FROM THE CHAIR

Greetings! I am delighted that we were able to produce a mid-year issue of the Newsletter this year. We had so many enthusiastic writers for this issue that some submissions have been held for inclusion in the next issue. The deadline for the next Newsletter is June 3. Please consider writing either an article or submitting a shorter news item for this issue.

The Legal History and Rare Books SIS has two programs approved for Orlando. "Legal History from the Reference Desk: Connecting the Past to Today’s Information Needs" will familiarize librarians with legal history search strategies and resources and provide detailed information on English and American legal history research. Speakers are Katherine Topulos and Kurt Metzmeier. The second program is entitled "Towards a Research Agenda for Legal History: Some Modest Proposals" and will feature Warren Billings and Karen Beck discussing research methodologies appropriate and fruitful for legal historical research.

One major initiative of our SIS this year has been the development of a strategic plan. The Strategic Planning Committee hopes to have a plan ready to share with the membership in July. Many thanks to Joel Fishman, Chair, and to members Ed Hart, Warren Billings, Cynthia Arkin and Nancy Poehlmann for agreeing to work on this project.

Over the past year, I have been approached by three librarians, one from a state law library, one from an academic library, and the third from a court library, each with some variation of the following questions: "Our library has a small collection of what we think are rare books. How do we know if they are rare or not? How do we evaluate them? How should we care for them?"

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NEEDS AND OPPORTUNITIES FOR RESEARCH IN THE HISTORY OF LAW BOOKS

With the recent publication of two major works, Morris Cohen’s substantial and authoritative Bibliography of Early American Law (BEAL) (William Hein: 1999) and Hugh Amory and David Hall’s Colonial Book in the Atlantic World (Cambridge U.P.: 1999), law librarians with an interest in the history of the book have been provided with the tools and inspiration to undertake research on American law books. Add to these publications Erwin Surrency’s History of American Law Publishing (NY, Oceania: 1990) and you have a troipod of reference works to use as a starting point for situting law books in the cultural landscape. While it may sound strange to push old law books into a stream of scholarship that has produced such titles as The Making of English Reading Audiences, 1790-1832, I can assure you that in the great majority of current studies on the history of the book or reading habits of the public, law books are not getting the full treatment they deserve. Yet the law has always been an integral part of American life and law books, both technical and popular, have continued to provide a steady source of income for the publishing business. Why do there exist such books as The American Agriculturist Law Book: A Compendium of Everyday Law for Farmers, Mechanics, Businessmen, and Manufacturers (1885) or Law Lessons for Women (1901) if the American reading audience felt no need to consult them? These books are logical continuation of the category in BEAL “legal manuals for laymen.” Within the broad range of legal literature there’s no shortage of worthy topics that could developed to explore the impact of law books in American society. This article is intended.

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Such questions suggest a valuable outreach project that our SIS might undertake. Could we produce a handout or an attractive brochure that would provide some guidance to librarians with these kinds of questions? We could perhaps produce a variation of Your Old Books, published by ALA in 1991. Would anyone like to take the lead on this project? Let me know if you are interested.

In addition to its traditional role of promoting the study and appreciation of legal history and rare books, the LRHB SIS has been considering ways in which it might contribute to the membership of AALL by addressing three additional areas: archives, preservation, and rare book cataloging.

Under the enthusiastic leadership of Mark Lambert, the LRHB SIS has formed an Ad Hoc Archives Committee to explore issues of archives management, including legal archives, manuscripts, and records management. The large attendance at the 2001 Annual Meeting program, "Legal Historical Materials in a Nutshell: An Introduction to Legal Archives and Manuscripts," suggests that there are many law librarians searching for guidance on how to develop and manage a legal archives program. AALL members interested in joining the Ad Hoc Archives Committee should contact Mark Lambert.

The preservation of historical materials is of vital interest to our members. Sally Holterhoff, Chair, AALL Executive Board Strategic Planning Committee, contacted me regarding how the LRHB SIS strategic plan will address preservation. One of the outcomes of the AALL Strategic Plan is that "historical legal materials are preserved and accessible." (Outcome 4C). The plan further states that AALL will "develop a national plan for the preservation of legal materials in all formats." Primary responsibility for the development of a national preservation plan resides with the TS SIS Preservation Committee. On behalf of our SIS, I have asked the TS SIS if we might designate a liaison to serve on the TS SIS Preservation Committee. I feel confident that our SIS can make significant contributions to a preservation plan.

