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Meet Ben Yousey-Hindes
Winner of the Inaugural Morris L. Cohen Student Essay Competition

by

Jennie C. Meade

The Legal History & Rare Books SIS introduced the Morris L. Cohen Student Essay Competition in the academic year 2008-2009, and in May the competition committee chose as its first winning entry a paper by J. Benjamin Yousey-Hindes of Stanford University. His essay, “A Case Study of Canon Law in the Age of the Quinque compilationes antiquae: The Trial for Balaruc,” examines the role of canon law principles in the context of a medieval French trial. The paper bested a strong inaugural field of many keen competitors: graduate students in library science, law, history and other related fields submitted papers treating topics of legal history which cut across time and continents. I believe my fellow competition committee members would agree with me that the pool of papers comprised a number of impressive submissions, and that the time spent reading and assessing them was never tedious.

Winner Ben Yousey-Hindes, a doctoral candidate in medieval history at Stanford, graciously agreed to an interview for the LH&RB Newsletter. His engaging interview below reflects the thoughts of a young scholar poised to enter the academic career he has chosen: Rare Book Librarian.

Jennie Meade: First, congratulations on your success in the inaugural Morris L.

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LH&RB

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Submissions for publication are strongly encouraged. We have been known to beg. Correspondence can be sent to the appropriate editor at the following address:

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Cohen Student Essay Competition. Your winning essay is entitled “A Case Study of Canon Law in the Age of the Quinque compilationes antiquae: The Trial for Balaruc,” and it was also your Master’s Project at Stanford University. How did you learn of the competition, and what factors played a role in your decision to enter “The Trial for Balaruc” in the contest?

Benjamin Yousey-Hindes: I learned of the competition from my mentor and friend Mike Widener, the Rare Book Librarian at Yale Law School, who forwarded the competition announcement to me last October. The decision to enter “The Trial for Balaruc” was an easy one. I had spent several months researching and writing the paper, and I thought that the documents told a compelling story, but one that could only be properly interpreted in the light of contemporaneous legal developments. Thus I felt that the Balaruc paper was a good balance between entertainment (in relative terms!) and academic substance, and thus would make a competitive entry.

Please outline for our readers generally the theme of “The Trial for Balaruc” and describe the types of sources you used to illustrate your arguments.

The “Trial for Balaruc” is based almost entirely on a collection of documents that were assembled by the medieval bishops of Maguelone in southern France. Among these documents is a lengthy set of transcripts from a canon law trial in the 1220s. These trial documents can be used to reconstruct two distinct series of historical events: the physical conflict over the walled village of Balaruc (1222-1226), and the legal process that resolved that conflict (1226-1229). The plaintiff in the trial was Gui de Grunier (nicknamed “Pig-Head”), a renowned lawyer and vassal of the Count of Toulouse, and the defendant was Bernard de Méze, a lawyer and the bishop of Maguelone. What is remarkable about the trial materials is that they make only one reference to a specific canon or decretal, but that resonate within canon law.

Thus the Balaruc trial provides an important case study of the state of canon law in the dynamic period of the Quinque compilationes antiquae, the “five venerable compilations” of papal decretals that were circulated between 1187 and 1226. In the paper, I not only reconstruct the narrative of the physical and legal struggle over Balaruc, but also show how the parties shaped their arguments and testimony based on emerging canon legal principles such as restitutio in integrum, and coercion by fear and threats. The underlying message in the paper is that researchers must strive to understand the wider juridical context of their legal sources, for sometimes those sources have been shaped by legal debates and norms that are not overtly articulated in the sources themselves.

You currently are a graduate student in the History Department at Stanford, and expect to receive your Ph.D. degree in June, 2010. What led to your decision to study history at the doctoral level?
I spent my junior year in college studying at the University of Saint Andrews in Scotland. While there I took classes in international development and medieval history—trying to determine which subject I wanted to pursue in graduate school. When I returned to the States I was as conflicted as ever, so I had a long conversation with my undergraduate advisor, a medievalist at the University of Rochester named Richard Kaeuper. He told me about the time he received an unexpected phone call from his cousin, who had just been appointed ambassador to the Republic of Congo. Ambassador Kaeuper asked Professor Kaeuper to teach him about the developmental struggles that Europe had faced during the Middle Ages. Upon hearing this story, I began to realize that the questions of interest to medievalists were not indulgently esoteric or irrelevant, but fundamental to understanding human societies. Issues of food security and environmental exploitation, political and legal legitimacy, intercultural contact and the role of religion—these issues continue to be at play throughout the modern world. Once I understood this, I followed my passion and applied for doctoral programs in medieval history.

**You also submitted to the competition a second essay, “A Reassessment of ‘Customary Law’ on the Twelfth-Century Iberian Frontier: The Case of Laws Relating to Animals.” Did you prefer one essay over the other for the purposes of the competition? How would you compare the two essays?**

These are two very different papers, but both make a similar underlying point, namely that responsible scholars must work hard to fully understand the context of their legal sources. In the paper on customary law I argue that the frontier law codes of medieval Christian Iberia had extensive roots in Visigothic law, and were not strictly the product of “local custom” as many historians have romantically maintained. The Balaruc paper, as I mentioned above, emphasizes the importance of understanding the operative legal principles and juridical culture before making use of legal sources. While I like both of these papers, I was glad to see that the Balaruc paper was chosen because I believe it is relevant to a wider range of historians—and tells a good story as well.

**Members of the Morris Cohen competition committee were interested to learn that you may be considering a career as a rare book librarian in preference to a teaching career. What led you to consider this route, and in contemplating such a change, which factors are you weighing to reach a decision?**

In fact, I am committed to becoming a rare book librarian, and have every intention of treating my work as a “teaching career.” I’ve been thinking about rare book librarianship since the summer of 2003, when I was invited by the library at a small college to create an initial catalogue of their collection of 15th-18th century theological texts. With my enjoyment of that experience lingering in my mind over the following years, I came to appreciate that the most satisfying elements of my graduate work were all tasks that academic librarians performed every day: working with students and faculty members, creating bibliographies, making research materials more accessible, and so on. Other factors that have contributed to my decision include the fact that a career in rare book librarianship will allow me to work on diverse projects and exhibitions both within and beyond my subject specialty. Moreover, I will be able to help a wider range of students, scholars, and patrons, many of whom may not even be affiliated with my own institution. I also like the idea of working in an institutional environment that operates on a more collaborative model than the average history department. Then there is the physicality of working with books as cultural artifacts, and being able to bring my interest in photography into the office with me. Having said all of this, I do love teaching and hope to work for an institution that will allow me to teach an occasional course in medieval history. Over the past year I have interned in Special Collections at Stanford University, and in Rare Books at Yale Law School; I am planning to earn my MLS after I complete my PhD.

**You have built an impressive academic resume: Phi Beta Kappa, Golden Key, and history awards (University of Rochester), Master of Philosophy in Medieval History**
[University of Cambridge, England], Master of Arts and currently doctoral candidate in history (Stanford University). Yet you are an outdoorsman! How do the academic (indoor) and outdoor facets of your life intersect? How does each support and/or inform the other?

At the moment, the indoor and outdoor facets of my life intersect mostly in the sense that when I am engaged in one I am often thinking about the other. More generally, however, I take to heart the words of the medieval ecclesiastic Bernard of Clairvaux (d. 1153), who wrote, “Trees and stones will teach you that which you can never learn from teachers” (Epistle 106). I cannot say that my time outdoors really “informs” my research (currently on thirteenth-century Italian priests), but it certainly supports it, mostly by giving me the energy to carry on. Both my wife (an epidemiologist) and I feel that spending time in nature helps bring an essential balance to our lives, lives which could be led largely indoors. We are regular visitors to state parks in Connecticut and New York, and spend as much time as possible in the Adirondacks and on Lake Champlain.

Your eclectic website, www.benandkim.com, provides not only a gateway to medieval resources online, but to albums of your thoughtfully-composed photographs, as well as your HummingLion Designs, which makes available your handmade photographic greeting cards. All of this points to a creative instinct which seeks outlets in a variety of venues, visual as well as scholarly. What will be your next creative venue?

At the moment, most of my creative energy is dedicated to my dissertation and my photography. However, I look forward to the day when I can pursue more substantial projects that will be of lasting value to scholars. Much of my current inspiration is coming from the archival sources that I work with every day, namely thirteenth-century notarial records from the port city of Genoa in northwestern Italy. The struggle to teach myself how to decipher, read, and interpret these unpublished legal documents have me thinking about creating a multimedia resource that would help researchers develop these skills more efficiently. One component of this would be a “paleographic dictionary” that displays images of words and phrases in medieval Genoese script alongside their definitions.

As an editorial assistant at Yale Law School, you wrote obituaries for the Yale Law Report. Although certainly there were guidelines, did you develop your own approach regarding what material to include, how much research to do, perhaps a technique for bringing out the individuality of the deceased?

When writing alumni obituaries—most of which had to be fairly short—my minimum standard was to go beyond what could be learned in a casual internet search. In keeping with the nature of the publication, I highlighted the contributions that these alumni had made to the legal profession and to the Law School. However, I always tried to present people as more than a list of positions or accomplishments, to respect the fact that the seemingly minor or secondary aspects of a person’s life may have been significant sources of joy and pride. Material sent in by the family and friends of the deceased was crucial to making this possible.

Recently you co-curated with rare book librarian Mike Widener at Yale Law School an exhibition entitled “The Flowering of Civil Law: Early Italian Statutes in the Yale Law Library.” Was this your first experience curating an exhibition, and how did you balance visual interest with scholarly depth: in other words, how did you entertain and instruct?

Yes, “The Flowering of Civil Law” was my first experience curating an exhibition, and Mike Widener guided me through many new challenges. The need to balance visual interest with scholarly depth was constantly facing us. As far as we were concerned, any volume in the collection could be made academically interesting by properly contextualizing it on the accompanying information card. This meant that we could easily include volumes that were visually impressive without having to agonize over whether or not they were of particular academic significance. On the other hand, however, volumes that were academically compelling were not always striking to look at. In these cases, I tried to use the information card to make viewers see “boring” pages in a new light. Sometimes this meant choosing display pages where we could point out
entertaining textual content—such as surprising or humorous statutes. In other cases, we selected pages where manuscript additions complimented otherwise staid text, or where evidence about provenance allowed us to add an additional dimension to the discussion. In general, we were always trying to present the volumes in the exhibition in a way that would indicate their value to scholars and students beyond the walls of the Law School, to those interested in social and political history, and in the history of reading, print culture, bookbinding, et cetera.

