Emeritus Thomas A. Clingan and former Professor Dennis J. O'Connor; benevolence of alumna Reba Engler Daner, JD '36, allows School to build moot courtroom and jury room; Clinical Law Program established.

1974: Professor Philip E. Heckerling founds School's LL.M. program in Estate Planning.

1980: Professor Ralph Boyer establishes LL.M. in Real Property.

1988: School establishes James Weldon Johnson Summer Institute, a training program for selected entering students; School launches $10 million building campaign.

1991: School establishes the London Summer Program, offered at Bentham House at University College London.

1993: Groundbreaking for Law Library addition takes place in February.

1996: Newly expanded and renovated Library dedicated in March, nearly doubling in size to
approximately 78,000 square feet; School's Children and Youth Law Clinic, begins operation in January; Center for Ethics and Public Service established.

1998: Second summer abroad program, the Tour de España, established.

2000: Sally H. Wise, (from U. Nebraska) appointed Professor of Law and Director of the Law Library.

2001: School begins to conduct annual bi-national seminar with the University of Leipzig in which law students from the two universities collaborate on topical issues of international and European law

2002: Professor Mary Doyle spearheads creation of University's Abess Center; it's mission being to bridge the gap separating science from environmental policy and law.

2006: 582,243 volumes, 90,833 titles, 769 seats, 11 full-time librarians, open 111 hours per week [2006 ABA/LSAC Guide].

2007: 596,242 volumes, 93,135 titles, 764 seats, 12 full-time employees, open 111 hours per week [2007 ABA/LSAC Guide].

2008: 613,078 volumes, 95,445 titles, 750 seats, 13 full-time librarians, open 111 hours per week [2008 ABA/LSAC Guide].

2009: 626,257 volumes, 119,420 titles, 723 seats, 18 full-time librarians, open 111 hours per week [2009 ABA/LSAC Guide].

2010: 639,360 volumes, 687 seats, open 111 hours per week [2010 ABA/LSAC Guide].

2011: $2,399,688 spent on Library materials, 698 seats, 10 full-time librarians, open 111 hours per week [2011 ABA/LSAC Guide].

2012: $2,382,489 spent on Library materials, 698 seats, 10 full-time librarians, open 111 hours per week [2012 ABA/LSAC Guide]; collection size reported at “nearly 600,000” volumes.

2013: $2,027,875 spent on Library materials, 652 seats, 10 full-time librarians, open 111 hours per week [2013 ABA/LSAC Guide].

Glen-Peter Ahlers, Sr. is Associate Dean for Information Services at Barry University School of Law.

David J. Bodenhamer is the founder and Executive Director of the Polis Center, Professor of History, and Adjunct Professor of Informatics at Indiana University – Purdue University, Indianapolis. He is the author of several articles and books on American legal and constitutional history, history of criminal justice and criminal law, and nineteenth-century United States.

The Revolutionary Constitution is Bodenhamer’s interpretation of the literature on the United States Constitution. He writes in his introduction, “The goal is to explain the Constitution as an organic, contested, and dynamic frame for government in which our past concerns and experiences influence our present understanding.” [p.5]

Bodenhamer writes, “…our conceptions of power, liberty, individual rights, and the role of government... have defined and shaped who we are as a people.”[p.ix] In seeking to balance power and liberty, the framers established a structure that would allow future generations to continually readjust the scale.

Bodenhamer demonstrates how the works of legal philosophers, such as John Locke and Sir Edward Coke, influenced the Constitutional framers’ thoughts on power and liberty. Cato’s *Letters*, a collection of essays by Thomas Gordon and John Trenchard on the struggle between power and liberty, “became a best seller in the colonies. Published in six editions by 1755, the collection of warnings ranked second in popularity only to the Bible, with its bound volumes in an estimated half of all colonial homes on the eve of the Revolution.” [p.26]

The first three chapters of The Revolutionary Constitution cover the history leading up the
Revolutionary War and the drafting of the Constitution. In his survey of influential political philosophies, Bodenhamer discusses early documents, including the *Mayflower Compact* and the *Magna Carta*, as examples of the English belief that free people had the right to consent to their government. He writes of social and historical events giving the reader an understanding of the economic concerns of the framers of the Constitution. Colonial politicians’ knowledge of English law and government, the concept of balance being the key to liberty, rights centered on protection of property and for individuals accused of crimes, and consent of the governed through representation are all present in the Constitution.

Bodenhamer makes the case that the Constitution is an imperfect document, the result of compromises and subject to dispute over interpretation from the moment of its adoption. He includes analysis and discussion of Supreme Court cases extensively in *The Revolutionary Constitution*. Court decisions and interpretations reflect the changing social and economic conditions, expansion of national power, the role of states, and shifts in American culture have resulted in changes to the doctrine of federalism. Debates about state and national government authority resulting from passage of The Patient Protection and Affordable Care Act of 2010, marijuana laws, and Arizona’s 2010 law to control illegal immigration further demonstrate continuous change.

The last seven chapters of *The Revolutionary Constitution* focus on constitutional principles: federalism, balance, property, representation, equality, rights, and security. Each chapter reinforces Bodenhamer’s thesis that the Constitution was the product of the first modern revolution. He begins each chapter with a brief and well written story. For example, Carrie Chapman Catt’s fight for women’s suffrage in 1920; Lincoln’s Gettysburg Address; and September 11, 2001 introduce representation, equality and security respectively. The stories caught my interest and made it easy to understand the complex principles.

I found the chapters on rights and security particularly interesting. President George W. Bush’s handling of 9/11 and the invasion of Iraq, President Lincoln acting while Congress was not yet in session to prevent southern secession, and Present Franklin D. Roosevelt’s vigorous use of president power to support the Allies are three examples of how presidential power expanded. “In times of crisis, concerns about national security generally trum ped individual rights.” [p.205]

*The Revolutionary Constitution* includes an 18 page index and end notes. Bodenhamer’s brief summaries and explanations for why he included each title make his *Further Readings* section especially interesting.

Bodenhamer is a concise writer. His survey of literature, historical and cultural events, and summaries of landmark cases provide an analysis of how the Constitution came to be and has changed over time. He is skilled at explaining complex theories and political terms, making this a good introduction for any student interested in the Constitution and in American history.

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In 1767 and 1768, Catherine II published the *Nakaz*, also known as the Great, or Grand, Instruction (hereinafter referred to as “Nakaz”). Catherine wrote the *Nakaz* in French and Russian. The Nakaz was intended to act as guidance and as an agenda for the legislative commission to create a code of laws. In writing the *Nakaz*, Catherine borrowed heavily from Montesquieu; however, Catherine named the government as the mediating institution instead of using Montesquieu’s monarchical structure.

Butler and Tomisnov offer a collection of the *Nakaz* in five different languages: Russian, Latin, French, German, and English. Additionally, there are two English-language texts contained in this compilation. *The Nakaz of Catherine the Great: Collected Texts* is the only compilation to offer all five languages in the same book.

Butler and Tomisnov add to the value of the book by including a preface and a section on bibliographical and textual notes. As editors, they include the history surrounding the issuance of the *Nakaz* as well as comments about the time period. Butler and Tomisnov include a number of footnotes to resources that give the researcher further information about Catherine. For example, one source notes that Catherine suffered from many headaches while she was writing the *Nakaz* (note 6).

The book concludes with a bibliography of the printed editions.

*The Nakaz of Catherine the Great: Collected Texts* serves as a complete and interesting resource for anyone researching or interested in Catherine II or the *Nakaz*.

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The Oxford History of the Laws of England is the premiere, outstanding historical study of the
development of English law under the editorship of Sir John Baker. This is the third contribution
to the set. Volume I by Professor Richard Helmholz covered Ecclesiastical Law, volume VI by
Professor John Baker covered mid-fifteenth to mid-sixteenth centuries (and see volume II by
Hudson book also reviewed in this issue). Because of its coverage of the long nineteenth century,
the authors have written three large volumes of more than 3,000 pages on the topic. The six
authors have divided the work into three parts of Institutions, Public Law, and Private Law: volume
XI covers the English legal system (English law in an industrializing society, public law, courts
of law, and the legal professions); volume XII covers private law (property, contract, commercial law
and torts); and volume XIII covers fields of developments (criminal law, law as an instrument
in social protection and control, family law, labor law, and rights relating to personality and
intellectual property).

In the “Manifest” of the first volume, the authors state that “these volumes do not seek to provide
a social history of the law, or examine closely the impact of law on society. Rather, they seek to
offer primarily a history of the law itself, focusing on its institutions and doctrines, and considering
how these changed in response to changes in the wider world.” (lix) The authors further wish that
the volumes “will help explain to a wider historical audience, both how the law worked, and how
it reacted to social change.” (lx)

Volume XI serves as the introduction and background volume to the two succeeding volumes. Part
One covers English Law in an Industrializing Society providing an in-depth overview of the
government, sources of law, theories of law, law and religion, law and political economy, empire=s
law, international and private international law. Part Two covers the Public Law: Parliament,
Central Executive, Church and State, Army, Local Government, and Judicial Review. The authors
show how much of the institutions have continuity with their past and not just changing
institutions. Parliament especially transformed from a body considering legislation to actually
passing it. Liberalism transformed into democracy as the Reform Acts expanded the vote and the
electorate voted for parties into and out of office. A section on private legislation described how bills
might deal with individuals, but also with local legislation like transportation issues, and local
improvement bills. In the mid-1840s, some bills created for topics that all future bills would follow
(templates). Local government changes as a result of the 1835 municipal legislation continued
throughout the period.

Part II deals with the Courts of Law (525-958) in which Patrick Polden discusses both the
continuity and changes that occurred with the court system. The court structure changed during
the middle of the period with the creation of the Judicature Acts. In Part IV, Patrick Polden
discusses the Legal Profession of the judiciary, barristers, solicitors, and education of the lawyers.
Judicial biography and prosopographical analysis provides a study of the different levels of judges.
The chapter on barristers discussed the background, the education, and how a barrister would
begin to practice including the authoring of books (1035-36), miracles, huggery, and ‘soup’ and ‘dockers.’ He also discusses the different bars available to work in public offices, the common law bar, chancery bar, and parliamentary bar, followed by a section on the Inner Bar (sergeants at law). A chapter on the institutions and governance of the bar is followed by a chapter on the solicitors who outnumbered attorneys from 1:1690 in 1831 to 1:1450 in 1901 (1114).