Jim Larrabee, Rare Books Cataloger, University of California School of Law Library, Berkeley, has agreed to act as our unofficial liaison to the Bibliographic Standards Committee of the Rare Books and Manuscripts Section of the Association of College and Research Libraries. In this capacity, Jim will make periodic reports on rare book cataloging issues in our Newsletter. Several years ago at an AALL Annual Meeting, Jim organized an informal meeting of several rare book catalogers. Five or six catalogers engaged in lively conversation for an hour or so. Please contact me if you would be interested in joining such a group in Orlando.

Lastly, does anyone have any ideas on what we might display on our SIS exhibit table in Orlando? If anyone has any thoughts on this, I would love to hear them!

Katherine Hedin

Legal History & Rare Books SIS Officers

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to suggest a few projects, some possible lines of inquiry that might not only add to the literature on American law publishing but also strengthen librarians' familiarity with older law books.

History of the book, a somewhat amorphous field of study, has infused new life into the study of bibliography. Scholars are now asking questions about how books are used, who buys books, how books are received, and what role books play in society. Development of this field has been hastened by the recent establishment of SHARP, Society for the History of Authorship, Reading and Publishing (www.SHARPWEB.org), as well as other societies like the BSA, Bibliographical Society of America (www.bibsocamer.org) and APHA, the American Printing History Association. (www.printinghistory.org). Each group publishes a journal devoted to the varied aspects of book production (including paper, typeface, design and distribution), the book as artifact, and reading culture. APHA produces Printing History, BSA, Papers of the Bibliographical Society of America; and SHARP, Book History, newest entry to the field. A quick scan of the tables of contents of these interesting journals yields few articles specifically concerned with law books, yet the topics under consideration could be applied to legal publications.

There are good people already writing about law books whose articles provide models of instruction. Joel Fishman, for example, has written on the digests and reports of Pennsylvania, and the legal compiler John Livingston; Katherine Topulos has described a collection of rare books held by private collector. W. Hamilton Bryson examined law books in colonial Virginia while Herbert Johnson has enumerated law books in the libraries of eighteenth century lawyers in America. Moreover, the December 2001 conference at the University of Texas Tarleton Law Library on Language and the Law provided a superb example of a weekend of activities, papers and exhibits revolving around legal dictionaries and their historical development. But the stage is wide open for many more studies to enlighten the world about oft-overlooked law books.

We know that law books are a significant element of legal culture because the law library is
commonly thought to be the lawyer's laboratory. We also know that lawyers highly prized their libraries. In his memoirs, James Kent wrote, "Next to my wife, my library has been the source of my greatest pleasure and devoted attachment." If questions posed above are asked of law books, we can create a fuller picture of the place of law books in the profession. To choose an illustrative example from the book history world: marks of ownership and marginal notations in books. Who among us has not noticed an owner's signature, or even multiple signatures, in a book of reports? Both American reports and English nominative reports reprinted in America are apt to be sold or handed down more than once, with the new owner proudly inscribing his name on the title page. Who is the owner and what use did he make of the law book? As a test, I selected at random a book from Columbia Law Library's rare book collection: Isaac Espinasse's Digest of the Law of Actions and Trials at nisi prius in 2 volumes, an American reprint of a work that first printed in London in 1789. The American reprint I examined was dated 1801 and had been printed by David Carlisle in Walpole, New Hampshire [BEAL 9105]. There were two signatures, one in pencil on the inside board, O.W. Hopkins, the other, not very legible, on the title page, possibly A. Skerritt. If I had time to look for biographies of early lawyers in New Hampshire or Vermont, I might have discovered more on these men. David Pearson's Provenance Research in Book History (London: 1994) is an excellent book to consult when you are confronted with bookplates, signatures, inscriptions and other evidence of ownership. Or the trail might have led to different location to discover whether David Carlisle printed other law books and how he sold them.

Another possible topic is the study of translations of American legal works. The circumstances attending translation and republication of selected legal treatises may lead to unusual discoveries. Kurt H. Nadelmann, in his article in volume 8 of the American Journal of Comparative Law (1959) 204-214, provides an excellent model of how to approach such a study.