**From the Chair**

For my final column as your Chair, I decided to write about a recent excellent adventure and how it might relate to the future of special collections in law libraries.

In February 2009, approximately ten law librarians and six Gale Cengage Learning staff members participated in a “Legal History Summit” sponsored by Gale. We gathered in New York City and spent the day discussing (1) potential new electronic collections of legal history materials; (2) the benefits and drawbacks of Gale’s and other search engines; (3) how students and faculty conduct legal research; (4) how best to inform our users about new electronic products and services; (5) the current and future state of legal publishing.

The discussion was fascinating, wide-ranging, and ultimately very heartening for those of us who love special collections and believe in their value. Several themes recurred throughout the day, but one in particular stood out to me: Our students, faculty, and researchers crave original content! Yes, they want it electronically, and yes, they want to be able to find it on Google, but they want what we’ve got right here in our special collections! With so many law libraries purchasing the same books and databases, it is the material in our special collections that distinguishes us and enables us to provide unique value to our institutions and the scholarly world.

The years ahead will be challenging for special collections librarians as we figure out how to make our physical collections available in the digital world. And especially in the short term, special collections are likely going to be a hard sell to the bean counters as our institutions grapple with the economic slump. But what we offer – focused collections of rare items and unique primary sources – are the raw materials of historical research, absolutely central to our libraries’ missions.

With our wealth of educational programming and our outstanding publications, LHRB will continue to be a resource for all of us as we move forward in this brave new digital world.
We also will continue to be a community of colleagues, offering advice about practical matters ranging from archives to Z39.50. And finally, we will continue to be a community of friends, offering an empathetic ear, a sounding board, and a pint of beer to wash it all down.

I'd like to thank you for allowing me to be your Chair during these past two years. It has been a pleasure getting to know, and work with, so many of you – and best of all, becoming friends along the way. We have a great SIS and I look forward to seeing us move forward under the leadership of the new board. Please look elsewhere in this newsletter for news about our many LHRB activities in Washington, DC, and I look forward to seeing you there!

–Karen Beck

Karen Beck is Curator of Rare Books / Collection Development Librarian at Boston College Law Library

Editor’s Corner

Thank you to everyone who contributed to this issue. Please keep the articles, book reviews and news items coming!

Our outgoing Chair, Karen Beck, sent me so much material for this issue that the comment line in her last e-mail read “more from your logorrheic pal.” Of course there is nothing incoherent in the material she sent; it includes required material our 2009 LH&RB Business Meeting (please note that the minutes from the 2008 Business Meeting can be found in the Fall 2008 issue of LH&RB). I urge you to review this material prior to that meeting, scheduled for Sunday, July 26th at 5:30.

I look forward to seeing many of you at the AALL Annual Meeting! The deadline for the next issue of LH&RB is November 23rd.

–Mark Podvia

Mark Podvia is Associate Law Librarian and Archivist at the Dickinson School of Law of the Pennsylvania State University.

Legal History and Rare Books Events at the Annual Meeting

Please join your friends and colleagues at the Annual Meeting in Washington, DC at the following LHRB-sponsored activities and events:

**LHRB-SIS Business Meeting**

Sunday, July 26, 2009: 5:30-6:30 pm
Washington Convention Center 144C

Join your colleagues in the LHRB-SIS as we meet and greet, wrap up the year’s activities and events, and begin planning for next year. Greet our mascot, Hughes-Humphreys the bison, and witness the passing of the bison to our incoming Chair, Stacy Etheredge.

**LHRB-SIS Reception / Morris L. Cohen Student Essay Contest Award Ceremony**

Sunday, July 26, 2009: 7-9 pm
George Washington University Law Library (directions are available at http://www.law.gwu.edu/School/Pages/Location.aspx)

After our Business Meeting, please join your LHRB-SIS friends as we adjourn to a reception at the George Washington University Law Library, a short Metro ride from the Convention Center. We will sample hors d’oeuvres and drinks, view GWU’s magnificent French Collection, and celebrate the achievements of Ben Yousey-Hindes, the first winner of the new Morris L. Cohen Student Essay Competition, co-sponsored by LHRB-SIS and Gale Cengage Learning. Many thanks to Gale, and to our hosts, Scott Pagel and Jennie Meade of GWU. We hope to see you there!

**LHRB-SIS Roundtable and Luncheon: Presentation of Winning Cohen Student Essay Competition Paper**

Monday, July 27, 2009: 12 noon – 1:15 pm
Renaissance Hotel Room 3

Join us for lunch and a chance to hear Ben Yousey-Hindes, the first winner of the Morris L. Cohen Student Essay Competition, deliver his paper to an appreciative audience (us).
LHRB-SIS-Sponsored Educational Programs:

Program B-5: Lincoln, the Law, and Libraries

Sunday, July 26, 2009: 3-4 pm
WCC 151 AB

Celebrate the bicentennial of Abraham Lincoln’s birth by exploring his connection to modern libraries. The speakers will present an in-depth look at several important resources for Lincoln’s original documents and papers. First, the panel will examine a traditional resource for historical research, the archival collection, with a behind-the-scenes look at the Lincoln Manuscripts at the Library of Congress. Next, they will describe the Lincoln Legal Papers Project, which has produced two seminal reference works providing contemporary researchers with both print and electronic access to Lincoln’s legal materials. Finally, the speakers will share their expertise and insight into the complex processes involved in developing and maintaining their collections of historical documents and ensuring access to the materials in various formats. This program will provide librarians with a unique perspective on the Lincoln legacy and its role in our profession.

Stacy Etheredge, Co-coordinator and Co-moderator
Etheldra G. Scoggin, Co-coordinator and Co-moderator, Loyola University College of Law Library
John R. Sellers, Library of Congress
Daniel W. Stowell, The Papers of Abraham Lincoln

Program J-1: “Digging” Legal History: Using Exhumation and Innovative Forensic Science Techniques to Verify Historical Legal Events

Tuesday July 28, 2:30-3:15 pm
WCC 145 AB

Forensic science, the application of science to the law, is a vital tool for determining the likely scenario of a past event. Physical evidence, such as bones, hair or body fluids, obtained during exhumation, can provide the forensic scientist with adequate proof to postulate with a high degree of accuracy the sequence of occurrences associated with a past event, such as an unusual death or suspected murder. Professor James Starrs, a leading expert on the use of forensics in the courtroom, will examine how modern forensic science techniques, unavailable or unutilized at the time of the events in question, can alter or confirm recorded legal history. Starrs will illustrate his presentation with examples from some of the many re-investigations of cases he has handled involving exhumation of historical figures, including Louisiana Senator Huey Long’s alleged assassin, Dr. Carl Weiss, and CIA scientist Frank Olson, whose mysterious 1953 death was characterized by the U.S. government as a suicide.

Jennie C. Meade, Coordinator and Moderator, George Washington University, Jacob Burns Law Library
James E. Starrs, George Washington University Law School

Please note: an abbreviated version of this report will appear on AALLNET in the fall.

The Legal History and Rare Books Special Interest Section (LHRB-SIS) got off to a strong start this year with an excellent slate of programming at the July 2008 Annual Meeting in Portland, Oregon. We sponsored or co-sponsored the following programs and workshops: “What’s in This Box? Managing Archival Collections,” “Law Library Journal at 100: The Evolution of a Publication,” “Evolution of a Research & Legal History Website: From Funding Through Implementation,” “Beer and the Law: A Legal History of Beer, Brewing and Government Regulation from the German Purity Law to the Microbrew Movement,” “Oregon’s Death with
Dignity Act: A Legal History,” and “Explore the New World of Legal History Research – Be Prepared to Wiki!” Thanks to the Education Committee, and especially its chair Laura Ray, for developing such a diverse and interesting slate of educational programs.

Our first LHRB reception at the Lucky Lab Brewpub was such fun that we decided to make it an annual tradition! Kudos to Laura Ray and Mark Podvia for organizing last July’s reception, and to Scott Pagel and Jennie Meade for offering to host the 2009 reception at the George Washington University Law Library.

After many years in the planning, the highlight of LHRB’s year was the debut of the Morris L. Cohen Student Essay Competition, jointly sponsored by our SIS and Gale Cengage Learning. The contest was very successful in encouraging scholarship in legal history and rare books and exposing students to AALL. We were pleased to have received many fine entries for the inaugural competition, which rendered the selection process extremely competitive. Our first award winner, Benjamin Yousey-Hindes, is a doctoral candidate at Stanford. Ben will be fêted, and will present his winning paper, “A Case Study of Canon Law in the Age of the Quinque compilationes antiquae: The Trial for Balaruc,” at the 2009 Annual Meeting. It is impossible to recognize everyone involved for their work on this project over the years, but special thanks go to Stephen Wasserstein (Gale), Fred Shapiro, and Cohen Essay Competition Committee members Katherine Hedin, Jennie Meade, Rob Mead, Mark Podvia, and Sarah Yates. Most importantly, all of us in LHRB are indebted to Morris Cohen for his inspiring leadership in the areas of rare books, legal research, and historical bibliography.

Another highlight of the year was the inaugural issue of LHRB’s electronic journal, “Unbound: An Annual Review of Legal History and Rare Books.” Compiled by Mark Podvia and hosted on our website (http://www.aallnet.org/sis/lhrb/) by Kurt Metzmeier, “Unbound” contains substantive articles culled from LHRB Newsletters. “Unbound” also appears in HeinOnline, ensuring that a wide audience will be able to read and appreciate the many scholarly contributions of our section’s members.

Published thrice yearly, the LHRB Newsletter continues to feature substantive content and interesting columns, thanks in large part to our Editor Mark Podvia and Articles Editors Jennie Meade and Kurt Metzmeier. Also deserving a tip of the hat are our regular columnists: Sarah Yates (rare book cataloging), Anne Mar (recent acquisitions), Amy Taylor (exhibit news), Fred LeBaron (member news), and Dan Blackaby (legal history news). Joel Fishman edits the extensive collection of book reviews that run in every issue.

