From the Chair

It is with some feelings of inadequacy that I address our august forum for the first time. Having no professional experience of legal history or rare books and only an insatiable reader’s appreciation of the one and a pack rat’s approach to the second, I can’t help viewing myself as a kind of caretaker chair until the real practitioners come along. However that may be, I hope that this year’s activities, building on the momentum generated by our dynamic past chair, will continue to make this as attractive, useful, profitable, scholarly, and enjoyable SIS.

To that end, the SIS administration is working along two major tracks: the first is to continue our newsletter as an informative, entertaining, and interesting source of brain fodder. The people who have contributed in the past are almost all doing so again in this and future issues. Those who have not contributed before should certainly consider doing so for volume 2, issue 2, coming out in July. An early May deadline should be possible to meet if you start now.

The second is our annual meeting program. So many programs are submitted to the AALL for approval each year that not all can be chosen. Our SIS submitted two—one on manuscripts and one on California legal history—and one was approved. It gives me great pleasure to announce that barring unforeseen difficulties Professor Lawrence Friedman, of Stanford, one of the most eminent legal historians in the country, has agreed to speak to us in San Francisco. His topic will relate to the subject of his book on crime and punishment in California and to research in court records, thus giving it a multifaceted legal history and archives focus that should interest even some of the most specialized among us. He is reported to have a wry sense of humor and a witty delivery that can entertain even as it informs. My own experience in discussing this program with him gives these reports credence. It is tentatively scheduled for Tuesday, July 21, from 3:00 to 4:30. Reserve the time!

It may be possible to fold the second program, on archives and manuscripts, into our business meeting, tentatively scheduled for Sunday, July 19, at 1:30. We’ll only know about that later in the year. However, with or without a second program we do have a second event: Meyer Boswell Books, Inc., has generously offered to sponsor an afternoon reception at its offices/bookstore in San Francisco. This will give us a wonderful chance to see the country’s foremost bookstore specializing in rare law books and an added gastronomic incentive to visit it, if any were needed. Although we have not determined the date of the event, we have selected late afternoon as the time so as to minimize conflicts with evening receptions and to maxi-

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mize the possibility of visiting the other book stores in the same area during comparatively safe daytime hours. Joe Luttrell can be thanked in advance for his hospitality, as well as for his considerable involvement and support of this SIS through newsletter articles and advertisements.

And speaking of thanks, as I pawed through the SIS files, I found a record of a munificent $1,000 contribution made to the SIS in 1989 by Wm. W. Gaunt & Sons, Inc., back in 1989. Our files may not be complete, but they do not disclose any written acknowledgement or thanks to William Gaunt for this contribution, and we had no newsletter at the time in which to thank him publicly. I would like to excerpt here part of Bill Gaunt's letter accompanying his check:

As this section matures, and recommendations are put forth for the reproduction of out-of-print works on legal history, embracing rare books, we would appreciate being kept informed of any titles in this category which will receive due consideration for reproduction....

Best wishes to you and the officers of the new SIS and we look forward to our continued association with your section.

Based on this excerpt, it seems to me that we can do two things to thank Bill for his early support of the SIS. One is to make sure that we communicate to Wm. W. Gaunt & Sons, Inc. all suggestions we might have for reprints of legal history and rare book texts. The second, if it is administratively possible, is to vote Bill Gaunt an honorary lifetime membership in the SIS at our next business meeting, thus fulfilling his wish for "continued association" with our section. I intend to propose this at our July business meeting and hope that no insuperable impediments will be found.

As a final "envoi" let me ask all our members to encourage legal history professors and rare book collectors at their law schools or firms to become members and to contribute to the newsletter, and, again, let me encourage you to write for our next newsletter yourselves.

Nick Trifin

Editor's Column

The more articles you all keep sending in, the less work I have to do, and the shorter my column can be, so keep those contributions coming! This issue features an article by our first chair, Erwin Surrency, on how he came to write his recent book, *History of American Law Publishing*. Joe Luttrell's contribution discusses the various printings and bindings of Oliver Wendell Holmes' *The Common Law*. And Byron Cooper's column focuses on learning Latin and law French in order to read early English legal materials.

The issue also includes two articles describing recently acquired papers at Columbia and Harvard, a book review by our current chair, and some short notes on rare books and legal history.

Something missing from this issue are articles on the two programs presented at the annual meeting in New Orleans. This was because we didn't think to ask anyone to attend and take notes for a later article. Perhaps this year someone could volunteer to write about the program we're sponsoring in San Francisco and attend with that in mind. That way, members of the SIS who can't be there can still learn about what was discussed. If anyone would like to write about this year's program, please give me a call or drop me a note before the convention.

Janet Sinder
My Journey Among Books
by Erwin C. Surrency
University of Georgia

Two questions frequently asked of me are: how did I become interested in writing the History of American Law Publishing and whence came the information reported in the volume? This journey among books began very early. In literature courses I noticed the texts of serious works were generally introduced by a short biography with some insight into the author's previous work. Without such facts, a piece of literature had less meaning for the student, and these introductions added a dimension to the understanding of the work. Imagine a newly minted law librarian encountering in daily work Purdon's Pennsylvania Statutes Annotated. Curiosity alone raised the need to know more about this editor of a set of statutes whose name had been brought forward for nearly a century. It was a surprise to find no available biographical information on Purdon. His first name, John, I learned from a list of members of the bar of Philadelphia. Purdon practiced law in Philadelphia, but little else is known of his activity, and certainly nothing was known as to why or how he came to compile his statutes.