Nearly everyone knows that Blackstone's Commentaries on the Laws of England were translated into French, Italian and Russian, but how interesting to learn that Joseph Story's Commentaries on the Constitution of the United States (Boston, 1833) were translated into French and printed in an abridged edition in Paris in 1843. Story's Commentaries were translated not only into French but also into Spanish and printed in Buenos Aires in 1860, 1881 and 1888. On each occasion there was a compelling reason for translation: Argentina was drafting a new Constitution and the French, during a period of political stability, were eagerly reading Tocqueville's De la Democratie en Amerique along with works on American political theory. At the same time, volume one of James Kent's Commentaries on American Law (New York, 1825), which dealt with constitutional matters, was translated into German (Heidelberg, 1833) and, somewhat later, into Spanish (Mexico City, 1878). In both countries constitutional issues were being debated which meant the publishers knew there would be a market, because even in the nineteenth century, publishers were reluctant to risk their capital on books that would not sell. Story and Kent are but two examples of Americans whose works traveled abroad in translation. There must be others. I also imagine that few libraries have made it their mission to collect these translations of American law books. Defining what's out there in foreign tongues could be the start of a special collection.

Turning to information that can be extracted from publishers' catalogs, in the first volume of BEAL I find there are over a dozen publishers and booksellers who issued catalogs of law books: Nicklin and Johnson of Philadelphia; Gould, Banks and Company of Albany; Little, Brown and Company of Boston, to name the major players. Some of these catalogs indicate prices, a much sought-after bit of information by book historians. It would be useful to document how the prices of law books compare with the price of contemporary medical books, histories, dictionaries or novels, or with other costs of running a law office. As an example, Little and Brown's 1837 catalogue of law books (BEAL 1887) was enthusiastically reviewed in the American Jurist and Law Magazine for January 1838 as "the fullest bookseller's catalogue of law books ever published in the United States." All the entries carried book prices in dollars. Concerning those prices, the reviewer praised Little and Brown for making "a very considerable reduction from those
heretofore established for law books." Further research and analysis could result in a useful article on the price of American law books before the Civil War.

For a practicing lawyer, the books in his library were his essential tools, providing also an impressive backdrop for his clients to admire. In Philadelphia in 1833 two enterprising lawyers began a systematic republication of English legal treatises with a plan to issue them in monthly installments enabling a lawyer to add authoritative volumes to his collection at a modest rate. The result was The Law Library, a handsome set of books, uniform in size and selected by experienced attorneys, which a lawyer could acquire over time without troubling himself to keep up to date with new English treatises. As long as he subscribed to The Law Library, someone else was doing the choosing for him. Standard authorities were reprinted, some with reference to American cases: Bingham on judgments; Petersdorff on bail; Archbold on landlord and tenant; Sugden on property. The full set comprised 16 volumes in the old series, 88 in the new series and ceased publication in 1860. What is significant about the set is its encyclopedic nature well before the appearance of legal encyclopedias. Alphabetical order was lacking, but depth of coverage, historical development, analysis, authoritative citations and reasoned rulings were all there. When you remember that there were only a handful of law schools in the U.S. before the Civil War, it is not surprising that a New York judge wrote that the Law Library "will diffuse that kind of instruction most sought by the American bar. It keeps them up with Westminster Hall in those departments of legal learning wherein it is their ambition and duty to excel." Collecting the evidence and telling the story behind this matched set of legal treatises would take considerable time but the effort would be wonderfully rewarding.

Where does the researcher go for inspiration for a project on American law books? I think reading sections of the Bibliography of Early American Law is the best way to get started. Cohen's notes on individual authors or texts are informative and entertaining, but brief. He has pulled many volumes together, but the broad reach of his bibliography allowed limited room for commentary. There is room for expansion on his observations; there are topics awaiting elaboration once the right questions are asked.

In addition to BEAL, the second edition of Frederick Hicks' Materials and Methods of Legal Research (Lawyers Coop; 1933), contains two worthwhile appendices. One is a bibliography devoted to books and articles about law books. Dating before the modern pursuit of book history, the bibliography shows that most studies undertaken have been on English law books and authors, while little has been done on American. Nevertheless, scattered throughout can be found a few articles which focus on the development of American legal literature. The other appendix is an exhaustive list of Anglo-American legal periodicals, compiled by Elsie Basset. If a serial publication lasted but for a few numbers, like the short-lived Brief (New York, 1887-88), its existence is there recorded. I mention Basset's list because those serials, journals and newspapers are valuable sources of information about every sort of legal publication, especially in their advertisements, announcements and reviews.

