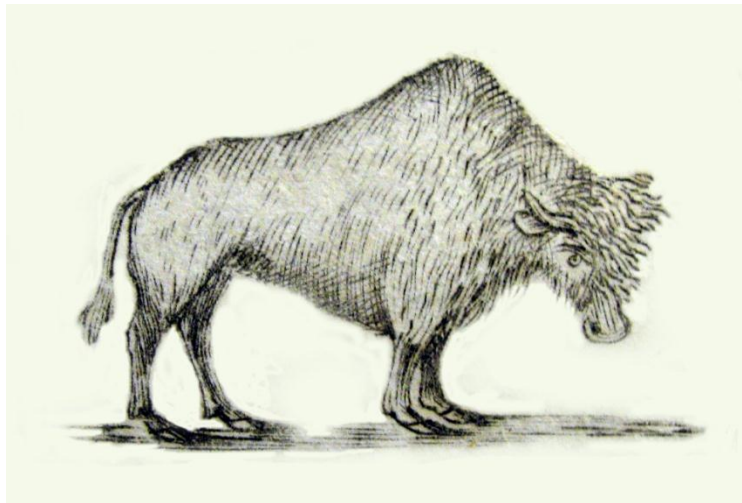


UNBOUND

An Annual Review of Legal
History and Rare Books



Journal of the Legal History and Rare Books
Special Interest Section of the
American Association of Law Libraries

Volume 5
2012

UNBOUND

An Annual Review of Legal History and Rare Books

Unbound: An Annual Review of Legal History and Rare Books is published yearly by the Legal History and Rare Books Special Interest Section of the American Association of Law Libraries

BOARD OF EDITORS

Mark Podvia, *Editor-in-Chief*
Associate Law Librarian and Archivist
Dickinson School of Law Library of the
Pennsylvania State University
150 South College St.
Carlisle, PA 17013
Phone: (717)240-5015
Email: mwp3@psu.edu

Jennie Meade, *Articles Editor*
Director of Special Collections
George Washington University
Jacob Burns Law Library
716 20th St, N.W.
Washington, DC 20052
Phone (202)994-6857
jmeade@law.gwu.edu

Kurt X. Metzmeier, *Articles Editor and Webmaster*
Associate Director
University of Louisville Law Library
Belknap Campus
2301 S. Third
Louisville, KY 40292
Phone (502)852-6082
kurt.metzmeier@louisville.edu

Joel Fishman, Ph.D., *Book Review Editor*
Assistant Director for Lawyer Services
Duquesne University Center for Legal
Information/Allegheny Co. Law
Library
921 City-County Building
414 Grant Street
Pittsburgh, PA 15219
Phone (412)350-5727
fishman@duq.edu

Sarah Yates, *Special Collections Cataloging Editor*
Cataloging Librarian
University of Minnesota Law
Library
229 19th Ave. S.
Minneapolis, MN 55455
Phone (612)625-1898
yates006@tc.umn.edu

Cover Illustration: This depiction of an American Bison, engraved by David Humphreys, was first published in *Hughes Kentucky Reports* (1803). It was adopted as the symbol of the Legal History and Rare Books Special Interest Section in 2007.

DEDICATION



Laura A. Bedard, Head of Special Collections at Georgetown University Law Library, passed away unexpectedly on May 7, 2012.

“Laura was the quintessential rare book librarian,” wrote her colleague Erin Kidwell.¹ “She loved both old books and history.”

This issue of Unbound is dedicated in her memory.

¹ Erin Kidwell, New Exhibit: A Librarian, a Rare Book, and the Tides of Time, DUE PROCESS (Aug. 10, 2012). <http://www.law.georgetown.edu/library/blog/post.cfm/new-exhibit-a-librarian-a-rare-book-and-the-tides-of-time>

TABLE OF CONTENTS

LEGAL HISTORY

Bibliographica Necronomica: Selections from the Literature of Grimoires, Cursed Books and Unholy Bindings

Kurt X. Metzmeier Page 5

Frederick Douglass in Carlisle

Mark W. Podvia Page 17

The George T. Bisel Company and Its Publications (1875-2011)

Joel Fishman, Ph.D. Page 29

A Visit to Grandfather's Law Office, or The Picture Book

Mark W. Podvia Page 61

"Digging" Legal History: The Presentations by Dr. James E. Starrs

Susan Chinoransky, Elizabeth Hilkin, Mark W. Podvia and Kasia Solon Page 71

BOOK REVIEWS

Page 77

LEGAL HISTORY**Bibliographica Necronomica: Selections
from the Literature of Grimoires, Cursed
Books and Unholy Bindings¹**

Kurt X. Metzmeier

I. Introduction

In a 1923 short-story published in the path-blazing science-fiction and horror writing serial *Weird Tales*,² H. P. Lovecraft introduced an object to horror-literature that would soon take on a life of its own, figuratively and literally.³ The object was a rare book, the “Necronomicon of the mad Arab Abdul Alhazred,” an ancient and forbidden magical text, giving an account of the Old Ones, beings that had been worshipped as gods from the darkest and most primeval times. In later stories and novellas, Lovecraft added a few small details about this baneful book, but he knew that mystery was the key to maintaining the dread aspect of the Necronomicon. His inspirations included the medieval magical texts known as “grimoires.”⁴ In one story, “The Festival,” the fictional Necronomicon is described alongside real texts:

¹ © 2011

² *Weird Tales* was a horror, fantasy, and science fiction pulp magazine that published from 1923 to 1954 (and was revived in 1988). Lovecraft was one of the many writers of a group that included Clark Ashton Smith, Ray Bradbury, August Derleth, Robert Bloch, and Robert Sheckley who made the publication the seedbed of modern genre literature.

³ H.P. Lovecraft, “The Hound,” *Weird Tales* 3.2 (February 1924) 50-52, 78.

⁴ The mad Arab sprung from a different source, the stories of *jinn*s and flesh-eating *ghouls* of Sir Richard Francis Burton’s *Thousand Nights and a Night, or Arabian Nights* (1880) which Lovecraft had enjoyed as a boy. See Robert W. Lebling, *Legends of the Fire Spirits: Jinn and Genies from Arabia to Zanzibar* (Berke-

Pointing to a chair, table, and pile of books, the old man now left the room; and when I sat down to read I saw that the books were hoary and mouldy, and that they included old Morryster's wild *Marvells of Science*, the terrible *Saducismus Triumphatus* of Joseph Glanvill, published in 1681, the shocking *Daemonolatreia* of Remigius, printed in 1595 at Lyons, and worst of all, the unmentionable *Necronomicon* of the mad Arab Abdul Alhazred, in Olaus Wormius' forbidden Latin translation; a book which I had never seen, but of which I had heard monstrous things whispered.⁵

The *Daemonolatreia* is the work of a 16th century French judge, Nicholas Remy, who presided over many witchcraft trials, writing in Latin under the name Remigius. Glanvill's 1681 work is also a witchcraft book. Both works were written to fight demonic influence, but the details of the forms of witchcraft that they described made them excellent candidates to be turned into grimoires. The inclusion of Morryster's *Marvells* is likely an homage or an inside joke; they are mentioned in an 1890 short-story "The Man and the Snake" by Ambrose Bierce, a writer whose fantastic short-stories like "An Occurrence at Owl Creek Bridge" foreshadowed and inspired Lovecraft and his fellow the "Weird Tales" writers.⁶ The inclusion of real works would not be surprising to a student of Lovecraft's work. He was an avid reader and a dogged researcher. (You can see this side of Lovecraft in *The Case of Charles Dexter Ward* where Ward scours libraries and old deeds in Lovecraft's hometown of Providence, R.I., in order to piece together the story of his mysterious ancestor, Joseph Curwen). However, Lovecraft was not impressed by the fictional potential of actual magical books: "As for seriously-written books on dark, occult, and supernatural themes—in all truth they don't amount to

ley, Calif.: Counterpoint, 2010) for more on the horrifying potential of Arab folk-lore.

⁵ H.P. Lovecraft, "The Festival," *Weird Tales* 5.1 (January 1925), 169-74.

⁶ Lovecraft listed Bierce's "The Death of Halpin Frayser" as one of his "ten favorite weird stories." *Fantasy Fan* 2.2 (October 1934) reprinted in *H.P. Lovecraft, Collected Essays: Literary Criticism* (S.T. Joshi, ed., New York:Hippocampus Press 2004).

much. That is why it's more fun to invent mythical works like the *Necronomicon* and *Book of Eibon*."⁷

Lovecraft's creation was later adopted (with his approval) by other writers of "weird tales like August Derleth and Clark Ashton Smith."⁸ "It rather amuses the different writers," Lovecraft wrote to a friend, "to use one another's synthetic demons and imaginary books in their stories--so that Clark Ashton Smith often speaks of my *Necronomicon* while I refer to his *Book of Eibon*."⁹ Although Lovecraft's stories have proved difficult to adapt to film, the *Necronomicon* has proved more versatile. Director Sam Raimi built his "Evil Dead" trilogy around the book in its most energetic forms. Raimi's tome is bound in human skin that lives, breathes—and bites.¹⁰ The popularity of the *Necronomicon* made it inevitable that someone would try to publish a "real" version. In 1977, the "Simon *Necronomicon*" was released.¹¹ Translated by a purported acolyte of the Old Ones named Simon, the book was filled with curses and incantations, the prime elements of a traditional grimoire but one not discussed by Lovecraft. An important and recurring theme associated with the expanded myth of the *Necronomicon* was the curse of the book itself, one that fell on persons who either stole the book or used it improperly.

⁷ Letter to Willis Conover (July 29, 1936). Reprinted in "Quotes Regarding the *Necronomicon* from Lovecraft's Letters," The H.P. Lovecraft Archive, <http://www.hplovecraft.com/creation/necron/letters.asp>.

⁸ Clark Ashton Smith gave one of the early descriptions of the *Necronomicon* in "The Return of the Sorcerer," but it was of the Arabic version, not Olaus Wormius' Latin translation. "It was enormously old, and was bound in ebony covers arabesque with silver and set with darkly glowing garnets," Smith wrote. "The Return of the Sorcerer" was first published in *Strange Tales of Mystery and Terror in September* in 1931, and is reprinted in Smith, *Out of Space and Time* (Lincoln: University of Nebraska Press, 2006) 236-56.

⁹ Letter to Miss Margaret Sylvester (January 13, 1934). Reprinted in H.P. Lovecraft Archive, above.

¹⁰ *The Evil Dead* (1981), *Evil Dead II* (1987) and *Army of Darkness* (1992).

¹¹ Abdul, Alhazred, Simon, and L.K. Barnes, *The Necronomicon* (n.p.: Schlangekraft, 1977). This work is not to be confused with artist H.R. Giger's *Necromonicon*, a collection of Lovecraft-inspired illustrations (Zürich: Edition C., 1977).

An ancient magical book with dangerous import. A cursed tome. A horrific binding. This short essay will bring these elements together by exploring the literature surrounding real books of magic, genuine book curses, and books bound in the skin of humans found in real libraries. It will start with a brief review of Owen Davies masterful treatise on grimoires. This will be followed by an examination of some scholarly articles on first book curses and then books bound in the tanned flesh of human beings—all written by Lawrence S. Thompson, a librarian and scholar whose life story could have been sketched by Lovecraft himself.

II. Grimoires

No greater model for Lovecraft's *Necronomicon* exists than the mysterious and oft-proscribed volumes whose long history Owen Davies relates in *Grimoires: A History of Magic Books*.¹² From the beginnings of writing, Davies tells us, books of magic incantations, curses and cures, and mystical knowledge have been collected and preserved, whether in Sumerian cuneiform, or Egyptian papyrus, or the codices of the medieval monks. In the era of the Greeks, these books of magic often mingled with books of science. However, it was in the Middle Ages, when the Catholic Church and its orthodoxies were supreme, the grimoire took on its enduring form: a bound codex containing mystical knowledge that stood apart and ultimately opposed to the sacred works of Christianity contained in the Bible and writings of the church fathers.