In the final chapter on the Education of Lawyers, it is interesting to note that attorneys had no educational requirements but had to attend an Inns of Court, while legal education at the universities was also moribund. Students were expected to learn in a law office, but later in the century there were attempts to improve legal education through the Council for Legal Education in 1852 (though not completely successful), and a Solicitor’s Act of 1860 to provide educational requirements for solicitors. Finally, there are interesting sections on legal periodicals (1201-1211) and law reports (1211-1222) showing the importance in the growth of English legal periodicals and the development of private law reporting replacing nominative reports that had existed since the mid-1500s.

In Volume XII Stuart Anderson writes the chapter on property, while Michael Lobban writes on contracts, commercial law, and tort. Property law includes succession and inheritance, property rights, land transactions, leases and mortgages and servitudes, changing nature of real property law, and trusts and trustees. Anderson begins with inheritance and moves to the reports of the commissioners on real property during the 1820s. Under land transactions, the strict settlement from the seventeenth century eventually declined in the nineteenth century through a variety of acts that led to the Settled Land Act of 1882. Leasing dealt with only about 10% of the population. Lobban’s discussion on the changes in contract law in the nineteenth century was partly due to the treatises written at that time (300-313). Procedure was changed primarily by the abolishment of the system of special pleading in 1875 and the merging of separate jurisdictions of common law and equity being fused together.

Lobban writes eight chapters on contract law including formation, consideration, misrepresentation, mistake, contractual terms and their performance, contractual remedies and restitutionary remedies. Changing economic conditions also resulted in multiple changes of contract law. A second chapter deals with offer and acceptance as a development and unilateral contracts, followed by a chapter on consideration that served to distinguish “contracts from promises to make gifts, and thereby to draw a line between legally binding obligations and moral ones.” (359) In this chapter, the theories of consideration are drawn from both England and American treatise writers like Frederick Pollock, Oliver Wendell Holmes, and J. B. Ames. (394-399) Misrepresentation and mistake were new developments in law, while the case of Hadley v. Baxendale (1854) led to a new approach to damages. Specific performance was a discretionary remedy. Restitutionary remedies include equity actions, waiver of tort, mistaken payments, failure of consideration, money paid, and the redefinition of quasi-contract.

Commercial law covered the major topics of joint stock companies, insurance, negotiable instruments, bankruptcy and insolvency, and consumer credit and debt. Of insurance, marine, fire, and life assurance dominated the market, with accident insurance coming in mid-century. Lobban discusses each category under sections on the principle of indemnity, the formation of insurance policies, and claims on the policy. Negotiable instruments include promissory notes,
letters of credit, and bills of bankruptcy lading, banks and checks. The chapter on bankruptcy is discussed chronologically through different stages from 1820 to 1914. Consumer credit and debt were important to the maintenance of the domestic economy as shown through the imprisonment of debt, the 1883 Bankruptcy Act, pawnbroking, money lenders, and hire purchase agreements.

Lobban's chapter on tort law highlights the change from a rural and agricultural society to an urban and industrial society by the end of the period. Industrial Britain led to new challenges that were met by legislation rather than the courts as the government slowly enacted laws after the 1870s. Tort law was a body of 'disparate rules' not explained in a treatise eventually written in 1859 in the United States and an 1860 English treatise by C. G. Addison. Lobban writes on negligence, personal injuries, workplace injuries, intentional and economic torts, nuisance, and property torts.

In Volume XIII Keith Smith writes on criminal law (part I), Raymond Cocks on statutes, social reform and control (part II), William Cornish on labor law (part III) and law of persons (family and other relationships) (part IV), and personality rights and intellectual property (part V). Keith's contribution of 475 pages consists of an in-depth look at the criminal justice system of the period. He begins with an overview followed by a short history of the professional police department, procedural law from pre-trial to post-trial procedure, sources and general principles of criminal law, and four chapters on specific types of criminal law. Interestingly, he points out in the introduction that by the early 1900s, over 80% of all prosecutions was tried summarily by justices of the peace and not involves professional magistrates. In addition, the increase from indictable to summary offenses led to an increase in lay justice and decrease in (petty) jury trials. (4) The development of the professional police departments varied throughout the country, prosecuting practices varied as well, while defendants' rights increased over the period, though half of the defendants did not have representation by the end of the century. The increase in court reporting and treatises helped in developing a greater uniformity in judicial practice, especially in the rules of evidence, though the right against self-incrimination was of limited value. Punishment and deterrence continued throughout the century, but the number of capital crimes decreased and themes of punishment changed.

Cocks's discussion of social reform and control begins with a discussion of statutory law that became the underlying method of change. The chapter on the poor law that had existed since Elizabethan and Stuart era, underwent major changes with the Poor Law of 1834 but still did not solve problems. By the early twentieth century, unemployment and pension law reforms began alternative systems to assist the populace. Succeeding chapters dealt with charities, education, health and factory reforms, and housing were all affected by an increasing number of legislation. His concluding chapter deals with a discussion of historians' views (Dicey, MacDonagh) of explaining how legislation was created.

Cornish's section on labor law is the shortest section of the volume with a discussion of contract and role of labor as labor unions developed and followed by trade law developments through legislation in the latter half of the century. In addition, the role of the judiciary is explored in reviewing unionism, the effects of the labor movement on the elections of the first decade of the twentieth century, and resulting legislation.
Cornish’s section on family law shows that ‘family law’ was not known to Victorians, but rather the law relating to husband and wife that were not mutual relationships but with the husband and father at the head down to wife, children, etc.

Cornish’s section on intellectual property starts with a description of Warren and Brandeis’s article on “The Right of Privacy” published in *Harvard Law Review* (1890) as the most significant and cited law review article in legal publishing as the beginning of his discussion on personal reputation, privacy, and intellectual creativity. Following a discussion on libel and defamation, he discusses the developments in copyright and patents. The copyright law beginning with Statute of Anne (1710) later defined copyright as a form of property relating to published books in *Donaldson v. Becket* (1774). Later acts such as the Copyright Amendment Act of 1842 and Fine Arts Copyright Act of 1862 and a full discussion of foreign relations beginning with the Berne Convention and the creation of imperial copyright. A chapter on the patent system centered on laws passed in the late nineteenth century. Two further chapters are on trade secrets and trademarks.

There are tables of cases and statutes in the front of each volume that total 194 pages and a bibliography of 58 pages for the three volumes (sum of three found at the end of each volume), plus names and subject indexes. The *Oxford History* is expensive but worth it, and it is highly recommended for all academic libraries.

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Legal Origin Theory is one volume in a series of books devoted to economic perspectives on the law. Editors Deakin and Pistor divide this entry into six parts. Each part consists of scholarly articles, a majority of which appeared in publications from the years 2001 to 2008. Readers of the articles will encounter proofs of propositions, tables of data, graphs, and figures. The editors offer a twelve-page introduction with a bibliography. There is no index.

Deakin and Pistor explain the nature of the legal origin theory, that “a country’s legal origin determines its path of economic development,” and note that the idea has made a significant contribution to law and economic philosophy while also raising controversy. (p. ix). Researchers
articulated the theory in the 1990’s after finding not only that common law and civil law countries regulate their economies differently but that they also experience different economic outcomes because of these alternative regulatory methods. The editors note that, although there is criticism of the way the theory categorizes countries and their legal or regulatory structures as well as the very concept of the doctrine, the interest in legal origin theory continues. In their introduction, they consider whether the theory will be influential in the study of three fields in which its advocates have sought prominence: comparative law, the connection between law and markets, and how the law affects “social ordering.” (p. x).

Comparative law generally is the study of differences among legal systems. This field had already suggested the possibility that common law systems produce more robust economic growth than do civil law systems. But the legal origin theory offered empirical data that law issued by courts rather than legislative bodies made the common law system more “adaptable” and “efficient” and, thus, better suited to strengthen a country’s economy. (p. xi). However, as Deakin and Pistor point out, upon testing, the data in one of the seminal studies which introduced the legal origin theory has been deemed flawed. The editors include this study, Law and Finance, in Part I. They refer to other studies that are critical of the theory in the areas of accuracy, methodology, and lack of use of historical data. In turn, legal origin theorists acknowledge in The Economic Consequences of Legal Origins, also in Part I, that better economic outcomes in common law systems may be time-specific, i.e., likely to occur when the world’s economies are not involved in catastrophic events.

Legal origin theorists have largely conducted their studies using England as the common law example and France as the civil law illustration, along with regressive analysis to extract data from these countries and apply it to others. The editors claim that the data used and arguments made by the theorists are “narrow” when compared to earlier scholarship on the impact of the law on economies. (p. xvi). They find that the theorists see legal systems as existing simply to “perfect” markets, without accounting for the destruction that market forces sometimes cause or considering the broader policy goals that legal systems are intended to meet. (p. xvi). Deakin and Pistor also point out that the theorists cannot argue that legal origin is connected to higher GDP because some civil law systems after World War II saw much growth. The editors argue that while legal schemes can be designed to promote economies, “unfettered” markets do not necessarily mean long-term economic progress. (p. xvi). The Introduction concludes with summaries of the articles included in the volume. In keeping with the editors’ opening observations, the majority of the articles in the book which directly address the theory are not very supportive of it.

The first trio of articles covers the “Concept and Consequences” of the legal origin theory. (p. 1) In Legal Origins from 2002, authors Edward L. Glaeser and Andrei Shleifer discuss the influence of the English common law system and the French civil legal system throughout the world. They list the disadvantages of the civil law system in contrast to its common law counterpart, i.e., more regulation and corruption, and less protection for property.

One of the, perhaps, unexpected benefits of reading Legal Origin Theory is the exposure to history one receives from the articles that present the political background of the countries in question. This inclusion of historical details appears in the first article. The authors illuminate differences in authority that the sovereign held in England and France and the ramifications on each country’s judicial system. Interestingly, although the king in England had greater power over the people than the French king, England established a judiciary with more independence from the state than France. England could afford to delegate adjudications to juries, unlike France where citizens were more likely to be antagonized by bullies or powerful magnates. Because the political climate was more unstable in France, the state had a heavier hand in settling disputes. Thus, one fundamental way in which the countries differed was the greater degree of the sovereign’s control over the judiciary in France, authority which was affected through codification of laws to check judges’
decisions. From these legal origins, the authors reason that property owners received more protection in a common law system because the judiciary was independent from the state; owners fared worse in a civil law country where judges, hired by the sovereign, were more interested in pleasing the powerful than in delivering justice.