Another widely used name in the same jurisdiction was Vale, who was the original editor of the digest for the state. A bit more was known about him, but there were no clues as to why Ruby R. Vale was moved to read all the reported Pennsylvania cases to compile a digest for the benefit of practitioners, a daunting task when the number of reported Pennsylvania decisions is considered. Was the work of these authors to be dismissed lightly as the work of "hacks?" What impact did these two works have on legal literature?

Professional contacts began to play a role in my evolving interest. Many of those far older than I, who were encountered at AALL meetings, impressed the novice with their knowledge of where to find that elusive creature, the law, for their emphasis was on "where," not "how!" This was a time before collecting was made easy by the reprinting process, and a librarian had to look to the second-hand market to locate essential items. Many tales were told of where a particular set was found among dealers or how a collection was split, one part taken to one location and the other to some other private collection, and the two parts were later reunited. Several leaders in AALL spent a considerable amount of professional effort develop-
these discrete pieces of information were not coordinated or organized.

One of my earliest discoveries was the variation in the printing of the state reports, for, according to accepted lore, any printing or edition of 2 Wheaton's (U.S.) was the same as any other. It gradually became apparent that the volumes in sets of reports were not originals, but generally consisted of a mixture of good and bad reprints. This led to my creating a typed copy of all nominative reports with comments, for where I travelled this notebook followed for the making of additional notes. After examining many sets it became apparent that lawyers are not critical of their literature and take at face value any printed source. Fortunately, as time moved on, the decisions of the American courts of the nineteenth century play a limited role in the lawyer's work today, which lessens the importance of any omissions. But, knowledge of decision writing or statute making is still not a part of the lawyer's professional knowledge.

In examining decisions of the nineteenth century from many jurisdictions, citation to opinions of the Pennsylvania, New York, and Massachusetts courts were frequently encountered, which led me to conclude that the decisions of these courts were recognized as national authorities. One wonders how a set of reports from Massachusetts or England would find its way to the shelves of an ante-bellum lawyer in Georgia. Did they order these books directly from the publisher in Philadelphia and New York, as would be done today? Interestingly, the itinerant book sellers made this possible. It became apparent that there was a wider sale of law books than just on the local scene.

But, on closer study of American law publishing, another interpretation was evident. All publishers like to have a large backlist, and those publishers specializing in law were located in New York, Massachusetts, and Pennsylvania. Reprinting the reports of these states by those publishers who sold law books nationally was a frequent practice.

How is a biography of a law publishing house established? Surprisingly, many publishing houses have prepared histories of their companies, usually confined to the establishment of the organization and biographies of the early founders. Few give any facts on the technology of printing—did the partnership or company own their printing plants and binderies? What methods of printing did the company use in publishing their books? Few have any correspondence with their salesmen or records on how payment was made. A great deal could be learned from examination of the publishers' catalogs, which often were bound into volumes that they then sold.

A comparison soon made it apparent that certain publishers were interested in certain types of titles that were ignored by others. It is impressive that T. & J. W. Johnson of Philadelphia had an extensive business in publishing English texts with American notes. The set known as The Law Library gave the subscriber a source for the newest English legal textbooks, some of which were of general interest.

If a single motivation was necessary to demonstrate to me the need for a comprehensive history of law books, it was the characterization of these early text writers as "hacks" and the dismissal of the key number system and the American digest system as "tricks of research" by certain contemporary writers. The writing of legal texts is certainly not the exclusive preserve of law school professors, and after examining the early digests, the key number system seemed a significant intellectual innovation that made the finding of decisions more "scientific." Gradually, invitations to appear on panels forced me to examine notes, which began to reinforce these conclusions. The books by Brightly, Bishop, Wharton, and other legal writers deserved a more thorough appraisal than a dismissal by authors who have so limited a knowledge of law book publishing, which has a history of over two centuries.

So much still remains unknown. Some publishers are known only from their imprints, yet fuller biographical information should be available. The most diligent efforts failed to find information about such publishers as Vernon Law Book Company in Missouri, or Burnett Smith in Illinois. The lack of information dictated which companies would be omitted from the account of individual firms. Perhaps information about these individuals will come to light. Maybe more of the legal texts of the last century will be examined, leading to a better appreciation of their contributions to the development of American jurisprudence. This involves comparing them with others of the same period. It is my belief that a number of these legal texts rank very high when this examination is based on its contribution to reducing law to an orderly and careful study and on its literary merits.

My journey has not ended, and maybe, just maybe, a second edition will incorporate new information to fill some of these omissions.
Oliver Wendell Holmes and
The Common Law
by Jordan D. (Joe) Luttrell
Meyer Boswell Books

For many years I have puzzled over the bibliogra-
phy of the early editions of Oliver Wendell Hol-
mes' The Common Law, almost certainly the most
famous of all American law books, still the subject
of academic debate, and even—after over a cen-
tury—available from its original publisher, a record
which I believe no other American law book can
begin to challenge.