The medieval grimoire, Davies tells us, typically boasted a purported pedigree from ancient Jewish or Egyptian texts. The oldest, the *Clavicule of Solomon*, was reportedly written by the king of the Bible and another extremely popular grimoire, the *Sixth Book of Moses* (a *Seventh Book of Moses* was often appended) had an even more illustrious author. The *Corpus Hermeticum* of Hermes Trismegistus was said to derive from Egyptian magical texts and may have first circulated in pagan Rome. While in these works may have been read openly in the early Christian era, even by some church theologians, they were gradually driven underground by the tightening of church orthodoxy. As the grimoires passed furtively from hand-to-hand, often by persons with less

¹² Davies, Owen. *Grimoires: A History of Magic Books*. Oxford: Oxford University Press, 2009.

understanding of the Latin text, their mere possession as physical objects was thought to have magical power.¹³

Even as the church began what Davies rightly calls a "War on Magic" and witchcraft, grimoires lived on in the shadows. Ironically, the very tools of the witch-finder, treatises like Remy's *Dæmonolatreia* and the famed 1486 *Malleus Maleficarum* of Heinrich Kramer, were so full of details that they could be "decompiled" to reconstruct spells and rites and thus entered the grimoire market themselves.¹⁴ The grimore survived the witch-craze and entered the print era with the 1559 publication of *Agrippa's Fourth Book of the Occult* in Marburg, a university town and Lutheran stronghold.¹⁵ Other such texts were rushed onto the printing presses. Grimoires remained books of dubious legality and were strongly prohibited in Catholic regions, but copies were widely circulated, even in philosophical circles.¹⁶

Like the grimoire itself, Davies' book doesn't end with the Enlightenment, and instead he moves on to relate the history of magical books as they move into the Western Hemisphere. In the United States, he suggests, they helped to inspire the early Mormon Church, and, in the Caribbean, Davies shows how African occultism adopted and adapted such texts. In the 20th century, he illustrates the central role grimoire has played in fostering Modern Paganism and the Wicca religion.

Davies brings the story back to the subject of this essay in the last chapter, discussing the publication of the *Simon Necronomicon* and its evolution from a clever ruse into a text seriously believed by some to contain genuine mystical knowledge and real magical powers. "The *Simon Necronomicon* is a well-constructed hoax. Its contents have been stitched together from printed sources from Mesopotamian magic and its supposed discovery by monks is a well-worn motif in grimoire history," he notes, "but as

¹³ *Id.* at 67.

¹⁴ *Id.* at 70.

¹⁵ *Id.* at 50-53.

¹⁶ Robert Darnton's *The Corpus of Clandestine Literature in France, 1769-1789* (New York: W.W. Norton, 1995). Shows several grimoires in the lists of confiscated books found in records of the Old Regime, although, as Darnton's notes in *The Forbidden Best-Sellers of Pre-Revolutionary France* (New York: W.W. Norton, 1995), 69, they were not as popular as political, religious and erotic text.

a piece of magical literature it, and other Necronomicons, are no less 'worthy' than their predecessors. Like all other grimoires explored in this book, it is their falsity that makes them genuine.¹⁷

III. Book Curses and Dreadful Bindings: The Writings of Lawrence S. Thompson

Two aspects of Necronomicon lore constantly arise in literature and especially cinema: curses upon persons who carelessly use or abuse or steal such books, and the horrific revelation that the book is bound in the skin of a human. While it may surprise or shock librarians accustomed to using 3M Tattletape for security and buckram for book-covers, book curses and actual books bound in human flesh are known to the bibliographic literature. One prolific scholar of this area of arcane library history was Lawrence Sidney Thompson. Thompson is best known for his *The New Sabin* (an update of Joseph Sabin's *Dictionary of Books Relating to America*),¹⁸ the translation of Albert Predeek's *A History of Libraries in Great Britain and North America*¹⁹ into a popular library school textbook, or perhaps his decades long effort to create a world-class rare books collection at the University of Kentucky.²⁰ However, early in his career he wrote a series of articles on bibliographic oddities, many of which were later collected into his *Bibliologia Comica or Humorous Aspects of the Caparisoning and Conservation of Books*.²¹

¹⁷ *Id.* at 268.

¹⁸ Lawrence S. Thompson and Joseph Sabin, *The New Sabin: Books Described by Joseph Sabin and His Successors* (Troy, N.Y.: Whitston, 1974).

¹⁹ (Chicago: American Library Assn., 1947).

²⁰ Lawrence S. Thompson, *The University Libraries and the Antiquarian Book Trade: Fragments of Library History* (Lexington, Ky.: Margaret I. King Library, University of Kentucky, 1983) and "Books at the University of Kentucky," in *Books in Our Time: Essays* (Washington: Consortium Press, 1972) 163-75.

²¹ (Hamden, Conn.: Archon Books, 1968). Thompson follows in the footsteps of Holbrook Jackson, whose 1931 *Anatomy of Bibliomania* deals, albeit briefly, with all the same themes. Jackson's *Anatomy* has been reprinted repeatedly, appearing in a paperback published by the University of Illinois Press in 2001.

Lawrence Thompson (who might have supplanted Dr. Harry Walker Jones, Jr. if Steven Spielberg had met him)²² was well-suited even at this early stage in his career to undertake this research. Classically trained in his native North Carolina (he would end his career teaching Latin and Greek), he chose the path of librarianship and had just started work in the Iowa State College library when the bombing of Pearl Harbor punctuated his career. He joined the FBI as a special agent, tracking criminals and Nazi spies in postings in New York, Washington and Latin America.²³ In New York, he spent his free time in the New York Public Library, which published his early scholarship in its Bulletin.

A. Book Curses on the Biblioklepts

Not surprisingly, the G-man librarian took an early interest in bibliokleptomania, the obsessive stealing of books.²⁴ In the course of his studies he ran across the use of book curses to discourage theft. (This was among the more subtle methods; some libraries used heavy chains to prevent pilferage).²⁵ In "A Cursory

²² Even though he had not been library director since 1965, and he had retired as a classics professor in the 1980s, "Larry" Thompson was still a legendary character at University of Kentucky when I arrived as a graduate assistant in the UK library in the mid-1990s. Stories about his book-buying exploits in Europe and the epic battles with university bureaucrats that ensued were still circulating. His friend Bill Katz gives a good account of Thompson's extraordinary life and character in his introduction to the *Bibliologia Comica*, 9-12.

²³ Thompson's wartime experiences in Latin America gave him a lifelong interest in the region which is reflected in his *Printing in Colonial Spanish America* (Hamden, Conn.: Archon Books, 1962) and *Essays in Hispanic Bibliography* (Hamden, Conn.: Shoe String Press, 1970).

²⁴ Lawrence S. Thompson, "Notes on Bibliokleptomania," *Bulletin of the N.Y. Publ. Library* (February, 1947) reprinted in *Bibliologia Comica or Humorous Aspects of the Caparisoning and Conservation of Books* (1968), 41-89. See also Thompson, *Bibliokleptomania* (Berkeley, CA: Peacock Press, 1968).

²⁵ Jackson, *Anatomy of Bibliomania* (New York: Farrar, Straus, 1951), 367-68, discusses this phenomenon; however, B.H. Street-er's *The Chained Library: A Survey of Four Centuries in the Evolution of the English Library* (London: Macmillan, 1931) is the definitive work.

Survey of Maledictions,”²⁶ Thompson gives an excellent history of the book curse. The earliest versions he finds go back to the beginning of written literature. In one instance, the director of the library of the Assyrian King Ashurbanipal—a man who is obviously proud of his cataloging—writes:

The palace of Ashur-bani-pal, king of hosts, king of Assyria. who putteth his trust in the gods Ashur and Bêlit, on whom Nabil and Tashmetu have bestowed ears which hear and eyes which see. I have transcribed upon tablets the noble products of the work of the scribe which none of the kings who had gone before me had learned, together with the wisdom of Nabil in so far as it existeth [in writing]. I have arranged them in classes, I have revised them and I have placed them in my palace that I, even I, the ruler who knoweth the light of Ashur, the king of the gods, may read them. Whosoever shall carry off this tablet, or shall inscribe his name on it, side by side with mine own, may Ashur and Bêlit overthrow him in wrath and anger, and may they destroy his name and posterity in the land.²⁷

It is in the medieval library where the book curse reached its greatest use, drawing on wellspring of that era’s fear of damnation. In some ways, the practice was discouraged by church officials; a 1212 church council in Paris directed that “no book is to be retained under incurring a curse [for its alienation] and we declare all such curses of no effect.”²⁸ Thompson notes that this declaration appears to have had little effect, given the great numbers of books with such curses that are found throughout Christendom, including great numbers in the Vatican Library. It is also belied by the special bull of Pope Gregory XI promising excommunication of anyone stealing from a library of books donated to church by the Holy Roman Emperor, Charles V.

Excommunication is often a part of the book curses, especially those inscribed in books part of monasteries, despite lingering

²⁶ *Bull. Of the N.Y. Publ. Library* (February, 1952) reprinted in *Bibliologia Comica or Humorous Aspects of the Caparisoning and Conservation of Books* (1968), 91-118.

²⁷ *Id.* at 92.

²⁸ *Id.* at 95.

questions over whether mere librarians--even monkish ones--could wield such an awesome power. Judas Iscariot is another subject of book curses, his horrifying death and damnation being deemed a particularly terrifying exemplar: "This blessed book belongs to church of the monastery of Sinai and whosoever takes it away or tears a leaf from it, may the Virgin be a foe to him, and may his fate be one with the fate of Judas Iscariot."²⁹

Threats of leprosy and other dread diseases were also employed. Other threats were more practical and included hangings and beatings--something the civil authorities could administer and thus outside the category of true curses.

Thompson quotes dozens of representative curses in Greek, Latin, Old German, and both Old and Middle English, with footnotes revealing his extensive research. He notes, however, that the exaggerated book curse was always a weak protection against theft. It is likely they played the same role that stern signage has in modern libraries: a statement of the rules that only reinforces the habits of the honest patrons, but also reassures the librarians that "something" has been done.

Over time, the weakness of the book curse, combined with its frequent use, led to more poetic and humorous versions--perhaps to cajole rather than compel compliance. (Again, modern analogies come to mind). The earliest still employed the same forms and vocabulary:

Who lets this book be lost
Or doth embesell yt,
God's curse will be to his cost
Give him plagues in hell fytt³⁰

Later curses were more muscular in their expression:

This book is one thing
My fist is another
Touch the one thing
You'll sure feel the other³¹

²⁹ *Id.* at 97.

³⁰ *Id.* at 103.

³¹ *Id.* at 109.

Thompson concludes by acknowledging that today the book curse is now only used in comic bookplates, and books are now protected physically by the criminal code and intellectually by the copyright statutes.³² But he reminds us that early book curses were tangible evidence of the librarian's constant battle against the "acquisitive instinct."

B. Anthropodermic Bibliopegy: Bookbinding for the Damned

Another of Thompson's interests was the history of book-binding and the unusual materials used in the process. In researching "Bibliopegia Fantastica,"³³ an article that surveyed exotic bindings like rare woods, hula grass, elephant hides, and eel skin, he ran across a material he would expand upon later--books bound in human skin. In his first piece, "Tanned Human Skin," published in a leading journal for medical librarians,³⁴ he covers a variety of unusual uses of the abhorrent hide. He relates that when the notorious murderer William Burke was executed in 1829 his skin was made into a wallet and the remnants dyed and cut-up into swatches for souvenirs. Burke and his confederate William Hare were grave-robbers who stole corpses to sell to Edinburgh medical schools, which required them for dissections. When the duo got tired of waiting for funerals, they took a more pro-active stance and starting killing unfortunates that frequented Hare's wife's boarding house and the local pubs.³⁵

³² A viewer of movies on DVD cannot help to notice the functional similarity of the copyright warning to the curse of Ashurbanipal's librarian.

³³ Lawrence S. Thompson, "Bibliopegia Fantastica," *Bull. Of the N.Y. Publ. Library* (September, 1944) reprinted in *Bibliologia Comica or Humorous Aspects of the Caparisoning and Conservation of Books* (1968), 15-40.

³⁴ Lawrence S. Thompson, "Tanned Human Skin," *Bull. Med. Library Assoc.* 34(2) (1946) 93-102. See also "Legends of the Human Skin," *Papers of the Mich. Acad. Of Sci., Arts & Letters* 34 (1948) 277-87.

³⁵ Thompson, "Tanned Human Skin," 94-95. See Lisa Rosner, *The Anatomy Murders: Being the True and Spectacular History of Edinburgh's Notorious Burke and Hare, and of the Man of Science Who Abetted Them in the Commission of Their Most Heinous Crimes* (Philadelphia: University of Pennsylvania Press, 2010) for a modern account of the killings.

Because medical schools were the recipient of the cadavers of executed prisoners (as well as less documented bodies), many of Thompson's examples of books bound in human skin are like the copy of Milton bound in the skin of George Cudmore of Devon, who was hanged for killing his wife.³⁶ One of the American titles Thompson identifies is a treatise on human anatomy bound in the skin of a "soldier who died during the great rebellion," found in the library of the Philadelphia College of Physicians.³⁷ He does not record whether the unfortunate combatant's skin was dyed blue—or grey.

Thompson's 1949 pamphlet, *Religatum De Pelle Humana*,³⁸ focuses more on books, and he surveys a number of items found in American libraries. He describes human-skin bound books in California's UCLA library, the Library of Congress in Washington, D.C. and the library of Harvard. Other such books are found in Chicago, Cleveland, Philadelphia, and Boston.³⁹ (A recent piece in the *Harvard Law Record*⁴⁰ indicates that many of the items Thompson saw in the 1940s are still found in those libraries). Interestingly, Thompson notes an anthropodermic book found in a private library in Lovecraft's own hometown of Providence, Rhode Island.⁴¹

³⁶ Thompson, "Tanned Human Skin," 96.