Writing a few years before the Legal Origins article, Rafael La Porta, Florencio Lopez-de-Silanes, Andrei Shleifer, and Robert W. Vishny, in 1998, provide Law and Finance, the article that Deakin and Pistor consider “possibly the most influential of the empirical legal origin papers.” (p. xvii). The authors provide a survey of the laws in forty-nine countries that protect shareholders and creditors. They find that both groups have greater legal protections in common law countries and that law enforcement is also stronger in those places, only enhancing the protections for investors. Through their studies and evaluation of other scholars’ work, they conclude that poor legal protection of investors leads to poor economic growth.

Ten years later in 2008, three of the Law and Finance authors respond to peers who studied their work with The Economic Consequences of Legal Origins. They argue that if their results are accurate, common law countries favor outcomes generated by the private market, whereas civil law countries prefer government-directed outcomes. The authors summarize different legal families or systems, describe how these systems affect laws, and explain how the laws affect economic growth. They note that legal origin theory does not argue that common law rules and regulations are always best or best for every country. Instead, they argue that common law traditions have often provided incentives to markets that have helped them to grow. This third article is the last strong endorsement of legal origin theory in the book.

In the second section, the editors provide articles that allow the reader to consider the nature of the common and civil law systems. Harlan F. Stone summarizes the history and opines on the status of common law jurisprudence in the United States, as of 1936. He notes that the common law with its adherence to precedent is not as inflexible as it may sound; legal decisions can move away from precedent where the result would be illogical. Ideally, courts in a common law system strive to provide “continuity” while evolving. (p. 11). He encourages the American judiciary to adapt to social change as exemplified by legislatures and regulatory bodies, to procure a strong future for the common law system in America.

Advancing to 1976, Andre Tunc explains the basics of the French civil law system by addressing the relationships between the civil code and the legislator, the judge, and the doctrine of civil law. He writes about France’s effort to modernize its civil code. In assessing the doctrine of civil law, he offers that the writers of the code historically understood that laws must come from experience. Thus, forty years apart, a common law and a civil law historian emphasize the value of pragmatism for their systems.

The editors balance this appearance of consensus with Pierre Legrand’s insistence twenty years later that European Legal Systems Are Not Converging. He opposes measuring convergence trends based on countries’ rules and concepts because these manifestations of law are superficial in terms of what they reveal about a country’s “legal culture.” (p. 60). When comparing legal systems, he advises researchers to include the “cultural, historical, social or economic.” (p. 59). Legrand predicts that the common law and civil law systems in Europe will not converge because the legal cultures underlying them are “irreducibly different” in matters like method of legal reasoning and the general approach to and of judicial decision-making. (p. 64). Legrand believes that legal professionals from different legal cultures can never quite understand each other; they cannot escape their “acculturation.” (p. 78).
Because the volume is primarily a collection of others’ writings, the views of the editors about the
colorful volume is primarily a collection of others’ writings, the views of the editors about the
many issues that legal origin theory touches on are mostly left in the background. However, the
editors do scrutinize the theory in their introduction. The choice of articles is also a reflection of
the arguments about the theory that the editors believe are essential for the well-educated reader.
With the next studies, “Data and Methodology,” the editors offer research that conflict with the
theorists’ conclusions. (p. 201).

First, in 2009, Holger Spamann argues that the anti-director rights index from the influential Law
and Finance article is flawed. He distinguishes his work by using what he calls “raw legal data,”
which is evaluated by attorneys and coded according to a protocol. (p. 206). In 2006’s Empirical
Critique, Michael Graff finds that while legal systems treat investors differently, the common law
system does not necessarily provide a better legal environment for economic growth.

Following these critiques, the next articles conclude that “institutional determinants” play the most
important part in determining a country’s economic growth. (p. 355) The authors of The Colonial
Origins of Comparative Development track the effect of institutions on economic growth by looking
at historical colonization. Geographic areas that lent themselves to colonial settlement formed
better institutions and experienced stronger economic growth than areas that could not be settled.
Unlike the Law and Finance study, the authors’ work focuses on the condition of the colonies
rather than the identity of the colonizers. Economic Development, Legality, and the Transplant
Effect, co-written by editor Pistor, argues that the way a country’s law was transplanted to and
received by it matters in the effectiveness of its legal institutions and economic development more
than the legal family the law originates from. In The Great Reversals, the authors propose that the
lack of financial development in some countries comes from incumbents who fight development
for fear of competition.

The article that criticizes legal origin theory most directly is Mark J. Roe’s Legal Origins, Politics,
and Modern Stock Markets. He writes in 2006 that there is nothing in a country’s legal origin
which prevents it from establishing legal structures that promote economic growth. He argues that
a country’s political choices and day-to-day realities after the destructive twentieth century world
wars are greater determinants of its economic condition than its “medieval legal origins.” (p.498).

Roe’s article is an appropriate segue into the book’s concluding section, for he presents evidence
that differences in legal systems between the traditional common law and civil law countries are
not as stark as they once were. Both systems legislate, regulate, and adjudicate. The last two
papers similarly address the overlap of legal systems. Franz von Benda-Beckmann writes about
legal pluralism. Ugo Mattei wraps up the book writing about Taxonomy and Change in the World’s
Legal Systems. He suggests scholars create a new taxonomy for the world’s legal systems so that
knowledge can better transfer between them. He classifies countries by legal system into three
families: rule of professional law, political law, and traditional law, and argues that some legal
systems fit into more than one family.

By providing the scholars’ own words in seventeen articles, the editors present an undiluted forum
of arguments for and against legal origin. However, with the inclusion of the articles in the second
half of the book, the editors suggest that one should not expect a particular outcome from a legal
system based on how that system is traditionally characterized. In other words, common law does
not necessarily equate with better economic growth.

Because the book is a series of articles, it lends itself to review through the use of citators. If one
is curious about the reception of one of these seminal or provocative articles, its reputation can
be explored through tools like KeyCite, Shepard’s, or Hein Online’s citator. The editors have done
the same with Law and Finance in SSRN and Google Scholar, finding a plethora of citing sources.
Thus, Legal Origin Theory can be viewed as a starting point for the scholar pondering how a country’s early legal system might affect its economic condition to the present day.

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Paul Halliday, Professor of History at the University of Virginia, has produced a fascinating examination of the development of habeas corpus from its inception in the 1500s through the early 1800s. Since the writ’s inception, hundreds of books, articles, and pamphlets have been written on this topic, but Halliday’s work stands alone. Traditionally, habeas scholarship has relied on the texts of Blackstone and Coke, but Halliday looks beyond these texts and delves into original sources in order to provide a window into judicial processes. His findings turn our common understanding of the origins of habeas corpus on its head in that he concludes that the authority of the writ began, not as a right of the imprisoned, but as a power of judicial discretion over jailers.

Halliday’s preparation for this work required the inspection of court activities (court writs, rolls, and rulebooks) pertaining to 2,757 prisoners spanning three hundred years (1500-1800) to analyze how judicial power was applied and the patterns of its use. The purpose behind this extensive archival research can be summed up by a statement early in the work in which the author explains, “...when we write legal history, we typically listen to what judges said—especially a famed one like Coke—rather than watch what they did” (p. 57). In essence, after hundreds of years of research which relied upon reported cases, Halliday reveals the true workings of the English courts by watching what judges did, not what they reported.

Indeed, the book is heretical to traditional scholarship on the topic in that the author dispels the common notion that the great writ was created to protect those falsely accused. Halliday does this convincingly by looking beyond the confines of the court process and examining the topic in the broader context of England’s empire. He describes how habeas corpus grew out of a volatile mix of social, religious and political controversy and how its use actually began as an instrument of judicial power. As the author explains, it was an authority derived (or perhaps more accurately, commandeered) from the king’s prerogative and was in fact “a power more concerned with the wrongs of jailers than with the rights of prisoners” (p. 14). Throughout the work Halliday also uses his research into contemporary political pamphlets, newspapers, and religious sermons to illustrate how the exercise of authority was shaped over time.

Like the message it brings, the arrangement of the book is somewhat nontraditional, but is nevertheless quite effective. Rather than approach the subject chronologically, the book is arranged into three topical sections: “Making Habeas Corpus,” which discusses its foundations in the king’s
prerogative; “How It was Used,” which addresses the varying definitions of imprisonment and the social and geographic range of the court’s use of authority; and “Habeas Corpus Bound and Unbound” which covers the changing uses of the writ into the nineteenth and twentieth centuries and events and processes allowing for suspension of the writ.

In the second part of his book, Halliday explains how early uses of habeas corpus required that a story be told to the court by the person seeking liberty. Similarly, Halliday uses vignettes to illustrate how early courts broadly defined the concept of detention to allow for the use of the writ to extend beyond simple arrests. Two such examples described in detailed were the granting of requests from eighteenth century sailors seeking to escape impressment by the Royal Navy and wives imprisoned in their houses by violent husbands.

Those looking for extensive comparisons to the modern habeas corpus debate will be somewhat disappointed. The focus here is on foundational aspects, and the reader will find little on current events or even American historical events. For example, Lincoln’s suspension of habeas corpus is marginally touched upon and Andrew Jackson is not even mentioned, but the author does trace back to 1689 the foundations for suspending the writ when required by necessity. Halliday also concludes his book with the observation that habeas corpus is an elastic concept that has a long history of loosening and tightening depending on “necessities,” and recognizes the continuous struggle with the tension “between what is in our law and what we would like to be in it” (p. 316).

Halliday’s work is sharply written, rich with details, and should be required reading for all scholars writing on any topic which touches on habeas corpus specifically and constitutional law generally. For the researcher, this book contains a detailed index, over one hundred pages of end notes and a wonderful appendix detailing the author’s survey methods of habeas corpus use. The vignettes can be excerpted for curricular use, but the work needs to be read as a whole to understand his revisionist message fully. Since its publication in 2010, Habeas Corpus: From England to Empire has been awarded the Inner Temple Book Prize, was a New Statesman Favorite Read of the Year, and has been cited in dozens of scholarly journals. It deserves a place on the shelves of all law libraries for current and future students and scholars.

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Before Social Security, Medicare, and pensions, people approaching retirement did not have the same options retirees do now. Nursing homes, retirement communities, and paid home assistance are all relatively recent developments. Older people relied on children, other relatives, and even servants and tenants to care for them. Economic opportunities for young people could draw
younger relatives away from the home, so their elders had to entice potential caregivers with the promise of inheriting the elders’ property. Hartog's book focuses on cases in which their promises were broken.