Despite its fame and importance, The Common
Law's early publishing history still remains largely
obscure. We do know pretty certainly when it first
appeared, since Holmes' preface is dated February
8, 1881, and on March 5, 1881—three days before
Holmes' fortieth birthday—Holmes sent a copy to
Sir Frederick Pollack accompanied by a letter
printed in the Holmes-Pollack correspondence. So
it has never been doubted that The Common Law
was published in 1881, the date on its title page.

What has remained unclear is what then hap-
pended in the ensuing twenty-eight years, before the
renewal of the copyright in 1909, and it is to this
issue that I wish to contribute those bits and pieces
of information, however meager, that have come my
way in the last decade.

Going by the title pages, there were—during
these twenty-eight years—an 1881 Boston edition
printed by Little, Brown, and Co., and three London
editions, of 1881, 1882, and 1887, appearing under
the Macmillan imprint. The London editions are
quite rare (the British Museum Catalogue has none
of them), while the Boston edition is relatively easy
to come by, subject to what I say below. All of the
editions, I am fairly confident, were printed from
the same electrotypes and were printed in this
country, then (in the case of the English editions)
shipped to England (there is the possible excep-
tion of the English title pages—where they were printed
I am unsure, though the bindings are pretty certain-
ly Macmillan's).

If I am correct in this, the early text of The
Common Law is (by definition) invariable; there
was not only never a revision of the text by Holmes,
or anyone else for that matter, there was not even
a re-setting of the text in new type or electrotypes.
Thus, we likely have a received text, and from a
scholarly standpoint any early edition will do.

How can we tell when we have such an "early
edition?" This is actually quite easy—we simply
examine the verso of the title page to determine the
copyright date. If the 1909 copyright renewal is
found, we don't have an early edition; we must look
to that verso to determine this, since the title page
itself is still dated 1881 even after the 1909 renewal!
(It is also certainly possible that the same electro-
types were being used in 1909 and thereafter, but
I have not carried my investigations, such as they
are, beyond that date.)

How many times The Common Law was
printed from the same electrotypes during the first
28 years we just don't know; from what was said
above, it is clear that the title page of the Boston
edition continued to bear the 1881 publication date
until and even after 1909, so the presence of the
1881 date becomes meaningless (I have even been
informed of a reputable Boston bookseller who
refuses to represent and sell any copy of The Com-
mon Law as a first edition for this reason.) What
is clear—and what confirms subsequent reprint-
ings—is the conclusive but almost hitherto neglected
internal evidence of different printers' marks.

I have been able to detect three different marks
(there well may be more) in the copies of The
Common Law that I have handled; each mark
appears on the verso of the title page and (except
for the third) on the last page of text (the last index
page), which is page 422. I take them in what I
believe is their chronological order—to my untutored
eye there are subtle but detectable differences in
the respective printings which reveal a slow disinte-
gration in the quality of the electrotypes and which
someone more expert than I might use to establish
a more definite order of appearance.

First is the printer's mark reading "University
Press: / John Wilson and Son, Cambridge." on the
verso of the title page and (slightly modified)
"University Press: John Wilson & Son, Cambridge."
on page 422; second, "The University Press, Cam-
bidge, Mass., U.S.A.," identically repeated on page
422; and third, "Printers / S.J. Parkhill & Co.,
Boston, U.S.A.," on the verso of the title page only.

University Press:
John Wilson and Son, Cambridge.

The University Press, Cambridge, Mass., U.S.A.
Printers
S. J. Parkhill & Co., Boston, U. S. A.
Further complicating the picture are the London editions; I presently have in stock two published by Macmillan, each dated 1887; yet one contains no printer's marks whatsoever, and the second contains (on page 422) the first of the three I mentioned above, i.e., "University Press: John Wilson & Son, Cambridge." (This argues, if anything, against the order I have suggested, unless John Wilson printed all of the copies at least through 1887, or unless he printed the first, not the next, and resumed printing thereafter.)


For some time I was hopeful that the variant bindings in which The Common Law appeared might shed some light on the priority of its printings; I am not now so sanguine. There are, nonetheless, at least four variant bindings, plus the Macmillan London binding, making five altogether.

I list these from most to least frequently encountered (based solely on my impressions, and not on an actual count). First is the binding of russet linen cloth with two blind rules (one thicker than and outside the other) serving as borders on the covers; the spine bears three horizontal gilt rules at the top and three at the bottom (a thick rule flanked by two thin ones in each case). Near the top, lettered in gilt, is "The / Common / Law [rule] / O. W. Holmes Jr." and near the bottom "Little, Brown & Co." The second is a maroon, pebbled cloth, otherwise (I believe, my present copy does not permit me to be sure) exactly the same. The third is a full contemporary sheep, an example of which I do not now have at hand.

The fourth, and rarest, I had not encountered until about a year ago; it seems to all intents and purposes the same as the maroon pebbled cloth, but is in a distinctive emerald green. The binding is otherwise as I have described the russet linen cloth, including the gilt on the spine; it does have (as the others do not) dark brown pastedowns, with the facing side of each endpaper at the front and back the same (one of the 1887 London editions bears similar, though black, pastedowns and endpapers).

