From My Commonplace Book

Morris Cohen

George Orwell, quoted in New York Review of Books, November 6, 2003, p. 65:

"So long as I remain alive and well I shall continue to feel strongly about prose style, to love the surface of the earth, and to take pleasure in solid objects and scraps of useless information."

... From Archibald MacLeish's poem, "A Library of Law" in his book, Tower of Ivory, p. 46:

"Adjudicated quarrels of mankind.
Brown row on row! how well these lawyers bind
Their records of dead sin, -- as if they feared
The hate might spill and their long shelves be smeared
With slime of human souls, -- brown row on row
Span on Philistine span, a greasy show
Of lust and lies and cruelty, dried grime
Streaked from the finger of the beggar, Time."

... The Works of William Drummond of Hawthornden (1711), "Of Libraries," p. 223:

"Libraries are as Forrests, in which not only tall Cedars and Oaks are to be found, but Bushes too and dwarfish Shrubs; and as in Apothecaries Shops all sorts of Drugs are permitted to be, so may all sorts of Books be in a Library: And as they out of Vipers and Scorpions, and poisoning Vegetables,"

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From the Chair

Robert Meade

As a small SIS, Legal History & Rare Books works hard to promote our issues within AALL, especially in the form of educational opportunities for AALL members at the Annual Meeting. The Fall newsletter offers an opportunity to reflect on our educational programs in Boston and to highlight the LHRB sponsored programs that were selected by the Annual Meeting Program Committee for San Antonio next July.

Although LHRB did not have a large quantity of programs at the 2004 Annual Meeting, we made up for it by having two programs of particularly high quality. Laura Bedard, Michael Chiorazzi, and Karen Beck presented an outstanding panel discussion entitled Creating and Maintaining Legal History Collections: Collections Development and Analysis Issues for the Law Librarian. They examined the need for legal history collections in academic law librarians and various sources for legal history research. Perhaps most importantly, they gave ground-level advice regarding acquisition strategies for rare law books and emphasized the need for libraries to have focused development collection policies rather than haphazardly purchasing rare law books.

Additionally, LHRB continued a practice started at the 2003 Annual Meeting in Seattle of using the Section’s Roundtable as a venue for a presentation of particular interest to members of the section. This year, Morris Cohen gave an outstanding presentation on the relationship between Joseph Story and Francis Lieber, the editor of the

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Encyclopedia Americana. Justice Story befriended Lieber, a German immigrant, and ended up writing sixteen articles on American law in Lieber’s Encyclopedia. As usual, Professor Cohen’s presentation was extremely informative, highlighting the importance of a friendship from antebellum Boston. It included an impressive array of visual images, illustrating the usefulness of PowerPoint to truly augment the content of a lecture rather than simply outline it.

San Antonio promises to be a particularly interesting Annual Meeting for those who are interested in legal history. The Section has had three programs selected by the Annual Meeting Program Committee, highlighting the impact of LHRB in working with other Sections as co-sponsors. John Pedini, of the Social Law Library in Boston, will be presenting a program entitled Values, Video, and Vignettes: Using Video Oral History Techniques to Document the Unwritten Histories of AALL. This program was co-sponsored by LHRB and the Micrographics/Audio-Visual SIS in conjunction with AALL’s Centennial Committee. The hope is to promote oral history within the Association so that we can record the thoughts and impressions of law librarians in conjunction with the Association’s centennial anniversary celebration in St. Louis. John Pedini is an expert in oral history and a law librarian. This program promises to enrich the Association and provide an introductory level of training to librarians who are interested in recording oral history.

Another program co-sponsored by Micrographics/Audio-Visual is Deadwood: The Power of Film to Teach Foundations in Native American Treaty Law and United States Territorial Law. The program is also co-sponsored by the Native Peoples Law Caucus. Laura Ray, the Chair Elect for LHRB, has planned a particularly innovative presentation examining the use of film as a legal teaching tool. Deadwood is an historical fiction series on HBO that examines the rush to settle the Black Hills after the discovery of gold. The legal impact of rapid change on the frontier, both in issues dealing with the Lakota tribes and territorial development of law in the western United States. Helping legal history come alive for students through the use of film may transform the course content from irrelevant to intriguing for some law students.

Finally, the Annual Meeting Program Committee selected the Sections top program choice, Los Archivos de las Indias: Judicial and Legislative Information on the Spanish Colonial Period in the United States. Christopher Vallandingham and Bruce Chappell will describe the process for researching Spanish colonial law and describe the available sources. This topic is of particular relevance in Texas, along with other western and southern states, given the impact of Spanish law
and governance, and is important for understanding issues such as water rights, land grants, and family law.

In addition to the three formal programs, LHRB will continue to use the Roundtable to provide an additional forum for legal history and/or rare books education. If you have a suggestion for the roundtable, please contact me at rmread@ku.edu.

Continued from page 1 COMMONPLACE

"extract often wholesome Medicaments, for the Life of Mankind; so out of whatsoever Book, good Instructions and Examples may be acquired.