This year, the Publications Committee was charged with investigating electronic newsletter templates and making recommendations for the LHRB newsletter. After surveying AALL Special Interest Section and Chapter newsletters and finding a variety of styles, formats, and practices, the committee suggested no immediate changes to the LHRB newsletter. The group recommended that decisions about software, templates, and matters of design be left to the editor. Thanks to Chair Joni Herbst and her committee for investigating this issue on our behalf.

Our SIS Webmaster Kurt Metzmeier kept our website up to date, added a spiffy new image of our mascot Hughes-Humphreys the bison, and performed a much-appreciated inventory of our site’s pages at the request of AALL Headquarters. Bookmark our site to stay on top of our SIS’s activities, and visit often: http://www.aallnet.org/sis/lhrb/.

LHRB’s first brochure debuted at the 2008 Annual Meeting, with great success. Featuring a fine rendering of Hughes-Humphreys, the brochure was the work of the talented LHRB Publications Committee, with special thanks to Stacy Etheredge and AALL’s Julia O’Donnell.

One of the pleasures of serving as LHRB’s Chair is getting to know so many like-minded colleagues, and being able to recognize them for their contributions to our SIS. I am grateful to everyone who has served on a committee, staffed a table at CONELL, contributed to our newsletter, or done any of
the many large and small things that keep our section running. It has been a pleasure to serve as your Chair, and I am grateful for the trust you have placed in me. I close by thanking my colleagues on the board. Stacy Etheredge, Vice Chair/Chair-Elect from 2007-2009, will succeed me as Chair at the close of the Annual Meeting in July 2009. Also serving with distinction during the past year are Dan Blackaby, Secretary/Treasurer (2008-2010); and Laura Ray, Immediate Past Chair (2007-2009). Amy Taylor will join the board in July 2009 as incoming Vice Chair/Chair-Elect.

Karen Beck, Chair
2008-2009

LHRB-SIS Committees
(July 2009-June 2010)

Executive Committee

Stacy Etheredge, Chair 2009-2011
Amy Taylor, Vice-Chair, 2009-2011
Daniel Blackaby, Secretary/Treasurer 2008-10
Karen Beck, Immediate Past Chair 2009-2011

Education Committee

Charge: Solicit, review, submit and rank proposals for Annual Meeting educational programming, including regular programs, workshops, roundtables and other educational opportunities.

Laura Ray, Chair
Marianne Alcorn
Stacy Etheredge (LHRB-SIS Chair, ex officio)
Warren Billings
Daniel Blackaby
Joe Custer
Joel Fishman
Kurt Metzmeier
Mark Podvia
Rob Mead
Amy Taylor
Mike Widener
Sarah Yates

Newsletter Committee

Charge: Responsible for writing and soliciting content for the LHRB-SIS Newsletter, published three times per year. Also responsible for compiling and mounting on the website an annual e-journal consisting of featured articles and book reviews from the Newsletter: “Unbound: An Annual Review of Legal History and Rare Books.”

Mark Podvia, Editor-in-Chief
Daniel Blackaby, Legal History Column Editor
Joel Fishman, Ph.D., Book Review Editor
C. Frederick LeBaron, Member News Column Editor
Anne Mar, Recent Acquisitions Column Editor
Jennie Meade, Articles Editor
Kurt X. Metzmeier, Articles Editor and Webmaster
Amy Taylor, Exhibits Column Editor
Sarah Yates, Special Collections Cataloging Column Editor

Publications Committee

Charge: Spearhead, review, and provide advice about print and electronic publication projects of the LHRB-SIS.

Joni Herbst, Chair
Glen-Peter Ahlers
Stacy Etheredge
Lucinda Harrison-Cox
Kurt Metzmeier

Morris L. Cohen Essay Contest Committee

Charge: Determine policies and procedures for the competition, publicize the competition, review essays and select a winner each year.

Katherine Hedin and Jennie Meade, Co-Chairs
Rob Mead
Mark Podvia
Sarah Yates
The LHRB-SIS Publications Committee (Joni Herbst (Chair), Glen-Peter Ahlers, Stacy Etheredge, Lucinda Harrison-Cox, Kurt Metzmeier) was charged with investigating electronic newsletter templates and making recommendations for the LHRB newsletter. We opted to conduct a survey of AALL Special Interest Section and Chapter newsletters (results not fully analyzed at this time). By compiling a list of editors, and looking at SIS and chapter websites, we were able to see what each SIS and Chapter has been doing with their newsletters:

A few still print newsletters only.

A few stopped printing newsletters and rely on web sites only for member information.

A few use blogs and RSS feeds.

Some are using electronic newsletters, but continue to produce a "print" newsletter and make pdf or html versions available online.

Additional observations:

The LHRB newsletter is much more than a newsletter, as it contains scholarly articles and other substantive content.

There is a difference between an electronic newsletter and a newsletter available electronically.

There are hundreds of free templates available for producing electronic newsletters.

More complex electronic newsletters require graphic design and layout editors in addition to content editors.

Recommendations:

At this time the committee recommends no changes to the LHRB newsletter. Because we rely on volunteers and institutional support, which vary from editor to editor - we recommend leaving it to the editor's purview to make decisions about software, templates, and issues of design.

Respectfully submitted,
Joni Herbst
LHRB Publications Committee Chair

**NOTICE**

*Proposed Bylaw Amendment*

From the LHRB Executive Board: Karen Beck, Stacy Etheredge, Dan Blackaby, and Laura Ray:

At the forthcoming LHRB-SIS Business Meeting in July 2009, LHRB members in attendance will be asked to discuss and vote on a motion to change the term of LHRB-SIS officers from two years to one, along with some small technical amendments intended to bring our bylaws in line with those of AALL. Please review the proposed amendments and be prepared to discuss and vote on the issue at the Annual Meeting.

The full LHRB-SIS bylaws currently in force can be found at our website: [http://www.aallnet.org/sis/lhrb/bylaws.html](http://www.aallnet.org/sis/lhrb/bylaws.html).

**LH&RB Now on Facebook**

Our Webmaster Kurt Metzmeier has brought LHRB into the world of social media by creating our very own LHRB Facebook page! On it you'll find information about our forthcoming activities at the Annual Meeting, links to our e-journal Unbound, our Annual Report, and, of course, an image of our beloved mascot Hughes-Humphreys.

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From 1790 to 1845 various Philadelphia lawyers commercially published the *Pennsylvania Reports*. The decreasing influence of the *Reports* led the legislature to pass the act of 1845 P.L. 374 creating the position of official court reporter and a new set of reports called the *Pennsylvania State Reports*. The scope of this article is to present short biographical sketches of the official reporters from 1845 down to 1978 when West Publishing Company took over the publication of the reports beginning with volume 459.

There were eighteen reporters for the 459 volumes. J. Pringle Jones produced the fewest with only two and William Schaffer had sixty-two.

Robert Barr was born in 1802 at Lancaster, Pennsylvania and admitted to the Berks County Bar on January 1, 1831. He became a successful lawyer and represented Berks County in the General Assembly in 1841. Governor Francis Shunk appointed him the first State Court Reporter in 1845 for a five-year term. He completed ten volumes before he died in office on December 25, 1849. His friend, J. Pringle Jones, completed his work after his death.

John Pringle Jones served as the second state reporter from 1851 to 1852 publishing only two volumes, volumes 11 and 12 of the *Pennsylvania State Reports*. He was born in Philadelphia in 1812 and died on March 16, 1874. Jones studied for two years at the University of Pennsylvania and then spent his senior class at Princeton University, where he graduated with honors in 1831. He studied law with Charles Chauncey and was admitted to Philadelphia bar in 1834. He was appointed deputy attorney general of Berks County in 1839 and later was appointed judge of the Third Judicial District from March 15, 1847 to 1851. Following the act to create an elected judiciary, he was elected president judge of Twenty-third Judicial District from 1852 to 1862. Governor John Geary appointed him president judge of the Third Judicial District from 1867 to 1869. His only publication besides the court reports was *An Eulogium upon Antony Laussat, Esquire: Pronounced January 11th, 1834* (1834).

George Washington Harris (June 23, 1798-August 13, 1882), appointed by Governor William Bigler, was the third reporter covering volumes 13 to 24 of the *Pennsylvania State Reports*. He was the grandson of John Harris, founder of Harrisburg. Harris was educated at Harrisburg Academy and later at Dickinson and Jefferson Colleges, before graduating from the University of Pennsylvania Law School. He studied law probably under Amos Ellmaker, preceptor, and was admitted to the bar in 1820 and later admitted to Philadelphia bar on December 13, 1845. He served as deputy attorney general of Dauphin County before becoming state reporter when he moved to Harrisburg. He later became secretary of the library committee of the U. S. Senate and edited the journal of William Maclay, whose diary of the First Congress is one of the major documents of that era.

Joseph Casey, appointed by Governor James Pollock, served as state reporter from 1856 to 1861 covering volumes 25 to 36 of the *Pennsylvania State Reports*. He was born on December 17, 1814 in Ringgold Manor, Washington County, Maryland and died on February 10, 1879. He was the son of Joseph and Rebecca (McLaughlin) Casey. Casey was admitted to Pennsylvania bar in 1838. He was elected as a Whig to the Thirty-first Congress, House of Representatives (March 4, 1849-March 3, 1851). He was appointed commissioner to investigate and end the Erie Railroad War, 1855, before Governor Pollock appointed him as State Reporter. President Lincoln appointed him one of the first judges of the U. S. Court of Claims from 1861 to 1863 and its first chief justice from 1863 to December 1870. He then resumed practice of law until his death in 1879.