As law librarians we are familiar with the various formats of books and publications that are peculiar to the legal profession. Research being done on the subject of books and readers presents us with many opportunities to incorporate the unique contributions of law books to the field of history of the book. If historians are overlooking law books as they survey the libraries and reading habits of Americans, then we can call attention to those books ourselves.

—Whitney S. Bagnall
Columbia University Law School

PUBLISHING THE LAW

This was the title of a one day colloquium organized by the Cambridge Project for the Book Trust and held in London in September 2001. It focused on law publishing in eighteenth century London and the American colonies and included short talks on work in progress and a display of some unusual eighteenth century law books. It attracted a mixed audience of academics, librarians, lawyers and a bookseller, nearly half of whom came from North America. There were only about twenty
participants and the talks were punctuated by lively discussion.

The London Book Trades Project, funded by the Arts and Humanities Research Board and based at Mansfield College, Oxford, aims to reconstruct the context of eighteenth century legal book production in London. Dr Nigel Hall is the current Research Fellow for the project. He described the project and the information sources for the work. He is using the Land Tax records to identify the sites occupied by printers, publishers and booksellers. As the records do not give addresses, he has an interesting task in reconstruction, which he has tackled through contemporary maps, leases and prints, in addition to the Land Tax records. He has succeeded in plotting the uses to which many of the premises in the area around St Paul’s and Fleet Street were put during the century. By manipulating the data, a variety of information can be extracted. From the sites occupied by individuals, it is clear that publishers and booksellers tended to be on the main roads and ancillary activities such as printing and warehousing were in the adjacent warren of alleys and courts. Changes of address over the years show the upward (or downward) course of individual’s careers.

Some interesting points were raised by the talk. Land Tax records list occupiers in each ward of the City of London, most of whom were lessees or sub-tenants, not owners. Tenancies frequently changed, thus providing adjacent occupiers with the opportunity to enlarge their premises if they needed more space. Much of the land was owned by the Goldsmiths’ Company and let on building leases for a period of years. When they expired, new lessees might demolish and rebuild premises, especially behind the main thoroughfares. Both factors contributed to the adaptability of the area for changing needs and also to the complexity of the project!

An outcome of the project will be a database of people, premises, occupations and dates, and accompanying maps. Samples are already available on the project’s website, http://members.tripod.co.uk/bookhistory/ where an example of Land Tax records can also be seen.

Anthony Taussig, a barrister and noted law rare book collector, displayed some choice items from his collection and talked about them. One unusual item was a bound volume of tables of such things as descents. Discussion focused on its original format and who it was intended for. It was felt that it was aimed at law clerks or country gentleman and that it was not issued as a bound book but as sheets for pinning on a wall, which would go a long way to explain the dearth of surviving copies.

John D Gordan III, an American lawyer, moved us from the big picture of eighteenth century London to focus on one publishing family, John Nutt, his wife Elizabeth and son Robert, whose combined publishing careers spanned about 40 years from the 1690s to the 1740s. John Nutt finished his apprenticeship in 1691, but did not begin publishing law books until about 1706, and then only popular law books. Many of the Nuts’ books contained catalogues of their books and there was discussion about whether the catalogues were printed at the same time as the books in which they appeared or earlier and just bound into each new book. The speaker had been unable to trace John Nutt’s early career and one of the audience was able to fill the lacunae. He had discovered John Nutt in Ireland commissioned to set up an official law printing operation. It failed, and he had returned to London.

Morris Cohen, who needs no introduction to this readership, described the gradual growth during the eighteenth century of different types of American legal literature. It was not until after Independence that the first law reports were published. Narrative text books were also late to emerge.

Kathryn Preyer, an American historian, spoke about the adaptation of two English law books (Michael Dalton, The Country Justice, and Sir Matthew Hale, Plea of the Crown) for use in the American colonies. This raised serious discussion about what and how law books were used by eighteenth century American judges. One of the English lawyers at the colloquium had initial difficulty understanding that there was not a developed legal profession in the American colonies at that time. Some lawyers might have attended the Inns in London, others would have been apprenticed locally. Outside the towns, local justice was operated in the local community by judges who probably had no legal background.