In sundry Parts of the Earth there were but Seven Wonders dispersed, in one Noble Library many more worthy of greater Admiration and of greater Excellencly, are together to be found."

Editor's Corner

I am proud to be making a contribution to the newsletter of this Section. LH&RB has been a wealth of information and insight over the years. There is a long tradition of providing news and well-researched articles in our particular subject areas.

Despite this long tradition, I was aware that there was a need for a bit more organization and structure in the set-up. With a background of editing Technical Services Law Librarian and writing its preservation column for a dozen years, I decided to bring whatever expertise I have in those areas to LH&RB. I pitched my ideas to Mark Podvia and, quicker than I could blink, he said "Go for it!"

Probably you all would agree with me that a Section newsletter is nothing but an asset. It serves as the primary means of communication for members. My thorough albeit dated thesaurus provides these synonyms for communicate: inform, acquaint with, bring to the ears of, advise, enlighten, awaken, mention, express, make known, publish, notify, convey the knowledge of, announce, report, explain, and keep posted. And those make up only a portion of the words and phrases included in the verb portion of "information." My point is that our articles, columns, and announcements will enlighten us, notify us, explain to us, or, simply, tell us about news items and the longer, well-developed subject pieces that we wouldn't have known about otherwise.

Thank you, thank you to all who have contributed to this newsletter issue. I urge others to also consider becoming involved in our quarterly publication. After all, it can be only as good as the contributions of each of us.

-Patricia Turpening

LH&RB

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Archives: Archives in an Enlightened Forum

The Archives Forum was a development of fate. Caught between not wanting fellow workers to know that I needed help and on the other hand desperately feeling alone and clueless, I decided to take a risk. While struggling to organize my ideas about how to manage our law school archives, I sent out an email asking for help on LAWLJIB. You can imagine my relief when people wrote back saying that they were in a similar situation. Many responses offered help but many more requested assistance. By the time I was organizing a meeting at this year’s annual conference, the Archives Forum had grown formidably. I had expected fifteen people to show up for an impromptu meeting at the hotel check-in counter and sure enough they came, smiling and walking hesitantly to the scribbled sign “ARCHIVES FORUM.”

We are a diverse group of professionals interested in archives. We work in universities, government departments, and corporations, with formal archives training and/or hands on experience. Some of us work with acquisitions, public services, special collections, reader services and reference services. Many of us wear several hats and do a lot more than archival work; our professional titles don’t say archivist. We are directors, reference and government documents librarians, and now we are archivists too, albeit, in the closet. No pun intended since many of our collections are in the closet. Nonetheless, our primary job responsibility is often not the archival work we must do.

I am a case in point. Presently employed at Loyola University Law Library New Orleans as a serials and government documents librarian, I am also responsible for the microform and the CD-ROM collections. In addition, I must admit that I agreed when I accepted the position to handle the ‘small’ archives. I took archives courses in graduate school but had no hands-on experience with archival work. Instead, I focused on records management. Along with my MLIS, I received a Certificate of Advanced Study in Records Management after my final semester work-study at American Express. For three months at the American Express records management department, I entered spreadsheet data. The experience was hardly adequate to prepare me for future archival work.

Once I was faced with an actual collection, I was overwhelmed, resentful and frightened. Multitasking was no problem, until I had to deal with job responsibilities that weren’t in my job description and I had to deal with them on a professional level. Although I had accepted the challenge, I was not prepared for professional practice. From theoretical expectations to self-criticism, my own conflicts and confusion needed to be sorted out first. Raised on academic archival discourse, I questioned how to integrate my rote knowledge with a physical process. As Marlene Manoff describes it, “Archival work is about making fine discriminations to identify what is significant from a mass of data.” There was certainly a mass of data and it was taking up way too much space in my head. Before I could come close to making appropriate collection decisions, I needed to process the clutter of misconceptions and intellectual preconceptions that were preventing me from moving forward. Who could I turn to for help? Where were the mentors?

“Even archives that appear to be built on principles of neutrality and inclusion can be shown to reflect prevailing prejudice.” The preconceptions that I was bringing to the workplace were going to influence and affect the archival process. When I first reviewed the collections at Loyola, I didn’t think much of them. I was expecting the likes of Richard Nixon’s manuscripts and instead I could only see the used stockings of a law professor tucked away beside the macramé bookmark. Several months later I thought far better of our collection. The first responsibility to the professionalism of my archival work was to begin
seeking help, abandon the pride that prevented me from taking action and ask the questions that would betray my ignorance. If objectivity were the goal, then my present disposition would undoubtedly show through the quality of my archival work.

Setting aside prejudices about the collection, my job, and my inexperience was the precursor to discussing the issues and attending to the collection. Clearing away any emotional debris freed me mentally to begin a less passionate if not dispassionate inventory and physical arrangement. The archivist “must know that the scope, quality, and direction of research in an open-ended future depends upon the soundness of his judgment and the keenness of his perceptions about scholarly inquiry.” After I began to process the collection, I also began to trust the ‘knowing’ of my professional intent.