³⁷ *Id.* at 97. This library had at least three other anthropodermic books at the time the article was written. A recent Associated Press article, "Some of Nation's Best Libraries Have Books Bound in Human Skin" (January 9, 2006), indicates that they were still there. (This article is available at various websites, including the *Diverse Issues in Higher Educ.* Site, <http://diverseeducation.com/article/5323/>, accessed on October 10, 2011).

³⁸ Lawrence S. Thompson, *Religatum De Pelle Humana* (Lexington: Margaret I. King Library, 1949) reprinted in *Bibliologia Comica or Humorous Aspects of the Caparisoning and Conservation of Books* (1968), 119-60.

³⁹ *Id.* at 139-47.

⁴⁰ Dan Alban, "Books Bound in Human Skin," *Harv. L. Record* (Nov. 11, 2005). Available at <http://www.hirecord.org/2.4462/books-bound-in-human-skin-lampshade-myth-1.579032>, accessed on Oct. 10, 2011.

⁴¹ Thompson, *Religatum De Pelle Humana*, 147.

IV. Conclusion

The plain tan covers of the books lining the shelves of our law libraries are unlikely to contain any ancient magical texts and few of our rare book collections contain a volume of law reports bound in the flesh of a long-deceased jurist. And it is the rare library that stamps a curse in the Nolo Press books to protect them from the depredations of pro se patrons. A proper reading of a well-selected passage from a form-book might help a lawyer get a judge to rule in his favor, but it is unlikely to cast out a demon or summon an ancient god. After all, the case of *United States ex rel. Gerald Mayo v. Satan and His Staff*, 54 F.R.D. 282 (W.D.Pa. 1971), clearly established that even Satan must be properly served process in the standard manner. Nonetheless, those of us who study rare books must acknowledge that they have a mysterious power, both in the real world and the fantastic worlds conjured by writers.

Kurt X. Metzmeier is Associate Director of the Louis D. Brandeis School of Law Library, University of Louisville.

This article was originally published in LH&RB volume 17, number 2 (Fall 2011).

Frederick Douglass in Carlisle

Mark W. Podvia

Carlisle, Pennsylvania, has attracted many visitors of note over the years, ranging from Benjamin Franklin and George Washington to William J. Clinton and George W. Bush. In some cases, they came because of the borough's location astride the Great Road of the Eighteenth Century, the Cumberland Valley Railroad of the Nineteenth Century, and the Pennsylvania Turnpike of the Twentieth Century. In other cases, these individuals were drawn to Carlisle's educational institutions—Dickinson College, the Dickinson School of Law, the Carlisle Indian School, and the United States Army War College.

Among these notables was Frederick Douglass, a self-taught former slave who “became an internationally renowned reformer, a major voice in the fight against slavery, a great orator, a newspaper editor, an advisor to presidents, a high officeholder, and the recognized leader of the American Negro.”¹ He is known to have visited Carlisle on three occasions.

Frederick Douglass was born Frederick Augustus Washington Bailey in February, 1818, in Talbot County, Maryland.² He was the son of Harriet Bailey, a slave.³ It is assumed that his white master was his father, although that was never confirmed.⁴ Taught the alphabet by a kind woman with whom he had been sent to live, he later learned how to read on his own. In 1838 he boarded a Baltimore and Ohio train and rode it to Philadelphia and freedom.⁵ He soon became associated with abolitionist William Lloyd Garrison, and delivered his first anti-slavery slavery

¹ Douglas T. Miller, *Frederick Douglass and the Fight for Freedom* (New York: Facts on File Publications, c. 1988), 2.

² *Ibid.* The exact date of his birth was not recorded; he later celebrated his birthday on February 14th because his mother had referred to him as her “Valentine.”

³ Frederick Douglass, *Narrative of the Life of Frederick Douglass An American Slave* (Reprint, Oxford: Oxford World Classics, c. 1999), 15.

⁴ *Ibid.*

⁵ Miller, Frederick Douglass at 24. Friends later purchased Douglass' freedom to insure that he could not be taken back into slavery.

speech in Nantucket in 1841. Mr. Douglass quickly became one of the leading abolitionist speakers, and gained even greater fame following the publication of his autobiography, *Narrative of the Life of Frederick Douglass An American Slave*, in 1845.⁶

Frederick Douglass met with President Lincoln in the White House in July, 1863. When they met the President reportedly said “I know who you are, Mr. Douglass...Sit down. I am glad to see you.”⁷ Disillusioned by rising segregation following the Civil War, Mr. Douglass returned to the lecture circuit.

Frederick Douglass first passed through Carlisle during an 1847 antislavery tour with Mr. Garrison.⁸ They had spoken in Harrisburg on August 8th, where Douglass was able to say only a few words before his speech was interrupted by the explosion of firecrackers and the throwing of stones and eggs by “a handful of low rowdies.”⁹ The next morning the pair left for Pittsburgh, by way of Carlisle and Chambersburg.

The train was taken across the beautiful Susquehanna by a team of horses—guided by the steady hand of our strong armed friend, Bostwick, whose kindness I shall not soon forget. Here we were taken by the fiery iron steed, and hurried toward our destination. Nothing of interest occurred till we reached Carlisle, where a man-hunter from Maryland recently lost his life, while engaged in the republican business of kidnapping.¹⁰ The crowd about the station, in this place, by some means as-

⁶ Ibid at 41. He later wrote a second autobiography, *My Bondage and My Freedom*.

⁷ Ibid at 104.

⁸ A full account of the trip can be found in Ira V. Brown, “An Antislavery Journey: Garrison and Douglass in Pennsylvania, 1847,” *Pennsylvania History* 2000 67, no. 4: 533-51.

⁹ For the Slave, “Letter from Harrisburg,” *Pennsylvania Freeman* (Philadelphia), 19 August 1847, 3.

¹⁰ This is a reference to the “McClintock Riot,” in which James Kennady, a slave owner from Hagerstown, Maryland, was severely injured while attempting to obtain the return of three runaway slaves. Kennady later died from his injuries. Further detail on the riots can be found in Daniel J. Heisey, *A Short History of Carlisle, Pennsylvania, 1751 to 1936* (Carlisle, Pa.: New London Press, 1879).

certained that Mr. Garrison and myself were in the train, and it was easy to observe a general feverishness at once among them. Some expressed the wish that we would stop; on being asked why, the answer was, "we want to use them up." The intelligence of our presence soon reached a number of our colored friends, and they came as we sat in the cars and gave us hearty shakes of the hand, and many blessings. The approbation of these dear brethren, was grateful to the heart of him who has devoted seventeen years of his life to their cause.¹¹

It would be a quarter-century before Frederick Douglass would again visit Carlisle.

On March 1st, 1872, Frederick Douglass spoke in Chambersburg's Repository Hall.¹² The subject of his lecture was "Self-Made Men," an appropriate topic for a man who was truly "self-made."¹³ The *Public Opinion* provided a positive account of his presentation:

The lecture was long, but not too long, for the audience listened intently to the very close, and the audience was sorry when it was over. And yet the lecturer did not throw into the delivery of his discourse that peculiar fire which characterized his speeches here and elsewhere when these issues of life were at stake for him. This apparent deficiency might have been looked for. It was due in a large measure to the changed circumstances, and the peaceful occasion. There was nothing to produce the glow and fervor of white heat, and only the stage actor would have put it on for stage effect. Yet every one felt that the power was in the man.

¹¹ Frederick Douglass, "Western Tour," *Pennsylvania Freeman* (Philadelphia), 2 September 1847, 3.

¹² "The Lecture by Fred. Douglas," *Public Opinion* (Chambersburg, Pa.), 5 March 1872, 3. Tickets were priced at fifty cents, and the Hall was filled to overflowing.

¹³ The newspaper noted that "[i]t is hard to separate the lecture from the history of the man, and to the latter we would not refer at all but for the fact that he himself did the same thing, and indeed introduced his performance by speaking of Chambersburg as the theatre of his past conflicts and present triumphs." *Ibid.*

He gave evidence of vast resources, literary culture and oratorical power, and it was regretted by many that he was not allowed to chose his own subject in which the Promethean sparks would in all probability have flashed out more brilliantly. Still there were many brilliant things in the lecture. The subject was treated in a philosophical yet popular manner. The thoughts were sensible, conservative and elegantly expressed, and despite some manifest want of animation and careless tripping in an occasional sentence, it gave general satisfaction.¹⁴

After speaking in Chambersburg, Mr. Douglass traveled to Carlisle, where he delivered a lecture on Saturday, March 2nd, in Rheem's Hall.¹⁵ The 90-minute lecture on the subject of "San Domingo,"¹⁶ was delivered "to an attentive audience."¹⁷

Carlisle's *American Volunteer*, a Democratic newspaper¹⁸ and no friend of the Republican Douglass, gave the speech a favorable—although not a glowing—review:

Having accompanied the Commission sent out by President Grant to examine the island with a view of annexing it to the United States, he spoke of the country, its people, resources, tropical fruits, &c., with a good understanding and knowledge. He is not the "great orator" that his admirers represent him to be; but yet he is an agreeable and forcible speaker, and a fair elocutionist. Of course he favors the annexation of San Domingo; all those

¹⁴ Ibid. The *Public Opinion* praised the speaker, noting that "[a]ny person of close judgment who has had large opportunities for observation would have recognized in Fred. Douglas...the ability which has enabled him to sway mobs, and cope with the greatest orators of the country."

¹⁵ "Lecture by Frederick Douglass," *American Volunteer* (Carlisle, Pa.), 7 March 1872, 3.

¹⁶ "San Domingo," or "Santo Domingo," were the names then in use for the island of Hispaniola.

¹⁷ "Lecture by Frederick Douglass."

¹⁸ The Borough of Carlisle had two major newspapers in 1872, both of which were fiercely partisan. The *American Volunteer* was the mouth piece of the Democrat Party; the *Herald* served the same purpose for the Republican Party.

sent out by Grant to visit this island of snakes, were pledged to report in favor of annexation before they left our own shores. The speaker, it must be confessed, made several good points in advocacy of annexation—as good, indeed, as could be made in behalf of a bad cause.¹⁹

The exact text of the lecture presented by Mr. Douglass is not known, but it probably followed a written speech on “Santo Domingo” that is preserved among the Frederick Douglass Papers at the Library of Congress. That lecture reads, in part, as follows:

Hence, to stand upon that part of the American soil where Columbus first stood; to breath the American air that Columbus first breathed; to view those grand old mountains in the rich verdure of perpetual summer, filling the sense far out over the sea with a delightful fragrance as they lift their soft grayish blue summits seven thousand feet between sea and sky, and to know that they were the first lands to soothe and gladden the strained and fevered eyes of the great discoverer, might kindle emotion in the most stolid American, of whatever color or race!

. . .

In Santo Domingo were first planted the virtues and the vices, the beauties and the deformities, of European civilization, and here they may still be seen in startling antitheses and, unhappily, the vices preponderating.

. . .

The Patriotic and intelligent citizens of Santo Domingo, in seeking to become a part of a large, strong and growing nation, only obey the grand organizing impulse of the age. Instead of being denounced for weakness, treachery and cowardice, they deserve to be commended for their patriotism and self sacrifice. They know that it is better for their country to be a small part of a great whole than a large part of smallness. They think it better

¹⁹ “Lecture by Frederick Douglass.”

to be a small part of something than to be a large part of nothing.

What do these Santo Domingo people want? Why this, and only this; they want to join their country to the United States and to become citizens of the United States.²⁰

However, the lecture that Mr. Douglass presented in Carlisle went beyond his standard text. It seemed that the manager of the Carlisle hotel where Mr. Douglass was lodging had refused to admit him to the hotel's dining room on account of his race. The great orator, who had met with American Presidents and other national leaders, had been forced to eat his meal in his room. *The America Volunteer* provided the following account:

During his speech, he frequently diverged from his subject to refer to himself personally and the colored race of America. In one sentence he bit somebody hard. He said the Commission appointed by President Grant to visit San Domingo, was composed of distinguished and learned men. He was the only colored man in the party, but yet notwithstanding his color, he was recognized, in every respect, as an equal. He ate at the same table with the Commissioners, occupied the same state-room in the ship's cabin, and in San Domingo they occupied the same sleeping apartments. He was treated as a gentleman, just as all were treated. "But here in Carlisle, as well as in some other towns," remarked the speaker, "I am not treated in this way; here caste is still recognized; here a man is denied certain privileges because of his color. I am not annoyed; I care little about it; am not much hurt on this account," continued Douglass. "It is only a matter of time; we (the colored men) must wait patiently, and in the course of a few years we will be fully recognized as equals

²⁰ "Santo Domingo," Frederick Douglass Papers, Speech Article and Book File, Library of Congress, Manuscript Division, Washington, D.C., available at <http://memory.loc.gov/ammem/doughtml/doughome.html>. The proposed annexation of Santo Domingo never occurred. Mr. Douglass returned to the island in 1889 as United States minister to the Republic of Haiti.

everywhere. There are many colors but only one humanity.”