This fourth binding I had initially thought perhaps a later, variant binding, but the copy I have in stock at the moment disproves this supposition, bearing an ownership inscription dated October, 1881; this is, unfortunately, the only copy I have ever had that bears an inscription of some help in dating the very earliest copies and bindings—and this copy does bear the first set of printer's marks noted above, that is the combined John Wilson & Son University Press mark.

The fifth binding, the Macmillan trade binding in London, is one many of you will recognize—a reddish-orange cloth, each cover with a thin, black-rulled border inside of which is a panel formed by a thickish black rule flanked by two thin ones. The spine bears a thin black rule at the very top and another at the very bottom, below and above which (respectively) there is a grouping of three black rules, again a thick rule with a thin one on either side. Below the top group is the same lettering in gilt as on the American copies (though in a different font), and just above the grouping at the bottom is Macmillan's gilt seal.

For those of you with the time and inclination, I would most certainly appreciate hearing what you have in your libraries; perhaps we can add (I should better say almost certainly we can add) to what I have said here.
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Recent Developments in English Legal History

Law French and Latin

by Byron Cooper
University of Detroit

No one can venture far into the study of English legal history—or the collection and organization of its source material—without recognizing the need for some knowledge of law French and medieval Latin. Fortunately, some very helpful reference works on "Anglo-French" and medieval Latin have recently been published.

It is commonly assumed that the use of Latin in English legal records was due to the influence of the Church, and that the Norman Conquest of 1066 led to the use of French. In fact, the most immediate consequence of the Conquest was an increased emphasis on Latin, with writs that were previously in Old English now issued in Latin. Not until two centuries after the Conquest did French become really acceptable for forensic purposes, just as it was becoming acceptable for general literary use in both England and France.

While writs and court records remained in Latin, statutes and treatises were, for the most part, written in Latin until the mid-thirteenth century, and in French thereafter. French was also used for the Year Books, which originated in the late thirteenth century, and in the early abridgements, which were first compiled in the late fifteenth century. The use of Latin and French in court proceedings was not finally abolished until 1731 (4 Geo. II, c. 26). Since many of these works remain untranslated, some knowledge of Latin and law French is very important.

Although law French is seldom studied formally in school, it is fairly easily learned by anyone with a reading knowledge of modern French. Latin is another matter, and the collapse of Latin studies in secondary schools since the 1960s has meant a significant decline in the number of people able to read Latin. During the centenary celebrations of the Selden Society, S.F.C. Milsom expressed concern about the implications of this decline in Latin knowledge for the future work of the Society.

To begin with law French, Dr. J.H. Baker has provided a very useful work in his Manual of Law French. The second edition, published in 1990, is far more comprehensive that the first edition, although at $78.95, it is seriously overpriced. It contains a brief grammar and a glossary of the most common non-legal words along with nearly all strictly legal terms. For anyone reading the Year Books, however, Dr. Baker’s manual is not enough, since it omits many non-legal words that occur in law French documents. Some of the older dictionaries listed in Dr. Baker’s Manual (such as Kelham’s dictionary published in 1779 and reprinted several times) are often useful, but the best resource is the Anglo-Norman Dictionary, which is being published in fascicles as each section is completed. So far, five fascicles have been published, and one more will complete the Dictionary. Nearly every academic law library should have the completed work, but only those supporting intensive research need to be acquiring the fascicles, especially if they are available at a nearby university library.

Those wishing to learn law French have a convenient introduction in Samuel Stoljar’s article, "A Common Lawyer’s French," 47 Law Libr. J. 119, 205 (1954), although some of the statements there need qualification. More authoritative is Maitland’s grammar of Anglo-French in 17 Selden Society xxviii-xxx (1903). Enhorn’s Old French: A Concise Handbook (1974) is available in paperback and very useful, although its grammar is based on the dialect of the Ile-de-France, which was more complex than the Anglo-French of the Year Books. Stoljar, Maitland, Enhorn, and the Anglo-Norman Dictionary are all concerned primarily with the French of the earlier Year Book period, while Baker’s Manual reflects primarily the French of the 15th and 16th centuries.

With the typographical errors, lack of standardized spelling, and evolution of vocabulary and inflections found in law French works, the beginner would do well to start with later law French and make attempts at reading works such as Littleton’s Tenures (available in many editions with parallel translations, including most editions of Coke upon Littleton, the First Part of Coke’s Institutes), or modern editions of Spelman’s Reports (93 & 94 Selden Society) or Port’s Notebook (102 Selden Society). The works by Spelman and Port are divided into more manageable chunks than Littleton’s Tenures.

As for Latin, the Dictionary of Medieval Latin from British Sources is also being published in fascicles, which range in price from $98 to $198, although it is much farther from completion than the Anglo-Norman Dictionary. If the pricing is similar to that of the Oxford Latin Dictionary, which was also originally published in fascicles, the prices of the fascicles are substantially disproportionate to the price that will be charged for the final published dictionary. Nearly all academic law libraries should
acquire the final dictionary, but in the meantime most will have little need to acquire the fascicles. R.E. Latham's Revised Medieval Latin Word-List from British and Irish Sources (1965) is little more than a glossary, but its coverage of legal as well as non-legal vocabulary is superb; it should be in every academic law library. Both the Dictionary of Medieval Latin and the Word-List omit classical words, so it is also necessary to have a dictionary of classical Latin, such as the Oxford Latin Dictionary (1982) or even Charlton Lewis's Elementary Latin Dictionary (1891 and still in print).