Inheritance decisions were regarded by older people as their primary insurance against losing caretakers and companions in their later years. Hartog quotes from several contemporary books and articles urging property owners to retain control over their property as long as possible to help secure care from children and other caregivers. Surely most of the younger generation cared deeply for their elders, but there was no substitute for economic security, and older people were very reluctant to relinquish control.

Thus the older people in the cases Hartog describes asked younger caregivers to stay and care for them, promising once they had passed away, the caregivers would inherit an estate that would make the their trouble worthwhile. While this arrangement may have worked well for many families (and never gave rise to lawsuits), in some cases the property owners’ promises were not realized. Wills went unwritten, the property owner changed his mind after an argument, or other potential heirs challenged the will. The resulting cases landed in courts of equity, which evaluated the work provided by the caretakers to decide whether the care only would have been provided if a binding contract had been made. If the care could have been provided as part of a loving family relationship, then the promised inheritance was regarded as gratuitous and unenforceable.

What types of caregiving the chancellors (judges on courts of equity) regarded as evidence of binding agreements seemed to depend on the gender and economic potential of the caregiver. For instance, if the caregiver was a son who could have left home and pursued his own career, then the inheritance was more likely to be enforced. On the other hand, if the caregiver was a daughter or female servant, the court was more likely to think the caregiver was still economically (and even legally) dependent on the property owner. Women were held to a higher standard to show their caregiving labor was extraordinary enough to only be attributable to a binding contract.

Expectations of familial duties shifted over time. Care that was once regarded as merely discharging the duties of a family member became extraordinary work that would not have been performed if compensation (either through cash or property) had not been offered. Some cases in this book did not involve claims for promised inheritances, but rather unpaid wages for caregiving services that were rendered. When these claims were brought by children, they raised questions about when work was performed as a family member and not compensable, or as an employee and worthy of pay. Over the years covered in this book, the economic prospects of young people changed. Work that was expected of dutiful children later became labor for which pay was expected. Such caregiving then shifted from paid family members to paid employees from outside the family, foreshadowing the professional elder care industry we now have.

Hartog succeeds at a difficult task: taking a rather specific set of cases (over 200 cases from New Jersey decided between the late 1840s and early 1950s that involved claims of inheritance promises in exchange for caregiving) and drawing out common themes that teach us how members of different generations related to one another. Hartog clearly spent a great deal of time in the archives; the book contains details and testimonial quotes from a number of cases. These details enable Hartog to tell vivid stories of familial disputes that landed in court. In some respects, the stories in this book are very similar to legal conflicts heirs have today over sharing an estate. While money was certainly a central issue, these conflicts also involved sibling rivalries, personality conflicts between in-laws, and disagreements over lifestyle choices. Some colorful characters appear in the stories, making the book an interesting and entertaining read.
Hartog's narratives are carefully documented in notes at the end of the book, and the index appears thorough. Someday All This Will Be Yours will fit well in academic collections supporting research in elder law, gerontology, family law, estate law, and legal history.

Benjamin J. Keele  
Research and Instructional Services Librarian  
Indiana University Robert H. McKinney School of Law  
Indianapolis, Indiana


As a modest collector of legal ephemera, I was delighted to hear that legal historian Michael H. Hoeflich had published a work on legal postcards and ephemera, and even happier that Joel Fishman wanted me to review it. For the most part, my initial enthusiasm was born out by the attractive volume filled with bright full-colored reproductions of legal-themed postcards, trade-cards, and greeting cards (all drawn from the author's personal collection).

The book begins with an informative essay by Hoeflich, the John H. & John M. Kane Professor of Law at the University of Kansas School of Law, that attempts to place the collected material into its historical context. He begins by noting that late nineteenth century saw the invention of technologies like chromolithography and photographic reproduction that allowed the mass printing of color items, and these technologies exploded just as the postal systems in Great Britain and the United States were fully developed. The result was the penny postcard, a item that went quickly from being a blank white card for short messages to being a dynamic device for advertising, civic promotion, humor, and even some light titillation. It arrived at a time when mass popular culture was taking full root and the new cards echoed the same themes that the new penny press engaged: romance, scandal, greed, alcohol abuse, and the law.

Hoeflich finds it "not at all surprising that many of the comic postcards express anti-lawyer sentiment" (p. vii). Lawyer jokes have long been a part of popular humor in the Western world, with jibes about their hair-splitting arguments and greed common themes. He also notes that the postcard makers often focus on the novelty of women lawyers, perhaps reflecting popular opposition but also perhaps seizing the opportunity for some transgressive sexual frisson. (The French card-makers appear most interested in this kind of "costume play"). The sexism of some of the cards is matched by the crude ethnic humor of others, ranging from light Irish humor to ugly anti-Semitism.

However, often the properness of the legal costume and the formalities of the trial are used merely as a foil for cute illustrations of children as lawyers and judges. Fans of the "Lawyer Dog" Internet
meme would immediately recognize the humor of the animal postcards--even his German counterpart "Honden Wetboek" (p. 15). In other postcards and ephemera, the lawyer is merely the straight man for the colorful plain-speaking client. Another of Hoeflich’s subcategories is "Drinking Lawyers" but many of the traditional jokes in these cards could easily be recast for drunken plumbers and doctors.

While varieties of humor make up the bulk of the postcards and ephemera, there are also chapters on legal advertising, law buildings, and photographs of leading attorneys (even cards with portraits of trailblazing women lawyers). I can attest to the popularity of these genres; my postcard albums are full of courthouse illustrations and hand-colored photographs just like the selections depicted in this book and legal advertising items frequently draw lively auctions on eBay. One advertising sub-genre Hoeflich omits is campaign palm-cards for judicial and prosecutorial offices in the United States. (If nothing else, this otherwise excusable omission deprives the reader of some outstanding examples of 19th century facial hair).

All-in-all, The Law in Postcards & Ephemera 1890-1962 is a enjoyable work and a valuable addition to any legal history collection. The items visually depict the image of the lawyer and the law in the popular culture of Western Europe and America in the nineteenth century and for this alone it should be in every academic library. One interesting supplemental feature that make these connections more explicit is the short table of references to complimentary passages in Marc Galanter’s Lowering the Bar: Lawyer Jokes and Legal Culture (2006) found at the end of the book. There is no index but the thirteen topical chapters make this unnecessary. The photo-reproduction is excellent--let’s hope that this is not the last effort by Lawbook Exchange to add some color to legal history.

Kurt X. Metzmeier
Associate Director
University of Louisville Law Library

Hudson’s legal history of England from Saxon to Angevin times begins with AD 871, the first regnal year of Alfred, King of the West Saxons and conqueror of the Danes. It ends in 1216, when the famously ill-reputed King John was locked in a civil war with the barons and churchmen who had forced him, in June 1215, to sign Magna Carta. Hudson’s voluminous work is the second in a series that presently stands at thirteen volumes. The present reviewer cannot claim to have read all the other twelve, but he is confident that Volume II can stand with any of its siblings. In fact, we can now add Hudson’s name to those of Maitland and Holdsworth¹ as authors of indispensable works on early-medieval law.

Hudson’s plan is to present parallel treatments of legal institutions, procedures, and doctrines across what he perceives as three periods: First is “Late Anglo-Saxon England” (871-1066), spanning the rise and remarkable persistence of the Wessex dynasty established by Alfred, popularly known as “The Great.” Second is “Anglo-Norman England” (1066-1154) covering the rule of William I, popularly known as “The Conqueror,” and his descendants. Third is “Angevin England” (1154-1216), beginning with the long reign (1154-1189) of Henry II, a legal revolutionary, empire-builder, and perplexed family man.² Within each of these periods Hudson presents chapters on “Kings and Law,” “Courts,” “Procedure,” and “Land,” and “Moveables”; by the Angevin third of the book, land-law practice has taken over the procedural chapter. The three major divisions are in effect parallel books-within-a-book. There is some variation within each; but for all three eras Hudson (in addition to the topics mentioned above) also addresses legal issues related to crime, status, and families. This structure makes it very easy for the reader to trace particular developments across time.

Like Maitland before him, Hudson is at his best when exploring complex problems in reasonable language. He lacks Maitland’s epigrammatic brilliance,³ but his work shines when he addresses matters of procedure. If Maitland allows us to imagine that we that we have learned to think like a medieval person, then Hudson allows us to feel what it was like to have “been there.” Consider Hudson’s patient and lucid treatment (pp. 67-92) of the stages and possible outcomes of a trial before the “suitors” of an Anglo Saxon shire court. After formal (and formulaic) accusation, denial, and presentation of information and arguments, the court would reach a “mesne” or intermediate judgment (pp. 78-79) as to what would constitute proof in the matter. Proof might involve oath-giving, and not just the oath of the accused, but of varying numbers of his equals, neighbors, or sureties—in short, of his “oath helpers” (pp. 81-82).

Failing to satisfy the court with oaths, the defendant might be put to the ordeal.⁴ If the accused party was reputed to be of bad character, the court might skip the oath phase and go straight to

¹ For Maitland, see Frederick Pollock and Frederic William Maitland, The History of English Law Before the Time of Edward I, 2nd ed., 2 volumes (1898; Indianapolis: Liberty Fund, [2009]). For Holdsworth, see William S. Holdsworth, A History of English Law, 17 volumes (London: Methuen, 1903-1972); note that most of the material pertinent to readers of this review is found in Volume II of Holdsworth.
² The “Angevin” kings were Henry II and his sons Richard I and John. Henry II was the son (and Richard and John the grandsons) of Geoffrey of Anjou, husband of the Empress Maud, who was herself daughter of England’s King Henry I (died 1135). The term “Angevins” come from the French lands of Anjou.
³ But then, who doesn’t?
⁴ The Ordeal was associated with Shire Courts; it was not allowed in cases before lower, even more local tribunals such as the “Hundred Courts” (p. 85).
Li kew ise, ro yal co urt s s uperc eded so me o f the aut hority of  the s hire co urt s; but l ike m anorial courts, they continue d to exist Shi re Courts served both as courts with substantive powers and as procedural way stations for litigat ion destined for royal court s; see Hudson, pp. 550-556.

Between the Empress Maud (note 2, above) and King Stephen (1135-1154).