Robert Emmet Wright, appointed by Governor
William Packer, served as state reporter from 1861 to 1865, covering volumes 37 to 50. He was born in Carlisle, Pennsylvania on November 30, 1810 and died on January 10, 1886. He studied law and admitted to bar in 18. He was appointed district attorney of Allentown by Attorney-General J. K. Kane. He later became postmaster of Allentown, a school director for twenty-three years, and served as burgess of Allentown for two terms. Besides the Reports, he published An Alphabetical and Analytical Index to the Pennsylvania State Reports (1866). His other publications included The Pennsylvania Justice... (1839 and 2d ed., 1845); Samuel Roberts’ Digest of Pennsylvania Statutes (2d ed. 1847); Graydon’s Forms of Conveyancing... (new ed. 1845; 4th ed., rev., cor., enl. 1852 and 1866).7

Persifor Smith, appointed by Governor Andrew Curtin, served as court reporter from 1866 to 1876, covering volumes 51 to 81. He published a final volume after he left office that was numbered 81* or 81½.8 He was born on June 23, 1808 and died May 25, 1882. He was the son of Joseph and Mary (Frazer) Smith. He graduated from the University of Pennsylvania in 1823. He studied for the legal profession, was admitted to the Chester County bar in 1829, and then admitted to the Philadelphia bar on April 8, 1830. He was appointed State’s attorney for Delaware County in 1832 and later became Clerk of the Orphans’ Court for Chester County in 1835. He later served as a member of the Pennsylvania legislature from 1861 to 1864. He served as an elder in the West Chester Presbyterian Church. Besides the reports, he was the author of Forms of Procedure, in the Courts of Pennsylvania... (1862).9

A. W. Norris, appointed by Governor John Hartranft, served as state reporter from 1876 to 1881 covering volumes 82 to 96. He was born in Lewistown, Pennsylvania on April 11, 1841 and died on May 21, 1888). He first studied at Georgetown College and later served in Civil War as a captain. He graduated from the University of Pennsylvania Law School in 1867 and was admitted to the Philadelphia bar on November 16, 1867. He read law under preceptorship of Judge Thompson of Philadelphia. He was appointed private secretary to Governor Hartranft in 1872 and later appointed Supreme Court Reporter in 1876. He also served as Judge Advocate General of Pennsylvania in 1877. He later represented the Sixth Senatorial District in the Pennsylvania Senate from 1881 to 1882. President Chester Arthur appointed him Pension Agent at Philadelphia in 1881 and he was later elected Auditor-General of Pennsylvania in 1886. As a Civil War veteran, he was a member of Post No. 19, Grand Army of the Republic and department commander of GAR of Pennsylvania.10

Albert Outerbridge, appointed by Governor Henry Hoyt, served as state reporter from 1881 to 1995, covering volumes 97 to 110. He was born on April 20, 1841 and died on January 23, 1917. He was admitted to the Philadelphia bar on June 7, 1862. He served as editor-in-chief of the Weekly Notes of Cases from 1874 to 1899. He then became a trust officer (1885-1913) and vice president (October 1, 1913-) of the Land Title & Trust Co. of Philadelphia.11

Lemuel Amerman, appointed by Governor Robert Pattison, served as state reporter from 1886 to 1891, covering volumes 111 to 115. He was born near Danville, Montour County, Pennsylvania on October 29, 1846 and died in Blossburg, Tioga County, Pennsylvania on October 7, 1897. Amerman graduated Bucknell University, in 1869, studied in the law office of Attorney General of L. C. Cassidy, and then was admitted to Philadelphia bar on December 24, 1875. He later moved to Scranton and became the Solicitor of Lackawanna County from 1879 to 1880. He was a member of State house of representatives from 1881 to 1884 and elected city comptroller of Scranton for 1885 and 1886. He was elected as a Democrat to the Fifty-second Congress, House of Representatives (March 4, 1891-March 3, 1893) and was an unsuccessful candidate for Fifty-third Congress. He was one of the original members of the Pennsylvania Bar Association in 1895 and was an active member of Executive Committee.12

Boyd Crumrine, appointed by Governor Joseph Beaver, served as state reporter from 1887 to 1892, covering volumes 116 to 146. He was born on February 9, 1838 and died on
August 21, 1916. He was the son of Daniel Crumrine and Margaret (Bower) Crumrine. He graduated from Waynesburg College on August 1, 1860. He studied law under Judge John L. Gough and was admitted to the Washington County Bar on August 26, 1861. He served as a lieutenant in the Civil War. As a Republican politician after the war, he became District Attorney of Washington County from 1865 to 1868. He later compiled social statistics of the Western District of Pennsylvania for the 1870 census. Following his position as reporter, he resumed private practice with John P. Patterson. Among his numerous publications were Rules to Regulate the Practice of the Several Courts of Washington County (1871); Pittsburgh Reports; Containing Cases decided by the Federal and State Courts, Chiefly at Pittsburgh, 3 vols. (1872-73); The Boundary Dispute Controversy Between Pennsylvania and Virginia, 1748-1785, with the Records of the Old Virginia Courts held within Southwestern Pennsylvania from 1775 to 1780 (reprinted from Annals of the Carnegie Museum, 1902-1905); The Courts of Justice, Bench and Bar of Washington County, Pennsylvania... (1902); The County Court for the District of West Augusta, held at Augusta Town (Washington) Pa., 1776-1777 (1905).

James Monaghan, appointed by Governor Robert Pattison, served as state reporter from 1892 to 1895, covering from volumes 147 to 165. He was born September 21, 1854 and died April 3, 1949. He was admitted to the Pennsylvania bar in 1878. A dispute between Crumrine and himself over the publication of the state court reports appeared in State Reporter's Case, 150 Pa. 550 (1892). He also served as the editor of two volumes that were part of the Miscellaneous State Reports (Monaghan's Supreme Court Reports (1891-92)). He was another charter member of the Pennsylvania Bar Association in 1895. He served as assistant librarian for the Pennsylvania Supreme Court in 1921, vice president of the Philadelphia Ethical Society, member of the Federal Union, a member of the American Academy of Political and Social Science, and honorary member of the Institute of American Genealogy. He authored two treatises The Liquor License Laws of 1887... (1887) and Pennsylvania Appellate Practice (1912). He also edited the Chester County Reports and was the first editor of the Pennsylvania County Court Reports and Pennsylvania District Reports. He further compiled forty volumes of Monaghan's Cumulative Annual Digest, that cumulated all reported decisions on an annual basis from 1906 to 1929.

Wilson Kress, appointed by Governor Daniel Hastings, served as state reporter from 1895 to 1900, covering volumes 166 to 194. He was born in 1836 and died on June 25, 1920. He was admitted to the bar of Clinton County in 1866. He also was the first state reporter of volumes 1 to 12 of the Pennsylvania Superior Court Reports. At time of death he was the oldest member of the Bar and President of the Bar Association.

William I. Schaffer, appointed by Governor William Stone, served as a court reporter for twenty years, covering volumes 195 to 262 of the State Reports and at the same time served as state reporter for volumes 13 to 70 of the Pennsylvania Superior Court Reports.

Albert B. Weimer, appointed by Governor William Sproul, served as state reporter from 1919 to 1933, covering volumes 263 to 309. He was born on January 5, 1857 and died on November 13, 1938. He graduated with an A.B. from Harvard College in 1880 and was admitted to the Philadelphia bar in 1882. He also served as Assistant State reporter for the Pennsylvania Superior Court covering volumes 16 to 70, and then as State Reporter for volumes 71 to 106 of the Pennsylvania Superior Court Reports. He was the editor of the Legal Intelligencer from 1922 to 1925. He was the author of The Law of Private Corporations in Pennsylvania (2 vols., 1898), The Law of Railroads in Pennsylvania... (3 vols., 1893-1905), and The Law Relating to the Mining of Coal in Pennsylvania (1891).

C. Brewster Rhoads, appointed by Governor Gifford Pinchot, served as state reporter from 1933 to 1943, covering volumes 310 to 344. He was born in 1893 and died in 1973. He became a well-known lawyer adding his name to the prestigious law firm of Montgomery, McCracken, Walker & Rhoads. He was a leading member of the Philadelphia bar, holding the position of Chancellor in 1954-55.
and then President of the Pennsylvania Bar Association in 1964.¹⁹

Laurence Eldredge, appointed by Governor Edward Martin, served as state reporter from 1943 to 1968, covering volumes 345 to 431. He was born in 1902 and died in 1982. He graduated with a B.S. degree from Lafayette College in 1924 and received his LL.B. degree from the University of Pennsylvania Law School in 1927. He became the adviser and revising Reporter on the Restatement of the Law, Torts for the American Law Institute. He taught at Temple, Columbia, and University of Pennsylvania Law Schools. He held various positions within the Philadelphia Bar Association including chairman of the Board of Governors. In the Pennsylvania Bar Association, he served as an assistant editor of the Pennsylvania Bar Association Quarterly from 1938 to 1942. Interestingly, he is the only reporter to be sued by a justice (Michael Musmanno) of the Pennsylvania Supreme Court for failing to publish his dissenting opinion in volume of the State Reports.²⁰

Eldredge was a prolific writer whose books were The Development of Freedom of the Press in Colonial America (1940); Modern Tort Problems (1941); Keeping the Restatement Up-to-date (1947); Pennsylvania Annotations to the Restatement of the Law of Torts (1948-53), and an autobiography, Trial of a Philadelphia Lawyer (1968). He wrote articles on a variety of tort and negligence topics as well as books reviews.²¹

Norman Lindenheim, appointed by Governor Raymond Shafer, from 1968 to July 1973 covering volumes 432 to 452. He graduated from Harvard Law School and later assisted James Monaghan in compiling the Cumulative Index-Digest of Pennsylvania Decisions (1932). He later worked with Eldredge as his Assistant State Reporter for volume 431 before becoming state reporter.

John W. Marshall, appointed by Governor Milton Shapp, served as the last named state reporter from 1973 to 1974, covering volumes 453 to 458. Marshall was born in 1926, graduated from the University of Pennsylvania, B.S., 1949, and his LL.B. degree from Temple University in 1954. He served as an associate in the law firm of Duane Morris and Heckscher (1955-63), legal counsel to the School District of Philadelphia (1963-66), and began teaching in Temple Law School in 1960 rising to an Associate Professor (1966-68), and then full professor (1968- ). He served as acting Dean in 1971-72 between the resignation of Ralph Norvell and the appointment of Peter J. Liacouras.²²

From volume 459 onwards, the Reports were published by West Publishing Company and are, in essence, a reprint of cases from the Atlantic Reporter 2d series.

The sequential order of Reports:

1-10 Barr
11-12 Jones
13-24 Harris
25-36 Casey
37-50 Wright
51-81* Smith
82-96 Norris
97-110 Outerbridge
111-115 Amerman
116-146 Crumrine
147-165 Monaghan
166-194 Kress
195-262 Schaffer
263-309 Weimer
310-344 Rhoads
345-431 Eldredge
431-452 Lindenheim
453-458 Marshall

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NOTES

1. For the earlier articles, see Joel Fishman, "The Court Reporters of the Supreme Court of Pennsylvania," 2 parts 7 nos. 1-2 LH&RB 1, 4-8 (1997). Much of this material was gathered in preparing Joel Fishman, The Reports of the Supreme Court of Pennsylvania, 87 LAW LBR. J. 643-93 (1995).

