It feels like the 2017 annual meeting just wrapped up, and we’re already gearing up for 2018 in Baltimore! I hope you all enjoyed Austin as much as I do. This year, LHRB provided attendees with a wealth of interesting programming, from Spanish and English water law (jointly presented by Jane Cohen of the University of Texas School of Law and Charles Porter of St. Edward’s University), to Gonzalo Rodríguez’s Morris Cohen essay on the factors guiding water laws in early civilizations, to our Host City History Roundtable on the rules and regulations surrounding tequila production and import. Since the tequila was made with volcanic spring water, we kept the theme going through all our programming!

It’s barely November, and the Education Committee has already helped AALL LHRB members finesse their program proposals for submission to the Annual Meeting Program Committee, and will continue to work with members to develop this year’s roundtable. Luckily, all of us get to benefit from their efforts and enjoy the great programming that LHRB brings to the annual meeting every year!

Funding issues affect everyone, and currently the SIS Council is asking the Executive Board to revisit the July 2016 decision to discontinue financial support for members who serve of the American Library Association’s Subject Analysis Committee, the
Committee on Cataloging: Description and Access, and the MARC Advisory Committee. These three representatives serve as the link between law libraries and the larger library community and are vital for making the unique needs of law libraries part of the larger conversation for national standards. For this year, the SISs are united in providing support for these representatives, but ideally, long-term support for this representation will come directly from AALL.

Continued support by Gale Cengage for the Morris Cohen Essay Presentation through a monetary prize as well as partial travel reimbursement gives LHRB the unique ability to bring young scholars to our annual meeting. These essay presentations allow our winners to gain exposure to the field of law librarianship and share their scholarship. Since 2009, we’ve learned a little more about canon law, the Citadel, the repeal of the Judiciary Act of 1801, the first American law review, sex trafficking in the late nineteenth century, justices of the peace and debt litigation in colonial New York, and marriage in pre-revolutionary France. The Cohen Committee has the challenging task of selecting a winner from numerous, and varied, submissions each spring.

This year, Hein generously sponsored our reception. I wasn’t able to make the party in Austin, but I hope you all had a blast! The reception is a great opportunity to network with our colleagues about the new and different ways they are making their collections known. Some of LHRB’s best plans and greatest encouragements have been launched at our casual gathering!

The Legal History and Rare Books Special Interest Section is filled with incredibly creative, driven, and intelligent professionals. I’m grateful that I get to chair this SIS this year, and look forward to seeing all of you again at the next annual meeting!
Thanks to all the editors and contributors for this embarrassment of riches!

Two of the pieces in this newsletter are inspired by this year’s AALL Annual Meeting. I enjoyed looking over the poster on the 100th anniversary of the Houston Mutiny & Riot by Heather Kushnerick of South Texas College of Law Houston. She shines a spotlight on local history with national implications and I wanted to be sure everyone in LHRB had a chance to learn about it. I also had a chance to hear Margie Maes of the Legal Information Preservation Alliance speak at the program “Law Libraries Collaborating to Steward National Legal Collections.” (A recording is available [online](#).) After being surprised at how many projects LIPA has underway, I contacted Margie Maes to tell us more and she graciously agreed.

Stewart Plein may have left law libraries but we still get the benefit of her expertise. See below for her entertaining article on Thomas Jefferson’s books cropping up in West Virginia at her new library.

Finally, I am also pleased to bring in an outsider to the newsletter, Matthew Braun, an Associate Director at the University of Illinois who provides an intellectual property perspective. Orphan works is a noteworthy area of intersection between current debates in the law and special collections.

Feel free to send me any comments or feedback: kcristobal@law.utexas.edu.
Gonzalo E. Rodriguez was chosen as the winner of the Ninth Annual Morris L. Cohen Student Essay Competition for his paper, *Protecting Inland Waterways, from the Institutes of Gaius to Magna Carta*. Rodriguez is currently in his third year at the University of Alabama School of Law. We were lucky to borrow him from his summer clerkship in Los Angeles to hear him present his well-researched and engaging analysis of the protection of inland waterways throughout history.

Rodriguez’s essay examines how the civilizations of Rome, the Visigothic Kingdom, and England managed water resources. Through his research, Rodriguez determined that two factors heavily influenced the extent to which inland waterways are protected by law. The first factor is the perception of water resource abundance, and the second is the propensity for navigability and trade of inland waterways. Rodriguez strengthens his claim through extensive examination of the Institutes of Gaius and the *Corpus Juris Civilis* from the Romans; the Visigothic Code from the Visigoth Kingdom; and the Magna Carta from the English.

Although the climate ranged from warm and humid to warm and dry, Romans modified the environment to meet water needs. While water in the region was scarce due to an expansive population and poor water quality, modifications in the way of aqueducts provided an artificial abundance framework, which is mirrored in the *Corpus Juris Civilis*. Laws focused on creating ownership rights and allowing for water allocation as well as protection of waterways for navigation and trade.

In the Iberian Peninsula the scarcity framework reflects the warm, dry to desert climate. The Visigothic Kingdom required increased agricultural production to meet an expanding empire, and water laws were designed to address the agricultural needs of the kingdom. Navigable waterways were used to a lesser extent in the Visigothic Kingdom, so laws provided middle protections to navigation and diversions are not protected against, perhaps because agriculture was valued over navigability.

In England, with its mild, humid climate, an abundance view was adopted. The Magna Carta focused on protecting navigation, given the importance of waterways for commerce within England. The Magna Carta explicitly prevented obstacles like fishing weirs in rivers, but is silent as to water flow through diversions or allocations.

Rodriguez’s research informs his interest in present-day environmental law. Ten to twenty-three percent of fresh water flows through the state of Alabama, giving the state an abundance of aquatic biodiversity, but little in the way of water management. As Rodriguez informed us during his presentation, Alabama water law reflects the abundance perception of earlier civilizations, utilizing nineteenth-century common law to address water use concerns like the risk of aquatic extinction.
For those of you who were unable to attend Rodriguez’s presentation, his essay will be published in the upcoming issue of Unbound, and is currently available on SSRN at https://ssrn.com/abstract=2968145. It’s definitely worth a read!

LHRB-SIS is grateful for the generous support of Gale Cengage, which provides a monetary prize to the winner and partial funding for travel to the Annual Meeting.

Liz Hilkin
Head of Archives and Special Collections
Tarlton Law Library, University of Texas School of Law

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Tequila and the Law (LHRB SIS Host City History Roundtable), Monday, July 17

One of my favorite things about the annual conference is LHRB’s Host City History Roundtable. It’s an entertaining way to learn about the city we’re visiting. Austin was the perfect host city to discuss the laws concerning the production and importation of tequila, since Texas is the second-largest consumer of tequila after California. Mark Podvia moderated this clever roundtable discussing the history, regulation, and production of tequila. Scott Willis, who founded Tequila 512 in 2012, walked listeners through the process of developing his tequila and his company and told us a bit about the history of tequila.