“What did the speaker refer to? Where had he been snubbed in Carlisle? Upon inquiry, we learned that he had stopped at the “Bentz House,” a most excellent hotel kept by our Republican friend, Mr. Geo. Z. Bentz.²¹ Mr. Bentz very properly gave Douglass a good room in his house, but when supper was announced he just as properly informed his sable guest that he could not eat at the public table with his white boarders. Douglass, it was evident from his dejected look, had not expected this kind of treatment. The “Bentz House” has a Republican for its landlord, and nearly all if not all the boarders are also Republicans, and it was not much wonder then that Douglass felt disappointed. He said little, however, and consented to take his meals in his room by himself. With all their professions, then, we have in this circumstance positive evidence that the radicals are just as loath to recognize negro-equality as the Democrats are. Put them to the test and they squirm like eels in the process of being skinned, when they are asked to take a seat at the same table with a negro. We don’t blame them; human nature is human nature; but we desire the ‘colored troops who fought bravely,’ to note the facts here mentioned.”²²

Carlisle’s Republican newspaper, the *Carlisle Herald*, responded to these comments in its next issue:

This question is coming, and may as well be met. Mr. Bentz, of himself, had no disposition to refuse to allow Mr. Douglass to come into the dining room. He put it on the ground that there was so much prejudice here on the subject, that he could not do it without pecuniary loss. This seemed to be almost certain from the ordinary street talk of the town, and, therefore, we find no fault with Mr.

²¹ The Bentz House was on the north side of East High Street, midway between Hanover and Bedford Streets. The building still stands today.

²² “Lecture by Frederick Douglass.”

Bentz for his action. He was under no obligation to incur even the risk of loss in the matter. As a question of fact, however, we respectfully differ. If Mr. Douglass had gone into the dining room, it is quite possible that two or three persons, out of the whole number there, might have illustrated their superior manners by contemptuously leaving the room; but they would have come back afterwards rather than to have gone anywhere else on such provocation, and that would have ended the matter. We don't believe seriously, Mr. Bentz would have been out a penny in the transaction. But as we said before, to judge from the silly clamor on this question, there was a risk, and we don't blame Mr. Bentz for avoiding it.

Now we wish to say a word on this question. There is in this community a prevailing sentiment that a colored man—because he is a colored man—should not be received into a hotel. This is simply silly and wicked. It has never been denied that a colored man has a right to travel wherever he pleases, just as a white man or an Indian has. When he travels, he must rely on houses for the accommodation of travelers for food and shelter. He has no right to impose himself on any private family, and cannot come within the door of the meanest hovel in the place he visits, uninvited, except as a trespasser. The public sentiment that refuses to allow any man who will conform to the rules of a public house to be entertained, when he is away from his family, if developed logically, would allow him to starve or freeze in the streets. That it is wicked, tyrannical and cowardly, needs no argument to prove.

But look at its absurdity. There is no degradation of the white race possible that excludes from hotel accommodations. The worst and vilest characters in the land are continually on the wing, and hotels receive and entertain them as guests and often knowingly. A Chinaman or a Japanese would be given room anywhere, and no one's dignity would be compromised. A lot of half naked, painted savages from the plains, could stop anywhere without

any restrictions, although, perhaps, their scalping knives were spotted with the blood of our superior and very consistent race. But so carefully and thoroughly have small politicians excited the prejudices of the people of some parts of this country against the negro race, that when a man venerable in years, of learning, refinement, extraordinary ability and character in all respects; one who, without any official station or position, whatever, has been received and entertained by Presidents, governors and leading statesmen of this country, visits a country town on business, he must in deference to this stupid and malignant prejudice be insulted by the information that the boarders at the hotel refuse to eat in the same room with him. That would be funny, indeed if it weren't contemptible.

But the social equality nonsense must be discussed. Who ever heard of social equality in any place on this earth where there were not enough of people to relieve each individual from being directly dependent on everyone else? Each person in a community chooses his own society, provided the people he likes see fit to associate with him. If they do not, he then takes himself to the society which will endure him. A man must have a slight opinion of his neighbor's sanity, who would insist that eating in the same dining room at a hotel established or implied any other equality than that which grows out of a common brotherhood of men. It is simply right that no man should be proscribed because of his color of race, and this we will all recognize when we have out-grown our prejudices.

But we will soon have an end of this trouble. We have learned that a country can exist without enslaving black men; that the peace, order and prosperity of the community are in no wise imperiled by allowing them to vote, to sit on juries, or even to hold any office to which they may be appointed or chosen. We have also had demonstrated that it does not seriously injure the health or life of white men to give them equal accommodations on railroad cars when they pay the same fare. Most per-

sons now living will also learn that the way-farer who pays the common charges at a hotel, is entitled to all the privileges of a guest; and after they have learned it, they will appreciate how extremely silly are all actions dictated by prejudice.²³

Frederick Douglass was to make one more visit to Carlisle. On April 7th, 1893, he spoke to "an immense audience" at the Carlisle Indian Industrial School.²⁴ The School's newspaper, the *Indian Helper*, described the lecture as follows:

On Thursday night last the school had the great privilege of seeing and listening to the Hon. Frederick Douglass, in his far famed speech, "Self-Made Men." Mr. Douglass is a man of 76 years of age, and has lost the fire so marked in his delivery of twenty years ago, but the beautiful language of the address was all there. Had he not spoken a word, the magnetism received from looking into the face of America's Grand Old Man is more than can be estimated. Mr. Douglass has promised to let us print his address in pamphlet form, when all will have a chance to read it.

During the course of Mr. Douglass' eloquent lecture, he said warmly, "Usually I am Negro, but tonight I am Indian out and out," and great was the honor felt at this high compliment. Frederick Douglass possesses one of those superior intellects which dispel race prejudice and blood poisoning. One can not see such a master mind but to admire nor to hear such eloquence but to become enchanted. Mr. Douglass was greatly impressed with his visit to the school and felt that he was privileged in being able to come in such close contact with the race for the uplifting of which Carlisle is working.²⁵

²³ "The Old Question in New Shape," *Carlisle Herald*, 14 March 1872, 2.

²⁴ "Fred. Douglass: The Great Colored Orator's First Visit to Carlisle," *Evening Sentinel* (Carlisle, Pa.), 7 April 1893, 2. This was not, of course, Mr. Douglass' first visit to Carlisle.

²⁵ "Untitled," *Indian Helper* (Carlisle, Pa.), 14 April 1893, 2.

Mr. Douglass' speech, probably similar to the one that he had delivered in Chambersburg more than twenty years earlier, included these words:

I have said "Give the negro fair play and let him alone." I meant all that I said and a good deal more than some understand by fair play. It is not fair play to start the negro out in life, from nothing and with nothing, while others start with the advantage of a thousand years behind them. He should be measured, not by the heights others have obtained, but from the depths from which he has come. For any adjustment of the scale of comparison, fair play demands that to the barbarism from which the negro started shall be added two hundred years heavy with human bondage. Should the American people put a school house in every valley of the South and a church on every hill side and supply the one with teachers and the other with preachers, for a hundred years to come, they would not have given fair play to the negro.

The nearest approach to justice to the negro for the past is to do him justice in the present. Throw open to him the doors of the schools, the factories, the workshops, and of all mechanical industries. For his own welfare, give him a chance to do whatever he can do well. If he fails then, let him fail! I can, however, assure you that he will not fail. Already he has proven it. As a soldier he proved it. He has since proven it by industry and sobriety and by the acquisition of knowledge and property. He is almost the only successful tiller of the soil of the South, and is fast becoming the owner of land formerly owned by his old master and by the old master class. In a thousand instances has he verified my theory of self-made men. He well performed the task of making bricks without straw; now give him straw. Give him all the facilities for honest and successful livelihood, and in all honorable avocations receive him as a man among men.²⁶

²⁶ "Self-Made Men: Address Before the Students of the Indian Industrial School, Carlisle, Pa., by Honorable Frederick Douglass,"

Frederick Douglass died less than two years after he spoke these words. He suffered a massive heart attack on February 20, 1895, shortly after he had returned home from a meeting of the National Council of Women in Washington, D.C. He was approximately 77 years old.

Unfortunately, the 1872 predication by the *Herald's* editor that "we would soon have an end of this trouble" failed to materialize. These "actions dictated by prejudice" continue today, not only in Carlisle, but throughout the nation.²⁷

Frederick Douglass' words would be echoed in Carlisle many years later when another great African-American leader, the Rev. Dr. Martin Luther King, Jr., would deliver a speech at Dickinson College. In 1961, he would tell a capacity crowd at the College Chapel that "[w]e must all learn to live together as brothers or perish as fools."²⁸

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

This article was originally published in LH&RB volume 17, number 3 (Spring 2012).

Frederick Douglass Papers, Speech Article and Book File, Library of Congress, Manuscript Division, Washington, D.C., available at <http://memory.loc.gov/ammem/doughtml/doughome.html>.

²⁷ As an example of the continued hostility towards people of color in Carlisle, the Klu-Klux-Klan remained a strong organization in the area, with the 1918 annual Klu-Klux-Klan Ball being described in the newspapers as "a delightful affair throughout." "Klu-Klux-Klan Dance," *Carlisle Evening Herald*, 27 December 1918, p. 5.

²⁸ "Dr. King Lectures on 3 Damsons of Life to Capacity Chapel Crowd, *The Dickinsonian* (Carlisle, Pa.), 14 April 1961, 14.

The George T. Bisel Company and Its Publications (1875-2011)

Joel Fishman, Ph.D.

Research in the area of law book publishing is an open field of study. Michael Hoeflich's *Antebellum Law Book Publishing* (2010) is a model work on the rise of the law book industry in the first half of the nineteenth century. Philadelphia served as a major city for law book publishing throughout the eighteenth and nineteenth centuries as reflected in Morris Cohen's *Bibliography of Early American Law* (BEAL).

In nineteenth-century Philadelphia, the law book industry flourished beginning with Mathew Carey, Patrick Byrne and other Irish emigrants, followed by mid-century with such companies as Kay Brothers, T. & J. W. Johnson, R. H. Small, etc. Beginning in the third quarter of the nineteenth century, the George T. Bisel Company serves as the major independent regional law book company still operating today following the mergers of many smaller law book companies and then national law book companies in the 1990s by Thomson, Reed Elsevier, and Wolters-Kluwer. The following is a short summary of the Bisel Company followed by a complete listing of its publications by date.

The George T. Bisel Company began in 1876 in Philadelphia by William Felix Bisel. Bisel served as a private in the 26 Pennsylvania Militia during the Civil War and later read for the bar in Philadelphia (though he is not listed as admitted in Martin's Bench and Bar of Philadelphia). His brother George, age 16, joined the company in 1877. In the first decades, the store sold law blanks and stationery and only later began to publish law books. This is typical of the early law book publishers in Philadelphia like Mathew Carey or R. H. Small. George served as President of the company until his death on March 28, 1941 at the age of 82.

The publication of the company includes both primary and secondary sources. Although it began publishing treatises, in the early twentieth century, it began to publish the then-current edition of *Purdon's Statutes*, commonly known as *Stewart's Purdon's Digest* (1905-1915). Thus, when West acquired the publication in 1930, the new edition was published by three publishers: Bisel,

West, and Soney & Sage of Newark, N.J. In 1994, Bisel sold its rights to *Purdon's Pennsylvania Statutes/Consolidated Statutes Annotated* leaving West as the only publisher of the state statutes.

Bisel published new editions of the original nominative reports that had not been published in new editions for several decades. *Addison's Reports* was a reprint of the original 1800 edition, but *Wharton's Reports & Rawle's Reports*, were updated by current editors. Later, Bisel was the publisher of the official *Pennsylvania State Reports* for the Pennsylvania Supreme Court, and then the *Pennsylvania Superior Court Reports* for the Superior Court. For the trial courts, it published several volumes in Pennsylvania including the *Blair County Reports* and the last four volumes of the Pennsylvania County Court Reports after T. & J. Johnson Co. folded into Bisel. More recently, it is the publisher of the *Pennsylvania Fiduciary Reporter*, a statewide collection of cases primarily from the county orphans' courts.

In addition to publishing the statutes and digests in the early part of the century, Bisel's major contribution to the history of legal literature is the publication of a wide variety of treatises. These titles have been over the decades standard reference sources for the bench and bar. Interestingly, Bisel published a large digest by Ruby Vale that became the predecessor to the West *Vale Pennsylvania Digest* until the new *West's Pennsylvania Digest 2d* was published in the 1970s. It does continue to publish *Dunlap-Hanna Pennsylvania Forms* with Matthew Bender Company.

More recently, Bisel began to publish its Lawsource's Series, a collection of federal statutes, state statutes and regulations on specific topics as a quick handy guide for the practicing bar. Like other major publishers, Bisel has a mix of looseleaf volumes that are updated annually and annual softcover pamphlets.