Whitney Bagnall, from Columbia Law School Library, talked about the spread of Blackstone’s Commentaries in the American colonies largely through the business skill of a Philadelphia bookseller who obtained subscriptions for printing Blackstone locally, thus under-cutting the cost of importing the books from England. This was a version of a talk she gave at the AALL annual
meeting in Philadelphia in 2000. Whitney's work also complemented the theme of the previous speaker as it emphasized the use of law books by the general population as well as by those engaged in the law. She left a couple of issues hanging in the air for further research. Were all the subscription copies paid for? Was there much bulk purchase and what kind of discount rates were given?

This was a very enjoyable day and whetted my appetite for time to indulge in legal bibliographical research. One day ....

—Barbara Tearle
Bodleian Law Library

Celebrating John Marshall

Among the programs presented at the 2002 AALL Annual Meeting in Minneapolis was “Celebrating John Marshall: The 200th Anniversary of His Elevation to the Chief Justice of the United States Supreme Court.” The presenters were Hebert A. Johnson, Ernest F. Hollings Chair of Constitutional Law, University of South Carolina School of Law, and Joel Fishman, Duquesne University Center for Legal Information, Allegheny County Law Library (Coordinator).

This program continued the previous four programs sponsored by the Legal History and Rare Books Special Interest Section of AALL on the importance of legal history in the first half of the 19th century in the United States.

Professor Hebert A. Johnson is one of the leading experts on John Marshall, and his paper was entitled “John Marshall and His Supreme Court From Adultery to Evaluation, 1901-2001.” Johnson discussed Marshall's contributions to the Supreme Court and constitutional jurisprudence.

Professor Johnson relates that during the centennial of Marshall’s appointment (1901), evaluations of Marshall's work were viewed through the eyes of turn of the century historians, and Marshall was praised or damned according to their view of Marshall's work as a conservative actor in government. Early researchers were also crippled by a lack of primary source materials on Marshall. Finally, towards the middle of the 20th century, a more thorough interpretation of Marshall was made by Senator Albert J. Beveridge in 1916-19 in his Pulitzer Prize winning biography “The Life of John Marshall.” Beveridge had begun to assemble the extant primary source materials on Marshall from a variety of locations, and later historians would benefit from his work.

By the time of Marshall’s bicentennial of birth in 1955, historians had begun to reexamine Marshall and his court in a more critical way. These studies served as a key turning point in Marshall scholarship. Since 1955, historians have benefitted from published authoritative bibliographies and collections of Marshall's work, aided by the technologies of microfilm and the photocopier. Many new and revisionist works on Marshall have appeared in the last twenty-five years, but Johnson finds that the work is not done. What still needs to be done are such things as comparing the early Justices' work as Circuit Judges and their work on the Supreme Court, and identifying any influences. Johnson concludes by suggesting there is still much to do in Marshall scholarship in preparation of the third centennial.

Joel Fishman's paper was entitled “Some Observations Upon the Court Reports and Reporters of the Lower Federal Courts (1989-1984).” Joel discussed some of the resources available for conducting legal history research during the early 19th century. This is a continuation of Joel's valuable research into early reporters in Pennsylvania. In this study he focused on the lower federal courts, and notes that these courts have not received as much attention as the Supreme Court.

These lower court reporters also are distinctive in the wide variety in the number of cases reported by each reporter for each circuit during the same time period. The figures Joel reports seem to reveal that the more settled areas of the country engaged in much more litigation over the same time period than newer frontier areas.

Joel then discussed some of the early nominative reporters of the Third Circuit and Federal District Courts of Pennsylvania, including short biographies of the publishers. Joel relates that these early attempts at case reporting were usually done by distinguished lawyers and judges, and were a valuable contribution to the legal field in the 19th century. Joel suggests that more work can be accomplished in this area, including how these early reporters came into publishing, and how they obtained the opinions they published.
This session was well attended, and both of the presenters conveyed some excellent information.

—Mark Lambert
South Texas College of Law

TEACHING AN OLD DOG

At the time I was granted my first sabbatical in 30 years, the NYU Brennan Center was developing a grant request to build an electronic Brennan archives to provide substance to the Brennan memorabilia in its possession. The staff were aware that Brennan’s papers are located at the Library of Congress because we had early tried unsuccessfully to raise funds to microfilm or digitize them. I knew that a finding aid existed but was not available on the Internet.