The Aztecs, and possibly the Olmecs, made a fermented drink from the sap of the agave plant known as pulque. In the 1400s, the Spanish began distilling agave, creating mescal. (All tequilas are technically mezcals, but not all mezcals are tequila.) By Mexican law, tequila can only be produced in the state of Jalisco and limited municipalities in other states, selected mainly because of climate and soil characteristics. Mexican law requires that blanco tequila must be unaged and it cannot have touched wood, so it’s kept in stainless steel tanks instead. Reposado tequila is stored in used oak barrels. Anejo is aged for at least one year in oak barrels previously used for bourbon or whisky. Extra anejo is aged at least three years.

Tequila is recognized as a distinctive product of Mexico through NAFTA. In Mexico, the Tequila Regulatory Council or Consejo Regulador del Tequila (CRT) certifies conformity to the required standard of tequila. Within the United States, permitting is necessary through the federal Alcohol and Tobacco Tax and Trade Bureau, Texas Alcoholic Beverage Commission, as well as the city and county. Additional registration in the free trade zone helps simplify customs procedures and importation costs.

While the logistics of setting up a tequila company of one’s own is a fascinating subject for law librarians, Willis also gave us some advice for our off-hours. When purchasing a bottle of tequila, he recommends 100% agave tequila, at a price point between $20 and $35 and reminded attendees that fancier bottles cost more to make, but it’s what is inside the bottle that counts. Tequila 512’s striking yellow label won Tequila Aficionado’s platinum award for packaging. More importantly, the company’s blanco earned a Double Gold and a Best in Show at the San Francisco World Spirits
Competition. He recommends sipping blanco and anejo tequila straight or mixing reposado with Topo Chico and lime. For parties, he suggests putting out a variety of sparkling Italian sodas and tequila and letting guests make their own drink.

Liz Hilkin
Head of Archives and Special Collections
Tarlton Law Library, University of Texas School of Law

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**Spanish and English Water Law in the American Southwest, Tuesday, July 18, 2017**

As someone who lived through Austin’s worst drought on record in 2011 and found her front door jammed a few times from a shifting foundation due to lack of rain, I try not to take water for granted. Thus I was especially intrigued to hear the LHRB-SIS sponsored session this year on the history of Spanish and English water law. This panel, coordinated and moderated by LHRB’s own Laura Ray, featured two engaging speakers, Professor Charles Porter of St. Edward’s University who was then followed by Professor Jane Cohen of the University of Texas School of Law. Professor Porter focused on the history of Spanish water law and Professor Cohen continued the story through English water law concepts up to the present state of the law in Texas.

Six flags over Texas is such a well-known phrase one is apt to forget there is real history behind it. Indeed, the Spanish built a system of acequias (canals or ditches), traces of which still remain on the landscape today. Viewing images Professor Porter provided of these structures during the talk made me feel like I was almost learning about Europe, rather than Texas. These structures were the result of the Spanish colonial legal concept that water was to be equitably shared. For her part, Professor Cohen made the point that today in the courts there is a fundamental disconnect between how English law historically addresses water varying by source—e.g., groundwater, surface water—versus how mother nature really works of a system of rainfall to surface to ground and then back again. One can only hope that current law starts to mirror reality before it is too late and we are dealing with another record breaking drought.

Thanks to Laura Ray for organizing such a wonderful panel. A recording of this edifying talk is available online: [https://www.aallnet.org/mm/Education/aall2go/amrecordings/aall2017/aall17h7.html](https://www.aallnet.org/mm/Education/aall2go/amrecordings/aall2017/aall17h7.html).

Kasia Solon Cristobal
Reference Librarian
Tarlton Law Library, University of Texas School of Law
The Rare Book Room in the West Virginia and Regional History Center, the special collections unit of West Virginia University, owns many treasures from across the globe, from Austen to Diderot, Linnaeus to Shakespeare, and beyond. The collection also includes many American gems, such as novels by Mark Twain and Isaac Asimov, as well as books associated with political figures, like the two volume legal dictionary once owned by the author of the Declaration of Independence, the third President of the United States, and the founder of the University of Virginia, Thomas Jefferson.

Provenance
The first edition of *A New and Complete Law-Dictionary* by Timothy Cunningham, printed by the Law Printers to the King’s Most Excellent Majesty in London, 1764-1765, was among the books in Jefferson’s personal library. Although the date Jefferson acquired the set and the term of his ownership is not known, Jefferson gave this two volume law dictionary to his nephew, Peter Carr, marking the gift with an inscription in both volumes, shown below.

![Image of inscription](image)

Caption: Jefferson’s gift inscription is penned inside the front cover of both volumes.

According to the Thomas Jefferson Encyclopedia at Monticello, Peter was the eldest son of Dabney Carr, (1743-1773) a childhood friend and, after his marriage to Jefferson’s sister Martha in 1765, his brother in law as well. After Dabney Carr’s early death, Jefferson contributed to his nephew’s education, inquiring into his daily habits and sending books to support his studies. In a letter dated December 11, 1783, Jefferson wrote to Carr: “I inclose (sic) for you under cover to Mr. Madison a copy of Homer. I am anxious to hear from you, to know how your time is employed, and what books you read. You are now old enough to know how very important to your future life will be the manner in which you employ your present time. I hope therefore you will never waste a moment of it. You may be assured that nothing shall be wanting on my part which may contribute to your improvement and future happiness.”

Endrina Tay, the Associate Foundation Librarian for Technical Services at the Jefferson Library, Monticello, notes that Jefferson began supervising Peter Carr’s education about this time in 1783. The following year, 1784, Jefferson’s correspondence mentions ordering books for Carr on languages and the classics.

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during his tenure in Paris when he served with Benjamin Franklin and John Adams, the American Ministers to France.

According to Tay, Carr first mentions beginning to read law under George Wythe in the letter he wrote Jefferson on March 18, 1788. Although the gift inscription is undated, and there is no specific mention of the books in surviving correspondence, it is most likely that Jefferson gave Cunningham’s *New and Complete Law-Dictionary* to Carr sometime during this period. It was during this time that Carr studied at the College of William and Mary and privately under George Wythe, recognized as the first law professor in America as well as a signer of the Declaration of Independence.

In a 1786 letter to Jefferson, Carr relates the progress of his studies, especially under the guidance of Wythe. “I left the grammar school in April last; In consequence of a polite and Friendly invitation given me by Mr. Wythe, to go through a course of reading with him; And as He thought it improper to begin in the middle of a course of Lectures, I defer’d it untill October last which was the commencement of a new course.—Here I attend the Professors of Moral and Natural philosophy, Mathematicks and Modern Languages and Mr. Wythe has invited me to attend His Lectures on Law.”

Additionally, in the same letter, Carr thanks Jefferson for sending him books for his continued studies: “I received from you last Spring a trunk of books, at same time a letter for both of which you receive my greatfull (sic) thanks.—I am now reading with Mr. Wythe the ancient history which you advised; am likewise reading the Tragedies of Aschylus, which as soon as I have finished I shall take up Aristophanes.”