The following list of publications is drawn from various law library catalogs including the Duquesne University Center for Legal Information/Allegheny County Law Library, Jenkins Law Library, University of Pennsylvania Biddle Law Library, and Temple University Beasley School of Law Library. Most of the earlier titles have appeared in my *Bibliography of Pennsylvania Law: Secondary Sources* (1993). I have included only complete editions of works and not the annual supplements that may have been published, but are difficult to record. A book like Snitzer, *Eminent Domain* (1965), for instance, had annual supplements that grew

to be larger than the original book (finally a new edition appeared in 2012). Other recent publications have had supplementary pamphlets published rather than a whole new edition annually as a result of the economic conditions existing today.

It is my hope that this may be the first in a number of articles discussing the history of the Pennsylvania law book industry. I wish to acknowledge the assistance of Nancy Garner and Kristen McKeane of Jenkins Law Library for answering some questions concerning their collection.

Watts, Frederick. *Reports of Cases Argued and Determined in the Supreme Court of Pennsylvania May 1832 - Sept 1840*. 3rd ; revised and correct ed. 1879.

Rawle, William, Jr, Charles B. Penrose, and Frederick Watts. *Reports of Cases Argued and Adjudged in the Supreme Court of Pennsylvania*. 3rd , rev. and corr. / by I. Tyson Morris ed. 1880.

Addison, Alexander. *Reports of Cases in the County Courts of the Fifth Circuit: And in the High Court of Errors and Appeals of the State of Pennsylvania: And Charges to Grand Juries of those County Courts*. 1883.

Wharton, By Thomas I., Sword, With references to cases in the subsequent reports By John, and Continued I. Tyson Morris. *Reports of Cases Adjudged in the Supreme Court of Pennsylvania, in the Eastern District Dec Term, 1835 - Mar Term, 1841 & J. W. Johnson*, 1884.

Rawle, William and Jr. *Reports of Cases Adjudged in the Supreme Court of Pennsylvania*. [3rd] / with notes referring to cases in subsequent reports by William Wynne Wister, Jr. ; continued by Ellis Ames Ballard ed. George T. Bisel, 1885.

Nichols, F. M. *Statute of Frauds and Perjuries in Pennsylvania: A Compilation of all the Cases Decided in the Supreme Court of Pennsylvania, Involving Questions which are Determined Application of the Act 21st March, 1772, Classified According to the Question of Fact Presented, Containing Statements of all the Material Facts in each Case, the Points Submitted, the Judgment of the Court Below, the Assignments of Error and the Principles Enunciated Court Above*. 1888.

Monaghan, James and assisted Albert B. Weimer. *Cases in the Supreme Court of Pennsylvania: Being Reports of all the Cases Not Reported in the State Reports, from October 1, 1888, with some Prior Cases*. 1890.

Pennsylvania Supreme Court. *Cases in the Supreme Court of Pennsylvania; being Reports of all the Cases Not Reported in the*

State Reports, from October 1, 1888, with some Prior Cases Edited James Monaghan Assisted by Albert B. Weimer, Howard J. Lukens, Wm. M. Stewart, Jr, and Others. 1890.

Binney, Horace, Reports with notes, Jones, references to cases in the subsequent reports J. Levering, and Thos I. Wharton. Reports of Cases Adjudged in the Supreme Court of Pennsylvania. 1891.

Binney, Horace, with notes, reports, references to cases in the subsequent, J. Levering Jones, and Thos I. Wharton. *Reports of Cases Adjudged in the Supreme Court of Pennsylvania.* 1891.

Brewster, F. Carroll. *A Treatise on Practice in the Courts of Pennsylvania.* 1891.

Weimer, Albert B. *The Law Relating to the Mining of Coal in Pennsylvania: Being a Collection of the Constitutional Provisions, Statutes, and Decisions Relating to Coal Mining in Pennsylvania.* 1891.

Boyer, S. B. *A Digest and Index: Together with a Table of Cases to all Criminal Cases Adjudged Supreme Court of Pennsylvania from First Binney, 1799, to the One Hundred and Fortieth Pennsylvania State Report, Inclusive Alphabetically Arranged with an Appendix Containing the Report of the Commissioners Appointed to Revise the Penal Code of Pennsylvania the Revised Penal Code and all Criminal Statutes from 1860 to 1891, Inclusive in One Volume.* 1892.

Browne, William Hardcastle. *A Commentary on the Law of Divorce and Alimony.* 1892.

Brewster, F. Carroll. *Treatise on Practice in the Orphans' Court.* 1894.

Brewster, F. Carroll. *Treatise on Equity Practice in Pennsylvania.* Bisel, 1895.

Browne, William Hardcastle. *The Law of Negligence in Pennsylvania, Digest of Decisions.* 1896.

Dunlap, James D. *Book of Forms for Practice in the Courts & for Conveyancing.* Revised E. F. Pugh. 6th ed. 1896.

Browne, Wm Hardcastle. *The Law of Decedents' Estates in Pennsylvania.* 1897.

Lloyd, Malcolm, Jr. *The Principles of the Law Relating to Corporate Liability for Acts of Promoters being the Sharswood Prize Thesis in the Law Department of the University of Pennsylvania for the Year Eighteen Hundred and Ninety-Seven.* 1897.

Bryan, George. *The Law of Petroleum and Natural Gas: With Forms.* 1898.

Savidge, Frank Raymond. *The Law of Boroughs in Pennsylvania; a Treatise upon the Incorporation and Government of Boroughs, the Powers and Duties Thereof, and of Borough Officials;*

Comprising the Full Text of the Acts of Assembly in Relation Thereto, with Chronological Table of Statutes, also Containing Forms of Procedure. [2d] By Frank Raymond Savidge, ed. 1901.

Vale, Ruby R. *Elementary Principles of the Law of Pennsylvania.* 1901.

Vale, Ruby R. *Elementary Principles of the Law of Pennsylvania.* 1902.

Eastman, Frank M. *A Treatise on the Law Relating to Private Corporations in Pennsylvania.* 1903.

Grayson, Theodore J. *The Law of Social and Beneficial Associations in Pennsylvania.* 1904.

Eastman, Frank M. *The Taxation of Public Service Corporations in Pennsylvania: An Address Delivered before the Wharton School of Finance and Commerce of the University of Pennsylvania.* 1905.

Stewart, Ardemus. *Stewart's Purdon's Diget.* A Digest of the Statute Law of the State of Pennsylvania from the year 1700 to 1903 (with the Laws of 1905 in the Appendix). 13th ed., comp., annotated and rev. by Ardemus Stewart. 1905.

Edwards, George J., Jr. *The Grand Jury, an Essay Awarded the Peter Stephen Duponceau Prize Law Academy of Philadelphia.* 1906.

Bolles, Albert S. *A Treatise on the Modern Law of Banking.* 1907.

Eastman, Frank M. *A Treatise on the Law Relating to Private Corporations in Pennsylvania.* 2d, rev. and enl. ed. 1908.

Sharswood, George. *An Essay on Professional Ethics.* 5th ed. 1907 (reprint 1884 ed.)

Vale, By Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases.* 1908. Vols. 1-3.

Chapman, Francis. *Mechanics' Liens in Pennsylvania Under the Act of June 4, 1901, P L 431, and Supplements Thereto with Forms and Decisions to Date.* 1909.

Foulke, Roland R. *A Treatise on the Rules Against Perpetuities, Restraints on Alienation and Restraints on Enjoyment as Applicable to Gifts of Property in Pennsylvania: With a Particular Discussion of Spendthrift Trusts, Married Women's Trusts, Accumulations and Gifts to Charities.* 1909.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases.* 1909. Vols. 4-5.

Bolles, Albert Sidney. *The National Bank Act and its Judicial Meaning*. Albert S Bolles. 4th ed. 1910.

Watts, Ernest. *Supplement to Stewart's Purdon's Statutes. A Digest of the Statute Law, of the State of Pennsylvania for the Years 1905 to 1909*. 1910.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases*. 1911. Vols. 6-8.

Binns, originally compiled John. *Binns's Justice Or Magistrate's Daily Companion: A Treatise on the Office and Duties of Justices of the Peace, Magistrates and Alderman in the Commonwealth of Pennsylvania, Including all the Required Forms of Process and Docket-Entries, and Embodying Not Only Whatever may be Deemed Valuable to Justices of the Peace, but to Landlords, Tenants and General Agents ; a Making this Volume what it Purports to be, a Safe Legal Guide for Business Men*. 11 , rev., cor. and greatly enl. By the Publisher's Editorial staff ed. 1912.

Monaghan, James. *Pennsylvania Appellate Practice: Containing the Provisions of the Constitution and Statutes and the Rules of the Supreme and Superior Courts, and the Decisions Thereon, with Appropriate Forms and Suggested Forms of Practice, also the Equity Rules*. 1912.

Pennsylvania State Reports .Vols. 233-237. 1912.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases*. 1912. Vol. 9.

Dunlap, James D. *A Book of Forms for Practice in the Courts, and for Conveyancing; also, for the use of Public Officers and Men of Business Generally, with Explanatory Remarks, and Numerous Precedents and References to Standard Authorities to which are Appended Directions for Making Searches, and a Glossary of Law Terms*.7th rev. ... By Carlyle H. Ross and Samuel D. Matlack. 1913.

Ladner, Grover Cleveland. *Conveyancing in Pennsylvania: With Forms, and Decisions to Date*. 1913.

Pennsylvania State Reports. Vols. 238-241. 1913.

Troubat, Francis J. and William W. Haly. *A Treatise on Practice in the Civil Courts of Record of Pennsylvania*. 6 rev., rewritten and greatly enlarged by Albert S. Bolles and William S. Kirkpatrick, eds. 1913.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases.* 1913. Vol. 10.

Foulke, Roland R. *A Treatise on the Price Act Relating to Real Estate in Pennsylvania; Act April 18, 1853, PL 503.* 1914.

Pennsylvania State Reports Vols. 242-246. 1914.

Pennsylvania Superior Reports Vol. 58. 1914.

Blair County Law Reporter; Containing Reports of Cases Decided Courts of Blair County and Other Judicial Districts of Pennsylvania. 1915.

Rickert, Horace. *Pennsylvania Negligence, 1891-1915 Indexed, Covering 144 to 246*

Pennsylvania State Reports and 1 to 57 Pennsylvania Superior Court Reports. 1915.

Pennsylvania State Reports. Vols. 247-250. 1915.

Pennsylvania Superior Reports Vols. 59-61. 1915.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases.* 1915. Vols. 11-12.

Dercum, Francis X. *Hysteria and Accident Compensation: Nature of Hysteria and the Lesson of the Post-Litigation Result.* 1916.

Pennsylvania State Reports Vols. 251-254. 1916.

Pennsylvania Superior Reports Vols. 62-64. 1916.

Schnader, William A. *Workmen's Compensation in Pennsylvania, with Procedure and Forms: (Annotated with Decisions in Pennsylvania and Other Jurisdictions).* 1916.

Pennsylvania County Court Reports. Vols. 45-46. 1917.

Pennsylvania State Reports Vols. 255-258. 1917.

Pennsylvania Superior Reports Vols. 65-68. 1917.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases.* Bisel, 1917. Volume 13.

George T. Bisel Co. Compiled and annotated publishers' Editorial staff. *The Existing Law of Boroughs in Pennsylvania: Including the Code of 1915, the Amendments of 1917 and Other Acts in Force with a Chronological Table of Existing and Repealed Statutes and Forms of Procedure.* 1918.

Pennsylvania State Reports Vols. 259-261. 1918.

Pennsylvania Superior Reports Vol. 69. 1918.