Human beings don’t completely turn their thoughts, character, temperament, and personality off and on to suit the rigor of work activity. We may come to the archival process with cognitive knowledge but as we work our cognitive and affective knowledge changes and grows. Taking part in the archival process will continue to develop our skills, ability to judge, and form values, attitudes and personal identity. “Learning always involves the use of what is known already, and this prior knowledge is used to make sense of new knowledge and to interpret experiences. Attitudes, values, and self confidence affect learning processes. Cognitive knowledge (information, facts) cannot be separated from affective knowledge (emotions, feelings, values).”

Ideally decisions of the archivist are made with reflection and insight. There must be some clarity in the mind of the archivist who will bring to the pinnacle of a decision all the history, theory, and sometimes intimate knowledge of the individuals who have made the historical records being affected. We must have compassion for the responsibility of “...perhaps one of the most difficult parts of this task... the guarding against (the archivist’s) own interest in anything except (the archive’s) safety.” Self-centeredness must be subordinate in “…the guardian for the benefit of others of countless truths of all kinds-truths which interest (the archivist) personally and truths which do not; yes, and truths of which (the archivist does) not perceive the existence.” Hilary Jenkinson’s ‘truth of the good archivist’ is akin to the master practitioner of meditation striving for selflessness. “…The value of a record... is often a perception in the eye of the beholder, whether an archival appraiser or the researcher.”

Difficult questions are before all members of the Archives Forum. In spite of our sobriety and readiness to work, we may also face a lack of personnel, finances, space, and time. Throw in a lack-of-action-plan and we may become inertia. I hear you. We hear you. The members of the Archives Forum seek answers because want growth for ourselves, the archival profession and collectively as an identifiable group differentiated from the experiences of others in the legal profession. When one member asks a question, it is not fortuitous that many others yearn for the very same light. Let the Archives Forum be a portal to discovery, where all are welcome, none are judged and answers as well as many questions are forthcoming.

The basis for our group is to help each other. We are expected to help patrons all day long and yet it is awkward for the information experts to admit that THEY need help. Librarians sometimes smooth over what they don’t know because we’re expected to know so much. Sure we all have a tough problem once in a while but the hardest task of all is to ask the questions we ‘should’ know, but don’t. ‘I’m a director and I need to know how to manage the archives,’ or the personally familiar, ‘I’m the archivist and I need to know how to manage the archives.’ Ouch, that hurts! Worse yet is the brave soul who is willing to be vulnerable and ask the very community that may be hiring them for their next job. ‘Oh yeh, aren’t you the archivist who sent out the email message saying they didn’t have a clue. Brilliant, next application.’ The worst smear to our omnipotence would be to question the authority of our knowledge.
In the privacy of your conscience let’s be real. Some of us need help—some of us more than others—and it’s all good. I feel much more comfortable with someone asking me what to do, than to have someone looking like a hero on the finish line, only to reveal that the outcome is riddled with errors that I have to correct. Let’s take it slow, ask questions, be observant, learn from the process, and do a thorough job. We have all the information we could possibly need in our gifted community.

There are now thirty-six members in the Archives Forum and we all have something to offer each other. Maybe one person is willing to mentor or discuss special collections or preservation or arrangement. I would like to do a survey to find out more about our constituency, i.e., where we work and more importantly how we work. If everyone is comfortable, I would like to put the member-list online including information about our collections. Future articles can address the many concerns we share. What questions, insights, reflections and experience would you like to contribute? Whether we share our enlightenment or seek help, what we offer is a gift.


6. Ibid., 21.

7. Ibid.


—Michele Pope,
Loyola University Law Library

Cataloging:
A Brief Overview of Descriptive Cataloging of Rare Books
(And What the Rules Mean for Non-Catalogers)

Hello! I am going to be writing a column on rare book cataloging for the LH&RB newsletter this year, and since I am new to the SIS and very few of you know me, I’d like to start out with a brief introduction.

First of all, a disclaimer: I was not recruited to write this column because of my vast expertise in rare book cataloging. My most important qualification for the post of rare book cataloging columnist is that I seem to have been the first person to suggest such a column to the editors and volunteer to write it.

I have been cataloging for five years — one year as a professional — but I only started cataloging rare books last winter. In March I went to the Rare Book School at the University of Virginia to attend the school’s Rare Book Cataloging class, which I would highly recommend to anyone who catalogs rare books. I returned to work very excited about
cataloging rare books and eager to get all those old books done. (I still have a long way to go.)

Obviously, this will not be the sort of column where I dole out the wisdom I have acquired over a long career. Instead, my hope is that the column will spark discussion. Please write to me (yates006@umn.edu) with your comments - either about something you read in this column or about something you would like to see addressed here. I especially welcome comments from anyone who disagrees with an opinion I express or wants to correct any factual errors I may make, although I hope the latter won't be necessary.

I hope this column will be of interest to both catalogers and non-catalogers. Some topics will be geared more toward one group or the other; this first column is aimed largely at non-catalogers.