About the year 1790, Carr continued his law studies at the family home, Spring Forest Plantation, and at Monticello with Jefferson. The period of 1786–1789, when Carr was reading law with Wythe and Jefferson, seems likely to be an approximate date for the gift, for in 1793, Carr gained admittance to the bar. Though the tenure of his practice was short, Carr could not have had a better education in the law than the one he received under Wythe and Jefferson. In a letter to Carr, Jefferson says: “I have received your two letters of Decemb. 30. and April 18. and am very happy to find by them, as well as by letters from Mr. Wythe, that you have been so fortunate as to

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3 Email to the author from Endrina Tay, Associate Foundation Librarian for Technical Services, Jefferson Library.
5 *Id.*
7 *Id.*
8 *Supra* note 4.
attract his notice and good will: I am sure you will find this to have been one of the most fortunate events of your life, as I have ever been sensible it was of mine.”

Wythe was much admired by Jefferson, who read law under his guidance. Jefferson spoke reverently of Wythe when he said of his mentor, "No man ever left behind him a character more venerated than George Wythe.” As Carr was Jefferson’s ward, he would have wanted his nephew to have the same legal instruction that he received from a professor that he admired.

After Carr gained admittance to the bar in 1793, he followed his father and uncle into politics. Carr’s father, Dabney, had served in the House of Burgesses. Carr’s political career included service as a Justice of the Peace for Albemarle County and representative to the House of Delegates.

According to Ms. Tay, Carr owned at least one law dictionary, if not more. Jefferson’s gift would have added another dictionary to Carr’s collection. Perhaps Jefferson knew Carr had dictionaries to spare, as he mentions in a letter to Carr that Peter’s younger brother Dabney would follow in the family’s footsteps and would soon be needing a law dictionary for his own legal studies.

The Volumes

During Jefferson’s lifetime, books were still made entirely by hand. To construct a book during the Hand Press period of Jefferson’s day, printed sheets of text were gathered in sequence, with each section of pages marked with a letter of the alphabet, A through Z, as a guide to the binder to assemble the sheets in the correct order. Each of these groupings or sections of pages marked by a letter was called a signature. Jefferson’s habit was to place a “T” in front of the letter “I” signature and an “I” after the “T” signature. Jefferson’s use of the “I” signature refers to the classical alphabet of Shakespeare’s day, which was still in use in 1764 when these volumes were printed. The classical alphabet was composed of only 23 letters, rather than the 26 letters we know today. The letters J, U, which was interchangeable with V, and W, would come much later, not until the 1820s. This method, used by Jefferson to mark his books, makes them easily identified as part of his personal library.

The images, below, from the second volume, show Jefferson’s added initial to each signature. The first image on the left shows the addition of the letter “T,” in Jefferson’s own handwriting, next to the printed “I” signature, marking this book as belonging to T.J. – Thomas Jefferson. Since there was no letter “J” in the alphabet at that time, the letter “I” was also used for the “J” sound. In today’s language, the letter “C” performs the same function as the letter “I” did in Jefferson’s day. The letter “C” has both a soft


Supra note 4.

Supra note 3.

Id.
sound and a hard sound, so it was also with the letter "I" at the time Jefferson’s two volume law dictionary was printed.

The second image on the right shows Jefferson’s addition of the letter “I,” standing in for the “J,” as Jefferson is spelled today. The use of the lower case letter, the “long s,” can also be seen in this image in the word “person,” printed just above the signature marking. At this time, the lowercase “s” had two forms, one was the standard small case “s” we use today, the other lowercase “s” is referred to as the “long s.” This letter resembles the lowercase letter “f,” but the “s” has no crossbar, as the “f” does, or a partial one on the left side only. In Jefferson’s dictionary, the “long s” is printed without a partial crossbar.

Additionally, within the pages of the dictionary, there are hand written notations correcting the text. With an intimate familiarity with Jefferson’s handwriting, Tay has identified some corrections to the text, shown below, that appear to be in Jefferson’s hand.
The set is also unpaginated. Legal terms were located alphabetically within the two volume set. Alphabetical headings at the top of each page directed the reader to the term needed.

The first volume: A Conundrum

The first volume of Jefferson’s copy of *A New and Complete Law-Dictionary* by Timothy Cunningham poses a conundrum. As Endrina Tay observed in an email to the author, it is odd that the first volume lacks Jefferson’s marks, as described for volume two, shown above. Jefferson would have made his “T” and “I” notations in the first volume of the law dictionary, just as he did in the second volume. The fact that his letter notations are missing in the signature of volume one may indicate that Jefferson owned two sets of Cunningham’s *New and Complete Law Dictionary*.

It may be possible that Jefferson purchased two sets of Cunningham’s dictionary, one for himself and one for his nephew. If that was the case, Jefferson may have accidently given Peter Carr the marked second volume, which he had intended for his own library, along with the unmarked first volume, intended for Carr. Jefferson would,
most likely, have wanted Carr to make his own ownership marks, via a bookplate or a signature, in his set of the volumes, just as Jefferson made his own marks in his set.

As to the manner of binding, it is worth noting that for the most part, books were not purchased already bound in Jefferson’s day. He, or his agent, would have purchased the unbound text, then taken that text to a binder who would then add the covers in whatever style and price requested. Both volumes are bound in the same manner, so it is possible that if Jefferson purchased two sets of Cunningham’s *New and Complete Law Dictionary* at the same time, with the intention of keeping a set himself and giving a set to his nephew, that he could also have had them bound at the same time in the same manner. Jefferson would have taken the text to the binder’s shop, selected the materials to be used to bind the books and paid for the binding as well.

The Gift

On January 25, 1962, attorney Charles C. Wise wrote a letter to Robert F. Munn, Dean of the WVU Libraries. Wise was a partner in the Charleston, WV firm, McClintic, James, Wise & Robinson. The opening paragraph is as follows:

“This firm has owned for many years an interesting two-volume law dictionary, published in London in 1764, which was the property of Thomas Jefferson. Each volume contains the handwritten notation by Jefferson: “T. Jefferson to P. Carr.” You will doubtless recall that Carr was Jefferson’s nephew.”

Below the official correspondence in which Wise offers the books to the WVU Libraries is a note from Wise in his handwriting: “If desired I may be able to bring the books to Morgantown at our next Board of Governors meeting on Feb. 24th,” signed with his initials: CW.

Although this letter does not include details regarding the acquisition of the volumes, it is a record of the gift and most likely, of its delivery.

The two volume set was rediscovered in 2013 during a survey of law books within the rare book collection in the Downtown Campus Library. The Rare Book Room is located in the old part of the library, before modern renovations added additional space. In an interesting twist of fate, the older section of the library, previously known as the University Library, was named for Charles C. Wise, Jr. in 1984. The Charles C. Wise, Jr. Library honors Wise, a former student body president at WVU, for donating another gift to the University, nearly 5,000 acres of land. A dedication ceremony was held on October 1, 1984. Since 2002, when a new Rare Book Room was established in the library, the volumes have resided in the library dedicated to their previous owner.