As my plans to research an article at LC developed, I began discussing the desire of the Manuscript Division of LC to do the SGML markup of its Warren Court finding aids so that these would be accessible to scholars. By the time that the Brennan Center’s funding request came to naught, I had volunteered to work with Mary Lacy of the Manuscript Division to learn and apply LC’s macros to the finding aids of Justices Marshall, Black and Brennan; I also agreed to assist with the reprocessing of the Brennan papers that had to be deduped, refoldered, reboxed and relabeled before his finding aid could be encoded.

The semester proved to be an intellectually enriching one. Working with the historians, archivists and librarians at LC was enjoyable both because they are consummate professionals and because the hands-on tasks I was assigned allowed me a sense of achievement rare for managers. For a "big picture" personality type, the application of complex macros, assignment of cross references, testing of links and detail-oriented mark up brought back my nightmares of early cataloging days and my awe of Mary’s on the fly problem-solving skills!

As I had never clerked, I found the contents of the Brennan collection fascinating in showing the interactions among justices that resulted in consensus or sometimes turned majorities into minorities. To read files over a period of time as Justices and clerks changed allowed a view of the inner workings of the Court not available to outsiders. The classified nature of Brennan’s papers requires, of course, that scholars petition for permission to use the collection.

I had been the Law Librarian of Congress when Justice Marshall’s papers became available to the public upon his death. The resulting deluge of reporters and lawyers frightened some of the other justices against unwanted publicity for the Court’s workings. Because a digitized finding aid was not available at that time, users had to come to Washington to learn even the outline of the materials included which concerned primarily the Justice’s career in the Solicitor General’s office, the Court of Appeals and the Supreme Court.

I’m pleased to report that the digitized finding aid should join my earlier project for Justice Black’s finding aid by March. Scholars and the public should be able to ascertain a rough outline of the collection before coming to DC. Unfortunately, the threat of anthrax on Capitol Hill closed LC for a week and prevented completion of the editing on the Brennan finding aid. I’m assured that it will be available by the end of this fiscal year. For NYU that means that we can develop a framework into which oral histories of Brennan clerks, significant digitized documents, and other artifacts can be dropped. History really can take on additional dimension!

I hope that my experience sounds sufficiently attractive to those of you with Justice’s papers that you’ll consider digitizing your finding aids according to LC’s format and that those of you without sabbatical projects will consider volunteering at LC. I can think of several related projects, including searching for photos, films and audiotapes related to Warren Court cases or Justices to drop into finding aids. Oral histories of the various Justice’s clerks must be begun soon as many have become important—and very senior—lawyers, judges and academics.

Those of you interested in volunteer opportunities in the Manuscript Division should contact David Wigler (dwig@loc.gov).

—M. Kathleen Price
New York University Law Library

Rare Book Workshop at the Language and the Law Conference

The Tarlton Law Library’s Celebration of their one-millionth volume kicked-off with a day-long rare book workshop on December 6th, 2001, entitled
"Collecting Law Books and Manuscripts: A Short Course." London Barrister Anthony Taussig, one of the world's leading collectors of rare English law books and manuscripts, presented the workshop. Mr. Taussig is a member of Gray's Inn and Lincoln's Inn, and is a specialist in trust, tax, and real property law.

Roughly three weeks before the workshop began, registrants were contacted by the Tarlton Law Library by e-mail, and requested to submit a short synopsis of each registrant's background and experience in rare books and book collecting. Mike Widener of the Tarlton Law Library also notified the registrants that Mr. Taussig suggested they read two articles available on the Internet as a preparation for the workshop.


Upon arrival at the workshop on Dec. 6, participants were presented with an impressive binder of materials concerning the day's instruction. This binder included an excellent bibliography of reference sources for rare book collectors, and also included the results of some wonderful research by Mr. Taussig on the availability of rare English law books and manuscripts in the marketplace. This research consisted of many tables of data assembled by Mr. Taussig. The workshop packet also included a large amount of photocopies of title pages and other pages of the books and manuscripts from Mr. Taussig's personal collection. The workshop was also well attended, with some impressive academic credentials among the attendees.

Mr. Taussig began the workshop with an explanation of his background and history of dealings with the rare law book and manuscript market in England over the last 30 years. He then explained the rare law book and manuscript market that exists today in England and the United States. Taussig stated that there were primarily two avenues to obtaining rare law books and manuscripts 1) directly from dealers, at their shops or at book fairs; or 2) in auctions at the major auction houses of England and the United States. He next explained the benefits and drawbacks to obtaining rare law books and manuscripts through either approach, including the fact that at most book fairs the majority of sales are between dealers, and that the customary mark-up for rare books at auction is one hundred percent. Taussig also noted that for auctions a collector cannot attend, the hiring of a local dealer and expert to make purchases for you at the standard ten-percent commission was well worth the price. Next, Taussig explained the techniques for bidding at auctions, and ways to estimate a rare law book or manuscript's value on the market based on its rarity, condition and provenance.