Is it possible to learn Latin through self-study? In the 13th century, Walter of Bibesworth doubted it (M.T. Clanchy, From Memory to Written Record 153 (1979)), and his doubts seem well-founded even though today we have audio tapes for learning Latin as you drive to work. Medieval Latin is much less subtle than classical Latin—it has a more limited vocabulary and is more formulaic with certain phrases frequently recurring. When medieval Latin is elegant or unusually complex, as with many Church writings or with the Prologue to the treatise attributed to Glanvil, it is usually because the author is following some Patristic or classical model. But even with medieval Latin it is necessary to memorize an enormous number of inflections for nouns, adjectives, pronouns, and verbs.

For anyone tempted to try, there is an interesting little book by Eileen A. Goeder, Latin for Local History: An Introduction (2d ed. 1978), which is available in paperback. This book covers major deviations of medieval Latin from classical Latin (e.g., the use of e for the classical diphthong ae, as in "hec" for "haec") and contains a fascinating assortment of legal documents for practice. It is designed for self-instruction, and indeed the grammar occupies a mere 67 pages. But the length of the book and size of the grammar are misleading—in fact, almost a deceptive trade practice—since the book incorporates by reference large doses of classical grammar and most classical inflections. Any guide to classical grammar will suffice to supplement Goeder—R.J. Henle's Latin Grammar (1958) is more streamlined than most and still in print from Loyola University Press. Anyone who learns enough Latin to read medieval legal records will still have much to master before tackling works of Roman law.

Having learned the basic vocabulary of Latin and most of the inflections, a high school student would usually start reading Caesar, but even Caesar's grammar and vocabulary are perhaps too refined for someone interested only in medieval legal works. A better choice might be an edition of the Vulgate Latin version of the New Testament—simple Latin that was very influential in the Middle Ages and with readily available English pony. A good legal work to start with might be Glanville's Treatise on the Laws and Customs of England (skip the Prologue and don't worry about the use of u's for v's), available in an edition by G.D.G. Hall (1965 & 1983 reprint by Gaunt) with English and Latin on facing pages. The Latin is straightforward and divided into manageable sections. Beware of the Legal Classics Library reprint, however. The Library's editors chose to omit the Latin text, an odd decision given the usefulness of having Glanville's texts of early common law writs in Latin. Perhaps the editors thought no one cared. Sic transit gloria mundi.
BOOK REVIEW


Some of us live by rare book catalogs and must laboriously work through them from dawn to dusk. They tend to be dry publications with wearisome if not distracting typefaces and layouts designed to promote premature cecity. Therefore, it is a matter of celebration to find one that is not only informative but readable, not only scholarly but entertaining. Such is the catalog reviewed here.

The first thing to notice about this catalog is the design and layout of the whole book. Printed on an attractive, non-reflective ivory paper, the margins are wide and the selection of type—large for the catalogued item, and smaller, but still very legible with bold highlights, for the annotations—is easy on the eyes. Illustrations, facsimiles, and decorations sprinkled throughout make for an attractive, if not always logical, presentation. One could wish, for example, that the portrait of Annesley on page eight had been located on page four where the Annesley case book is catalogued, or, in default of such location, that the illustration had been labeled as pertaining to item 4. Design purists might also take offense at the fact that decorations separating items are sometimes centered and sometimes not. They might also carp at the gratuitous use of illuminated capitals to fill in blank spaces in columns. Personally, when I think of how many catalogs cram small print into every nook and cranny of the page, I am grateful that these spaces are there at all. But these are really quibbles, in spite of which this is really a far more attractive publication than most, if not all, of its competitors.

We could add that the illustrations chosen tend to have an entertainment value all their own. This catalog, in addition to the portrait of Annesley commented on above, contains three of a mildly salacious nature and one facsimile of a title page in which the author or printer intentionally or unintentionally (who can say, at this remove) added the wry subtitle "Divided in two PARTS" to the main title: "A TREATISE OF MUTILATION and DEMEMBRATION." Whatever the original author's intent, I can only assume that Joe Luttrell saw the humor in this and intended to highlight it by selecting this title for facsimile reproduction.

Quite aside from amusement, this catalogue is worth reading for information. The ratio of annotation to descriptive cataloging is close to the ratio of footnotes to law review text, with this difference, that the readability and usefulness of the two are inversely related. While most catalog annotations confine themselves to quotes from Marvin or Marke, sometimes adding encomiums on the attractiveness of the binding or the condition of the book, Joe Luttrell, while not neglecting these conventional sources and approaches, takes a more scholarly and independent view of annotation. He adds remarks commenting on the historical context of the book, and sometimes give his own views on the accuracy or significance of its contents. The annotations demonstrate considerable research and frequently contain suggestions for further reading and/or footnotes to texts supporting his assertions. In short, his annotations are almost mini-book reviews in themselves, with all the scholarly apparatus one could ask for in such a publication.