Following their rediscovery, another chance event brought the volumes to the attention of Monticello. In 2014, Endrina Tay and I struck up a conversation at a conference, the Virginia Forum, dedicated to the study of Virginia history. When I mentioned the

volumes to Tay, she was pleased to learn of their existence. At the time, Monticello was actively tracing books that had been part of Jefferson’s personal library. After my return to WVU, Ms. Tay and I exchanged many emails and photographs in an attempt to pin down any information that could be discovered about the books and their ownership.

In association with Ms. Tay, the West Virginia University Libraries Jefferson law dictionary, *A New and Complete Law-Dictionary* by Thomas Cunningham, printed by the Law Printers to the King’s Most Excellent Majesty, for S. Crowder, 1764-1765, is now listed in the Thomas Jefferson Libraries Project at Monticello. The listing can be found at Monticello’s Jefferson Library at the LibraryThing website.

Since their rediscovery, the volumes have brought one of America’s founders to life at WVU. Students, classes and tour groups visiting the Rare Book Room have enjoyed seeing books that belonged to the author of the Declaration of Independence, the third President of the United States, and the founder of the University of Virginia. Recently the set was exhibited during a birthday celebration held for Jefferson in April. This celebration brought many people, both within the University and from the local community, to view books once owned by Thomas Jefferson. Perhaps Jefferson would be pleased to know that over two centuries’ after their purchase, his gift continues to educate.

**Catalog Record:**

*A New and Complete Law-Dictionary: or, General Abridgment of the Law: On a More Extensive Plan than any law-dictionary hitherto published: containing not only the explanation of the terms, but also the law itself, both with regard to theory and practice. Very useful to barristers, justices of the peace, attornies, solicitors, &c. By T. Cunningham. In two volumes. London: Printed by the Law printers to the King’s Most Excellent Majesty, for S. Crowder, 1764-1765. Call number: KD313 .C86 1764*

**Other sources:**


Book Photographs: taken by the author.

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15 Thomas Jefferson. LibraryThing. [https://www.librarything.com/work/4287182/details/107677722](https://www.librarything.com/work/4287182/details/107677722) (accessed January 2016). This two volume set of Cunningham’s law dictionary is believed to have been part of Jefferson’s personal library at Shadwell.

16 *Id.*
This year marks the 100th anniversary of the Houston Mutiny and Riot of 1917. An event largely forgotten by history, it resulted in the largest murder trial in American history and helped reform the military justice system.

The mutiny and riot of soldiers from the 3rd Battalion, 24th U.S. Infantry occurred August 23, 1917 at Camp Logan in Houston, Texas. The event was a culmination of the hostility that had been brewing in the city since the black soldiers arrived in Jim Crow Houston to guard the construction of a WWI Army training camp. The racial tension boiled over when the Houston police raided a craps game and chased two African American men into a woman’s house. While there is no evidence that the married mother of five knew the men or invited them into her house, the police arrested her anyway. Private Alonzo Edwards heard her screams as she was dragged from her house and intervened. One of police officers, Lee Sparks, pistol whipped Private Edwards and arrested him as well.¹ A member of the military police, Corporal Charles Baltimore, heard about the encounter and went to the police station to investigate the matter. He was also assaulted and arrested.

Throughout the afternoon, and into the evening, the troops talked about the events of the day, and became more and more angry.² That night, over 100 soldiers disobeyed orders, took up arms, and marched into the city. Three hours later, the riot ended and 16 white citizens of Houston were dead. Following an investigation, 118 men were charged with violating the 64th, 66th, 92nd, and 93rd Articles of War and divided into three groups for trial.

The riot trials consist of United States vs. Sergeant William C. Nesbit, et al; United States vs. Corporal John Washington, et al; and United States vs. Corporal Robert Tillman, et al. Nesbit remains the largest murder trial in American history, with sixty-three men charged. It began November 1, 1917 and concluded November 30. “The accused – all of whom pleaded not guilty – were represented by a single defense counsel, MAJ Harry H. Grier. While he had taught law at the U.S. Military Academy and almost certainly had considerable experience with court-martial proceedings, Grier was not a lawyer.”³ During the course of the trial, the court heard from 196 witnesses, with the most harmful testimony coming from a few riot participants who testified in exchange for immunity. In the end, five men were acquitted, forty-one men

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² Id., pp. 98-99.
were sentenced to life in prison, four men were sentenced to lesser terms of imprisonment. Thirteen were given death sentences.\(^4\)

Those thirteen men were hanged at dawn on December 11, 1917, on the banks of Salado Creek, near Camp Travis. Because the US was at war there was no legal requirement for the sentences to be reviewed. General Samuel T. Ansell, Assistant Judge Advocate General, told the Senate Committee on Military Affairs that, “[t]he men were executed immediately upon the termination of the trial and before their records could be forwarded to Washington or examined by anyone, and without, so far as I can see, any one of them having had time or opportunity to seek clemency from the source of clemency, if he had so advised.”\(^5\)

There was a great deal of public outrage and criticism over the executions. Citizens from all over the country began writing letters to Congressmen, Senators, and the President to ask for clemency for the accused as the other two trials took place. Unlike the \textit{Nesbit} trial, \textit{Washington} and \textit{Tillman} were subject to review before sentences were carried out. Five men in the \textit{Washington} case and eleven men in the \textit{Tillman} case were given death sentences. President Wilson confirmed the \textit{Washington} verdict, but commuted ten of eleven death sentences in the \textit{Tillman} case to life in prison.\(^6\)

As a direct result of the \textit{Nesbit} trial, General Order No. 7 was promulgated by the War Department, on January 17, 1918, requiring the review and a determination of legality by the JAG in any case involving death or the dismissal of an officer. General Order No. 7 led to the establishment of a Board of Review in the JAG office with duties “in the nature of an appellate tribunal.”\(^7\) The Board was the first formal appellate structure in the Army. The revised Article of War of 1920 provided the first statutory basis for the review board. Today, it is the legislative basis for the Army’s Court of Criminal Appeals.\(^8\)

The original riot records are in the National Archives in College Park, Maryland. They were microfilmed in the 1970s, and several university and college libraries have the microfilm, including the Fred Parks Law Library. In order to increase access to these records, we partnered with LLMC to digitize our microfilm and have placed the records online: [http://cdm16035.contentdm.oclc.org/cdm/search/collection/p15568coll1](http://cdm16035.contentdm.oclc.org/cdm/search/collection/p15568coll1). You can read the trial testimony, read over the petitions and letters requesting clemency, read correspondence to and from the JAG office, the Secretary of War, and President Wilson. You can read letters from the imprisoned soldiers explaining their role, or lack thereof, in the events of that day in August, so long ago. ■

\(^4\) \textit{Id.}
\(^6\) [Explanation of Presidential affirmation of sentences in \textit{Washington} and \textit{Tillman} cases.]
\(^7\) August, 31, 1918.
\(^8\) The Army Lawyer: A History of the Judge Advocate Generals’ Corps, 1775-1975, p. 130.