Catalogers are notoriously crazy about rules, especially rules we can refer to by acronyms. The two most important acronyms for a discussion of rare book cataloging are AACR (with or without a 2 at the end) and DCRB.

AACR(2), of course, stands for Anglo-American Cataloguing Rules (second edition). It is the basic set of descriptive cataloging rules, as opposed to subject cataloging or classification rules, that catalogers in most North American libraries follow.

DCRB stands for Descriptive Cataloging of Rare Books. This rule book is meant to supplement, not replace, AACR. The Library of Congress follows DCRB for its descriptive cataloging of books published before 1801; other libraries follow it to varying extents. Its use is not mandatory, so many rare books are cataloged according to "regular" cataloging rules.

The most noticeable difference between AACR cataloging and DCRB cataloging is that DCRB cataloging is, well ... more descriptive. Here I use the word descriptive not just in contrast to subject cataloging and classification, although it is true that subject cataloging and classification tend to be less emphasized in rare book cataloging than in regular cataloging. The reason for this is fairly clear. Patrons of rare book collections are less likely to use subject as a primary means of access to the materials. And as for classification, many rare book collections are not classified at all. One of the great advantages of classification is that it facilitates browsing in the stacks, but users do not have this option with most rare collections anyway.

But what I really mean by descriptive is that rare book cataloging aims to describe the physical characteristics of the book in much greater detail than plain AACR cataloging. According to Deborah J. Leslie, Head of Cataloging at the Folger Shakespeare Library and the instructor of the Rare Book Cataloging class I attended, "anything for which the physical properties [are] of interest (more than just identifying the manifestation) is game for DCRB cataloging." In fact, for some users the physical properties are more important than a book's content. (Watching my one-year-old son chew on his board books and shake the rattles that are sometimes attached to them makes me very proud to realize that he is already on the same intellectual level as some rare book scholars. Not that we should start allowing patrons to chew on or shake the rare books.)

There are four specific "areas" of description for which DCRB requires a higher level of detail than AACR. These are the Title and Statement of Responsibility Area; the Edition Area; the Publication, etc. Area; and the Physical Description Area, which refers to the pagination, size, and format. Certain notes related to these areas are also mandatory; for example, if the imprint information is not transcribed from the title page, its source must be given in a note. However, other types of notes that one often thinks of as being part of rare book cataloging, such as signature statements, are optional.

With the exception of pagination and size/format, most of the information from these areas is transcribed from the title page when possible. And whereas AACR calls for certain omissions and abbreviations, DCRB requires that most of the text on the title page be transcribed as it appears, except
that punctuation and capitalization - but not spelling - are normalized. DCRB does allow some information to be omitted, for example in the case of very lengthy subtitles or statements of responsibility, but with very few exceptions omissions must at least be marked with ellipses.

Compare the following DCRB publication statement with the publication statement for the same book as formulated according to AACR:

**DCRB**

London: Printed by Benj. Motte, for Charles Harper, at the Flower-de-luce over-against S. Dunstan's Church, Fleetstreet, and John Jones, at the Dolphin and Crown in St. Paul's Church-yard, MDCXCVIII [1698]

**AACR**


So why is it worth the cataloger’s time to type so much extra information? For one thing, someone might have another book printed for Charles Harper or John Jones and want to know whether it is the same person. If Harper or Jones were the author, one would hope to find an authority record to serve this purpose. But authority records are only created for names that serve as searchable headings in the catalog. Printers’ and publishers’ names are not usually traced as headings and so are less likely to have authority records.

Another reason is that a high degree of fidelity to the title page has an importance in rare book cataloging that is less relevant when dealing with modern books. Books from the hand-press era are more likely to exist in varying issues and states, so a slight variation between two copies in the wording of the title page might be of distinct interest to a book’s potential users. In the case of such variations, it is helpful if the catalog record can indicate which issue or state a particular library owns.

When looking in the catalog, it is helpful to know whether a particular record was cataloged according to the more descriptive DCRB rules or not. This will tell the researcher, among other things, whether she can really trust that the description in the record accurately and completely reflects the title page. Fortunately, there is an easy way to tell whether a record is DCRB-compliant: look at the 040 field. (This does require looking at the full MARC record, which many non-catalogers may be loath to do; however, in most catalogs this requires just one extra mouse click.) If the 040 field contains the letters “dcrb” in subfield e, the record was cataloged according to DCRB rules.

Records cataloged according to DCRB rules contain a wealth of information not included in regular AACR cataloging. However, it is not my intent to disparage AACR cataloging. AACR contains widely recognized cataloging rules that are considered standard for materials in many formats, including early printed books. And in fact, since many libraries (my own included) still do not have any online records at all for parts of their rare book collections, any record at all is a step in the right direction.

—Sarah Yates,
University of Minnesota Law Library

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**Recent Acquisitions**

Note from Karen Beck: Since this entire column was graciously supplied by Mark Lambert, Special Collections Librarian at the South Texas College of Law Library, it hardly seems fair to call me the “compiler” this time around. Many thanks to Mark for the following information about his library’s recent acquisitions!