Having discussed the icing in this catalog, what can be said of the cake: the materials cataloged in this work. The flavor of the cake is based on the ingredients, the choice of which is to some degree dependent on such unpredictable factors as whose estate was auctioned last year, and was Joe Luttrell in the right place at the right time. One cannot say whether it was in spite of or because of such vagaries of fortune, but the end result is that the catalog contains a very nice variety of materials susceptible of tantalizing even the most resistant rare books acquisition person.

To carry a bad analogy still a bit further, what can we say of the cooking of this cake, the quality of the descriptive cataloging itself? Unfortunately, this reviewer is not really competent to comment on its conformity to standards or rules for bibliographic description of rare books, about which this reviewer knows next to nothing. However, the catalog de-
criptions appear to be thorough and complete, noting mismeasured pages and irregularities, and giving bibliographic citations where possible. A small quibble here is that the full cites to bibliographic citations abbreviated throughout the catalog are not listed at the front. In the absence of such a listing in the catalog, those of us who own and use VanWingen’s *Standard Citation Forms for Published Bibliographies and Catalogs Used in Rare Book Cataloging* might wish that the abbreviations used in the Meyer Boswell catalog would follow the standards given there. Nevertheless, the abbreviations used in the catalog are not hermetic and most of us appreciate that they follow the usage of the trade, if not of the Library of Congress. In at least one item, however, No. 15, the abbreviation is left out altogether, leaving us to guess that the citation number given, if it is not an altogether extraneous typographical intrusion in the entry, is in the S.T.C. (2nd ed.).

As we come to the end of this review, there is one small regret concerning this catalog, namely, the lack of an index. The catalogue is comparatively short (only 93 items) and so readable that the absence of indexing is not really burdensome. Nevertheless, for those of us whose time for these things is rationed and who have special collecting interests or emphases, an index noting major subject areas, time periods, and geographic areas covered by the items listed would be a real help, allowing us to find and call and reserve immediately, before our competing competitors can get to it, the choice item needed to complete our collection.

This review, which started out to be categorically laudatory, seems to have ended up being somewhat more objective, with a cavil here and a nitpick there. I would like the overall effect, however, to be not just laudatory, but exhortative. I think this is a remarkable catalog and would like to hope that reviews of this sort could encourage other book sellers to emulate its more successful features. Of course, with the limited number of entries and a high average price, it is possible for Meyer Boswell to expend more time and money on this catalog than others can devote to catalogs with 300 entries averaging $50 in cost. I will however, end with a blunderbuss plea that even non-rare used book sellers, whose catalogs have few or no annotations, could listen to: pay attention to typography; use all caps judiciously; bold the title, if anything; index, if possible, especially if your catalog contains hundreds of items.

In conclusion, this catalog approaches a standard and points the way to what could be the perfect rare book catalog. I hope that future catalog reviewers, with greater experience in the field than this reviewer can muster, will help with additional critiques and ideas and that more reviews of this sort can encourage Meyer Boswell Books, Inc. and other rare book dealers to bring us even closer to that perfection in the future.

*Nicholas Triffin*

*Pace Law Library*
Papers of Willis L.M. Reese
by Whitney S. Bagnall
Columbia University

Last year the Special Collections Department of the Columbia Law School Library received as a gift the scholarly and professional papers of Willis L.M. Reese (1913-1990), Charles Evans Hughes Professor Emeritus in Law. Frances Stevens Reese, his wife of 53 years, arranged for the donation and transfer of her husband's papers to the Law Library.

A Yale alumnus (B.A. 1935, L.L.B. 1938), Willis Reese devoted his attention to his students at Columbia Law, where he joined the faculty in 1946 after four years in the Army working in intelligence and counter-intelligence. Prior to his army service, Reese had clerked for Judge Thomas W. Swan, U.S. Court of Appeals for the Second Circuit, and practiced law for two years at the firm of Winthrop & Stimson, Putnam & Roberts in New York City.

Materials in the collection date from 1940 to 1988, with the bulk of the material dating from 1947 to 1988. The papers document Reese's career at Columbia, serving as Director of the Parker School of Foreign and Comparative Law from 1955 to 1980, as well as the dynamic teacher of law, whose favorite plaintiff was Oscar Zilch of the troubled Bonango Oil Company.

Beyond the classroom, Willis Reese maintained a vigorous professional presence at home and abroad. Correspondence, committee reports and memoranda in the collection track Reese's contributions as a member of the Curatorium of the Hague Academy of International Law, Reporter for the National Conference of Commissioners on Uniform State Laws, President of the American Foreign Law Association, and American delegate to the Hague Conference on Private International Law. Research materials in the collection reflect Reese's position as reporter of the Restatement (Second) of the Conflict of Laws.

In addition, Reese was known as the "Father of the Law School Admission Test," a phrase that captures his creative and tireless efforts to establish a standard admission test for law schools. Historians of legal education will be able to read the story behind the LSAT in reports from 1947 to 1956, as well as Reese's oral history of the project, taken in October 1989.