Borch, \textit{supra} note 3.
The Legal Information Preservation Alliance (LIPA) is a non-profit consortium dedicated to the preservation and accessibility of legal information through collaboration, education, and advocacy. It provides the opportunity for libraries to work collaboratively on preservation projects at lower cost and to take advantage of the partnerships created by the organization. Currently the consortium has 112 members, with a mix of academic, federal, state, and public law libraries.

Several of LIPA’s projects should be of interest to the LHRB community, and this article highlights three of those projects.

• PALMPrint (Preserving America’s Legal Materials in Print) is a shared, jointly-owned print collection of legal materials, housed in a climate-controlled, purpose-built facility and widely accessible for use as needed. PALMPrint was established in 2013 as a pilot project with the twin goals of preservation and access, and it is now a permanent long-term repository. It is a subscription-based, collaborative project with NELLCO, an international consortium of law libraries. Current subscribers number 55 at an annual cost of $950.

The repository contains a legacy collection of U.S. federal and state primary legal materials. The collection was built primarily through donations from four libraries during the pilot phase, but we have been identifying and filling gaps with donations from other libraries to complete the initial collection development plan. Simultaneously we are working on enhancements to the basic collection interface to allow discovery and retrieval of materials in the collection. Going forward we hope to expand the collection development plan to include other types of legal materials, including secondary sources and legal treatises.

• Our Digitization Registry is a current, dynamic, searchable database of law library digitization projects, published on the LIPA website. The registry helps us to share expertise, avoid duplication of effort, and publicize and promote the work of member and non-member libraries. Built on a 2015 survey of law library digitization practices, the registry is open to all law libraries, regardless of LIPA membership status. The registry currently describes forty-nine projects, and each entry includes the institution name and contact information, a description of the digitized collection, technical details about hardware and software, methods of conversion, metadata practices, and other advice.

We invite all law libraries to submit their digitization projects using the simple input form on the LIPA website. The goal of the project is to connect this registry with other registries to create a comprehensive look at digitization of law and law-related materials.
• The Legal Information Archive is a collaborative digital dark archive established in 2007 as part of the Chesapeake Project to preserve and ensure permanent access to vital born digital legal information. Currently using OCLC’s CONTENTdm® and its Digital Archive system, the project has captured and preserved over 12,000 born digital items selected by the participating libraries. Because OCLC recently discontinued its support for the Digital Archive service, the Legal Information Archive will migrate to a new digital preservation platform in early 2018 and be available for wider participation among LIPA members. We are developing a new subscription model based on a consortial license supported by LIPA and individual membership fees for each participating library. Stay tuned for more news!

In addition to the projects listed above, LIPA is one of the sponsoring organizations of the newly launched LawArXiv (http://lawarxiv.info/), an open access repository for legal scholarship. We are also an active participant in the UELMA Preservation Group, a national group of law librarians and state leaders working to advance the preservation component of the Uniform Electronic Legal Material Act. We support other preservation projects and in particular are a supporting partner of Perma.cc (https://perma.cc/).

More information about LIPA membership, projects, and services is available on the LIPA website at https://lipalliance.org/ or by contacting the author at mkmaes@gmail.com.
It all sounds kind of sad. Orphan works. Those works, original and fixed in a tangible medium of expression,¹ that are protected by federal copyright law, but have no identifiable and/or locatable author or copyright owner. Sad for the work, but also sad for those who would like to use the work. Indeed, the U.S. Copyright Office laments this situation, where “a user’s ability to seek permission or to negotiate licensing terms is compromised by the fact that, despite his or her diligent efforts, the user cannot identify or locate the copyright owner.”²

Fair enough, but if a copyright owner is unknown, what is to stop a user from trying to turn a sad situation into a happy one, by just “adopting” the orphan work and letting the chips fall where they may? After all, how likely it is that a previously unknown copyright owner will just jump out of the woodwork, and start asserting his or her rights?

Well, there is certainly risk in using any potentially copyrighted work without clear permission or a legally-enforceable license. A user, perhaps a law library providing access to a digitized repository of its special collections, could have the best of intentions in making unique or special works accessible to a greater number of researchers, but find itself labeled as a copyright infringer. Or, worse yet, a defendant in a federal copyright lawsuit. Or, worse even yet, liable for statutory or actual damages.

The U.S. Copyright Office has advocated for a legislative solution to the orphan works situation for over a decade, where “good-faith users of copyrighted content [would be able to] move forward in cases where they wish to license a use but cannot locate the copyright owner after a diligent search.”³ Despite two extensive orphan works reports

by the Copyright Office, one in 2006 and one in 2015. Congress has yet to agree on a remedy to this situation.

Furthermore, as time has gone by, the very definition of good faith in a diligent search has arguably evolved. For example, the Library Copyright Alliance, which addresses orphan works by supporting a change in federal copyright law, at 17 U.S.C. § 504(c)(2), that would give courts clear discretion to “reduce or remit statutory damage if [a] user conducted a reasonably diligent search prior to...use,” (in lieu of the Copyright Office’s good faith or reasonable search requirement) noted in 2015 that “libraries...have far more experience than in 2008 with searching for copyright owners of materials in archives and special collections” and that such “searches are more time consuming, expensive, and inconclusive than we believed in 2008” and, thus, “not viable for mass digitization of special collections.”

Indeed, the strength of the fair use defense to copyright infringement, shown in the U.S. Court of Appeals for Second Circuit’s relatively recent decisions in Authors Guild v. HathiTrust and Authors Guild v. Google, suggests that federal courts, at least for now, acknowledge and appreciate the challenges faced in large digitizing initiatives and, possibly, in resulting orphan works situations.

So, absent a clear directive in federal copyright law, how are librarians and other information professionals, responsible for the digitizing of special collections,