2. 1845 PA. LAWS 374. Section 1 provided for the appointment by the governor of "a person of known integrity, experience and learning in
the law" as state reporter. Section 7 provided for the name of the reports. Interestingly, section 2 provided for the judges to submit majority opinions only, no minority opinions were to be published by the court. Section 3 dealt with the arrangement of the cases; section 4 provided for the publication of the reports of not less than 550 pages, while section 5 gave him the copyright ownership of the volume. Section 6 provided for the removal of the reporter by the governor for incompetency or failure to discharge his duties based on a request from the judges.


8. Although his reports have are generally given good reviews, this last book was criticized by the reviewer as having too many per curiam opinions and padding, but which the profession would be “forced to buy this afterbirth....", see Fishman, Reports, text accompanying notes 111 to 116.

9. 11 Jordan, Encyclopedia of Pennsylvania Biography 175-76 (1919); Martin, supra note 2, at 312.

10. 3 Jordan, Encyclopedia, supra note 8, at 786-87 (1914); Martin, supra note 21, at 208.

11. 1 Who Was Who in America 924 (1942); Martin, supra note 2, at 209.


13. 2 Jordan, Encyclopedia, supra note 8, at 516-522; Obituary, 23 Pa. B. Ass'n. Rep. 74-75 (1917) 59 Pitts. L. J. 3-4 (August 26, 1911). At this time the Pittsburgh Legal Journal was a weekly publication. In front of the article is a portrait of Mr. Crumrine.


Reports, Etc. Soney & Sage, Newark, New Jersey, 1900. The twenty-four volumes were later compiled into a single seven-volume set by George Henry, Pennsylvania Digest of Decisions, Being a Digest of All the Reported Decisions of the Supreme, Superior and County Courts for the Years 1906 to 1929 Inclusive. (1931).

16. He started on March 28, 1895 and his reporting began with volume 166 at page 405. 166 Pa. [ii].


20. Fishman, History of the Court Reporters, supra note 13, at 17-34.


On a picture-perfect sunny spring day in April, ten librarians* made their way to Berkeley from around the country to discuss Roman law. We gathered in the conference room of The Robbins Collection, a world-renowned collection of religious and civil law materials housed in UC Berkeley’s law library. Surrounded by magnificent Roman law books, we were introduced to The Robbins Collection and some of its treasures by our host, Lucia Diamond, The Robbins Collection’s Senior Reference and Collection Development Librarian, and Jennifer Nelson, Reference Librarian of The Robbins Collection. I was particularly enchanted by a group of books labeled “The Tinies:” a large collection of beautiful miniature Roman law books housed on little tiny shelves in the closed stack area!

We were next treated to a fascinating lecture on the history and evolution of Roman law by Professor Laurent Mayali, Director of the Robbins Collection. Professor Mayali accomplished the remarkable feat of lecturing for exactly 45 minutes without once referring to notes, stumbling, or rambling off-topic – and we were all galvanized by his presentation. He reviewed the Romans’ various conceptions of law, including *ius natura*, the law of nature which includes all living things; *ius gentium*, the law of persons; and *ius civile*, the law that applied only to Roman citizens. One pithy nugget from Professor Mayali’s lecture was his characterization of the basic thought underlying much of Roman law: “What do I own? What do you own? What does nobody own, and how can I get it?”

The participants had received a reading list in advance of the seminar, and we all had done our homework and were ready to talk. Before and after a delicious lunch at the Berkeley Women’s Faculty Club, we discussed selections from Jill Harries’ book *LAW AND CRIME IN THE ROMAN WORLD*, Henry Hart’s article *The Aims of the Criminal Law*, and Edward Peters’ book *TORTURE: EXPANDED EDITION* (1996). Much of our discussion centered around the use of judicial torture as a means to gather evidence, and the way the Romans expanded the groups of people that were subject to such torture over time.

In the final session of the afternoon, we discussed the formation of a new Roman Law Interest Group that we hope will meet on a regular basis. The goal of this group is to share ideas that will help the law librarian who gets very few Roman law questions each year, and who wants to learn more about the topic in a pressure-free setting. The next meeting will take place at the AALL Annual Meeting in July 2009, Monday July 27 from 10-11 a.m. As the topic of Roman law crosses two of AALL’s Special Interest Sections, Legal History and Rare Books and Foreign, Comparative and International Law, we are hoping for a good turnout. Please join us! We will discuss Jill Harries’ book, *LAW AND CRIME IN THE ROMAN WORLD* (Cambridge University Press, 2007), and will select the following year’s book as well. The group’s conveners are Lucia Diamond (ldiamond@law.berkeley.edu) and Dan Wade (daniel.wade@yale.edu), and they will be happy to answer any questions about this new group.

Many thanks to Lucia Diamond and her colleagues at The Robbins Collection for sponsoring, organizing, and hosting a day that was letter-perfect from start to finish, with ample opportunities to exchange ideas, socialize, learn new things, see new sights, and gorge ourselves on delicious food. It was particularly gratifying for members of the LHRB-SIS and FCIL-SIS to be able to cross-pollinate, exchange ideas, and make new friends. Everyone who participated had a wonderful time!

* Participants included: Lucia Diamond (host – The Robbins Collection), Karen Beck (Boston College Law Library), Elizabeth Haluska-Rausch (University of Texas, Tarlton Law Library), Jennifer Nelson (The Robbins Collection), Christopher O’Byrne (Notre Dame, Kresge Law Library), Marylin Raisch (Georgetown Law Library), Sabrina Sondhi (Columbia University, Diamond Law Library), James Spohrer (UC Berkeley, Doe Memorial
A Descriptive Summary of
“Safeguarding Collections at the
Dawn of the 21st Century:
Describing Roles & Measuring
Contemporary Preservation
Activities in ARL Libraries”¹

H. Michele Thomas and Mari Bales

Introduction

In response to a recommendation from the 2006 ARL Task Force on the Future of Preservation in ARL Libraries, Lars Meyer, ARL Visiting Program Officer from Emory University, conducted an in-depth qualitative investigation of preservation activities among the ARL membership. The report provides a description of preservation options in three areas: preservation functions, the networked digital environment, and collaboration. The report’s descriptions and recommendations provide useful information for law librarians as they develop plans to maximize collection longevity.

Preservation Functions

Preservation of content is an ongoing and evolving process initiated upon acquisition of an item. Preservation of digital content involves different strategies than preservation of tangible materials. Meyer collected questions libraries must ask when considering preservation. Of these eight general questions, five address digital materials. The answers are dependent on the mission of the institution the materials enter. Meyer notes that while there is no single answer to any question, there is an overwhelming need for libraries to address these questions sooner rather than later.

Preservation considerations depend upon the type of materials in question. Meyer distinguishes between web-based content, machine-dependent content, and physical materials. First, the plethora of formats for web-based content prevents development of a single, standardized preservation procedure. Some libraries choose in-house measures while others join collaborative efforts to preserve some types of web material. Second, machine-dependent materials are threatened not only by degradation of the materials themselves, but also by the machines and programs used for access becoming unavailable due to obsolesce. Little consensus exists regarding whether preservation of the material or the relied-upon technology is more important. Consequently, preservation decisions are made on a library-by-library basis.

Third, although associated costs likely will determine measures chosen, physical materials can be preserved by managing housing conditions or preserved through physical measures. New energy initiatives offer methods of managing housing conditions intended to extend shelf life beyond that of traditional measures. Nevertheless, Meyer cautions against embracing new energy policies before weighing potential increased preservation costs against money saved on library environmental maintenance.

Reformatting and digitization are currently the most widespread means of preserving materials. Increasingly popular due to mainstream software, reformatting entails converting materials from one medium to another. Historically, microfilming was the prevailing method, but it is declining in favor of digital formats. Digitization options also are marginalizing the photocopying of print materials. Both physical duplication methods still exist due to genuine concerns regarding the future dependability and accessibility of digital versions.

Digitization options include in-house methods, outsources, or third parties may provide it as a benevolent service. Requisite technologies are increasingly affordable, but a lack of standardization in quality and metadata for the digitized items suggest proceeding with caution. Furthermore, mass digitization is not a preservation measure in itself because
access to the materials provided by a third party cannot be controlled or guaranteed. Therefore, libraries usually turn their focus away from digitizing common works and instead place their efforts on digitizing special collections.

**Networked Digital Environment**

Although preservation of print materials have been a mainstay of libraries for a decade, preservation methods for digital content have yet to be standardized. The instability of digital content at all stages of its life cycle requires early identification of the need to initiate preservation or curation activities. Curation activities include the libraries’ digital content-managing activities designed to preserve their materials.

The two types of digital materials--those originally tangible and then digitized and born digital--require different preservation considerations. First, strategies must take into account that the original, tangible form in which digitized materials exist may decrease attention given to preservation of the digital content. Still, the responsibility for preservation typically resides within individual libraries. Second, the primary focus of born-digital content is identification of the party responsible for preservation. Libraries must consider where to store digital content, and then allocate adequate staffing and funds to accomplish the task. Libraries may also consider joining cooperatives to share the responsibilities (and server space) of digital content preservation.

Meyer categorizes digital preservation tactics as web archiving, digital repository development, and third party strategies. Web archiving is a response to the drastic increase in library use of web materials. The National Digital Information Infrastructure & Preservation Program (NDIIPP), through the Library of Congress, is dedicated to providing software for preserving web content. Web archiving initiatives, such as the Internet Archive, lean toward automation in archiving strategies.

Digital repositories are an increasingly popular way to organize a variety of digital content. While a useful activity, storage of materials in digital repositories is not a permanent preservation method. Repository contents can still degrade without preservation measures.

Finally, third party strategies for preserving content often involve a digital content publisher that guarantees future access for purchased material. Libraries face difficult decisions regarding how many budget dollars to invest in commercial publisher agreements and how many to invest in initiatives such as LOCKSS (Lots of Copies Keeps Stuff Safe). Although commercial vendors provide guarantees of access under service agreements, initiatives such as LOCKSS often are cheaper and not necessarily less reliable.