Legal education at Columbia can be traced in that portion of the files on faculty business. Covering the years 1955 to 1977, this series focuses primarily on Reese's interest in developing Columbia's law curriculum. The subjects documented are proposals to create new programs to study African and South American legal systems, including a cooperative program to help develop law programs in Africa, and continuing legal education workshops and post-graduate conferences. The Reese papers also contain offprints of his numerous articles.

The Reese collection is housed in 24 boxes (12 linear feet) and has been arranged and described in a finding aid with folder level listings. The collection is open for research without restriction. For further information about the collection or for access arrangements, contact Whitney Bagnall, Librarian for Special Collections in Law, at 212-854-5244 or wsb@cunixf.cc.columbia.edu.

Archibald Cox Papers Now Accessible to Researchers
by Erika Chadbourne
Harvard University

The papers of Archibald Cox (1912- ), attorney, educator, legal scholar, public servant, and Solicitor General of the United States, have been presented to the Harvard Law School Library as a gift by Carl M. Loeb University Professor Emeritus Archibald Cox. The collection is open to the public; however, Professor Cox's approval is necessary to quote from Watergate materials.

The papers of Archibald Cox span the years 1945 to the present, with the bulk falling into the 1945 to 1978 period. The collection includes correspondence (both letters received and carbons of letters sent); agenda; minutes of meetings; memoranda; reports; legal and legislative documents; clippings, reprints, and other printed items; drafts; manuscripts of published and unpublished writings; and a small amount of memorabilia such as honorary degree certificates.

Archibald Cox's papers relate to the various aspects of his professional and public activities, with a relatively small group reflecting on his personal life. The group which looms the largest in bulk are his arbitration files, consisting of 15 MS boxes of processed case files and 15 paige boxes. Cox has been a member of the American Arbitration Association since 1947, arbitrating mainly labor disputes. Panels on which he sat dealt with cases ranging from local level confrontations, such as those brought by specific school boards, to major interstate cases such as Consolidated Edison Co. of New
York and New England Petroleum Corporation. Some of the cases in these files were arbitrations not channelled through the American Arbitration association, such as the two Commonwealth of Massachusetts cases in which Cox represented two prison inmates, separately, who were seeking writs of habeas corpus, or the several United Airlines cases.

The second largest contingent in the Cox papers are his correspondence/subject files, 22 MS boxes, covering the years 1945 to the present. This group includes correspondence with individuals, e.g., colleagues at Harvard and other institutions; Harvard alumni/ae; public officials, including members of the U.S. Congress; members of the judiciary; members of the press; former members of the National Labor Relations and the Wage Stabilization Boards. Seven folders contain Watergate "fan mail;" three folders relate to Ford's pardon of Nixon.

Although smaller than the two preceding series, three groups in the Cox papers are of unique significance, namely his files on Watergate, on the Bakke case, and on his role as Chairman of Governor Michael S. Dukakis's "Select Committee on Judicial Needs," commonly known as the "Massachusetts Court Reform Committee." Watergate papers cover the period from Cox's appointment as Special Watergate Prosecutor on May 25, 1973 to Cox's public statement on the Nixon pardon, September 9, 1974. They include legal documents such as the subpoenas of President Nixon's tapes; Cox's drafts of oral arguments before the U.S. District Court and the U.S. Court of Appeals; memoranda; reports; exchanges with Elliot L. Richardson, Charles Alan Wright, and Leon Jaworski; and selected material relating to other Watergate prosecutions, e.g., against Liddy, McCord, Ehrlichman, Barker, and Martinez. Of particular interest is the transcript of the tapes of an oral history interview with Cox on his role as Special Prosecutor, conducted February 19, 1974 by Phil Heymann and others.

In the case of Regents of the University of California v. Allan Bakke, 438 U.S. 265 (1978), Cox, together with three others, was retained by the petitioner, the Regents of the University of California; it was he who argued the case before the Supreme Court of the United States. Files include a considerable amount of background material; legal documents; briefs; drafts of Cox's oral argument; transcripts of oral arguments of both parties; and some correspondence, especially between counsel. The Massachusetts Court Reform Papers, 1977, represent the working papers of the Select Committee on Judicial Needs. They include correspondence; minutes of meetings; tables; reports; press releases; legislative documents; newspaper clippings; and much printed background material. Correspondence is with members of the Committee and with private persons. There is a certain amount of critique of the final report.

The Special Activities series and Writing, Speaking, Special Lectureships, Teaching series above all others reveal the constant demand for Cox's talents as writer, speaker, and conciliator. The papers in these two series contain a perpetual stream of invitations to contribute to law reviews; to participate in conferences and symposia; to assess confrontations such as the Columbia University disturbances of 1968; to assist with the drafting of federal legislation such as the Voting Rights Act Amendments of 1970; to sit on committees and commissions; to be the special lecturer of distinguished lectureships; to participate actively in national celebrations like the Bicentennials of the United States in 1976 and of the U.S. Constitution in 1987. The Writing series includes the typed manuscript (11 folders) of his monograph The Court and the Constitution and 53 folders of his working papers for this publication (1987). Fourteen folders contain material relating to Cox's role as advisor to U.S. Senator John F. Kennedy on labor legislation and his participation in the Senator's Presidential campaign.