**The Phillip B. Baldwin Papers**-30 linear feet of materials documenting the life of Phillip B. Baldwin (1924-2002), an alumnus of South Texas College of Law, and former Circuit Judge on the United States Court of Appeals for the Federal


In 1968, President Lyndon Johnson appointed Judge Baldwin an Associate Judge on the United States Court of Customs and Patent Appeals. This court was later merged with the U.S. Court of Claims, and renamed the U.S. Court of Appeals for the Federal Circuit. Judge Baldwin retired from the court in 1991. He then served as a judicial mediator of legal disputes, concentrating in his areas of expertise, intellectual property, anti-trust, and government contract litigation.

The collection consists of drafts and final versions of Judge Baldwin’s opinions, his writings and speeches, plaques, photographs and some memorabilia. The collection was donated by Judge Baldwin’s family.

The Frank Andrews Papers - 3 linear feet consisting of personal correspondence, 1913-1936, a small amount of legal and business materials, some speeches and four photographs.

Frank Andrews (1864-1936) was a prominent railroad attorney in Houston, a State Assistant Attorney General under Texas Governor Charles Culberson, and the founder of the prominent Houston law firm of Andrews & Kurth. Andrews was a friend and political confidant of both Congressman Tom Ball, whom he started his law firm with, and Colonel Edward Mandell House, who served as President Woodrow Wilson’s personal advisor. Andrews was also involved in the progressive and prohibition movements in Texas in the first two decades of the twentieth century.

The Frank Andrews Papers were donated by the Andrews Family, and facilitated by the assistance of Librarian Mary Ann Wacker and Mr. Clinton Morse of the Andrews & Kurth law firm of Houston.

Addition to the Sam Streetman Papers - 5 linear inches of materials consisting primarily of speeches, lecture notes and photographs.

Sam Streetman (1870-1933) was a Judge on the Texas Third Court of Appeals, a prominent Houston attorney, one of the founders of South Texas College of Law as well as its second Dean, and a law partner of Frank Andrews in the firm of Andrews, Ball and Streetman of Houston, later to become Andrews & Kurth.

This new accession will be added to the papers of Sam Streetman already donated by the Andrews & Kurth law firm in the 1980s. The original collection of 7 ½ linear inches consists of a small amount of correspondence, numerous speeches, some South Texas College of Law lecture notes, and a small amount of legal and business materials.

The addition to the Sam Streetman Papers was also donated by the Houston law firm of Andrews & Kurth, facilitated by Mr. Clinton Morse of the firm.


Joseph C. Hutcheson, Jr. (1879-1973) was Mayor of Houston, 1917-1918, Federal District Judge of the Southern District of Texas, 1918-1931, and Judge and Chief Judge of the Fifth Circuit Court of Appeals, 1931-1964. Judge Hutcheson was also one of the founders of South Texas College of Law, a member of the school’s Board of Trustees, its first Dean, and a member of the faculty.

Joseph C. Hutcheson was the father of J. C. Hutcheson, Jr., was a prominent Houston attorney for 50 years, and was a state legislator as well as a
United States Congressman for two terms. J. C. Hutcheson, III, the son of J. C. Hutcheson, Jr., was a prominent Houston attorney for 60 years and was for a short time also an instructor at South Texas College of Law. The Fifth Circuit Court of Appeals is an intermediate federal court based in New Orleans. Throughout the 20th century, it remained one of the most important courts in the federal system, dealing with landmark cases in such areas as civil rights, maritime law and immigration.

The photographs were donated by Judge Hutcheson's granddaughter, Mrs. Joanne Seale Wilson of Houston.

Addition to the Fred Parks Papers—8 linear feet of materials obtained from Mr. Parks' home in Houston, including some business materials, books, plaques and dozens of photographs of Mr. Parks, his wife Mabel Roberson Parks, and their family, including the large portrait of Mr. Parks now displayed at the 2nd floor entrance to the Fred Parks Law Library. The materials were donated by the Fred Parks family.

Fred Parks (1906-2001) was a prominent civil attorney in Houston, and a generous benefactor to his alma mater, South Texas College of Law (class of 1937), as well as numerous other institutions in the Houston area, including Rice University and the University of Houston.

The items will be added to the 35 linear feet of Fred Parks Papers already donated by Fred Parks and his family over the last three years, consisting of legal case files, a small amount of business files, correspondence, writings and research, scrapbooks, plaques, framed certificates, memorabilia and photographs.

The Houston Mutiny and Riot Records of 1917-1918. 16 rolls of 35-mm. microfilm from the National Archives.

This collection consists of records concerning one of the largest race riots in American history, the mutiny and riot of soldiers of the 3rd Battalion, 24th U.S. Infantry that occurred on August 23rd, 1917 at Camp Logan (now Memorial Park), Houston, Texas, which resulted in the largest murder trial in American history. The mutiny and riot were sparked by the racism directed towards the African-American soldiers by the police and citizens of Houston. The rioting of the soldiers caused several deaths.