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5 U.S. Copyright Off., supra note 1.
6 The U.S. Senate did pass S. 2913 in the 110th Congress, the Shawn Bentley Orphan Works Act of 2008, detailed at https://www.congress.gov/bill/110th-congress/senate-bill/2913?q=%7B%22search%22%3A%5B%22Shawn+Bentley+Orphan+Works+Act%22%5D%7BD&r=1, but the bill was never introduced in the U.S. House of Representatives.
7 The Library Copyright Alliance is a consortium of the American Library Association, the Association of Research Libraries, and the Association of College and Research Libraries.
8 Libr. Copyright Alliance, Response of the Library Copyright Alliance to the Copyright Office’s Orphan Works Report 6 (2015), http://www.librarycopyrightalliance.org/storage/documents/Reflections-on-the-Copyright-Offices-Orphan-Works-Report.pdf. The Library Copyright Alliance’s suggested change on statutory damages echoes a 2004 call from William Maher, University Archivist at the University of Illinois at Urbana-Champaign, that §504 damages be “disallowed for libraries, archives, nonprofit educational institution[s], or a public broadcasting [entity] that had a good faith reason to believe that the copyright was fair use.” William J. Maher, Copyright Concerns of Archivists and Special Collections Librarians: The Problem of “Orphan Works,” 13 (2004), https://archives.library.illinois.edu/workpap/orphanworks.pdf.
9 Libr. Copyright Alliance, supra note 7, at 5.
10 755 F.3d 87 (2nd. Cir. 2014).
11 804 F.3d 202 (2nd Cir. 2015).
12 See Libr. Copyright Alliance, supra note 7, at 2 (footnote 3 lists multiple federal court decisions since 2006 on fair use that involve “transformative uses, educational use, or mass digitization.”). See also Krista L. Cox, Research Libraries and New Technologies, Promoting Access to Information, Learning, and Innovation for Today and the Future, 13 I/S J. of L. & Tech 261, 272 (2016) (noting that “[i]n recent years, fair use has been clarified by courts to support broader application of fair use” and that “other areas of law, such as the elimination of automatic injunctions for infringement, have been clarified in favor of the users.”)
supposed to handle orphan works? How can librarians and other professionals be assured that they are complying with copyright law in the context of numerous works that may or may not have identifiable and/or locatable copyright owners?

First, if a work was published prior to January 1, 1923, it is normally in the public domain and not eligible for copyright protection. This is due to the Sonny Bono Copyright Term Extension Act of 1998, which lengthened the total copyright protection term in many cases from 75 years to 95 years after the first publication.\textsuperscript{13} As works already in the public domain were not affected by the Sonny Bono Act, a work published on December 31, 1922 still entered the public domain on December 31, 1997 (75 years after the first publication), while a work published on January 1, 1923 will not enter the public domain until January 1, 2019 (95 years after the first publication).\textsuperscript{14}

It is important, although, to consider a few wrinkles in the pre-1923 rule. As Peter Hirtle, former Senior Policy Advisor at Cornell University Library has noted, the facts associated with a pre-1923 work can be messy, as government works, unpublished works, pirated or unauthorized publications, sound recordings, and foreign works all potentially involve copyright claims that invalidate the pre-1923 rule.\textsuperscript{15} The most famous of these cases may be the song \textit{Happy Birthday}, whose lyrics, according to the copyright owners, had a first authorized publication in 1935, and not in 1912, when the lyrics first appeared in a songbook.\textsuperscript{16}

Second, if a work was published on January 1, 1923 or after, it is eligible for copyright protection, unless it is a federal government work.\textsuperscript{17} How then are librarians and other information professional to act if it appears that a work in the library’s repository or other digitized special collection has been orphaned?

According to the U.S. Copyright Office, the best solution is for the library or other information center to participate in an extended collective licensing (ECL) initiative, whereby the library, archives, database provider, or other copyright user would pay royalties to a collective management organization for the right to utilize “a particular class of works (\textit{e.g.}, textbooks, newspapers, and magazines) or a particular class of uses (\textit{e.g.}, reproduction of published for educational and scientific purposes)…,”\textsuperscript{18} with the royalties reaching both identifiable copyright owners and the owners of orphan works once such owners were identified or reveal themselves.

As one might imagine, the ECL idea has been roundly criticized outside of the Copyright Office as being counterproductive in regards to orphan works. Many librarians and other information professionals contend that ECL would be onerous,

\textsuperscript{15} \textit{Id.} at 24-28.
\textsuperscript{16} \textit{Id.} at 26.
\textsuperscript{17} See 17 U.S.C. § 105 (2012).
\textsuperscript{18} U.S. COPYRIGHT OFF., \textit{supra} note 1, at 82.
given the large-scale of most library digitization efforts, ineffectual in locating an actual owner of an orphan work, and little more than a revenue-generating scheme for some collective management organization. The Copyright Office even conceded in its 2015 report “that ECL specifically for orphan works would end up ultimately as a system to collect fees, but with no one to distribute them to, potentially undermining the value of the whole enterprise.”

Instead, some key copyright law experts have come up with a framework of best practices for libraries and other information centers to provide access to digitized works, while being sensitive to the orphan works situation. Principally, Patricia Auferheide at the American University School of Communication, David Hansen at Duke University Libraries, Meredith Jacob and Peter Jaszi at the American University Washington College of Law, and Jennifer Urban at the University of California, Berkeley, School of Law, produced a 2014 document titled Statement of Best Practices in Fair Use of Collecting Orphan Works For Libraries, Archives, and Other Memory Institutions, where risk management is of primary consideration.

In particular, the authors of the 2014 statement emphasize the rather solid protections that libraries and other information centers already have in federal copyright law, through (1) the fair use statute at 17 U.S.C § 107 and the development of fair use jurisprudence as related to information centers; (2) the specific library permissions for reproduction (17 U.S.C. § 108), non-profit educational public performances (17 U.S.C. § 110), and accommodations for disabled patrons (17 U.S.C. § 121); and, importantly for orphan works, (3) the 17 U.S.C. § 504(c)(2) shielding of libraries, archives, and non-profit educational institutions from certain statutory damages if a “good faith assertion of fair use” can be shown.

The authors, however, do implore libraries and the like to diligently (1) make clear attempts to secure copyright clearance on works when it is at all reasonable; (2) acquire affirmative copyright permissions from donors; (3) display detailed information on provenance and authorship in catalog records when possible; (4) balance access with privacy considerations, particularly if some works in a digital collection may be potentially embarrassing or otherwise damaging to individuals who are living or likely to be living; and (5) engage the public or a core patron group openly as to the purposes, goals, and procedures associated with an accessible digital collection.

David Hansen, in his 2016 article titled Digitizing Orphan Works: Legal Strategies to Reduce Risk for Open Access to Copyrighted Orphan Works, expands upon the 2014 statement to suggest that libraries and other information centers “implement a responsive notice-and-takedown mechanism that allows purported rightsholders to make claims known and to initiate a conversation with the digitizer about permissions.

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19 See Cox, supra note 11, at 269-77, 283-85.  
20 U.S. COPYRIGHT OFF., supra note 1, at 50.  
22 See id. at 26-37.
and licensing for the works in their collections.”23 While emphasizing the ideal of avoiding disputes on orphan works in the first place, Hansen suggests that defenses such as laches, equitable estoppel, limitations, implied license, copyright misuse, and abandonment or waiver, may be applicable, albeit somewhat strained, in an orphan works context.24

In the midst of this uncertainty, Hansen points out that a number of prominent libraries, citing a “fair use rationale,” have gone live with digitized special collections that either certainly or probably contain orphan works. Among these are UCLA Library’s displays of works in “the Walter Gordon Collection, an AIDS poster collection, and a collection of Los Angeles Latino family photographs,” works in the Library of Congress’ American Memory Project, and works in collections hosted by Duke University Libraries, the New York Public Library, the UC Santa Cruz Library, and the University of Southern Mississippi Libraries.25

Orphan works provide concerns and challenges for libraries and other information centers that aspire to make digitized special collections accessible on a large scale, but if librarians, archivists, database providers, and other information professionals adhere to high standards in their engagement with potential copyright owners and the public at large, it appears that the ethos of access to special collections will remain strong.