After lunch, Taussig discussed the revolution in the rare book market brought about by the Internet, calling it the most significant change since the introduction of the published catalog. Taussig also cautioned however, that prices of rare books in the Internet age can vary greatly between identical books at different sites, based on factors such as if law books are the primary focus of the dealer, or only a sideline.

Taussig also suggested that for the rarest of rare law books, Internet sales were still only a small part of the market, the majority still coming from auctions. Taussig was also of the opinion that rare law manuscripts still had to be primarily obtained through the major auction houses. Taussig also discussed that while rare law books were collected by many, rare legal manuscripts, including even the letters of William Blackstone, were available from dealers and less in demand.

During the afternoon session, Mr. Taussig reminded the participants that buying rare law books as an investment was a bad idea. He also stated, however, that the purchase of rare law books over reprints of the same texts, or compared with the purchase of new law books on the market, was an easy personal and institutional choice. This is true since for roughly the same price or a little higher than a new book or a reprint of a classic, an actual cultural resource object can be obtained by the purchaser and preserved for posterity.

Taussig next used a large part of the rest of the afternoon for a lengthy discussion about what specific rare English law books or manuscripts might be worth collecting. This part of the workshop included extensive references to Taussig's own collection of rare English law books and manuscripts, aided by photocopies of their title pages and other pages provided as part of the workshop packet. Mr. Taussig also discussed his own research on the amount of English manuscripts that had been purchased and were now owned by private
collectors and institutions in the U.S.

—Mark Lambert
South Texas College of Law

EXHIBITS

Limbaugh Rare Book Collection

The Honorable Stephen N. Limbaugh, United States Judge for the Eastern District of Missouri, and other members of the Limbaugh family most generously donated a collection of 18th and 19th century legal treatises to the United States Court of Appeals for the Eighth Circuit. This collection was originally owned by Judge Limbaugh’s father, the late Rush Hudson Limbaugh, Esquire.

The Limbaugh books include the classic works of Blackstone and Coke. Most notable are the first English and American editions of Sir William Blackstone’s *Commentaries on the Laws of England*. The first English edition is a rebound, four volume set published in Oxford, 1765-69. The first American edition, published 1774-75 in Philadelphia, has Blackstone’s four volumes plus a fifth appendix volume including correspondence between Blackstone and others. This set has its original casing. A list of the names of the 1500 citizens of colonial America who subscribed to this first edition is set out in volume four. Also in the Collection are Edward Christian et al.’s two volume 1850 edition, George Sharswood’s two volume 1877 edition and Bernard C. Gavitt’s one volume 1941 abridged edition of Blackstone’s *Commentaries*.

The First Part of the Institutes of the Laws of England, or a Commentary upon Littleton by Sir Edward Coke also graces the Collection. Published in 1738, this is the 12th edition of what is known as Coke on Littleton. It contains the original text in Latin with Coke’s translation and Coke’s notes.

Other books in the Limbaugh Collection are: Henry de Bracton’s 13th century *On the Law and Customs of England*, published 1968-77 in four volumes with the original text in Latin and a translation by Samuel E. Thorne; Jonathan Elliot’s *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, 1836-43, five volumes; Hugh Blair Grigsby’s *The History of the Virginia Federal Convention of 1788*, 1890-91, two volumes; James Kent’s *Commentaries on American Law*, 13th edition, 1884, four volumes; John D. Lawson’s *American State Trials*, 1914-36, 17 volumes (lacking volume 5); Sir Frederick Pollock and Frederick William Maitland’s *The History of English Law Before the Time of Edward I*, 1923 reprint of the 1898 2nd edition, two volumes; John Proffitt’s *A Treatise on Trial by Jury*, 1877, one volume; Thomas Atkins Street’s *The Foundations of Legal Liability*, 1906, three volumes; and *Calendar of the Correspondence of George Washington*, 1906, one volume.

The Limbaugh Collection is on display in the U.S. Courts Library, 8th Circuit’s Archives and Rare Books room, located on the 22nd floor of the Thomas F. Eagleton U.S. Courthouse in St. Louis, Missouri. Circuit Librarian Ann Fessenden is Curator of the Collection.