The mutiny and riot resulted in three general courts-martial held at Fort Sam Houston, San Antonio, Texas, in late 1917 and early 1918, at which 118 soldiers were tried, 110 soldiers were convicted, 19 were executed, and 91 were sentenced to various terms of confinement at the U.S. Penitentiary at Fort Leavenworth, Kansas.

The records consist of a microfilmed file from the War Department's Inspector General's Office, a microfilmed file from the records of the Headquarters, Southern Department of the U.S. Army Continental Command, as well as numerous microfilmed files from the War Department's Office of the Judge Advocate General.

The file from the Inspector General's Office consists of 573 pages of testimony taken by the Citizen's Committee of Houston, Texas, one week after the riot. From the records of the Southern Department of the U.S. Army Continental Command is the 14-page report of Colonel G. O. Cress, completed three weeks after the incident, which summarized an investigation into the riot. From the Judge Advocate General's Office are the transcripts of three courts-martial: U.S. vs. Sergeant William C. Nesbit, et al., at which 63 of the soldiers were tried (2354 pages); U.S. vs. Corporal Robert Tillman, et al., at which 40 of the soldiers were tried (3290 pages); and U.S. vs. Corporal John Washington, et al., at which 15 of the soldiers were tried (540 pages). Also included are correspondence files from the Office of the Judge Advocate General, including files on each of the soldiers involved in the incident.

The original records are found in Record Groups 153 and 393, Modern Military Records Branch, Textual Archives Services Division, National
Archives and Records Administration, College Park, Maryland. The microfilmed records were obtained by purchase.

**Antique Houston Furniture Returns Home!**

Three pieces of antique furniture, formerly used in the house of Joseph C. Hutcheson, a prominent late 19th century Houston attorney for fifty years, and the childhood home of the first Dean of South Texas College of Law, have recently been donated to the library by the descendants of Joseph C. Hutcheson living in California.

Joseph C. Hutcheson was born in Virginia in 1842, graduated from Randolph-Macon College in 1861, and then enlisted in the Confederate forces during the Civil War, serving under General Stonewall Jackson, where he rose to the rank of Captain. After the war, Captain Hutcheson entered the law school of the University of Virginia, graduating in 1866. He then moved to Anderson, Grimes County, Texas, where his older brother, John William Hutcheson, had settled before the Civil War.

John William Hutcheson became a prominent attorney in Grimes County, and was a member of the Texas Secession Convention in 1861, before he entered the Civil War and was killed in battle in 1862. Joseph C. Hutcheson came to Grimes County in 1866 to close out his brother’s estate and to take over his deceased brother’s law practice.

Joseph C. Hutcheson moved to Houston in 1874 and continued his practice of law. He was a member of the Seventeenth Texas Legislature in 1880, where he drafted the bill that created the University of Texas. Hutcheson was elected in 1892 to the House of Representatives for the Fifty-third and Fifty-fourth U.S. Congresses, but declined to run for a third term. Along with his successor, Congressman Tom Ball, Hutcheson is credited with helping to get federal appropriations to greatly improve the Port of Houston, which started Houston on its rise to becoming the most important city in Texas and the largest city in the South.

After leaving Congress, Captain Hutcheson continued the practice of law with his son, Joseph C. Hutcheson, Jr., and others until his death in 1924. J. C. Hutcheson, Jr., was Mayor of Houston in 1917, when he was appointed to the Federal Bench, serving until 1964. Judge Hutcheson was also one of the founders, an Instructor, served on the college’s Board and was the first Dean of South Texas College of Law, 1923-1931.

The donated items are two glass-front cabinets and a large dinner table, which were all built circa 1870-1880, including one cabinet that bears the stamp of “Wm. Schmidt, Dealer in Furniture & General House Furnishing Goods, Houston, Texas.” After Captain Hutcheson’s death in 1924, Dr. Allen C. Hutcheson, a brother of J. C. Hutcheson, Jr., inherited the furniture and it eventually ended up in California.

The donor is Marilyn (Mrs. Sterling) Hutcheson of La Jolla, California. The donation was facilitated by Joanne Seale Wilson. J. C. Hutcheson, Jr.’s granddaughter, who lives in the Houston area. The furniture is now displayed in the DeGraw Exhibits Area on the second floor of the Fred Parks Law Library.

--- Compiled by Karen Beck, Boston College Law Library

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**Member News**

Laura Bedard, Special Collections Librarian at the Georgetwon University Law Center, reports that the John Wolff International and Comparative Law Library in the new Eric Hotung International Law Center will open on October 1, Georgetwon Law Library’s international, foreign and comparative law collections will be moved into this new facility. The Special Collections & Archives Department will remain in the Williams Law Library. Laura adds that she is writing a chapter on Special Collections for a book edited by Steve Margeton, entitled *Introduction to Academic Library*
Design: Reflection and Change, which is scheduled to be published in 2005.