**Collaboration**

Meyer suggests that preservation standardization is a slow process due to lack of leadership. Organizations such as ARL and OCLC have identified weak areas in preservation efforts; now, action is necessary. Libraries must be willing to share information about their activities with other libraries to help prevent duplication of efforts. Sharing of information could lead to establishing minimum quality standards for digital material metadata. However, collaborative activities such as shared storage of print materials fail to provide definitive solutions regarding quality assurance.

**Conclusion**

In conclusion, the digital age ushered in a broader range of preservation requirements. To ensure collection longevity, libraries must balance their own library needs and user preferences with the advantages and disadvantages of available preservation methods. ARL hopes the report will serve as a tool to aid libraries in assessing areas in need of improvement, as well as areas in which they can lead preservation efforts in the digital age.

H. Michele Thomas anticipates receiving her M.L.I.S. from the University of Pittsburgh in August 2009. She holds a J.D. from the University of Dayton School of Law (licensed in Ohio) and a M.A. in Sociology from The Ohio State University.

Mari Bales anticipates receiving her M.L.I.S. from the University of Pittsburgh in December,

Dr. Linxia Liang believes that many Western scholars have created a “distorted” picture of civil procedure in Qing-era China (p. 1). In this picture, imperial China is usually a country where disputes involving private law were often settled outside the empire’s court system. Even when cases were taken to magistrates, the picture continues, the Qing legal code had little to say about private law issues, so the magistrate would often resolve disputes using their own conception of justice rather than by referring to legal precedent.

While Liang seems to think this mistaken belief has eased somewhat in recent decades, she decided that the misperception was still strong enough to warrant a re-examination of Qing-era cases. Thus, we now have her monograph, *Delivering Justice in Qing China*. This book does a fairly good job of supporting her argument, but its most valuable use for legal history scholars may be for the excerpts from and analysis of cases in Magistrate’s Courts from selected counties in Qing China.

Liang draws the cases from collections of decisions for Baodi and Ba Counties; court records came from Chinese and Taiwanese archives and from the personal records of Qing magistrates. Liang also consulted several handbooks for magistrates of the era to get an idea of the typical guidance they might receive.

After her introduction, Liang begins the heart of her discussion by countering arguments that the Qing code is primarily penal in nature, and therefore inapplicable to civil law. She also examines the numerous duties magistrates of the era were called upon to perform, perhaps in an effort to lay the groundwork for the idea that actions taken by magistrates may not always be considered “judicial action” as Western scholars would think of it today.

Liang divides her examination into three major parts: first, a description of the procedure involved in having disputes heard by a Qing magistrate; second, an analysis of the Qing code and explanation of how she believes its provisions touch upon issues involving land, debt, and marriage disputes; and finally an examination of several magistrate decisions involving those types of disputes.

Liang ably demonstrates how petitions brought before the magistrate were often resolved in what could be considered a Qing-era equivalent of the pretrial stage, and how such resolutions were often misinterpreted by earlier Western scholars as settling the dispute outside the court system. Liang also nicely explains in her conclusion how a Confucian ideal of a litigation-free society did not necessarily mean this was a country whose court system and culture avoided litigation at all costs.

Readers with an interest in legal history will, however, probably be most interested in her descriptions of the Qing legal code and of the magisterial decision-making process. Liang does a very good job of illustrating the big-picture mindset that many Qing magistrates would have while making decisions (especially in Chapters 3 and 9), along with an enlightening discussion of the concepts of qing (telling the truth in a petition) and li (having described the violation of a right worthy of protection), but this book shines best as it
gives readers the nitty-gritty of Qing civil procedure.

Some of the book’s most interesting sections come from describing what many might consider tedious procedural minutiae. A discussion of the process involved in creating and submitting a petition for hearing by a magistrate touches upon the unequal legal status of women, the elderly, and people with disabilities, as well as corruption involving “litigation masters” from earlier eras whom people would hire to prepare petitions. Readers will be interested by Liang’s listing of the punishments meted out to those found guilty, including the popular slap to the face. Brief descriptions of sample cases and excerpts from case records add to this monograph’s utility.

This book is fairly accessible to people such as this reviewer who are unfamiliar with Chinese legal history; the one major flaw being the glossary, which only provides transliterations of the Chinese characters for terms used in the book. Chinese terms are usually defined in English the first time they are used, but since many terms are used frequently throughout the book, a single point of reference readers could return to would have been useful.

Overall, Dr. Liang’s work is an insightful and informative look at a portion of the civil justice system under China’s last dynasty, and would make a worthy purchase for anyone interested in the history of Chinese law.

Fred Dingledy
Reference Librarian
Wolf Law Library, College of William & Mary


“A renaissance of interest in American legal history over the last fifty years has been apparent in academic circles and in the legal community generally.” Morris L. Cohen in 12 LH&RB Newsletter 7 (Summer/Fall 2006.)

*The Chesapeake and New England, 1607 - 1660* is the first of four volumes comprising *The Common Law in Colonial America* by William E. Nelson. It is a significant contribution to the “renaissance of interest in American legal history” referred to by Cohen. Nelson’s volume may be slim, a mere 130 pages from introduction to conclusion, but it is clear, concise and comprehensive. There are 58 pages of notes. By the end of the book I had a better understanding of not only colonial American legal history but also a sense of how that history influenced and shaped our legal system to the present.

Reading the introduction provides an overview of what will be covered. The chapters that follow provide the depth and analysis that emphasize the uniqueness of Nelson’s work. Rather than relying solely on excellent, previous scholarship, Nelson capitalizes on his own forty years of work in archival judicial records. He clearly states “…my hope is to make use of this excellent scholarship...to provide context for and otherwise supplement what I can extract from the archival sources. Combining archival material with existing scholarship will...produce the more general synthesis that the field of colonial legal history so far has lacked.” p. vii. If the first volume is any indication of the volumes to come, Nelson will deliver the goods.

We probably forget more American history than we remember. We might remember dates such as 1607, 1776, 1789; significant events occurred in each of those years. Some of us might believe that whatever colonial laws existed probably came over with the settlers and were immediately put in place to govern each separate colony.

However, *The Chesapeake and New England,*
1607 - 1660 clearly and effectively relates that “...[they] came into being as strikingly different places and that the law in force in each both reflected and contributed to their differences...Virginia was founded primarily for economic profit; New England, primarily to create a religious utopia; and Maryland, primarily to establish a haven for persecuted Roman Catholics.” p.7 The rule of law and the reception of the common law in colonial America was not uniform; it did not occur at the same time; it occurred amidst social, economic and political pressures unique to each colony. The Jamestown colonists did not disembark with a legal system ready to go.

By relying on the judicial records Nelson is able to provide numerous examples that illustrate the gradual process of the reception of common law in the several colonies. He uses cases from Virginia, Maryland, Massachusetts Bay, Plymouth, Rhode Island, Connecticut and New Haven to emphasize differences and similarities among the colonies. Each colony in its turn developed institutions to insure its orderly development relative to its purpose. Fortunately, the colonies could look to England for a framework that could be ignored, accepted or modified to their particular circumstances. Maryland alone adopted the common law by statute within the first few years after its initial settlement.

As important as the early judicial records are to the selective reception of the common law, Nelson clearly makes the case that the colonies confronted circumstances unknown in England. To meet the need for rules to govern society as it spread from the Atlantic seaboard, the colonists began to enact legislation. Nelson identifies this as a distinctly American rather than English foundation. Thus the law of the colonies although “...grounded in the common law.”. p.131 such reception as occurred was”...part of a dynamic policy process; the American colonists ended up receiving only so much of the common law as was appropriate to their needs and circumstances. p.3

The Common Law in Colonial America is a long overdue, groundbreaking work that explores familiar territory while authoritatively synthesizing existing scholarship with new examination of archival materials. I highly recommend this title and look forward to reading subsequent volumes.

Lorraine K. Lorne
Associate Librarian
Young Law Library  Leflar Law Center
University of Arkansas


Chantal Stebbings explores the modern day tribunal's genesis in the Victorian era. The tribunal system, which has both administrative and judicial functions, came from the challenges facing England during the Industrial Revolution. As England evolved, changes in employment, migration, and especially transportation required systematic changes in the legal structure. England required both substantive legal reform as well as a way to implement and administer new regulations. Tribunals arose to exist primarily as legislative bodies, but they increasingly took on a dispute resolution element as well.

One major problem with Stebbings' book is the structure. She does not provide the reader with any roadmap, nor does she emphasize some portion of the book (or chapter) over the other. She begins the book with a cursory review of modern day tribunals before catapulting the reader into the mid-nineteenth century. This introductory chapter is over 70 pages, and provides no subheadings. Even the title: “Challenges to the legal process,” provides little guidance to the reader, and I was required to consult outside sources a number of times before returning to her
book. Admittedly, her audience likely has more knowledge about the subject matter than I, but the structural problems remain.

The structural problems are exacerbated by a peculiar organization. In her chapter on composition and personnel, for example, she talks about the oaths that commissioners of the statutory tribunals of the nineteenth century took before she talks about the appointment process and qualifications of the commissioners. The chapter becomes jarring and confusing with such an organization, despite the fact that is extremely interesting.

And the chapters are interesting. Stebbings does an awfully good job of describing the Victorian era’s willingness to experiment with the legal system. A few of her chapters deal with problems familiar to any regulatory specialist in the States: jurisdiction; administrative powers; and judicial review, but from a historical perspective. Chapter 4 explores how commissioners’ powers varied depending on the tribunal, but makes the case that the powers were definitely adjudicatory. Chapter 6 explains the process by which courts would take appeals from tribunals. The real jewel in the book, however, lies with Chapter 5, which deals with the procedure and practice of the tribunals. She spends some time discussing the tension between adjudication and administration. She goes on to set out the problems that lawmakers came across in making the tribunals appealing to the public. The tribunals had to be inexpensive and straightforward, but they also required standards inherent in judicial bodies, such as fairness. Lawmakers made an effort to write the parent acts in a manner which could be understood by the general public. Because there was no tradition of a tribunal, parent acts provided clear guidance on procedural issues, such as how to initiate proceedings.

The book made me more interested in legal changes during the Industrial Revolution, and also made me interested in the history behind the creation of American administrative agencies. Despite the organizational problems, I would call it a success. It would be a good purchase for any legal history collection.