—Joan Stevens
U.S. Courts Library, 8th Circuit

COLLECTORS ON COLLECTING

The Boston College Law Library is pleased to announce its latest exhibition in the Daniel R. Coquillette Rare Book Room. “Collectors on Collecting” features eight book collectors, who reveal how and why they collect and share favorite items from their collections with us. As all eight are either lawyers who collect or collectors of law books, this eclectic exhibit demonstrates the breadth of law collecting.

The eight contributors include our profession’s own Morris Cohen, Law Librarian Emeritus at Yale; BC Law Professors Daniel R. Coquillette and James Steven Rogers; Edward R. Leahy, BC Law ’71; Boston University Law Professor David Seipp; University of Kansas Law Professor Michael Hoefflich, legal historian Kathryn Freyer, and lawyer/theology scholar Jerry Mitchell.

Some of the treasures on view include a beautifully illuminated book of hours from the 14th century; 18th and 19th-century law books for children; an ancient Ethiopian religious scroll; a selection of miniature books produced by the renowned Elzevier family of printers; a limited-edition *Frankenstein* in a spectacular three-dimensional binding featuring the monster’s hand emerging from the cover; 19th-century law-related advertising and cigar box art, and much more.
The exhibition was curated by Karen Beck, Mary Sarah Bildar, and Ann McDonald. It will be on view through May 2002. The Daniel R. Coquillette Rare Book Room is generally open Monday – Friday 9 a.m. to 4 p.m. For more information, contact Karen Beck, Curator of Rare Books, at beckka@bc.edu or 617-552-8607.

—Karen S. Beck
Boston College Law Library

ANNOUNCEMENTS

A cumulative index to the American Journal of Legal History Volumes 1-42, prepared by Dr. Joel Fishman, Assistant Director for Lawyer Services Duquesne University Center for Legal Information/Allegheny County Law Library, has been published in volume 43 issue 4 of the Journal.

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Legal Reference Services Quarterly has begun a project that may be of interest to the LH&RB MIS. The journal will publish research guides to pre-statehood legal materials (be it colonial, territorial or national for those states that were briefly nations) for all 50 states, New York City and the District of Columbia. At the writing of this update LRSQ has secured authors for all but three of the states. We hope to have authors for the remaining states within the next few weeks. Marguerite Most, Boston College, will be the special editor for the eastern compilation, and Mike Chiorazzi, University of Arizona, will be the special editor for the western states. It is anticipated that this project will occupy several issues of LRSQ. As is often the case for LRSQ, a monographic reprint of the entire collection will be separately available.

The formats for the articles will vary based on the amount of information available; they could take the form of annotated bibliographies, pathfinders, bibliographic essays or research guides. Manuscripts are due at the end of the summer and we hope for an early 2003 publication date.

—Michael Chiorazzi
University of Arizona
James E. Rogers College of Law

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Last summer Penn received 90 more boxes of material from the American Law Institute. This brings the materials included in the American Law Institute Archives up to the 90s. Penn will be adding to the finding aid (http://www.law.upenn.edu/bll/special/all/find aid1.htm) for this collection later this year.

Penn will be receiving the papers of the late Larry King, professor at NYU and longtime editor of Collier's in Bankruptcy later this semester.

Penn will be mounting an exhibit on Bernard G. Segal in late March. The Library received the Segal papers (about 100 cartons) about two years ago. Mr. Segal was a very well known Philadelphia lawyer, a friend of many Supreme Court justices, an advisor to every president after Roosevelt, and the president of the American Bar Association in the late sixties. Penn will put this exhibit on the web over the summer.

—Cynthia R. Arkin
Biddle Law Library
University of Pennsylvania
Law School

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The Bounds Law Library, University of Alabama, has published Wade Keyes' Introductory Lecture to the Montgomery Law School, an edited edition of a lecture given in 1860 by Wade Keyes (who else?), a prominent Alabama lawyer and legal author who would soon serve as an official of the Confederate justice department. The fifty-page volume also contains essays by David I. Durham (our archivist) and myself (Special Collections Librarian). We hope that Wade Keyes will be the first of a series of edited documents of Alabama and southern legal history. Copies are available upon request, free of charge.

—Paul Pruitt
Bounds Law Library
University of Alabama.