These phrases describe the assizes of “novel disseisin” (1166), “mort d’ancestor” (1176), and “darrein presentment” (late 1170s).

The Grand Assize (1179) was a new wrinkle in the earlier, still-existing system of “Writs of Right.” It offered defendants (in trials of the right to land) the opportunity to substitute trial by jury for judicial combat. Its introduction marked a decline in trial by combat—and of all the abuses to which that form of justice had been subject.

Hudson benefits from decades of scholarship on medieval English law, consisting not only of the painstaking presentation of original sources offered year after year by the Selden Society, but also

5 Likewise, royal courts superceded some of the authority of the shire courts; but like manorial courts, they continued to exist Shire Courts served both as courts with substantive powers and as procedural way stations for litigation destined for royal courts; see Hudson, pp. 550-556.

6 Between the Empress Maud (note 2, above) and King Stephen (1135-1154).

7 These phrases describe the assizes of “novel disseisin” (1166), “mort d’ancestor” (1176), and “darrein presentment” (late 1170s).

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9 The Assize of Clarendon dates to 1166.
of numerous useful secondary works. He thus has advantages denied to either Maitland or Holdsworth; though like both historians he often draws upon deep study of a classic treatise. In Maitland’s case the definitive work was the mid-thirteenth century production associated with royal judge Henry de Bracton. In Hudson’s case the treatise is the late twelfth-century work named for Henry II’s warrior-justiciar Ranulf de Glanville, who recorded, organized, and promoted his master’s revolution in law. Hudson frequently comments upon this Tractatus de Legibus et Consuetudinibus Regni Angliae, or relies upon it; the term “Glanvill” rates more than sixty entries in Hudson’s “index of subjects” (p. 937).

It is simply giving Hudson his due to say that his accomplishment is inspiring (as well as intimidating); but this does not mean that, in our search for one-stop treatises, we can dispense with Maitland or Holdsworth. Hudson, to take one example, contains several references to “final concords” or “feet of fines”; but Maitland presents us with a fluidly written essay on these early written records, proving by his exposition that the technical and procedural can become an agency of cultural change. Likewise Hudson discusses the rise of a legal profession at only a few points, more or less in passing—and this is natural, since there was no developed “legal profession” by the time of Magna Carta. For a more thorough treatment (and one that takes us beyond Hudson’s endpoint) we can be grateful for Holdsworth. This is after all the way of great legal works. The publication of one inspired synthesis (think of Blackstone) does not obliterate the usefulness, and certainly not the pleasures of its predecessor (think Coke).

Paul M. Pruitt, Jr.
Bounds Law Library
University of Alabama

This Liberty Fund reprint combines three different works in which Robert Molesworth had a hand. *An Account of Denmark* and *Some Considerations for the Promoting of Agriculture and Employing the Poor* were both written by Molesworth. Molesworth also translated Francis Hotman’s *Francogallia*. Justin Champion edited this edition and includes a thorough introduction. There is also a detailed description of the previous editions of the included texts that were used to create this volume as well as any additions or deletions made.

For those unfamiliar with Robert Molesworth the introduction provides an incredibly useful biography of the man and his works (pp. ix-xl). Robert Molesworth (1656-1725) was a writer, member of parliament, and steward of his own estates in both England and Ireland (pp. ix). He has been recognized as one of the last “Real Whigs” (pp. xi). The Whigs were a political party in England which prized the public good above all forms of government. Molesworth believed in public liberty and civil rights and blasted political and religious corruption (pp. ix, xii). He also championed the importance of reading and education even encouraging his daughters to read and learn (pp. xiv-xv).

*An Account of Denmark* receives top billing in this edition, probably because it is Molesworth’s most famous work. His work as William III’s envoy to Denmark in 1689 provided Molesworth with the necessary information to write *An Account of Denmark*. In *An Account of Denmark*, Molesworth provides a detailed description of the country as it was in 1692. The first several chapters describe the lands constituting Denmark as well as any of the other countries belonging to the King of Denmark (Ch. 1-5). Molesworth then goes on to discuss the form of government in Denmark, including the progression to a hereditary and absolute monarchy (Ch. 6 & 7). The discussion then moves on to the people of the country (Ch. 8). Molesworth movingly discusses how poor people suffered from hardship, degradation, and sickness. He even compares the people of Zealand to slaves in Barbados (pp. 70). The ways in which the country raises money form the basis of Chapter 9. Molesworth describes the revenue stream as coming from taxes upon subjects, customs paid by foreigners, and rents the King collected from his own estates (pp. 76). Chapter 10 discusses the army, which by modeling Denmark’s army on that of France, Molesworth argues the King built it to an unsupportable size. Discussions of the court (royal household) and interests between Denmark and other countries and princes follow (Ch. 12-14). The work ends with a discussion of clergy, learning, and the conclusion (Ch. 16).

The discussion in *An Account of Denmark* which law librarians will find most interesting is that of the laws and courts of justice (Ch. 15). This is the one area where Molesworth has praise for Denmark. He expounds that, “Danish laws, I must needs begin with this good character of them in general, That for justice, brevity, and perspicuity, they exceed all that I know in the World” (pp. 143). Molesworth even expresses a greater respect for the advocates in Denmark than those in England (pp. 143). Molesworth describes the general three court system in Denmark comprised of the Byfoghts Court in Cities and Towns or Herredsfoudds Court in the Country; the Landstag or general head Court for the Province; and finally the High rift in Copenhagen, where the King sometimes sat and Nobility of the Kingdom always sat (pp. 144). Limits were set on how much someone must pay to plead a case (pp. 146). Molesworth appears most impressed by the fact that Apothecaries could not practice unless appointed by the College of Physicians and confirmed by the King; furthermore, the shops were inspected two or three times a year and prices were fixed (pp. 148).

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Francogallia was originally written in Latin by Francis Hotman in 1574. This piece discusses the ancient free state of France (or Gaul). Robert Molesworth translated the work into English and this edition includes the translator's preface included in the second edition of the translation. Interestingly, the footnotes inform the reader that the translator's preface was not included in the 1711 Timothy Goodwin edition of Francogallia, but did help form the basis of an independent later text, Principles of a Real Whig (pp. 171). Francogallia was the most difficult of the three works to read. This could be in part because the work was translated from the original Latin as opposed to the other two works which were originally written in English. Francogallia charts the progression of the region from pre-Roman occupation into its existence as a Roman province, through the possession by the Franks. The line of succession of the Kingdom is discussed at great length (Ch. 6 and 7). Hotman devoted an entire chapter to the right of the royal family to wear a large head of hair (Ch. 9). Different issues relating to the particular family line which ruled the area are discussed in detail.

Some Considerations for the Promoting of Agriculture and Employing the Poor is a slight departure from the other works in that it discusses agricultural concerns, rather than focusing on governmental bodies. This piece was the easiest to read and most interesting of the three works in the book. Molesworth expresses great admiration for many of the practices in effect in England, and disparages Ireland for failing to promote and enforce the same policies. According to Molesworth, “the whole Oeconomy [sic] of Agriculture is generally mistaken or neglected in this Kingdom” (pp. 332). The essay goes on to expound on the problems in Ireland caused by the practice of having multiple tenants on the land. Molesworth promotes the idea of instituting a “School for Husbandry” in each county, where an expert in the English methods could teach (pp. 345). He even goes on to suggest that people continue to work the land on Holy Days, including Sunday afternoon, in bad harvest weather.

This book was hard to read at times. Some typeface changes were made. For instance, I was able to consult an original printing of the second edition of Francogallia and noticed that it followed the old English typeface tradition of using an “f” to signify an “s”; whereas this edition thankfully departed from that custom. However, the original spelling of many words was maintained. Therefore, readers encounter such words as “chuse”, “compleat”, “shew”, and “publick”. I understand that maintaining these period spellings helped to retain the original character of the works; however, it did make me pause every time I came across such a word, to allow my brain time to process how that word would be spelled today. I found that this pause interrupted the flow of reading and therefore made it more difficult to ensure a complete comprehension of what I had read.

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Arthur W. Diamond Law Library
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It is perhaps not surprising that the names of Alexander Hamilton, John Madison, and John Jay are deeply embedded in American historical tradition. Among other things, their collective contribution to *The Federalist* suffices to secure their place in public mind. However, the Anti-Federalist contributions to the fierce struggle over ratification of the constitution provide thoughtful insight into the reasoning of those who operated to defend the power of the states, as well as, to articulate a significant critique of specific elements of that constitutional enterprise.

Michael Zuckert, currently chair of the Political Science Department, University of Notre Dame and Derek Webb, Princeton University, have provided the reader with extensive access to what amounts to the “losing” side of the constitutional ratification debates. Indeed, their editorial effort extends the earlier work undertaken by Gordon Wood and the late Herbert J. Storing who devoted substantial academic effort aimed at tracing the intellectual contributions that derive from the Anti-Federalists. Very simply put, the United States Constitution ratified in 1789, is the delicate synthesis of views put forth by Melancton Smith (and his circle) over against the Federalist perspective. This edition, therefore, provides us with valuable access to the fullest extent of Smith’s contributions to a pivotal period in the formulation of the American polity.

There is considerable evidence that Melancton Smith was the key figure among the Anti-Federalists. A native New Yorker, Smith became one of the most formidable opponents of Federalist Alexander Hamilton during the constitutional convention. These debates deserve wider exposure for reasons of civic understanding and enlightened political discourse. Zuckert and Webb were aided in their work through the vehicle of an approach, known as ‘principal component analysis’ (PCA) which has been completed by John Burrows, professor emeritus of literary and linguistic computing, University of Newcastle, Australia. Through the computational analysis of a writer’s vocabulary it is possible to establish authorship with a considerable degree of certainty. Accordingly, the application of PCA encourages us to accept that Melancton Smith was, in all probability, the singular author of letters appearing under the name of *Brutus* and the *Federal Farmer*.

When revisiting the letters, speeches, and pseudonymous essays of Melancton Smith the reader is rewarded with an enormously powerful series of meditations on the substance, style, and sense of the constitutional project being lionized by the Federalists. Political discourse has been in a state of decline from several decades and it is both dispiriting and inspirational to listen to Smith as he reasons about the fate of the American experiment.