Ryan Harrington
Reference Librarian
Yale Law School
Lillian Goldman Library


Historians are interested in petitioning as means by which the subject approached the king, governor, or legislature with a request to perform a certain action. Monarchical acceptance or rejection reflects the distribution of justice by the king. Petitions serve as a means to describe various political, social, economic conditions at the time they were written. A number of various studies have been written over the years dealing with petitioning in medieval times, early modern period, and even in colonial America, e.g., Virginia.

This volume is based on two conferences held in 2006 to investigate petitioning between the thirteenth and fifteenth centuries. At the same time, the National Archives published online digitized collection of the basic SC8 documents, at www.nationalarchives.gov.uk/catalogue and www.nationalarchives.gov.uk/documentsonli ne.

The current work is a collection of eleven essays on medieval petitioning covering the period from the late thirteenth to fifteenth centuries. In addition, there are two essays, an introductory essay on the volume and one essay on petitioning in antiquity to provide background to medieval petitions.
The contributors are all scholars of medieval period and the articles are all exemplary in their scope and scholarship. Professor Ormrod outlines the scope and importance of the work in chapter 1, providing a short introduction to petitioning, the scope of petitioning in the Middle Ages, and a brief summary of the essays. Gwilym Dodd opens the collection with an essay on the Ancient Petitions, more than 11,000, designated as SC8 in the National Archives. Dodd describes the collection and its history from the medieval period to the present. Unfortunately, the collection was broken up and reorganized by Victorian manuscript keepers and so there is the need to tie the petitions into other documents like the curia rolls to identify properly. Many of the petitions are not always dated, not always identified as to whether they were presented to the king himself or through a parliament or the king's council.

Serena Connolly discusses the history of petitioning in ancient times briefly discussing petitioning in Egypt before reviewing Roman petition through the six hundred years and including the Byzantine Empire and Goths.

Barbara Bombi addresses petitioning to the papacy as part of the diplomatic correspondence between England and Avignon in early fourteenth century (ch. 4). Both oral and written communications existed between the two governments. Increasing bureaucratic and administrative organizations led to formalizing of petitions and communications. Bombi identifies four types of documents—letters of felicitation, letters of recommendation of the king and his council, supplications and admonitions—that went back and forth between king and papacy. She also discusses the hierarchy of advocates, proctors, and notaries public who served as representatives of the petitioners before the king and pope.

Using the Vatican Archives, Patrick Zutshi surveys papal petitions in early fourteenth century (ch. 5). He identifies six different types of petitions. He discusses the individual and multiple types of petitions presented and the types of responses that the pope may give. Registers in the Vatican Archives summarize thousands of petitions and Zutshi uses them to provide a good description of how petitioning worked among the various popes, notably Urban V who had more than 20,000 petitions in four years! Zutshi concludes that petitions were an “essential element in the machinery by which the papacy governed the Latin Church.” (p. 97)

Paul Brand analyzes the petitions to parliament in the reign of Edward I (ch. 6). From 1272 onwards, it appears that written petitions replaced oral communications as a method of requesting aid. As one of the leading historians of medieval England, Brand’s review of the types of petitions is an important contribution to our knowledge of early parliaments. He identifies six categories of business (summarizes by Ormrod as): “royal grants of property, privilege or franchises; for pardons; for licenses; for actions within the legal system; for justice where royal claims or rights injured a private party; and for the remedies of wrongs committed by others of the king’s subjects” (p. 7)

Five specialized studies follow. Guilhem Pépin discusses petitions from Gascony that are found in various English archives as part of the English empire in France. He finds early petitions beginning in 1280 throughout the following century. He notes that the highest number of petitions was in the 1305 parliament (notable for Maitland’s account of the rolls) after the French occupation of the duchy. Although increasing throughout the century, petitions to the king drop during the period that John of Gaunt actually resides in the duchy of Acquitaine (1362-72). Pépin finds little difference between the Gascon and English petitions to the king.

Professor Ormrod’s contribution deals with “murmur, clamour and noise,” (ch. 8) portraying how oral and written petitions overlapped. Thus, the voice of the person presenting the petition was in the third person and hope to add to the text if presenting before the king. The words used in the petition reflect vocalized conversation between king and subject as well as the king’s answer. Other petitions presented to
panels of auditors were read aloud and answered orally with notes on the doses of the original petitions. He also emphasizes the discursive nature of the text which could be expansive as needed. The theme of noise is also found in petitions in denoting public and collective grievances. Clamor and noise appear in the rhetorical writings of the era (Piers Plowman and Chaucer), and Ormrod shows how they appear in early fourteenth century documents. He finds two distinct meanings, “not merely the general dissatisfaction of the people but also more specific forms of complaint aired before the king by the parliamentary Commons” and in the parliaments of the 1370s relates to the Commons provoking of trials and impeachments. It appears on the parliamentary roll of 1399 at the time of the exclusion of Richard II. “It is the ‘common’ application of the relevant public concern, then, that is asserted and reinforced through the metaphorical language of a public outcry.” (p.152)

Turning to petitioning of the queen and other nobles, Anthony Musson demonstrates how petitioners appealed to the queen in her own right and/or nobility as another source for petitioning besides the monarch. The queen herself might petition on her own behalf or on behalf of others to the king or in her own right as a tendril overlord or ecclesiastical patron. The petitions also reflect the bureaucratic developments at the time and the development of due process in the channeling of the petitions through government.

Simon Harris then discusses the group of several hundred petitions from 1322 to 1330 during the last years of the Descenders in power (1322-26) compared to the years Queen Isabelle and Roger Mortimer, earl of March, who ruled while Edward III was in minority (1327-30). He finds that the Descenders intervened with the petitions, while the queen and earl permitted the courts to review the petitions and only considered several extraordinary petitions.

Shelagh Sneddon then discussed the language and dating of petitions from the mid-1320s (ch. 11) and their effect on the parliament of 1327 with the changeover of monarchy.

The last two articles deal with specific petitions, one presented by the prisoners at Nottingham in 1330, and one by a single person, Thomas Paunfield in 1414. David Crook’s article (pp. 206-21) on the Nottingham petition the king’s Eyre, served as a superior court to all local jurisdictions sat in Nottingham for eight months hearing more than 200 cases. Crook surmises that Sir Hugh de Eland wrote the petition for which most of the prisoners were found innocent of charges as was the knight himself. Crook spends most of the articles on de Eland’s life before and after the imprisonment. At the end of the article are the petition and the list of the prisoners in the castle.

Dodd’s article on Thomas Plainfield involves a dispute between the Augustinian priory of Burwell and its Chesterton tenants, of whom Plainfield is one. The petition “unconventionally throws into sharp relief the linguistic and cultural conventions that normally determined the way in which parliamentary petitions were drafted.” (p.222). The petition by was written in English vernacular, a long petition of more than 56 separate paragraphs rather than one single paragraph, meant to elicit the assistance of the House of Commons. In addition, there is the shorter French petition written in formal style to reach the monarch.

This volume is an important contribution to monarchical studies of law in the period under review. Bibliographical citations are found only in the footnotes and there is an excellent index. The scholarly articles with their footnotes and access to the documents online will hopefully lead to further studies of this type that will increase our knowledge of medieval English law.

Joel Fishman, Ph.D.
Asst. Director for Lawyer Services
Duquesne U. Center for Legal Information/Allegheny County Law Library
This monograph is a careful response to Reverend Samuel B. Wylie's work, *The Two Sons of Oil*, which was published in 1803. *Observations* is valuable for its cautious interweaving of politics with faith and for its many excellent illustrations that invalidate Wylie’s assertions that attempt to unite government and Church. It will appeal to anyone interested in religion and political theory. This book provides critical insight into two early Americans’ views on their impressions of liberty during the American Revolution and the infancy of the Constitution of the United States.

A native of Ireland, William Findley immigrated to Pennsylvania in 1763. He was an anti-Federalist and a forty-year veteran of both state and national office. Findley opposed the approval of the Pennsylvania Constitution because he felt that it did not guarantee protection of some basic liberties, including but not limited to religious freedom. Nevertheless, he condemns Wylie’s assertions that the constitutions of both Pennsylvania and the United States were morally deficient. Findley explicitly declares his opinion, by stating that neither church nor state has any law-making power in the church of Christ. The state has a legislative authority to prescribe rules of civil life to all its citizens, not contrary to the moral law of nature, but has no authority to interfere with the worship of God.

In *Two Sons of Oil*, a Covenanter classic, Wylie sets out to explain how to tell if a government is faithful to Christ. He also gives guidance on how to oppose and split from a government that gets its power from “the beast.” Constantly considered a radical work of Presbyterian theology, Wylie makes clear what the *Bible* requires of civil magistrates, and gives simple grounds why dissent from the United States government is necessary and appropriate. Wylie concedes that the American government is “the best now existing in the Christian world,” but he insists that Covenaners, that is, members of the Reformed Presbyterian Church, cannot, for conscience’s sake, yield obedience to it. He sums up, in the form of nine objections, his reasons for rejecting government as it exists in the United States. In *Observations*, Findley is playing devil’s advocate to this position. It is Findley’s belief that neither the purpose nor the design of the United States government is to have a federal religion and a federal creed.

The book is divided into six chapters. In Chapter I, Findley addresses Wylie’s argument that the gospel ministry and civil magistracy are not distinct governments, but component branches of one government. Chapter II deals with Wylie’s claims of illegitimacy and immorality of the government. Findley believes that although our governments are imperfect, being the work of imperfect men, they have not usurped God’s sovereignty over conscience. In Chapter III, Findley dissects Wylie’s analysis of the execution of penalties as punishment for sin against God, and the Law of Moses. Chapter IV confirms Findley’s defense of civil government by attacking Wylie’s claim that all civil governments of the world are immoral robbers. Findley goes as far as stating that certain assertions of Wylie’s are “absolute and palpable falsehood.” The laws of Pennsylvania with regard to murder and slavery are also vindicated. Chapter V examines martyrdom and creeds, scrutinizing Wylie’s use of testimonies of the Presbyterian clergy of England and Scotland and opinion of Reformers. In Chapter VI, Findley reiterates his belief that Wylie has failed to prove his point in regard to moral law. It is Findley’s position that Wylie uses flawed logic and poor analogies to make his point concerning the perpetual obligation of covenants.