- Pennsylvania County Court Reports*. Vol. 47. 1919.
Pennsylvania State Reports Vols. 262-264. 1919.
Pennsylvania Superior Reports Vols. 70-72. 1919.
The Statutes of the Supreme and Superior Courts of Pennsylvania with their Rules and Rules of the United States Courts and Other Rules/ Compiled William A Stone. 1919.
- Shrader, James F. *Shrader's Guide for Notaries Public, Conveyancers, Commissioners, etc, as to Acknowledgements, Affidavits, Depositions, Oaths, Proofs, Protest, Emergency Revenue Law, Negotiable Instruments, etc, for Pennsylvania, with Forms and Instructions*. 3d. ed. 1919.
- Bisel, staff. *The Law of Costs and Fees in Pennsylvania in Civil Actions at Law, in Equity and in Criminal Cases*. 1919.
Pennsylvania County Court Reports. Vols. 48. 1920.
Pennsylvania State Reports Vols. 265-268. 1920.
Pennsylvania Superior Reports Vols. 73-74. 1920.
Pennsylvania County Court Reports. Vols. 49-50. 1921.
Pennsylvania State Reports Vols. 269-270. 1921.
Pennsylvania Superior Reports Vols. 75-77. 1921.
- Moschzisker, Robert von. *Trial Jury: A Brief Review of its Origin, Development and Merits and Practical Discussions on Actual Conduct of Jury Trials; Together with a Consideration of Constitutional Provisions and Other Cognate Subjects of Importance*. 1922.
Pennsylvania State Reports Vols. 271-274. 1922.
Pennsylvania Superior Reports Vols. 78-79. 1922.
- Remick, Raymond M. *The Statutory Law of Decedents' Estates in Pennsylvania, with Annotations and Forms*. 1922.
Pennsylvania State Reports Vols. 275-277. 1923.
Pennsylvania Superior Reports Vols. 80-82. 1923.
- Remick, Raymond M. *Guide to Administrators, Executors, Guardians and Trustees, with Forms*. 1923.
- Sturgeon, Harold M., enlarged, and William F. Dannehower. *The Pennsylvania Law and Procedure in Divorce: Together with a Full Collection of Forms*. 1923.
- Barnes, Harold Edgar. *Selected Cases in Constitutional Law*. 7th ed. 1924.
- Dill, William F. *Constables' Guide: The Law of Constables in Pennsylvania*. 3rd by William F. Dannehower ed. 1924.
- Nicholson, Vincent D. *A Treatise on the Law Relating to Real Estate in Pennsylvania*. 1924.
Pennsylvania State Reports. Vols. 278-281. 1924.
Pennsylvania Superior Reports. Vol. 83. 1924.
- Remick, Raymond M. *Practice and Procedure in the Orphans' Courts of Pennsylvania*. 1924.

Skinner, William Arthur. *The Workmen's Compensation Law of Pennsylvania*. 1924.

Pennsylvania State Reports Vols. 282-284. 1925.

Pennsylvania Superior Reports Vols. 84-85. 1925.

Schermerhorn, Holden Bovee. *Outlines in Tort*. 1925.

Vale, Ruby R. and Thomas E. Vale. *A Digest of the Decisions of the Courts of the Commonwealth of Pennsylvania, from 1754 to 1907: Including all Cases Contained in the Pennsylvania State and Superior Court Reports and all Pennsylvania Legal Periodicals with Many Manuscript Cases*. 1925. Vol. 14.

Nicholson, Vincent D. *A Treatise on the Law Relating to Real Estate in Pennsylvania*. 2d and rev. ed. 1926.

Pennsylvania State Reports Vols. 285-287. 1926.

Pennsylvania State Reports Vols. 288-290. 1927.

Patton, John W. and Henry B. Patton. *Practice in the Courts of Common Pleas of Pennsylvania*. 2d rev. and enl. by Robert L. Myers, Jr. and Frank S. Reese ed. 1927.

Pennsylvania State Reports Vols. 288-290. 1927.

Pennsylvania State Reports Vols. 291-294. 1928.

Klein, Richard Henry. *Judgment Confession in Pennsylvania*. 1929.

Nicholson, Vincent D. *A Treatise on the Law Relating to Real Estate in Pennsylvania*. 3d and rev. ed. 1929.

Pennsylvania State Reports Vols. 295-297. 1929.

Dunlap, James D. *A Book of Forms for Practice in the Courts and for Conveyancing*. 8th ed, completely rev. and enl. / by Milford J. Meyer and Barnet Lieberman to which are append a new note on title searches, by Henry R. Robins and a glossary of law terms ed. 1930.

Frankel, Harold A. *A Guide for Notaries and Real Estate Brokers in Pennsylvania*. 1930.

Moschzisker, Robert von. *Trial Jury; a Brief Review of its Origin, Development and Merits and Practical Discussions on Actual Conduct of Jury Trials, Together with a Consideration of Constitutional Provisions and Other Cognate Subjects of Importance*, Robert Von Moschzisker, LL D. 2d , rev. and enl ed. 1930.

Pennsylvania. *Purdon's Pennsylvania Statutes Annotated*. Permanent ed. Philadelphia, Pa. St. Paul, Minn.: G.T. Biesel ; West Pub. Co., 1930.¹ *Titles 1-6, 7-11, 14-15, 16 (1-1080, 1081-End), 17, 18, 19, 20 (1-1180, 1181-End), 21-23, 24, 25, 26-31, 32-35, 36, 37-41, 42, 48-49, 54-61, 62-66, 67, 71, Constitution, Tables,*

Pennsylvania State Reports Vols. 298-301. 1930.

¹ The information concerning Purdons Statutes comes from Pimsleur's Checklist of American Publications (19).

Skinner, William A. *The Workmen's Compensation Law of Pennsylvania*. 2d ed. 1930.

Henry, George M. *Pennsylvania Digest of Decisions, being a Digest of all the Reported Decisions of the Supreme, Superior and County Courts for the Years 1906 to 1929 Inclusive, George M Henry this Digest Connects with the Decisions Digested in Vale's Digest Volumes 1-10 Inclusive, also Pepper and Lewis' Digest of Decisions 23 Volumes and CRA Supplement Volumes 1 and 2*. Newark, N.J., Philadelphia, Pa.,: Soney & Sage co.; 1931.

Pennsylvania State Reports Vols. 302-305. 2 1931.

Purdons Pennsylvania Statutes Annotated. 12 (1-730, 731-1820, 1821-end), 43-47, 50-52, 53 1-2900, 2091-8380, 8381-12220, 12221-15780, 15871-End), 68-70, 72 (1-3420, 2421-End), 73-77, General Index

Desk Book and Index Analysis: Pennsylvania Digest of Decisions 1906-1930. Newark, N.J. Soney & Sage Co. Geo. T. Bisel Co., 1932.

Pennsylvania State Reports Vols. 306-308. 1932.

Remick, Raymond M. *Practice and Procedure in the Orphans' Courts of Pennsylvania*. 2d ed. 1932.

Pennsylvania Negligence, 1891-1932, Indexed, Covering 144 to 306 Pennsylvania State Reports and 1 to 102 Pennsylvania Superior Court Reports, Compiled Horace Rickert. 2d , by Albert L. Moise, ed. 1933.

Pennsylvania State Reports Vols. 309-312. 1933.

Purdons Pennsylvania Statutes Annotated. Title 53 (15781-End). 1933.

Bachman, Robert S. and S. Maxwell Flitter. *Pennsylvania Elementary Law, Problems and Solutions: Designed especially for the use of Law Students in Review Work and in Preparation for Examinations for Degrees in Law Colleges Or for Admission to the Bar*. 2d / rev. and corr. by Albert L. Moise ed. 1934.

Dunlap, James D. *A Book of Forms for Practice in the Courts and for Conveyancing, James D Dunlap*. 9th, completely rev. and enl., by Milford J. Meyer and Barnet Lieberman .. to which are append a new note on title searches, by Henry R. Robins ... and a glossary of law terms. ed. 1934.

Gilbert, Keller H. *Inheritance Taxation in Pennsylvania; a Treatise Comprising the Full Text of all Statutes, a Comprehensive Digest of all Reported Decisions, and Comments of the Author*. 1934.

Pennsylvania State Reports Vols. 313-316. 1934.

Woodward, Graham Cox. *Motions and Rules in Pennsylvania, with Forms*. 1934.

Pennsylvania State Reports Vols. 317-319. 1935.

Pennsylvania. *Purdon's Pennsylvania Statutes 1936 Compact Ed Containing all the Laws of the General Assembly of the Commonwealth of Pennsylvania of a General and Permanent Nature in Force January 1, 1936, with Complete Index, Publishers' Editorial Staff.* Philadelphia, Pa. St. Paul, Minn.,: George T. Bisel Co.; West Pub. Co., 1936.

Pennsylvania State Reports Vols. 320-323. 1936.

Dill, William Frost. *Constables' Guide; the Law of Constables in Pennsylvania.* 4th ed. 1937.

Pennsylvania State Reports Vols. 324-327. 1937.

Sturgeon, Harold McCuan. *The Pennsylvania Law and Procedure in Divorce, Together with a Full Collection of Forms, Harold M Sturgeon.* 3d , rev. and enl. to date by Richard Henry Klein ed. 1937.

Pennsylvania State Reports Vols. 328-331. 1938.

Purdon's Pennsylvania Statutes Annotated. Title 13-15, 25, 53 (8381-12220). 1938.

Remick, Raymond M. *Practice and Procedure in the Orphans' Courts of Pennsylvania.* 3d ed. 1938.

Skinner, William A. *The Workmen's Compensation Law of Pennsylvania.* 3d ed. 1938.

Pennsylvania State Reports Vols. 332-335. 1939.

Purdon's Pennsylvania Statutes Annotated. Title 73-76, 77. 1939.

Goldberg, Cecile S. *The Law of Married Women in Pennsylvania.* Bisel, 1940.

Maurer, John H. and indexed Vincent P. McDevitt. *Notes on Pennsylvania Criminal Law and Procedures.* 1940.

Pennsylvania State Reports Vols. 336-339. 1940.

Purdon's Pennsylvania Statutes Annotated. Title Index (2v.), 43-47. 1940.

Smillie, Frederick B. *Manual and Handbook for District Attorneys, Magistrates and Coroners in Pennsylvania.* 1940.

Eldredge, Laurence Howard. *Modern Tort Problems.* 1941.

Pennsylvania State Reports Vols. 340-342. 1941.

Purdon's Pennsylvania Statutes Annotated. Title 43-47, 62-66. 1941.

Purdon's Pennsylvania Statutes Annotated. Title 71. 1942.

Casper, Charles L. *Pennsylvania Public Utility Law and Procedure, with Forms.* 1943.

Polisher, Edward N. *Estate Planning and Estate Tax Saving.* 1943.

Reimel, Theodore Leon. *Pennsylvania Criminal Law Digest.* 1944.

Purdon's Pennsylvania Statutes Annotated. Title 18. 1945.

Goldin, Abe Jacob. *The Law of Insurance in Pennsylvania*. 2d ed. 1946.

Remick, Raymond M. *Practice and Procedure in the Orphans' Courts of Pennsylvania*. 4th ed. 1946.

Tanner, Sheldon C. *Principles of Business Law in Pennsylvania: With Illustrative Cases*. 3rd ed. 1946.

Carringer, M. A. *Procedure before Committing Magistrates in Pennsylvania*. 1947.

Skinner, William A. *The Workmen's Compensation Law of Pennsylvania*. 4th ed. 1947.

Polisher, Edward N. *Estate Planning and Estate Tax Saving*. 2d ed. 1948.

Troutman, Glenn A. *Pennsylvania Negligence Index-Digest*. 1948.

Bregy, Philip A.,d. *Pennsylvania Intestate, Wills and Estates Acts of 1947*. 1949.

Brown, Maurice Henry. *Pennsylvania Evidence, a Handbook*. 1949.

Purdon's Pennsylvania Statutes Annotated. Title 32-34, 35, 72 (4v). 1949.

Binns, originally compiled John. *Binns's Justice: Office, Duties, Jurisdiction and Procedure, Justices of the Peace, Magistrates and Aldermen in the Commonwealth of Pennsylvania*. 14 / by Ross H. Pentz ed. 2v. 1950.

Purdon's Pennsylvania Statutes Annotated. Title 20 (3v.), 24.

Tanner, Sheldon Clark. *Principles of Business Law in Pennsylvania: With Illustrative Cases and Problems*. 4th ed. 1950.

Pennsylvania Fiduciary Reporter. Vol. 1. 1952.

Purdon's Pennsylvania Statutes Annotated. Title 43-45, 46-47, 77 (2v.). 1952.

Carringer, M. A. *Procedure in Summary Convictions in Pennsylvania*. 2nd ed. 1953.

Pennsylvania Fiduciary Reporter. Vol. 2. 1953.

Purdon's Pennsylvania Statutes Annotated. Title 12 (6v.), 73-76. 1953.

Carringer, M. A. *Procedure before Committing Magistrates in Pennsylvania*. 2d ed. 1954.

Pennsylvania Fiduciary Reporter. Vol. 3. 1954.

Purdon's Pennsylvania Statutes Annotated. Title 12A (2v.), 37-39, 40-41, 50-51, 52. 1954.

Pennsylvania Fiduciary Reporter. Vol. 4. 1955.

Purdon's Pennsylvania Statutes Annotated. Title 21-23. 1955.

Anderson, Ronald A. *Purdon's Pennsylvania Forms: Classified to and for use with Purdon's Pennsylvania Statutes Annotated*. Philadelphia, Pa. St. Paul, Minn.: G.T. Bisel ; West, 1956.