Recently scholars have begun to trace some linkages between the Anti-Federalists of the nineteenth century and the Progressives of the twentieth century leading up to the New Deal. Indeed, it has been noted that Ronald Reagan helped promote a resurgence of the Anti-Federalist political philosophy, including the view that the federal government presents us with more problems than solutions.¹ More contemporaneously, the reflections of Smith, and his Anti-Federalist colleagues,

reminds us that American government is not by any means a ‘more perfect union’ and admits of continuous improvement. There remain some essential points of emphasis put forward by the Anti-Federalists which warrant our attention. Against the ‘new science of politics’ espoused by the Federalists, Smith continuously returns to a notion of classical republicanism that builds a central government upon a system of strong states. We are reminded that the Greeks presented to the world “the theatre of human greatness” and constructions such as the Amphyctionic Council of ancient Greek cities might provide a useful model for a deliberative body within a republic. Furthermore, the Anti-Federalists were committed to a simple form of government guided by an accessible ‘common good’ in contrast to the more complex approach articulated by James Madison that encouraged a clash of factions. Also, the Anti-Federalists made a particular point of speaking in favor of direct and responsive government which included a preference for strong states and representatives who more closely reflect those they represented. Smith spoke eloquently about the need to avoid "a reduction of all the states into a consolidated government" and that the “most important end of government then, is the proper direction of its internal policy, and oeconomy; this is the province of the state governments.”

Flowing from the above noted concerns about direct representation of citizens, Smith argues well for a vision of self-governing communities that operates against the appearance of political elites, or an aristocracy, that will debase the form of government to be fashioned in America. While the Federalists were fearful of the tyranny of the majority, the Anti-Federalists were clear in their conviction that the American political order would fall prey to the wealthy and powerful. Smith admits that there are “natural aristocrats” among them, such as John Adams. However, he remained firm in the view that men of the “middling class” were needed to draw a “true picture of the people.” For Smith government is intended to protect the rights of the people and establish a civic order that would promote their happiness. In such institutions as the Senate, Smith saw scope for sinecure and special interest.

Smith turns his attention to the role of the superior court; the third point in the triangle of government which includes the legislative and executive elements. Here, again, he offers views which highlight the propensity for a government body to become removed and remote from the common citizen and will tend to serve the interests of the wealthy and powerful. The authority vested in the superior court will make its members unaccountable for any misconduct and also lead to an atrophying of the state court system.

The assertions and arguments of the Anti-Federalists continue to have resonance for those considering constitutional matters as they relate to executive, legislative, and judicial functions. Smith’s writings deserve wider popularity and this recent edition serves a most appropriate purpose for contemporary legal scholars and academics concerned with the mechanics of government. It is perpetually useful to return to founding principles not only for understanding

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3 Supra note, 291.
4 Supra note, 214.
5 Supra note, 304.
6 Supra note, 298.
7 Supra note, 298.
the strength of the modes and orders that have been built upon those principles, but also, to contemplate the challenges and considerations offered by those who called those principles into question. The American republic suffered through a fundamental re-examination of its genesis during the Civil War. Smith was conscious of the wickedness of slavery and his insertions into the debate over the form, function, and features of the constitution were calculated “to furnish the world with an example of a great people, who in their civil institutions hold chiefly in view, the attainment of virtue, and happiness among ourselves.”

This publication also includes a pamphlet on the case of Rutgers v. Waddington (1784) which resulted in a ruling by the Mayor’s Court of New York dealing with that state’s Trespass Act of 1783. Here we see Melancton Smith’s ingenuity in opposing the legal acumen of Alexander Hamilton. Once again, Smith was bested by his Federalist foe, but not without framing some excellent arguments and entreaties in favour of caution regarding constitutional, legal and political matters.

Zuckert and Webb have assembled a comprehensive range of writings that have been established as being authored by Melancton Smith. The Anti-Federalists undoubtedly found an eloquent advocate in this multi-faceted individual who, while seeing the promise of the federal form of government, insisted upon the need for dialogue to ensure that the foundation of that general government was solid and sound. Our predilection for the Federalist triumvirate of Hamilton, Jay, and Madison should be adjusted to welcome wider study of loyal New Yorker, Melancton Smith.

Paul F. McKenna
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An in-depth interview with Warren Billings (University of New Orleans) is one of the featured articles in the Autumn 2012 issue of A Legal Miscellanea, the newsletter of the Friends of the Jacob Burns Law Library, George Washington University. The newsletter is available online at http://www.law.gwu.edu/Library/Friends/.

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Linda Tesar (Wolf Law Library, College of William & Mary) has published “Forensic Bibliography:

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8 Supra note, 214.
Reconstructing the Library of George Wythe” in the Winter 2013 issue of Law Library Journal (vol. 105, pages 55-77). This is the same paper that won the 2012 AALL/LexisNexis Call for Papers Competition.

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Mike Widener (Lillian Goldman Law Library, Yale Law School) will be teaching his “Law Books: History and Connoisseurship” course for the University of Virginia’s Rare Book School once again, June 17-21, 2013. There is one important change: the course will be one of four Rare Book School courses that will be offered that week on the Yale University campus in New Haven, CT.

FROM THE HARVARD LAW SCHOOL LIBRARY:
Long Road to Equality

In 1983, HLS student Evan Wolfson authored a prescient third year paper titled “Same sex Marriage and Morality: The Human Rights Vision of the Constitution.” Thirty years and countless examinations of the constitution later, two cases regarding gay marriage, Hollingsworth v. Perry (challenging California’s Proposition 8) and United States v. Windsor (challenging the Defense of Marriage Act) are being argued in front of the Supreme Court on March 26 and 27, 2013. Wolfson led a wave of Harvard Law School students and faculty members who fought for or participated in the discussion about gay marriage.

Today nine states have legalized same-sex marriage, with Massachusetts leading the way with the 2003 Goodridge decision, which led to much public and intra-Harvard thought and debate, memorialized in The Record and the Harvard Law School Bulletin. And the fight – with HLS involvement – continues. At the Supreme Court’s request, Professor Vicki Jackson submitted amicus briefs on the jurisdictional and standing issues in Windsor, while other Harvard Law School faculty and scholars have contributed to many of the briefs on the merits of both cases. While the Supreme Court deliberates, other members of the Harvard Law School community continue to theorize, advocate and shape the freedom to marry both here in the United States and overseas.

Come visit the Caspersen Room in the HLS Library to view “Long Road to Equality” – an exhibit documenting the involvement of HLS students, faculty and alumni in the long road to marriage equality. Curated by HLS Library staff members Mindy Kent and Margaret Peachy, the exhibit will be on view through July 2013. The Caspersen Room is open daily 9 to 5 (closed for special events).

Extra! Extra! Read All About It: A Tale of True Crime

Featuring materials from the Library’s Historical & Special Collections, this exhibit examines a short chapter in the United States’ history of true crime narratives:

Topics include: serialized true crime literature, crime photography in newspapers, and the representation of family life in the media’s coverage of the Sacco and Vanzetti case. Highlights from the exhibit include an early example of an Associated Press Wirephoto, a photograph album compiled by an expert witness in the Lindbergh kidnapping case, and materials from the Library’s collection of Wood Detective Agency Records, the first private detective agency in New England.

The exhibit was curated by Lesley Schoenfeld, Historical & Special Collections, Harvard Law School Library, with contributions from Michele Fazio, Assistant Professor of English, University of North Carolina at Pembroke. It is on view daily 9 to 5 in the Library’s Caspersen Room through April 26, 2013.

**Oliver Wendell Holmes, Jr. Digital Suite**

The Harvard Law School Library is pleased to announce the release of the Oliver Wendell Holmes, Jr. Digital Suite: [http://library.law.harvard.edu/suites/owh](http://library.law.harvard.edu/suites/owh). The Suite is comprised of five manuscript collections as well as three image groups. Every attempt was made to digitize as much of each collection as possible and only a small percentage of the Library’s Holmes primary material that was not digitized. The manuscript collections included in the Suite are:

2. Mark DeWolfe Howe Research Materials Related to the Life of Oliver Wendell Holmes, Jr., 1858-1968
4. Oliver Wendell Holmes, Jr. Addenda, 1818-1978
5. Letters from Holmes to Lady Castletown Small Manuscript Collection

The key component of the OWH, Jr. Suite is the discovery environment developed by the Library’s Digital Lab and called 3D (Discovery and Delivery of Digital collections). 3D enables a person to search and browse across all eight collections in the Suite from one access point. A search of the over 100,000 digitized documents and over 1,000 images can also be easily refined by the site’s faceted search functions.

The Suite also supports active involvement from users who are offered the opportunity to add tags to items as well as participate in discussions. Visitors to the site are encouraged to increase the accessibility to the collections by adding tags designating topics, names, dates, and locations to items they view. Researchers can also participate in forum discussions about the collections themselves or topics they introduce. By becoming active members of the OWH community, users increase the utility and discoverability of the site.

The Oliver Wendell Holmes, Jr. Digital Suite was made possible by the work of many individuals. The Library’s Digital Lab team of Steve Chapman, Andy Silva, Lindsay Dumas and Craig Smith all developed the 3D software as well as did quality assurance checks on material returning from imaging services. Ed Moloy and Margaret Peachy of the Library’s Historical & Special Collections unit provided the finding aids with the additional metadata necessary for 3D’s optimal functionality.
From the Fred Parks Law Library, South Texas College of Law:
The Legacy of Lawrence v. Texas

On display now in the Fred Parks Law Library lobby is The Legacy of Lawrence v. Texas, an exhibit that contains some of the briefs presented in the Lawrence case as well as materials on gay rights and marriage equality from the Library's main collection. The Special Collections Department houses the records of the Lawrence case, which were graciously donated by one of the attorneys on the case, South Texas alumnus and Adjunct Professor Mitchell Katine. The whole collection can be viewed online in our digital collections. This exhibit will be up until August 31, 2013.

The week of March 25, 2013, two cases concerning gay rights will be argued before the Supreme Court. The first, Dennis Hollingsworth, et al. v. Kristin M. Perry, et al. (12-144), seeks to strike down California’s voter-approved ban on same sex marriage and declare that gay couples can legally marry not just in California but nationwide. The other, United States v. Edith Windsor (12-307), challenges the Defense of Marriage Act. These important cases could change the lives of countless citizens, providing not just equal protection, but equal recognition of their relationships and families.