In June, Morris Cohen, Librarian Emeritus at the Yale Law School, and David Warrington, Head of Special Collections at the Harvard Law School, taught Collecting the History of Anglo-American Law, their week-long course at the University of Virginia's Rare Book School. Intended for book collectors, antiquarian booksellers, and librarians who have custody of historical legal materials, the course surveys printed and manuscript materials in Anglo-American law and introduces its bibliography and curatorship. Topics include the history of the production and distribution of law books; catalogs and reference books; philosophy and techniques of collecting; and acquiring books, manuscripts, and ephemera in the antiquarian book trade. Morris and David have taught their course eight times since 1989.

Joel Fishman, Ph.D., Asst. Director for Lawyer Services, Duquesne University Center for Legal Information/Allegheny County Law Library, has published the following books and articles in the past six months:

Books:


Chapters in Books:


Articles:


Kathryn Fitzugh reports that the UALR/Pulaski County Law Library of the University of Arkansas at Little Rock William H. Bowen School of Law recently purchased a collection of books chronicling slavery in the United States. The collection includes a diverse mix of genres and categories and thereby includes fiction as well as biographies, slave narratives, debates, psychological studies, works of history, sociology, and case decisions. The collection includes an original copy of the Dred Scott decision. It also includes a first edition copy of Solomon Northrup's Twelve Years as a Slave. Other representative authors are John Jay, Samuel Ringgold Ward, John Hope Franklin, John Blissimgame, Horace Mann, the Loyal Publication Society, and the Massachusetts Historical Society. The library purchased the books with proceeds from the Herschel Friday Fund.

"U.S. Law Libraries: Genealogical Research Basics" was the title of a Aug. 3, 2004 Genealogy and Family History Conference presentation at Brigham Young University in Provo, Utah, by Galen L. Fletcher, Faculty Services Librarian at BYU's Howard W. Hunter Law Library. His presentation covered a short history of legal publishing, historical and current legal directories, law school alumni directories, judicial directories, "bench and bar" histories, legal periodical indexes, and legal dictionaries. The powerpoint presentation is online at: http://www.law2.byu.edu/Faculty/Profiles/fletcher.htm.

Mark Podvia, Associate Law Librarian and Archivist of the Dickinson School of Law Library, was recently granted tenure. An expanded version of his article from the Spring issue of LH&RB, "The Victorian-era Law Office: How to Furnish Your Workplace for Under $100," will be the republished as the AALL Centennial Feature in the Fall issue of Law Library Journal.
Special Collections Librarian Paul Pruitt of the University of Alabama School of Law Library reports that the library's publication Gilded Age Legal Ethics: Essays on Thomas Goode Jones' 1887 Code and the Regulation of the Profession (2003) has won a prize. The library's printer, Rose Printing of Tallahassee, received the Award of Excellence at the 17th annual Florida Print Awards for the high quality of the publication's design and print. Gilded Age Legal Ethics is Number 4 in the library's series, Occasional Publications of the Bounds Law Library.

And last of all, your faithful reporter Karen Beck recently returned from a two-month summer research leave, during which she drafted a publicity and fundraising brochure for the Boston College Law Library's rare books program, and researched an article about the law practice of a small-town Vermont lawyer in 1880.

--Compiled by Karen Beck, Boston College Law Library

BOOK REVIEW


Thomas Goode Jones is not a totally obscure historical figure. That a fair amount has been written about him is clear just from the extensive footnotes in Gilded Age Legal Ethics. Jones was a well-known and well-respected figure of his time in both the political sphere and the legal profession, serving as Alabama's governor from 1890 to 1894 and as a federal judge from 1901 to 1914.

Yet I admit I had never heard of him until a colleague from the Bounds Law Library at the University of Alabama School of Law forwarded me her institution's publication on Jones and the Code of Ethics that he authored. Gilded Age Legal Ethics is the fourth Occasional Paper of the Bounds Law Library.

The book was clearly conceived with a hypothetical reader very like me in mind: someone who was not already familiar with the life and work of Thomas Goode Jones and who had not already studied Alabama history or the history of legal ethics in any depth. For such a reader, Gilded Age Legal Ethics provides a concise, engaging, and highly readable overview of the Alabama State Bar Association's 1887 Code of Ethics and its origins and significance.

As Carol Rice Andrews makes clear in her essay, "The Lasting Legacy of the 1887 Code of Ethics of the Alabama State Bar Association," Jones's code was the first of its kind. As such, it greatly influenced the American Bar Association's 1908 Canons of Legal Ethics. The 1908 Canons served in turn as the basis for the ABA's Model Rules of Professional Conduct, some version of which is now law in most states. Therefore, the history of this early code is of interest not only to Alabama legal historians, but to anyone with an interest in the history of legal ethics and their codification.

Gilded Age Legal Ethics consists primarily of four essays, a photographic reproduction of the 1887 code, and a side-by-side comparison of the code to the ABA's 1908 canons. The book also contains six illustrations (mostly portraits), an excerpt from a report in which Thomas Goode Jones proposes the code, a transcript of the debate over its adoption, and an index.