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23 DAVID HANSEN, DIGITIZING ORPHAN WORKS: LEGAL STRATEGIES TO REDUCE RISKS FOR OPEN ACCESS TO COPYRIGHTED ORPHAN WORKS 30 (2016), https://dash.harvard.edu/handle/1/27840430.
24 See id. at 32-68.
25 Id. at 15-16.
From the Pritzker Legal Research Center at Northwestern University:

An Exhibit featuring the Dean Hansell Collection

To celebrate the Honorable Dean Hansell's 40-year reunion at the Law School, the Pritzker Legal Research Center is pleased to present a new exhibit featuring five historical legal instruments, along with their transcriptions, from the collection bearing his name: [http://plrc.omeka.net/](http://plrc.omeka.net/). Read more about Dean Hansell and the collection of instruments on the Pritzker Legal Research Center blog: [https://libraryblog.law.northwestern.edu/2017/10/13/new-exhibit-featuring-dean-hansell-collection/](https://libraryblog.law.northwestern.edu/2017/10/13/new-exhibit-featuring-dean-hansell-collection/).

The exhibit will be on display on the third floor of the library through the rest of the fall semester.

From the Lillian Goldman Law Library, Yale University:

“Law’s Picture Books: The Yale Law Library Collection”

and

“Around The World with Law’s Picture Books”

Most people would not look for illustrations in law books. However, two exhibitions from the Yale Law Library challenge the stereotype of legal literature as a dreary expanse of dry text.

"Law’s Picture Books: The Yale Law Library Collection," opened September 13 at the Grolier Club in New York City. It features 140 books and manuscripts containing a surprising and beguiling range of images that symbolize, describe, teach, argue, or criticize the law. It is curated by Michael Widener, the Law Library's rare book librarian, and Mark S. Weiner, a legal historian, filmmaker, and professor on leave from Rutgers Law School. The Grolier Club exhibition has been praised as "fascinating" by the New Yorker, "eye-opening" by the *Wall Street Journal*, and "courageous" by the *Frankfurter Allgemeine*.

A companion exhibition, "Around the World with Law’s Picture Books," is at the Yale Law Library in New Haven, Connecticut, through December 15, and showcases illustrated law books from fifteen countries on six continents in ten different languages. It is curated by Michael Widener and Emma Molina Widener.

The two exhibitions draw on a unique collection of fifteen hundred volumes assembled in the past decade by Michael Widener, the Yale Law Library's rare book librarian. They were originally published for lawyers, law students, lay readers, and even children. Often they were tools in the workshops of legal practice. "These images provide insight into ideas about the nature of law and justice, and also about the
image of the law and the legal profession, in the eyes of the profession itself and the general public,’ writes Widener. Today they will surprise and delight both book lovers and the legal community.

Accompanying the Grolier Club exhibition are five short videos created by Weiner through his production company Hidden Cabinet Films. The videos highlight and pose questions about the core themes of the exhibit; examine Widener’s creative approach to book collecting; and take viewers on a visit to the New York Antiquarian Book Fair as Widener searches for additions to the Yale collection.

The Grolier Club exhibition was made possible through the support of the Charles J. Tanenbaum Fund, Yale Law School, and a generous gift from the Pine Tree Foundation. The videos were funded with a generous gift from John Robinson Block.


"Law's Picture Books: The Yale Law Library Collection" is on display September 13 - November 18 in the Grolier Club's main gallery at 47 East 60th Street in New York City. The gallery is open 10am to 5pm Monday - Saturday except holidays, and admission is free.

"Around the World with Law's Picture Books" is on view through December 15 in the Lillian Goldman Law Library, Yale Law School (Level L2, Sterling Law Building, 127 Wall Street, New Haven CT). It is open to the public 10am-6pm daily except holidays.

For more information, contact Mike Widener, Rare Book Librarian, phone (203) 432-4494, email <mike.widener@yale.edu>.
In October 2017, the Yale Law Library received the largest gift of rare books in recent memory, with the donation of 43 titles (60 volumes) from Professor Robert Freilich, marking the 60th anniversary of his graduation from Yale Law School. Highlights of the collection include the 1569 Bracton De Legibus et Consuetudinibus Angliae, the 1604 Glanville, the 1635 Fitzherbert Novel Natura Brevium, the 1640 Britton, and several early editions of Edward Coke’s Institutes, Reports, and minor works.

Collections of other early English legal authors neared completion with the acquisitions of Michael Dalton’s Countrey Justice (1666), William Sheppard’s Survey of the County Judicatures (1656), Giles Jacob’s Accomplish’d Conveyancer (1715-1732), and Blackstone’s Du jury en matière civile et criminelle (Paris, 1792).

American rarities include an unrecorded Hartford, Connecticut broadside, O.K. OLL for Kleveland, no imprisonment for debt (1844), and Execution of the pirates, Gibbs & Wansly (1831), a seemingly unique version of the trial of a notorious African-American pirate. They are among 30 titles added to the American Trials Collection. The majority were 20th-century trials including several involving Julius & Ethel Rosenberg, Sacco & Vanzetti, and other Red Scare trials.

A 1619 German broadside satirizing lawyers, Juristen und Advocaten mussn erweicht werden mit Ducaten (“Lawyers and advocates must be softened with ducats”), is a personal favorite. It opens with a Latin epigram, “Lawyers are prudent, provident beside, / For prudently They for Themselves provide,” which comes from John Owen’s Latine Epigrams (London, 1677).

The outstanding international law acquisition was Tabulae in Hugonis Grotii de jure belli ac pacis (1688), Grotius’s own schematization of his masterpiece. Our copy appears to be the only complete copy in the U.S., bound in contemporary blue velvet over wooden boards. Other notable acquisitions include:
• A manuscript copy of a printed book, Claude Pocquet de Livonnière’s *Regles du droit François*, with extensive and charmingly naïve decorations, prepared for the young son of a French nobleman in 1732.

![Image of manuscript copy](image)

Claude Pocquet de Livonnière, *Regles du droit François*. Manuscript copy created between 1732 and 1737.

• Damhoudere’s *La practique et enchiridion des causes criminelles* (1554), the first French-language edition of the most successful illustrated law book, and one of the most successful books in the history of legal literature.

• An 1888 bilingual edition of the Mexican Constitution, in Spanish and Nahuatl.

• A 1553 Paris edition of Justinian’s *Institutes*, printed by Charlotte Guillard, with all the pages dyed yellow! Thanks to Professor Richard Laursen of Boston University, we know what the dye is (a vegetable dye made from buckthorn), but we still don’t know why.