Ten years ago this same week another landmark case was heard by the Supreme Court. In Lawrence v. Texas, 539 U.S. 558 (2003), the United States Supreme Court voted 6-3 to strike down the sodomy law in Texas and reversed the Court’s own decision in Bowers v. Hardwick, 478 U.S. 186 (1986), where the Court held that the due process clause of the Fourteenth Amendment did not confer a fundamental right on homosexuals to engage in consensual sodomy. The majority, consisting of Justices Kennedy, Stevens, Souter, Ginsberg, and Breyer, held that the convictions under the Texas statute violated the petitioners’ vital interests in liberty and privacy, protected by the due process clause, for several reasons, among them that the statute sought to control a personal relationship between two consenting adults. Lawrence thus invalidated similar laws throughout the United States that criminalized sodomy between consenting same-sex adults acting in private and invalidated the application of sodomy laws to heterosexual sex based on morality concerns. Justice O’Connor agreed that the Texas statute was unconstitutional, however she based her decision on the equal protection clause, not on the due process clause, as the statute discriminated against homosexuals as a distinct class of persons. She did not join the majority in overruling Bowers. The dissent was written by Justices Scalia and Thomas and Chief Justice Rehnquist, who did not believe that Bowers should have been overruled, that the Texas statute did not violate due process nor did it infringe on a fundamental right, and it did not deny the equal protection of the laws. Justice Thomas believed that the statute was “uncommonly silly” and should be repealed by the state legislature, however the Supreme Court was not empowered to help as there is no general right of privacy in the Bill of Rights or in any other part of the Constitution.

Land & Cattle

The Houston Livestock Show and Rodeo is February 25 - March 17 this year. In honor of mutton busting, the calf scramble, and over 80 years of supporting education, facilitating better agricultural practices, and being the largest livestock show and rodeo in the world, the Fred Parks Law Library brings you Land & Cattle, a display of selected materials on farm law, animal law, agricultural law and, yes, cowboy law. These items will be on display in the second floor library lobby until March 18, 2013.

Legal Illuminations: The Art of Law
Legal Illuminations: The Art of Law was on display from November 9, 2012, to January 31, 2013, in the library lobby, and contained a selection of materials from the library that shows how illustrations and art have brought the law to the public from the thirteenth century to the present. Tolstoy described art as "a means of union among men, joining them together in the same feelings, and indispensable for life and progress toward well-being of individuals and of humanity." Accordingly, he felt that artistic merit derived largely from morality, the same bond of ethical obligation that has been the foundation many legal codes throughout history. Based on this concept, is there any wonder that artists have found the law to be such a rich source of inspiration?

The very nature of law involves conflict; it calls up ethical and moral questions as well as situations of peril, guilt, innocence and retribution, all of which have been depicted through art in various ways, and for various purposes. Visual art records our history in ways that words alone cannot express.

Just as one can study social change through art, so too can one study legal history. The stele of the Code of Hammurabi depict the ruler receiving the law from the Babylonian Sun God. The Nauri Decree of Seti I shows Pharaoh presenting an offering to the Gods. The Law of Moses can be seen in multiple interpretations of The Judgment of Solomon and Susanna and the Elders. As law went from being inspired by the Divine to being created by men, we see the use of art as a warning against the corruption of justice in Gerard David’s Judgment of Cambyses.

A different sort of illustration can be seen in the use of maps. In Mare Clausum, Selden asserts that according to the law of nations, it is possible to have private dominion over the sea as well as land and that “the dominion of the British sea was always a part or appendant of the empire of that island.” To that end, the map of England in the Mare Clausum shows a very large island surrounded by a tiny sea, demonstrating that very dominance in a subtle way.

The inherent drama of the law is most evident (no pun intended) when it is on display in the courtroom. Trials are a contest between opposing forces. Over most of the last two centuries courtroom combatants had been captured by courtroom artists. As technology has advanced, so has our inside knowledge of trial proceedings, first with still photography and then in some cases, as famously demonstrated by the OJ Simpson trial, television cameras. For now, cameras are not allowed in federal court and artists use their skills to bring trials to life for the public. These artists masterfully capture the drama of the trial as they interpret the events before them, telling the story in a series of hand-drawn images.

Today the most well-known form of illustration dealing with the law may be the editorial cartoon. These run the gambit of political and social issues, and thus frequently involve the court system. Political cartoonists combine criticism and satire and display them using the obvious and ridiculous. In ruling on Hustler Magazine, Inc. vs. Jerry Falwell (485 U.S. 46), Chief Justice Rehnquist wrote that, "Despite their sometimes caustic nature... graphic depictions and satirical cartoons have played a prominent role in public and political debate." He concludes that, from the viewpoint of history, our political discourse would have been poorer without them. Indeed, a quick Internet search demonstrates that there are plenty of resources available for one to "write" the history (legal and otherwise) of Britain and the United States from at least 1800 to the present using nothing but cartoons.
FROM THE WEST VIRGINIA UNIVERSITY COLLEGE OF LAW LIBRARY
Remembering the Buffalo Creek Disaster, February 26, 1972

The current exhibition at WVU's College of Law, "Remembering the Buffalo Creek Disaster, February 26, 1972" examines one of the worst coal mining disasters in our nation's history. Sponsored by Special Collections, this exhibition uses period photographs, documents, and explanatory graphics to describe the failure of the coal slurry retaining dam at Buffalo Creek, Logan County, West Virginia.

While most mining disasters occur at the mine and involve miners working that shift, the Buffalo Creek dam break released 130 million gallons of water, coal sludge and waste materials in a 20 - 30 foot wall of water that flooded the towns of Buffalo Valley. The flood occurred early on a Saturday morning when families were at home. Most were still in their pajamas, unaware of the approaching water. The only warning came from neighbors as they ran up the mountainside to escape. Most never knew what was coming. The force of the water was so great it knocked houses off their foundations, stripped ties from railroad beds and twisted the rails around tree trunks. Many families were swept away still inside their homes.

125 people were killed, 4,000 left homeless, over 1,000 were injured and nearly 1500 houses and mobile homes were destroyed or damaged. Property damage was estimated at $50 million.

The resulting legal case, Dennis Prince et al. V. Pittston, set landmark precedence on several fronts, the most notable for the recognition of PTSD, as suffering equal to physical harm or financial loss.

This exhibition is a prelude to the Buffalo Creek Symposium to be held at the WVU College of Law February 2014. The exhibit will remain on view through May 2013. Contact Stewart Plein (Stewart.Plein@mail.wvu.edu) for more information.

FROM THE LILLIAN GOLDMAN LAW LIBRARY, YALE LAW SCHOOL:
From Litchfield to Yale: Law Schools in Connecticut, 1782-1843

A new Yale Law Library exhibit celebrates Connecticut's role as the birthplace of vocational legal education in the United States.

The exhibit, "From Litchfield to Yale: Law Schools in Connecticut, 1782-1843," is on display through May 2013 in the Lillian Goldman Law Library, Yale Law School. It was curated by Michael von der Linn, Manager of the Antiquarian Book Department at The Lawbook Exchange, Ltd., with help from Michael Widener, Rare Book Librarian in the Lillian Goldman Law Library.

Although Virginia's College of William & Mary began offering law lectures in 1779, the Litchfield Law School in northwest Connecticut was the first school to provide a focused curriculum of legal training, beginning in 1782. The school's success inspired the establishment of a law school in New Haven in about 1800, which eventually evolved into today's Yale Law School. Two other law schools operated for several years in Hebron and Windham. In the early 19th century Connecticut had more law schools than any other state in the union.

On display are student notebooks, textbooks, letters and other documents of the schools and their instructors. Included are items on loan from the Litchfield Historical Society and from Manuscripts & Archives, Yale University Library.
Collection of Italian decrees leads Yale Law Library’s Acquisitions
By Mike Widener, Rare Book Librarian, Lillian Goldman Law Library, Yale Law School

This year’s outstanding acquisition at the Yale Law Library is the Farley P. Katz Collection of Italian City-State Laws and Decrees. We acquired the collection from San Antonio attorney and book collector Farley P. Katz, who assembled it over a period of thirty years. The collection contains 270 items dating mainly from the early 16th century to the mid-17th century.

The bulk of the collection consists of 150 printed decrees, proclamations and laws from Florence and Venice, almost all in 2-to-4-leaf quarto pamphlets, and close to 100 broadsides from Florence, Venice, Vicenza, Rome, Padua, Genoa, Bologna, Milan, Turin, Alessandria, Casale Monferrato, Palermo, Parma, Verona, and Udine. These ephemera were designed to publicize new laws and regulations to the public. They cover the entire gamut of regulations: public health, commerce, smuggling, gun control, theft, taxation, women’s rights, coinage, public archives, manufacturing, agriculture, court regulations, commercial law, prisons, and on and on. They are valuable not only for the social, political, and legal history of early modern Italy, but also as examples of early job printing. A substantial portion of them are not found in WorldCat.

Another outstanding acquisition was De D. Ivonis juris consulti laudibus et vita oratio (Cologne, 1574), a biography of Saint Ives, the patron saint of lawyers and abandoned children. Yale’s copy has a hand-colored portrait of the saint with the caption “Ivo, patron of patrons / Protector and guardian of the widow and orphans / Favor the oppressed and give them justice”. As a companion to this book, we acquired a speech delivered on the feast of Saint Ives by the German theologian Martin Eisengrein, Oratio de corrupto Iudiciorum usu, et dignitate Iurisprudentiae, in Festo divi Ivonis (Dillingen, 1559), which quotes the proverb “A good jurist / A bad Christian.”

Two classics of foreign law were acquired: Code de Napoleon le Grand (Florence, 1809), a deluxe edition bearing a fine engraved portrait of Napoleon; and the polyglot edition of Catherine the Great’s Nakaz (St. Petersburg, 1770), her proposed reform of Russian law with parallel text in Russian, Latin, German, and French.

Among the additions to the collection of illustrated law books were two editions of Giovanni d’Andrea’s essay on trees of consanguinity (Nuremberg 1483 and Vienna 1513) and 45 German and Dutch law books with allegorical title pages or frontispieces.

American items included a rare 1841 prospectus for the Lousiana Law Journal with a penciled note, “25 per cent discount will be allowed to the trade”, and an anonymous manuscript poem (1743) about a lawsuit in Canterbury, New Hampshire. Outstanding English items included the 1599 edition of Edmund Plowden’s Commentaries and two illustrated works on legal architecture: The Central Criminal Court of London (1909) and Samuel Ireland’s Picturesque Views, With an historical Account of the Inns of Court (1800).
Welcome to "From the Dusty Archives," a new column for the LH&RB Newsletter. I'm introducing the column with an item from the College of Law Archives at West Virginia University. Do you have something interesting in your archives you'd like to share? Please submit your articles to Stewart.Plein@mail.wvu.edu

Laurence Tribe, American Constitutional Law, and Ed Baker
C. Edwin Baker Collection

The College of Law at West Virginia University is the institutional repository for the C. Edwin Baker Papers. Professor Baker was an internationally recognized legal scholar for his research in the areas of the constitution, media policy and the first amendment. At the time of his death in 2009, Baker was the Nicholas F. Gallicchio Professor of Law at the University of Pennsylvania.