Of the volume's 136 pages, only 69 contain original material, and a large percentage of those 69 pages are taken up with footnotes. One might suspect that the reproduction of the Code of Ethics and the appendices were added mainly as filler. However, while most of this material is available elsewhere, it is helpful to have it in the same volume as the essays. The side-by-side codes, in particular, quickly illustrate the similarities between the two.
Confusingly, the Code of Ethics itself appears in the middle of the volume, rather than at the end or even the beginning of the volume. From the layout of the contents page, in fact, the Code of Ethics seems to be just another essay. The code’s placement might suggest to the reader that the essay following the code is, at best, supplemental material.

This impression is unfortunate, because the essay that follows the code, “Thomas Goode Jones: Personal Code of a Public Man” by Paul M. Pruitt, Jr., is perhaps the most interesting in the book. It provides a brief biography of Jones, which might have been helpful at the beginning of the book for readers who have never heard of him. But beyond that, it explores Jones’ personal sense of ethics and how that sense informed his public actions as an attorney and a politician.

Another problem related to the book’s organization is presented by the first essay, David I. Durham’s “A Call for Regulation of the Profession.” It is not immediately clear that this chapter is meant to serve as an introduction to the rest of the book. Durham may have intended for this essay to provide an overview of the material and give the reader a sense of what follows. Instead, it seems little more than a condensed version of Andrew’s essay, with a paragraph tacked on at the end mentioning the contents of the remainder of the book.

Despite its organizational problems, Gilded Age Legal Ethics will appeal to readers with an interest in Alabama legal history, or in the history of American legal ethics.

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Sarah Yates,
University of Minnesota Law Library

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FELLOWSHIPS

The Massachusetts Historical Society will offer approximately twenty short-term research fellowships in 2005. Each grant will provide a stipend of $1,500 for four weeks of research at the society sometime between July 1, 2005, and June 30, 2006. Short-terms awards are open to independent scholars, advanced graduate students, and holders of the PhD. or the equivalent, with candidates who live fifty or miles from Boston receiving preference. Candidates must be U.S. residents or foreign nationals with permission from the U.S. government to hold such awards.

Short-Term Fellowship Awards:

African-American Studies Fellowship. This award will support research at the Massachusetts Historical Society in African American History.

W.B.H. Dowse Fellowship. The Society’s W.B.H. Dowse Fund will provide support for two scholars studying the history of colonial New England.

Marc Friedlaender Fellowship. Documentary editing projects and research on the Adams family receive priority for this award.

Massachusetts Society of the Cincinnati Fellowship. The grant supports research projects pertaining to the era of the American Revolution.

Andrew W. Mellon Fellowships. The Society will appoint approximately nine mellon fellows. Any project for which the society’s collections are appropriate is eligible for consideration.

Ruth R. Miller Fellowship. Supported by the Ruth R. Miller philanthropic Fund, this award is to encourage research in women’s history.

Andrew Oliver Research Fellowship. This fellowship will support research in the Society’s collections of portraits, engravings, silhouettes, and other graphic materials.

Society of Colonial Wars of Massachusetts Fellowship. The Massachusetts Historical Society is able to offer this award thanks to the generosity of the Society of Colonial Wars of Massachusetts. The stipend supports research on the early history
of Massachusetts, with priority given to projects pertaining to military, political, and diplomatic history.

**Benjamin F. Stevens Fellowship.** This award supports research on any aspect of the history of New England.

Application deadline: March 1, 2005.

For more information about the MHS Short-Term fellowships and about the Massachusetts Historical Society's other awards, including the MHS-NEH Long-Term Fellowships and support through the New England Regional Fellowship Consortium, please check the Society's web site, [www.masshist.org](http://www.masshist.org), or contact Cherylinne Pina, Massachusetts Historical Society, 1154 Boylston Street, Boston, MA 02215 (e-mail cpina@masshist.org).

... The Massachusetts Historical Society will award at least two long-term MHS-NEH fellowships for the academic year of 2005-2006. MHS-NEH fellowships are made possible by an award from the National Endowment for the Humanities, an independent federal agency. The stipend, governed by an NEH formula, will be no more than $40,000 for a term of six to twelve months or $20,000 for a term of four to five months. Within the constraints of the NEH's guidelines, the Society will also supplement each stipend with a housing allowance of up to $500.00 per month. MHS-NEH fellowships are open to U.S. citizens and to foreign nationals who have lived in the United States for at least the three years immediately preceding the application deadline. Applicants must have completed their professional training; NEH-sponsored fellowships are not available to graduate students. The awards committee will give preference to candidates who have not held a long-term grant during the three years prior to the proposed fellowship term.

Application deadline: January 15, 2005.

For information about MHS-NEH fellowships and about the Society's other awards, including short-term grants and support through the New England Regional Fellowship Consortium, please check the Society's web site, [www.masshist.org](http://www.masshist.org), or contact Cherylinne Pina, Massachusetts Historical Society, 1154 Boylston Street, Boston, MA 02215 (e-mail cpina@masshist.org).