- Pennsylvania Fiduciary Reporter*. Vol. 5. 1956.
Purdon's Pennsylvania Statutes Annotated. Title 16 (3v.). 1956.
- Troutman, Glenn A. *Pennsylvania Equity Index-Digest*. 1956.
Freedman, Abraham L. and Maurice Freedman. *Law of Marriage and Divorce in Pennsylvania*. 2d ed. 1957.
Pennsylvania Fiduciary Reporter. Vol. 6. 1957.
Pennsylvania Law Encyclopedia: Based on Pennsylvania Statutes; Case Law, State and Federal; Attorney General Opinions and Law Reviews. 1957.
Purdon's Pennsylvania Statutes Annotated. Title 53 (8v.). 1957.
- Lieberman, Barnet and Walter W. Rabin. *Law of Zoning in Pennsylvania, a Handbook*. 1958.
Pennsylvania Fiduciary Reporter. Vol. 7. 1958.
Purdon's Pennsylvania Statutes Annotated. Title 13-15 (2v.), 26-29, 30-31. 1958.
- Reimel, Theodore Leon. *Handbook on Criminal Law in Pennsylvania; Including Common Law, Statutory Offences, Evidence*. 1958.
- Smith, M. Paul and J. Brooke Aker. *Handbook on Will Drafting in Pennsylvania*. 1958.
- Hunter, David G., M. Paul Smith and J. Brooke Aker. *Pennsylvania Orphans' Court Commonplace Book*. 2d ed. 1959.
- Laub, Burton R. *Pennsylvania Trial Guide, Civil and Criminal: Practice and Procedure, Evidence, Instructions to Juries, with Forms for Charge*. 1959.
Pennsylvania Fiduciary Reporter. Vol. 8. 1959.
Purdon's Pennsylvania Statutes Annotated. Title 62-63, 64-66, Index (4v.). 1959.
Pennsylvania Fiduciary Reporter. Vol. 9. 1960.
Pennsylvania Rules of Court. Philadelphia, Pa. St. Paul, Minn.: G.T. Bisel Co. ; West Pub. Co., 1960.
Purdon's Pennsylvania Statutes Annotated. Title 73-76 (2v.). 1960.
- Grossman, Richard L. and M. Paul Smith. *Pennsylvania Inheritance and Estate Tax*. 1961.
Pennsylvania Fiduciary Reporter. Vol. 10. 1961.
Purdon's Pennsylvania Statutes Annotated. Title 36 (2v.), Constitution (2v.). 1961.
- Shuchman, Philip. *Handbook on the use of Judgment Notes in Pennsylvania; Annotated Law, Practice, Forms*. 1961.
Pennsylvania Fiduciary Reporter. Vol. 11. 1962.
Purdon's Pennsylvania Statutes Annotated. Title 17 (2v.), 24 (2v.), 71 (2v.). 1962.

Smith, M. Paul and Richard L. Grossman. *Pennsylvania Fiduciary Guide: A Handbook for Executors and Administrators*. Rev ed. 1962.

Aker, J. Brooke. *Pennsylvania Probate and Interpretation of Wills*. 1963.

Pennsylvania Fiduciary Reporter. Vol. 12. 1963.

Purdon's Pennsylvania Statutes Annotated. Title 1-6, 18 (2v.), 5, Tables Cum. Suppl. 1963.

Laub, Burton R. *Pennsylvania Keystone; Lawyer's Desk Library of Practice*. 1964.

Pennsylvania Fiduciary Reporter. Vol. 13. 1964.

Purdon's Pennsylvania Statutes Annotated. Title 8-11, 19, 20, 35, 43, 43-45, 54-59, 60-61. 1964.

Purdon's Pennsylvania Statutes Annotated. Title 48-49, 68-70. 1965.

Snitzer, . *Pennsylvania Eminent Domain: Law, Practice, Forms*. 1965.

Pennsylvania Fiduciary Reporter. Vol. 14. 1966.

Purdon's Pennsylvania Statutes Annotated. Title 42, 52, 53 (2v.). 1966.

Valentine, William A. *Pennsylvania Valentine-Binns Justice: Civil, Criminal, Law, Procedure, Forms*. [15th] ed. 1966.

Hecht, Lester S. *Pennsylvania Municipal Claims and Tax Liens: Law, Practice, Forms*. 1967.

Pennsylvania Fiduciary Reporter. Vols. 15 & 16. 1967.

Purdon's Pennsylvania Statutes Annotated. Title 7, 12 (1821-End) 2v., 12 (index), 13-15, 15 (2v.), 32-34. 1967.

Pennsylvania Fiduciary Reporter. Vol. 17. 1968.

Purdon's Pennsylvania Statutes Annotated. Title 62, 63, 72 (2v.). 1968.

Aker, J. Brooke. *Pennsylvania Estate Planning and Drafting; Instant Estate Planning, General Principles, Lifetime Testamentary, Forms, Tax Consequences*. 1969.

Pennsylvania Fiduciary Reporter. Vols. 18 & 19. 1969.

Pennsylvania Rules of Court. 1969.

Purdon's Pennsylvania Statutes Annotated. Titles 46, 47, 50-51, Constitution (2v.). 1969.

Reimel, Theodore L. *Pennsylvania Guide to Criminal Practice and Procedure; Law, Practice, Forms*. 1969.

Sell, W. Edward (William Edward). *Pennsylvania Business Corporations; Law, Practice, Forms*. 1969.

Troutman, Glenn A. *Pennsylvania Damages, Personal Injury Verdicts, with Present Worth and Life Tables and Medical Glossary*. 1969.

- Meyer, Milford J. *Law of Vehicle Negligence in Pennsylvania*. 1970.
Pennsylvania Fiduciary Reporter. Vol. 20. 1970.
Pennsylvania Rules of Court. 1970.
Purdon's Pennsylvania Statutes Annotated. Title 12A (3v.). 1970.
- Ryan, Robert S. *Pennsylvania Zoning Law and Practice; Law, Practice, Forms*. 1970.
- Grossman, Richard L. and M. Paul Smith. *Pennsylvania Inheritance and Estate Tax*. 1971.
Pennsylvania Fiduciary Reporter. Vol. 21. 1971.
Pennsylvania Rules of Court. 1971.
Purdon's Pennsylvania Statutes Annotated. Title 40-41 (2v), 73-76 (3v.) 1971.
Pennsylvania Fiduciary Reporter. Vol. 22. 1972.
Pennsylvania Rules of Court. 1972.
Purdon's Pennsylvania Statutes Annotated. Title 53 (3501-7100, 7101-12100). 1972.
- Trickett, William. *Stern's Trickett on the Law of Landlord and Tenant in Pennsylvania*. Rev. 3d, by Maurice Stern ed. 1972.
- Jenkins, Arthur L., Jr. *Pennsylvania Trial Evidence Handbook; Comments on Proposed Federal Rules of Evidence*. 1973.
- Meyer, Milford J. and Raymond L. Shapiro. *A Handbook of Civil Practice in the State and Federal Courts of Pennsylvania*. 1973.
Pennsylvania Fiduciary Reporter. Vol. 23. 1973.
Pennsylvania Rules of Court. 1973.
Purdon's Pennsylvania Consolidated Statutes Annotated. Title 18 (101-3300, 3301-6100, 6101-End). 1973.
- Jarvis, Kingsley A. *Pennsylvania Crimes Code and Criminal Law: Law and Commentary: Plea Bargaining Table*. 1974.
Pennsylvania Fiduciary Reporter. Vol. 24. 1974.
Pennsylvania Rules of Court. 1974.
Purdon's Pennsylvania Statutes Annotated. Title 53 (1-3500). 1974.
- Rubens, Raymond D. *Pennsylvania Arbitration Guide: Common Pleas, Labor, Commercial, Public Employee, etc*. 1974.
- Barbieri, Alexander F. *Pennsylvania Workmen's Compensation and Occupational Disease*. 1975.
- Frampton, Charles W. *Partridge-Remick Practice and Procedure in the Orphan's Court Division, Court of Common Pleas of Pennsylvania*. Albany, N.Y. Matthew Bender & Co. Inc.; George T. Bisel Company, 1975.
Pennsylvania Fiduciary Reporter. Vol. 25. 1975.
Pennsylvania Rules of Court. 1975.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 20 (4v), 42 Rules (1-2000, 2001-End). 1975.

Smith, M. Paul and Richard L. Grossman. *Pennsylvania Fiduciary Guide: A Handbook for Executors and Administrators*. ? . 1975.

Meyer, Milford J. *Pennsylvania Trial Advocacy Handbook, for use in the State and Federal Civil Courts*. 1976.

Palmieri, John A. *Pennsylvania Law of Juvenile Delinquency and Deprivation: Practical Guide to Rules and Procedures in Processing Juvenile Court Cases--With Forms*. 1976.

Pennsylvania Fiduciary Reporter. Vol. 26. 1976.

Pennsylvania Rules of Court. 1976.

Purdon's Pennsylvania Statutes Annotated. Title 51 (20000-20163). 1976.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. 1977.

Pennsylvania Fiduciary Reporter. Vol. 27. 1977.

Pennsylvania Rules of Court. 1977.

Purdon's Pennsylvania Statutes Annotated. Title 35 (1-1500, 1501-End); *Purdon's Pennsylvania Consolidated Statutes Annotated*. 75 (101-3500, 3500-End). 1977.

Momjian, Albert and Norman Perlberger. *Pennsylvania Family Law*. 1978.

Pennsylvania Fiduciary Reporter. Vol. 28. 1978.

Pennsylvania Rules of Court. 1978.

Ladner, Grover Cleveland. *Ladner on Conveyancing in Pennsylvania, with Forms*. Rev. 4th ed. Clark, Ladner, Fortenbaugh & Young ; John Makdisi, principal editor. 1979.

Pennsylvania Fiduciary Reporter. Vol. 29. 1979.

Pennsylvania Rules of Court. 1979.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 66. 1979.

Pennsylvania Fiduciary Reporter. Vol. 30. 1980.

Pennsylvania Rules of Court. 1980.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 10. 1981.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 1. 1981.

Pennsylvania Rules of Court. 1981.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 42 (101-1700, 1701-5100, 5101-5500, 5501-5900). 1981.

Meyer, Milford J. and Raymond L. Shapiro. *A Handbook of Civil Practice in the State and Federal Courts of Pennsylvania*. 2nd ed. 1982.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 2. 1982.

Pennsylvania Rules of Court. 1982.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 42 (5901-7100, 7100-8700, 8701-20000, 20000-End). 1982.

Sprenkle, Robert C. and Jr. *Confession of Judgment in Pennsylvania: With Forms*. 1982.

Aker, J. Brooke. *Law of Wills in Pennsylvania: Drafting, Interpreting, Contesting, with Forms*. 1983.

Bertin, Emanuel A. *Pennsylvania Child Custody: Law, Practice, and Procedure: Including using Expert Witnesses in Custody Cases*. 1983.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 3. 1983.

Pennsylvania Rules of Court. 1983.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 18 (101-2700, 2701-3900, 3901-5300, 5301-End). 1983.

Smith, M. Paul, Richard L. Grossman, and James L. Hollinger. *Pennsylvania Fiduciary Guide: A Handbook for Executors and Administrators*. 1983 rev. ed. 1983.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 4. 1984.

Pennsylvania Rules of Court. 1984.

Purdon's Pennsylvania Consolidated Statutes Annotated. Title 13 (1101-2725, 3101-7603, 8101-End). 1984.

Nordenberg, Mark A. and W. Edward Sell. *Modern Pennsylvania Civil Practice*. 1 vol. 1985.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 5. 1985.

Pennsylvania Rules of Court. 1985.

Purdon's Pennsylvania Consolidated Statutes Annotated. Tables Cum. Suppl. 1985.

Grossman, Richard L. and M. Paul Smith. *Pennsylvania Inheritance and Estate Tax*. 1986 revision, 2nd rev. ed. 1986.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 6. 1986.

Pennsylvania Rules of Court. 1986.

Dunlap-Hanna Pennsylvania Forms. Rev. / authored by the firm of Obermayer, Rebmann, Maxwell & Hippel; Paul C. Heintz, Editor-in-chief ed. Philadelphia, PA. New York, NY: G.T. Bisel Co.; M. Bender, 1987.

Laub, Burton R. *Pennsylvania Trial Guide: Civil*. 2d rev.ed. by Stephen M. Feldman ed. 1987.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 7. 1987.

Pennsylvania Rules of Court. 1987.

Purdon's Pennsylvania Consolidated Statutes Annotated. Rules of Civil Procedure (1-1300, 1301-2325, 2326-End and Code of Professional Responsibility). 1987.

Carter, Robert A. *Handbook of Civil Practice in the Courts of New Jersey: Corrected to August 1, 1988*. 1988.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 8. 1988.

Pennsylvania Rules of Court. 1988.