The series titled Personal/Biographical Miscellany is small (2 MS boxes). Items included are correspondence re arrangements for receiving honorary degrees and other recognitions, appointment calendars, texts of interviews, and miscellaneous Harvard items.

Papers created by Cox and his office while he was the Solicitor General of the United States (1961-65) are located at the U.S. Department of Justice. He did not retain, or bring back with him, his correspondence in England while Pitt Professor of American History and Institutions at the University of Cambridge.
Short Notes and Recent Publications

Ancient Law and the Rest of the World Classified at Last
by Fred Mansfield
University of Illinois

The law library at the University of Illinois has received 16 DD 5.25" floppy disks containing the preliminary edition of the Library of Congress classification schedule for all countries for which schedules were not published previously. This schedule covers Africa, the Soviet Union (what is left of it), Asia, Oceania, and even a schedule for the Antarctica Treaty System. We copied these disks onto our hard drive on our 40MB OCLC PC, using a separate subdirectory, and made a table of contents. We put the form tables into a sub-subdirectory.

KL contains the preliminary schedule for the Mediterranean area, including ancient Greece. We have tried to classify a few of our "ancient law" titles into KL, such as: The Law Code of Gortyn / R.F. Willetts, Berlin, 1967. We classified this as: KL 4115 .G67 A2 1967. .G67 is not in the list of polis areas of Greece, but we assigned it locally.

For other areas of the world, the ancient legal systems are classified with the modern countries. For example, a history of Russian law to ca. 1480 would be classified as KLA 122, while a work on ancient Russian family law would be assigned to KLA 0-4999, form table D, further subdivided by Table IX.

While we will not try a retrospective classification of titles now covered by this schedule, we are classifying newly received titles using the new schedule. As a makeshift shelving device, we shelve books on, for example, Russian law after books shelved under RUS (i.e., Russian including the Soviet Union). Unfortunately, this causes obvious difficulties in locating volumes.

Recent Publications

SIS member Elizabeth Matthews has recently published a bibliography entitled Lincoln as a Lawyer: An Annotated Bibliography, containing annotations discussing the books, monographs, and journal articles written about Abraham Lincoln's career in the law. The books was published by Southern Illinois University Press in 1991.

A note from Christopher Anglin, Reference Librarian at South Texas College of Law, indicates that they are about to complete both a Policies and Procedures Manual for their Special Collections and an annotated catalog of the library's Special Collections. Anyone interested in obtaining a copy should contact him:

Christopher Anglin
Reference Librarian
South Texas College of Law
1303 San Jacinto St.
Houston, TX 77002-7000

Confused by Gaskell—A Request
by Fred Mansfield
University of Illinois


When we have the formula A4B-C4D4E-G4H2, as on p. 330, example 2, does the A4 mean that there are two sheets of paper folded to make four leaves containing 8 pages or that there are four sheets of paper folded to make 8 leaves containing 16 pages?

I am also concerned with the recording of a gathering at the end of a book that was bound by the publisher without all the leaves. If the rest of the book is quarto, and the last gathering has only six pages on three leaves, how do I record this gathering?
Minutes of Business Meeting
American Association of Law Libraries
Annual Meeting, New Orleans, July 21, 1991
New Orleans Hilton - Oak Alley Room

Mike Chiorazzi (Boston College), Chair, Presiding

The Chair called the business meeting to order at 1:35 pm:

1. A new Chair will have to be elected because Tom Woxland (Northern Illinois) will be unable to fulfill his obligations as a result of taking a leave of absence to live in Geneva, Switzerland.

2. The treasurer Bob Nissenbaum (Loyola Marymount) reported that the treasury has approximately $1,500 in it and there is approximately $300 in outstanding bills for newsletter costs.

3. Janet Sinder (Duke) reports that she is pleased with newsletter submissions and is not finding it necessary to reprint information from other sources. There is currently no page limitation for submissions for the newsletter. Janet will publish two issues a year on January 1 and July 1. Deadlines for the January issue is November 15 and for the July issue May 1. Amendments to the bylaws provided for the editor of the newsletter to sit on the executive board of the SIS.

4. Elections were conducted for the following offices: Chair (to replace Tom Woxland), Vice-Chair/Chair-Elect, Treasurer/Secretary. The following individuals were elected to office:

   Nick Trifin (Pace) - Chair
   Cynthia Arkin (University of Pennsylvania) - Vice-Chair/Chair-Elect
   Anne Laacchi (Yale) - Treasurer/Secretary

   Outgoing Chair Chiorazzi extended his congratulations to the new officers. In turn, the SIS members thanked Chiorazzi for his leadership and service over the last two years.

5. Chair Chiorazzi indicated that in the future he would like the business meeting to be proceeded by a program. Suggestions from the floor for such programs included: rare book pricing, legal history, rare book cataloging workshop, archives management.

The business meeting was adjourned at 2:22pm.

Respectfully submitted,

Robert J. Nissenbaum
Treasurer/Secretary
Legal History SIS
August 13, 1991
L.H. & R.B.
Newsletter of the Legal History
and Rare Books SIS
Duke University Law Library
Durham, NC 27706

Mr. Byron Cooper
University of Detroit Mercy School of Law Library
651 E. Jefferson St.
Detroit, MI 48226