The Baker Collection was donated to the College of Law in 2011. Nancy Baker, Professor Baker's sister, donated his papers, publications, and personal library. Ms. Baker also endowed a lecture series, the C. Edwin Baker Lecture for Liberty, Equality, and Democracy. The second annual Baker Lecture was held November 9, 2012. Susan H. Williams, the Walter W. Foskett Professor of Law and Director of the Center for Constitutional Democracy at the Maurer School of Law, Indiana University, was this year's speaker. Williams' lecture, "A Feminist Vision of Free Speech Theory," was rooted in Baker's scholarship on free speech. The lecture is available as a webcast from the WVU College of Law home page: https://law.mediасite.wvu.edu/Mediаsite/Catalog/catalogs/default/?state=GgA9qPMsXVKQU8yvyLRS

From an archival prospective, the Baker papers provide an important reflection of the development and career of an academic scholar. The collection also serves as a rich resource for scholars who are interested in studying constitutional issues, freedom of speech, the first amendment, and mass media policy--all areas which formed the center of Baker's scholarship. Highlights from the collection offer rich documentation of Baker's early life and academic career, including drafts and materials he used for researching his first book, HUMAN LIBERTY AND FREEDOM OF SPEECH, in which he developed the liberty theory of free speech, arguing "that First Amendment liberty rights (as well as Fourteenth Amendment equality rights) required by political or moral theory are central to the possibility of progressive change." Seth Kreimer writes in his essay "Remembering Ed Baker," that his "liberty theory" (w)as a major alternative to the "marketplace of ideas" in justifying protection of free expression.

Anne Marie Lofaso, Associate Dean of Faculty Research and Development and Professor of Law at the WVU College of Law, was a student of Baker's when she attended law school at the University of Pennsylvania. Professor Lofaso remembers "Ed" as a soft-spoken man from Kentucky, who "taught me how to think and to think freely."

The C. Edwin Baker Collection includes many interesting documents from his life and career. Some choice items include a classroom assignment titled The First Amendment: Roots of Our Freedom handed in when Baker attended Madisonville High School (1961 - 1965) in Madisonville, Kentucky. Other items reflect different stages of his career including assignments from his Bachelor of Arts degree in political science from Stanford University (1965-1969), where he graduated Phi Beta Kappa, and his J.D. from Yale Law School (1969-1972).
Professor Baker was also a Fellow in Law and Humanities at Harvard University (1974-1975) while employed in his first academic position as Assistant Professor at the University of Toledo (1972-1975).

One of the most interesting documents from the collection originates from Baker's fellowship at Harvard. The item is a plain, tan, lined composition book with handwritten notes. This particular item required a great deal of investigation in order to place it properly within the collection. The only clue available was a small calendar for 1975 pasted inside the front cover and the word "Tribe" at the top of the first page of notes.

This nondescript notebook, with "Ed Baker" written in red in the top left hand corner, was kept by Professor Baker during his Harvard Fellowship while auditing Laurence Tribe's American Constitutional Law course in 1974-75. Baker, as a young scholar in his first professorial position, took the opportunity to sit in on Professor Tribe's class on constitutional law, a subject Baker also taught. This proved to be an auspicious moment for Baker as Professor Tribe was in the process of drafting his textbook, American Constitutional Law, at this time.

This diagram, produced by Professor Tribe for his 1975 constitutional law class, is recognized as an important teaching document used in the course.

Tribe and Baker shared a liberal approach in their view of the constitution. Both men shared a deep disgust for segregation and racial inequality. According to Albert W. Alschuler, a roommate of Tribe's at Harvard Law School in the early 1960's, Tribe felt the "emotional weight" of segregation as a student when he traveled as a member of the Debate Team, "using segregated public restrooms and debating at universities that were either still segregated or having trouble adjusting to the recent desegregation of public schools."

Growing up in Kentucky, Professor Baker also witnessed the devastating toll of segregation and racial inequality. Seth Kriemer said of Professor Baker, "He never lost his conviction that a society is illegitimate when it denies any citizen respect for her equal dignity."

While a professor of law at Harvard, the future Supreme Court Justice Ruth Bader Ginsburg reviewed Tribe's textbook in the Harvard Law Review, calling it "a work of spectacular originality, sometimes elusive and uniformly provocative . . . a heroic book with an avowedly modest purpose." Now considered a classic text, Tribe's seminal textbook broke new ground. Instead of the sequential discussion of the text as the standard approach to the study of the constitution, Professor Tribe's approach to constitutional law was "organized around issues, or constitutional functions."

Former Solicitor General Erwin Griswold wrote about Laurence Tribe and his American Constitutional law textbook: "[N]o book, and no lawyer not on the [Supreme] Court, has ever had a greater influence on the development of American constitutional law,"

Baker's copy of Tribe's American Constitutional Law textbook, published in 1978, is heavily underlined and annotated. Books from Baker's personal library are consistent receptacles for his thoughts and ideas on the text and as references for his works in progress. In this book, Baker checked off chapters of particular interest to him in the table of contents, chapters such as Chapter 1, Approaches to Constitutional Analysis, Chapter 11, Model V - The Model of Preferred Rights: Liberty Beyond Contract, and Chapter 12, Rights of Communication and Expression. Baker's notes and references on yellow legal pad sheets torn from the pad are still tucked between the pages of Tribe's text. The blank pages in the rear of the book are also covered with notes.
In his first book, HUMAN LIBERTY AND FREEDOM OF SPEECH, Baker refers to Tribe's discussion of "instrumental rationality." Baker, in his chapter on Commercial Speech, defines this as "the form of reason that fits means to ends but is incapable of judging or evaluating ends." (201) and follows this statement with a quote from Tribe "that form of rationality which seeks to discriminate among alternative actions by assessing their comparative tendency to advance or to retard the achievement of the actor's goals or values."

Baker's notebook serves as a reminder of a foundational moment in the history of constitutional studies, and as an insightful document into an influential work that added to Baker's pursuit of his ideas on the constitution. The notebook also serves as a connecting bridge in the chain of teacher to student, a chain that continued throughout Baker's academic career.


Editor's Note: I have visited Stewart's Archives at WVU. I can assure the readers that they are not dusty, but thought that "From the Dusty Archives" made for a cool title. Welcome to LH&RB Stewart!

A Bibliography of the “History of Books, Reading and Book Culture” (2000-2012) from the ALA Library History Roundtable Newsletter
Joel Fishman and Edward A. Goedeken

Professor Edward Goedeken, Collections Coordinator and Government Documents librarian at the Iowa State Library, has since 1990 compiled a semi-annual listing of library history that is published in the American Library Association Library History Round Table Newsletter. As a law librarian and historian, I recognize Professor Goedeken’s impressive bibliographies serve as important contribution to library history literature and I have cumulated the entire bibliography from 2005 to 2011 and plan to update the bibliography through 2012 on the Round Table’s website, at http://www.ala.org/lhrt/popularresources/libhistorybib/libraryhistory.

Professor Goedeken’s bibliography is divided into six sections: United States; Non-Western Hemisphere; Europe; Asia, Africa, The Middle East, and Other; History of Books, Reading and


Armstrong, Robert D. “We Have Seen Many a Worse Job Done Further East,” The Papers of the Bibliographical Society of America 101 (June 2007): 149-65.


Boyer, Paul S. Purity in Print: Book Censorship in America from the Gilded Age to the Computer Age 2nd ed. (Madison, Wis.: University of Wisconsin Press, 2002). 466 pp. $40.00 ISBN 0-2991-758-47. [Part of Print Culture History in Modern America series]


Deazley, Ronan. Rethinking Copyright: History, Theory, Language 201 pp. $95.00 ISBN 978-11845422-82-0.


Houdek, Frank G. “A Law Library Journal Centennial Timeline: Highlights from One Hundred Years of LLJ History,” Law Library Journal 100. (Summer 2008): 541-54.


Jones, William B., Jr. Classics Illustrated: A Cultural History, with Illustrations. (Jefferson, NC:


Larsen, Svend. “Libri: The Early Years,” Libri 50. (June 2000): 69-74. [Bibliometric study of early years of this important library science journal]


Marotti, Arthur F. and Michael D. Bristol, eds. Print, Manuscript, Performance: The Changing


Melançon, François. “Le Livre à Québec dan la Premier XVIIe Siècle: La Migration d’un Object Culturel.” (Unpublished Ph.D. Dissertation, Université de Sherbooke, Canada), 2007, 620 pp. [In French]


Miller, Kathleen. “Writing the Plague: William Austin’s Epiloimia Epe, or, the Anatomy of Pestilence (1666), and the Crisis of Modern Representation,” Library & Information History 26. (March 2010): 3-17.

Miskolczy, Ambrus. Hitler’s Library: A Socio-Historical Overview. (New York: Central European


Myers, Robin, Michael Harris, and Giles Mandelbrote, eds. Under the Hammer: Book Auctions


O'Neill, Robert Keating, Jörn-Uwe Günther, Axel Bender, and Lorenz Reibling. The Art of the Book


Park, Roberta J. “Of the Greatest Possible Worth: The Research Quarterly in Historical Contexts,” Research Quarterly for Exercise and Sport v. 76, no. 2 suppl.. (June 2005): S5-S26. [Essay part of 75th anniversary issue]


Saunders, Richard L. Printing in Deseret: Mormons, Economy, Politics & Utah’s Incunabula, 1849-


Spevack, Marvin. James Orchard Halliwell-Phillipps: The Life and Works of the Shakespearean Scholar and Bookman. (New Castle, DE: Oak Knoll Press, 2001). 624 pp. $50.00 ISBN 1-58456-051-7. [Halliwell-Phillips was also a bibliographer and lexicographer]


Walther, Ingo F. Codices Illustres: The World's Most Famous Illuminated Manuscripts, 400 to


Williams, Robert, ed. The Chicago Diaries of John M. Wing, 1865-1866. (Carbondale, IL: Southern


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