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**Gift of Indiana Yearbooks feature Supreme Court Justice**, by Dick Vaughan, Associate Librarian for Acquisitions, Jerome Hall Law Library, Indiana University

The Jerome Hall Law Library recently received a gift of a couple of old New Albany, Indiana, high school yearbooks that feature Indiana University’s only alumnus who served on the U.S. Supreme Court, Sherman Minton (although, it is a little known fact that Justice Wiley Blount Rutledge started his legal education here, before graduating from the University of Colorado Law School.) The library digitized them and highlighted the sections that specifically relate to Minton. Fun fact: Who knew his high school nickname was Shay? The yearbooks can be viewed in the Historic
Documents section of the law library’s Repository (http://www.repository.law.indiana.edu/histdocs/14/), or 1909 Yearbook (http://www.repository.law.indiana.edu/histdocs/16/) or 1910 Yearbook (http://www.repository.law.indiana.edu/histdocs/15/).

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**New acquisitions in Special Collections, Jacob Burns Law Library, The George Washington University**, by Jennie C. Meade, Director of Special Collections

Since *LH&RB*'s Spring, 2017, acquisitions roundup, Special Collections has added a number of books in several of its established collecting areas, including French customary law and ordonnances, incunabula, Church and State, Roman law, canon law, imprints of Lyon, and dueling. The sixteenth century claimed the highest percentage of purchases with 40%, followed by the eighteenth century with approximately 36%, and the seventeenth century with more than 21%. Two incunabula, *Liber Statutorum incite civitatis Mediolani* (Milan, 1480) (laws of Milan) and our latest, *Consilium montis pietatis* (Venice, 1498) (pawnbroking) represented the fifteenth century during this selection period. The latter is an especially scarce incunabulum, recorded at only one other institution, containing a defense of the *mons pietatis*. Established by the Franciscans, the *mons pietatis* granted low- or zero-interest loans on a pledge of the borrower’s belongings. These loans were made available to the poor who would otherwise be crushed by the prevailing usurious interest rates.

An acquisition highlight of the past several months was a first printing, first issue, in folio, of the 1564 Aldine edition of the canons and decrees of the Council of Trent, which clarified doctrine subjected to Protestant challenge, and revitalized the Catholic Church in Europe in the wake of the Reformation: *Canones, et decreta sacrosancti oecumenici, et Generalis Concilii Tridentini* (Rome, 1564). It displays in its title vignette the dolphin and anchor device of the Aldine Press, and is enriched by decorated woodcut initials. This copy includes 48 unnumbered pages of manuscript annotations, commentary, and index in a contemporary hand, not part of the text block.

French coutumiers and ordonnances from the sixteenth and seventeenth centuries dominated the new additions. Of special interest is a sammelband of three rare French vernacular legal texts, 1535-1541. The first is an uncommon 1535 printing of the customary law of Maine: *Ce sont les coutumes du pays et conté du Mayne*. The Maine coutumes are of particular interest since, never having been reformed, they maintained a distinctly medieval/Renaissance flavor until the time of the Revolution. The second, *Ordonnances Royaux Sur Le Fait de la Justice* (Paris, 1539), contains the important ordonnance de Villers-Cotterêts of François I, which decreed that the French language, rather than Latin, be used in all legal acts, contracts, and legislation. The goals of this ordonnance were to enhance understanding and encourage a unified state, and parts of this law are still used by French courts today. The third text of the sammelband is a very early volume of woodcuts of French currency, *Ordonnances sur le faict des monnoyes* (Paris, 1541). It contains a thorough description of the monies of the realm and attempts to control counterfeiting.
Lyon imprints are of particular interest to students of the history of French law printing, and in recent months Special Collections has added several. Two cities, Paris and Lyon, were the early centers of French printing, and both produced a large volume of law works. Paris eventually outshone Lyon in its production of customary law works printed in the vernacular, and Lyon came to specialize in printing scholarly commentaries on Roman and canon law, composed in Latin, especially in the first half of the sixteenth century. The Lyonnais works recently acquired by the Law Library are consistent with this practice, and the earliest of these is Zanettinus’s 1515 *Contrarietates seu diversitates inter ius civile et canonicum*.

Two titles on dueling were added, the earliest being *La Iustification du seigneur Richard de Merode seigneur de Fretzen, touchant sa querelle avecq le seigneur don Rodrigue de Benavides* (Mantua, 1560) (woodcut plate featured above). After being insulted by Benavidès, Mérode repeatedly challenged him to a duel, yet at the appointed time, Benavidès insisted on a form of armor Mérode found cowardly, and he declined to duel. Here Mérode justifies his decision not to engage in the duel. The pictured woodcut depicts the armor of Benavidès; a separate folding plate is a life-sized rendition of the metal plate Benavidès had affixed to the front of his armor.

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The University of Virginia Law Library recently acquired two titles relevant to early American political thought and the founding of the UVA School of Law. We are excited to add John Locke’s *The Works of John Locke*, in Nine Volumes (London, 1824) and *Discourses on Government* (New York, 1805) by republican theorist Algernon Sidney to our Rare Book Collection. In 1825, the UVA Board of Visitors, with both Thomas Jefferson and James Madison in attendance, pronounced Sidney’s *Discourses* and Locke’s “Essay Concerning the True Original, Extent, and End, of Civil Government”—contained in volume four of his *Works*—the leading sources on “the general principles of liberty and the rights of man in nature and in society.” Together with the Declaration of Independence, *The Federalist*, and the *Resolutions of the General Assembly of Virginia in 1799*, these texts formed the first required reading list for students in the newly created UVA School of Law. The Sidney and Locke volumes are exact duplicate editions to those in the first published inventory of the UVA Library in 1828, and we plan to display volumes from each in our upcoming exhibit at the UVA Law Library on UVA’s first law books.
Karen Beck (Harvard Law School Library) gave a talk for the Medieval Studies Program at St. Jerome’s University, University of Waterloo, Ontario, Canada. The presentation had the (mostly) jokey title, “Digitizing Early Manuscripts at the HLS Library: Trial by Ordeal” and featured illustrations, successes, and lessons learned.

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Ellie Campbell (University of Mississippi Law Library) has published “Dared to Enter a Man’s World’: Mississippi Women Lawyers, 1914-1964,” 85 Mississippi Law Journal 1479 (2017) (with Kris Gilliland and Bette Bradley)

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Susan Karpuk (Yale Law Library) retired as Rare Book Cataloger in August 2017. She has returned on a temporary part-time basis to train her replacement, Yuksel Serindag, who became Rare Book Cataloger on September 1 after a stint as the library’s acquisitions librarian.

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Mark Podvia (West Virginia College of Law Library) is presently serving as his library’s Interim Co-Director. He spoke at the Pennsylvania Library Association’s Annual Meeting on “Haunted Libraries: Pennsylvania and Beyond.” The program was also offered as a webinar through the PaLA College and Research Division’s Connect and Communicate series. Mark also presented a West Virginia CLE, “Witchcraft Laws and Trials: Salem and Beyond.”

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Janet Sinder (Brooklyn Law School Library) was granted tenure in Spring 2017. Congratulations!

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