The contrasting viewpoints of Findley and Wylie regarding the separation of church and state issue provide vital introspection into America’s ideas of independence and liberty. Findley’s defense of civil government
and the protection of religion is the antithesis of Wylie’s insistence that government and religion are inextricably linked, and that government is the moral ordinance of God.

Maureen H. Anderson
Assistant Professor & Reference Librarian
University of Dayton School of Law
Zimmerman Law Library

Exhibits
Amy Taylor

Mike Widener, Rare Book Librarian at Yale Law, announces a fabulous exhibit at the Lillian Goldman Law Library. Landmarks of Law Reporting: Case-Law Reporting in Anglo-American Common Law Through Seven Centuries illustrates the development of law reporting from the Middle Ages to modern times.

The exhibit begins with a manuscript collection of cases from the reign of Edward III, copied in about 1450. Also on display are first editions of the reports of Edmund Plowden (1571, considered the first modern-style reports) and Sir Edward Coke (1600, perhaps the most influential reports). Other “firsts” on display include the first American case reports (Ephraim Kirby’s 1789 reports of Connecticut cases) and the first U.S. Supreme Court reports (Dallas’ Reports, 1798).

Recurring themes in the exhibition include the gradual transformation from manuscript to print, the growth of legal publishing, the connections between law reporting and legal education, and the growing demands by lawyers for timely, well-organized reports.

The exhibition, curated by Mike Widener, runs through October 2009.

Recent Acquisitions
Anne Mar

Jacob Burns Law Library of George Washington University, Jennie Mead, Director of Special Collections, Jacob Burns Law Library

The George Washington University’s Jacob Burns Law Library recently has acquired two French manuscript collections. The first is a collection of twenty-eight parchments dating from the reign of Louis VII (1137-1180) through the reign of Philippe VI (1328-1350) relating to the Abbaye de Clairmarais, the Cistercian abbey founded by St. Bernard in 1140 at Clairmarais, located near the town of Saint-Omer in the present-day department of Pas-de-Calais.

The second is a collection of French charters, twelve manuscripts on vellum prepared between 1292 and 1557. These documents include a patent letter dated September 4, 1557, of Henry II naming Jean Beaumier the parish priest of the Diocese of Rouen, and a charter dated June 15, 1300, renewing the transfer of a fief for the rector de Blas.

Taggart Law Library of Ohio Northern University, Marcia Siebesma, Associate Law Librarian, Taggart Law Library

The Jay P. Taggart Law Library of Ohio Northern University has recently added several titles to its rare book collection. The library was able to purchase part of an extensive collection of Roman and canon law materials assembled by Prof. Richard Kay, Professor Emeritus in the Dept. of History of the University of Kansas. Among the titles acquired are:
A three-volume set of the *Corpus Juris Canonici* with *Glossa ordinaria*, printed in Lyon in 1548-49 by Baltazar Arnoullet for bookseller Hughes de la Porte. Each volume of this set has its own distinctive title or titles. Gratian’s *Decretum*, first published in about 1141, comprises volume one. It brought together important ecclesiastical legal texts from the time of the early church up to the middle of the twelfth century. Gratian’s attempt to reconcile apparent contradictions between various canons resulted in the work’s great popularity among canon law teachers. It became the standard canon law text of the time. Several twelfth-century jurists wrote glosses and commentaries to the *Decretum*, which include the glosses of Johannes Teutonicus found in this edition. The *Liber Extra* or *Decretales* of Pope Gregory IX, published in 1234, with *Glossa ordinaria*, comprises the second volume of the set. It holds papal decretals and conciliar canons that Gratian omitted from the *Decretum* or that popes and councils issued after Gratian’s time, along with the glosses of Bernardus Parmensis. The third volume contains the texts and glosses of later legal decisions. Originally published as three separate works, they are here compiled together, each with its own title page: the *Liber Sextus* of Boniface VIII, *Constitutiones* of Clement V, and the *Extravagantes* of John XXII, with *Glossa ordinaria*. The three folio volumes are bound in vellum.

The *Summa Aurea* of Henry of Segusio, known as Hostiensis, published in Basil by Thomas Guarin in 1573, folio. This work, which first appeared in about 1253, comments on the titles of Gregory IX’s *Liber Extra*, but Cardinal Hostiensis added about fifty titles. The *Summa Aurea* was designed as a practical manual which would provide a comprehensive analysis of both Roman and canon law that pertained to ecclesiastical matters. One writer called the *Summa Aurea* the “vade mecum of canonists until the 17th century.”

A five-volume set of the *Corpus Juris Civilis* with *Glossa ordinaria*, published in Geneva in 1612 by Stephanus Gamonetus. The *Corpus Juris Civilis* is a collection of Roman and medieval law. The great law collections originally compiled at the direction of Justinian I comprise the preponderance of the work, but it also includes the *Liber Feudorum* and numerous statutes of Emperors Frederick I and Frederick II. In the eleventh century, a revival of interest in Roman law led to the first compilation of the *Corpus Juris Civilis*. A succession of distinguished scholars added commentaries and cross-references to the text. These glosses were invaluable to students of the civil law in understanding the original texts. Accursius composed most of the glosses found in this edition. The *Corpus Juris Civilis* eventually became the foundation for all modern civil law jurisdictions. The title page of the first volume of this 1612 edition (the third edition) contains the corporate title: *Corpus juris civilis Justinianei*, the first time the glossed edition was published with this collective title. The title pages of the other volumes in the set still contain their distinctive titles: *Infortiatum*, *Digestum nouum*, *Codicis sacratissimi*, and *Volumen legum*, and are called “revised” editions. The five folio volumes are bound in vellum and contain the book plates of a previous owner, Dott. Guido Sanguinetti of Bologna.

Also included in the collection are several works on the history of church councils and synods such as Jean Cabassut’s *Notitia Ecclesiastica Historiarum, Conciliorum, & Canonum*, 3rd ed. (Lyon: Anisson & J. Posuel, 1702); Bartholomé Carranza’s *Summa Conciliorum* (Louvain: H. Nempeus, 1681); Jean Hermant’s *Histoire des Conciles*, 2nd ed. (Rouen: J.-B. Besongny, 1696-1699, 2 vols.); and Pope Benedict XIV’s *De Synodo Diocesana* (Ferrera: J. Manfrè, 1760, 2 vols.). Altogether the library acquired over 300 volumes of Roman and canon law materials from Professor Kay’s personal collection.

These books were purchased with funds made available from the Fred L. Carhart Memorial Program, established by Dwight L. Carhart (J.D., 1947) to honor his father, an attorney and graduate of Ohio Northern University.
**J. Willard Hunt Collection at the University of Wisconsin**

The University of Wisconsin Law Library is very pleased to announce the release of the J. Willard Hurst Collection which details the career of the man commonly identified as the father of modern American legal history.

The collection primarily spans the years 1932 through Hurst's death in 1997. The bulk of material dates between 1946 and 1980 when Hurst was a professor at the University of Wisconsin Law School, where he developed the field of American legal economic history through his scholarship and teaching. The collection provides insight into the evolution of Hurst's view of legal history and his role in developing a community for legal historians.

The collection includes Hurst's personal outlines and notes; course texts; publications; publication reviews; research notes; correspondence (incoming and outgoing letters); personnel records; photographs; audio recordings; and typewriter. Correspondence, topical outlines and notes, and audio recordings compose a bulk of the collection.

In anticipation of high research demand, the majority of materials in this collection have been digitized and are freely available on the UW Law Library website. Researchers may browse the collection by series; search the detailed finding aid; or view the complete finding aid in PDF. The complete collection, including those materials which have not been digitized, is available at the UW Law Library.

If you have any comments about the collection, please contact bjshucha@wisc.edu.

**An LHRB Author is in the House!**

If you will be attending the AALL Annual Meeting, please stop by the Lawbook Exchange booth on Sunday July 26 from 9-10 am. LHRB's own Karen Beck will be there to greet visitors and sign copies of her book, “A Working Lawyer’s Life: The Letter Book of John Henry Senter 1879-1884.” Even if you don’t buy a book, please stop by to say hello!

**Yet Another Book Signing**

In connection with program J-1, "Digging" Legal History: Using Exhumation and Innovative Forensic Science Techniques to Verify Historical Legal Events, Professor James Starrs will be signing copies of his new book, The Death of Meriwether Lewis: A Historic Crime Scene Investigation. Some copies of his earlier book, A Voice for the Dead, also will be available. The signing will take place at the AALL Bookstore, Member Services Booth, Exhibit Hall B, on Tuesday, July 28 from 1:15 to 2:00 pm. Professor Starr's program will begin shortly after the conclusion of the book signing.

**A MEMBER OF THE RARE LAW BOOK COMMUNITY NEEDS OUR HELP**

Many of us have had the pleasure of working with Roy Heywood, the longtime manager of the antiquarian books department of Wildy & Sons Ltd., the London law bookseller.

Roy Heywood needs our help. His 6-year old grandson, Ashley Hyde, is suffering from neuroblastoma cancer and needs treatment that is only available here in the United States. In Roy's words:

"Should anyone you know, advise or deal with, have any spare income in these financially trying times, there are a couple of places that are collecting funds on his behalf via a registered charity (1113954), The2SimpleTrust. For the time being funds can be donated at <http://www.justgiving.com/ashleyhydeappeal>. If it is easier for funds to be sent to this site, then that is fine by me; or I can provide my personal details if required. The main purpose for these funds is to provide treatment not available in the U.K., at the Sloane Kettering Memorial Hospital in New York State, but these courses may be halted due to snags in the program. However other programs have now been agreed, and should Ashley come out of remission he will be sent..."
on one of these. He has endured a full year
of treatment to get him into remission, most
of it spent in hospital at Oxford. Many
thanks for your kind thoughts and prayers,
they are so much appreciated."

Please note that there is a separate website
for the Ashley Hyde Appeal, but Roy reports
the site has been hacked by “a terrorist
organization” and the family is urging
supporters to avoid the site for the present.
The JustGiving.com site is safe and secure.

Those who wish to contact Roy Heywood
directly can reach him via email at
<cherrycourt@wildy.co.uk>, or you can write
to him at

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I invite all my colleagues in the Legal History
and Rare Books SIS to join me in helping
our friend.

Sincerely,

Mike Widner
Rare Book Librarian
Lillian Goldman Law Library
Yale Law School