- Purdon's Pennsylvania Statutes Annotated. Index (4v.).* 1988.
- Pennsylvania Rules of Court: Federal.* Philadelphia, Pa. St. Paul, Minn.: George T. Bisel Co. ; West Pub. Co., 1988.
- Pennsylvania Rules of Court: State.* Philadelphia, Pa. St. Paul, Minn.: George T. Bisel Co. ; West Pub. Co., 1988.
- Freeman, Morton S. *A Professional's Guide to Effective Communication.* 1989.
- Pennsylvania Fiduciary Reporter. 2d Series. Vol. 9.* 1989.
- Pennsylvania Rules of Court. 1989.*
- Purdon's Pennsylvania Consolidated Statutes Annotated. Rules of Criminal Procedure (1-1099, 1100-End), Index (4v).* 1989.
- Pennsylvania Fiduciary Reporter. 2d Series. Vol. 10.* 1990.
- Pennsylvania Rules of Court. 1990.*
- Purdon's Pennsylvania Consolidated Statutes Annotated. Title 71 (1-732, 732.101-1036, 1037-End), 72 (5481-7100, 7101-End), RAP & RDJ, Index (4v).* 1990.
- Best, Franklin L. *Pennsylvania Insurance Law: Life, Health, property/casualty.* 1991.
- Fahrner, Karen A., Edwin H. Rouh, Jr, and W. Steven Woodward. *Bregy on Selected Sections of the Pennsylvania Probate, Estates, and Fiduciaries Code: Intestate, Wills, and Estates.* 1991 rev. ed. 1991.
- Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences. No. 15.* 1991.
- Pennsylvania Fiduciary Reporter. 2d Series. Vol. 11.* 1991.
- Pennsylvania Rules of Court. 1991.*
- Purdon's Pennsylvania Consolidated Statutes Annotated. Title 23, 43 (781-940, 941-End and 44-45), Index (4v.).* 1991.
- Sell, W. Edward and William H. Clark, Jr. *Pennsylvania Business Corporations: Law, Practice, Forms.* 2nd rev ed. 1991.
- Coben, Larry E. *Pennsylvania Products Liability Guide.* 1992.
- Pennsylvania Fiduciary Reporter. 2d Series. Vol. 12.* 1992.
- Purdon's Pennsylvania Statutes Annotated. Title 24 (1-101-12-1299, 13-1301-2410, 2411-End), 40 (1-1010, 1011-End), 43 (1-780), 77 (1-630, 631-End), Index (4v).* 1992.
- Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences. No. 16.* 1993.
- Pennsylvania Fiduciary Reporter. 2d Series. Vol. 13.* 1993.
- Purdon's Pennsylvania Statutes Annotated. Title 35 (1-1150, 1151-6200, 6201-End), 73 (1-1800, 1801-End, 74 P.S. & 74 Pa.C.S.), Index (4v.).* 1993.
- Sams, Robert A. *Florida Personal Representative's Guide: A Handbook for Estate Administration.* 1993.

Zanan, Arthur S. *Bisel's Pennsylvania Domestic Relations Lawsources: The Collected Consolidated Domestic Relations Statutes and Pennsylvania Rules*. 1993.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsources*. 1993.

Friedman, Ronald M. *Pennsylvania Landlord-Tenant Law and Practice: Law, Practice, Checklists, Forms*. 2nd ed. 1994.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 17. 1994.

Nemeth, Charles P. *Pennsylvania Corporate Practice for the Paralegal: A Practice Guide with Forms; Pennsylvania Corporate Practice for the Paralegal*. 1994.

Nemeth, Charles P. *Delaware Corporate Practice for the Paralegal: A Practice Guide with Forms*. 1994.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 14. 1994.

Zanan, Arthur S. *Bisel's Pennsylvania Compulsory Arbitration Lawsources: The Collected Federal, State and County Compulsory Arbitration Statutes and Rules*. Eastern District Edition. 1994.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsources*. 2d Ed. 1994.

Zanan, Arthur S., Tracey R. Rich, and original edition Milford J. Meyer. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 2d ed. 1994.

Bisel's PA Family Law Update. Vol. 1- , 1995-. Newsletter.

Evangelista, Robert L. *Pennsylvania Trial Guide Criminal*. 3rd / by Robert L. Evangelista ed. 1995.

Friedman, Ron. *And Nothing but the Truth: A Novel*. 1995.

Glazer, Ronald B. *Pennsylvania Condominium Law and Practice: Law, Practice, Checklists, Forms*. 3rd ed. 1995.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsources: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 1995.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 18. 1995.

Nordenberg, Mark A., W. Edward Sell, and Robert L. Byer. *Modern Pennsylvania Civil Practice*. [2d ed]. 2 vols. 1995.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 15. 1995.

Weinberg, Robert J. *Pennsylvania Estate Planning and Drafting*. Rev ed. 1995.

Zanan, Arthur S. and Tracy R. Rich. *Bisel's Pennsylvania Workers' Compensation Lawsources: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 1995.

Barbieri, Alexander F. *Pennsylvania Workers' Compensation and Occupational Disease*. 1996.

Bisel's PA Workers' Compensation Update. Vol. 1- , 1996 -. Newsletter.

Feldman, Stephen M. *Pennsylvania Trial Guide: Evidence*. 3rd rev. ed. 1996.

Feldman, Stephen M. *Pennsylvania Trial Guide: Trial Procedure*. 3rd rev. ed. 1996.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 19. 1996.

Nemeth, Charles P. *Bisel's Pennsylvania Real Estate Practice: A Practice Guide with Forms*. 1996.

Nemeth, Charles P. *Bisel's Pennsylvania Real Estate Agreements of Sale: A Practice Guide with Forms*. 1996.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 16. 1996.

Zanan, Arthur S. and Tracy R. Rich. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 2d ed. 1996.

Bisel's PA Criminal Law Update. Vol. 1- , 1997-. Newsletter.

Castagnera, James O. *Pennsylvania Labor and Employment Law Forms Kit*. 1997.

Castagnera, James Ottavio and Edward Ryan. *Bisel's Guide to Preparing Employee Handbooks for Pennsylvania Practitioners*. 1997.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 2d ed. 1997.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 20. 1997.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 17. 1997.

Zanan, Athur S. *Bisel's Pennsylvania Compulsory Arbitration Lawsource: The Collected Federal, State and County Compulsory Arbitration Statutes and Rules*. 1997.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 3d ed. 1997.

Best, Franklin L. and Jr. *Pennsylvania Insurance Law: Life, Health, property/casualty*. 2nd ed. 1998.

Feldman, Stephen M. *Pennsylvania Trial Guide: Damages, Death Actions, Consortium*. 3rd rev. ed. 1998.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 21. 1998.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 18. 1998.

Sprang, Kenneth and James Ottavio Castagnera. *Bisel's Pennsylvania Unemployment Compensation Lawsource: The Collected*

Unemployment Compensation Statute, Cases and Commentary. 1998.

Zanan, Athur S. *Bisel's Pennsylvania Compulsory Arbitration Lawsource: The Collected Federal, State and County Compulsory Arbitration Statutes and Rules.* 1998.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary.* 3rd rev. 1998.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms.* 4th ed. 1998.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsource: The Collected Municipal Statutes, Regulations, Rules, First Class Township, Second Class Township, and Borough Codes.* 1st ed. 1998.

Aker, J. Brooke. *Pennsylvania Probate, Estates and Fiduciaries Code Annotated: With Forms.* 2d ed. 1999.

Castagnera, James Ottavio, Patrick J. Cihon, Kenneth A. Sprang. *Bisel's Pennsylvania Labor and Employment Lawsource: The Collected Labor and Employment Federal and State Statutes, State Regulations, Cases and Commentary.* 1999.

Clark, William H., Jr. and W. Edward Sell. *Bisel's Pennsylvania Business Associations Lawsource: Relevant Sections of Titles 15 and 54, Current Committee Comments, and Draftsmen's Comments for 1990 Anti-Takeover Provisions.* 1999.

Clark, William H., Jr. and W. Edward Sell. *Bisel's Pennsylvania Nonprofit Corporations and Charities Lawsource: Relevant Sections of Titles 15, 20, and 54 on Nonprofit Corporations, and Full Text of Laws regarding Charities.* 1999.

Emmons, Greg B. *Pennsylvania Real Estate Brokerage Law and Practice.* 1999.

Feldman, Stephen M. *Pennsylvania Trial Guide Professional Malpractice.* 3rd rev. ed. 1999.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules.* 3d ed. 1999.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences.* No. 22. 1999.

MacIntyre, Marion E. *Bisel's Pennsylvania Criminal Lawsource: The Collected Pennsylvania Criminal Statutes and Rules.* 1999.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 19. 1999.

Zanan, Arthur S., Suzanne N. Rosin, and Tracey R. Rich. *Pennsylvania Damages: Personal Injury Verdicts and Settlements.* 1999.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsourc*e: *The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 5th ed. 1999.

Aker, J. Brooke and Thomas A. Boulden. *Law of Wills in Pennsylvania: Drafting, Interpreting, Contesting, with Forms*. 2nd ed. 2000.

Dempsey, Thomas J. and Eileen M. Dempsey Buck. *Pennsylvania Negligence*. 2000.

Feldman, Stephen M. *Pennsylvania Trial Guide Product Liability*. 2000.

Fitzpatrick, F. Emmett. *Internet Essentials for the Pennsylvania Attorney and Other Legal Professionals*. 2000.

Fox, Cyril A. and W. Edward Sell. *Pennsylvania Real Estate Tax Sales and Municipal Claims*. 2000.

Laub, Burton. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 23. 2000.

MacIntyre, Marion E. and Robert L. Evangelista. *Pennsylvania Crimes Code and Criminal Law: Law and Commentary*. 2000.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 20. 2000.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsourc*e. 5th Ed. 2000.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsourc*e: *The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 5th ed. 2000.

Zanan, Arthur S., Suzanne N. Rosin, Tracey R. Rich. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2000.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsourc*e : *The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 2d ed. 2000.

Clark, William H., Jr. and W. Edward Sell. *Bisel's Pennsylvania Business Associations Lawsourc*e: *Relevant Sections of Titles 15 and 54, Current Committee Comments, and Draftsmen's Comments for 1990 Anti-Takeover Provisions*. 2d ed. 2001.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 24. 2001.

Friedman, Ronald M. *Pennsylvania Landlord-Tenant Law and Practice: Law, Practice, Checklists, Forms*. 3rd ed. 2001.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsourc*e: *The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 4th ed. 2001.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 21. 2001.

Smith, M. Paul, Richard L. Grossman, and James L. Hollinger. *Pennsylvania Fiduciary Guide: A Handbook for Executors and Administrators*. 5th rev. ed. 2001.

Weinberg, Robert J. *Pennsylvania Estate Planning and Drafting*. 2nd ed. 2001.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 2000-2001. 6th Ed. 2001.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 6th ed. 2001.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 4th revision. 2001.

Zanan, Arthur S. and Lawrence P. Kempner. *Law of Vehicle Negligence in Pennsylvania*. 2001.

Zanan, Arthur S., Suzanne N. Rosin, Tracey R. Rich. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2001.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 25. 2002.

Evangelista, Robert L. *Pennsylvania Trial Guide, Criminal*. 4th ed. 2002.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 5th ed. 2002.

Mathieu, James V. *Debt Collection in Pennsylvania: With Forms*. 2002.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 22. 2002.

Rich, Tracey, R., Arthur S. Zanan, and Suzanne N. Rosin. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2002.

Sprang, Kenneth A. and Mary Lou Zuschnitt. *Bisel's Pennsylvania Unemployment Compensation Lawsource: The Collected Unemployment Compensation Statute, Cases, and Commentary*. 2002.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 2001-2002. 7th Ed. 2002.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 2002-2003. 8th Ed. 2002.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource*. 2002.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 7th ed. 2002.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsource : The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 3d ed. 2002.

Carter, Carolyn L., contributing authors, and Irv Ackelsberg. *Pennsylvania Consumer Law*. 2nd ed. 2003.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 26. 2003.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 6th ed. 2003.

Grossman, Richard L. and M. Paul Smith. *Pennsylvania Inheritance and Estate Tax*. 5th ed. 2003.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 23. 2003.

Zanan, Arthur S. *Bisel's Pennsylvania Bankruptcy Lawsource: The Collected Bankruptcy Statutes, Federal Rules, Official Forms and PA Local Bankruptcy Rules and Forms*. 2003.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 9th Ed. 2003-2004. 2003.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 8th ed. 2003.

Zanan, Arthur S. *Pennsylvania Equity*. 2003.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 5th revision. 2003.

Zanan, Arthur S., Tracey R. Rich, Lisa A. Ruff. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2003.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 27. 2004.

Gerhard, Robert C., III. *Pennsylvania Medicaid: Nursing Home Care*. 2004.

Gormley, Ken, Principal Editor; Jeffrey Bauman, Joel Fishman, and Leslie Kozler, Associate Editors. *The Pennsylvania Constitution: A Treatise on Rights and Liberties*. 2004.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 7th ed. 2004.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsource: Collected Consumer Federal and State Statutes and Regulations*. 2004-2005 ed. 2004.

Kempner, Lawrence P. and formerly Stephen M. Feldman. *Pennsylvania Trial Guide Evidence*. 4 rev. ed. 2004.

MacIntyre, Marion E. and Robert L. Evangelista. *Pennsylvania Crimes Code and Criminal Law: Law and Commentary*. 2d ed. 2004.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2004-2005 ed. 2004.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 24. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Bankruptcy Lawsourc*e: *The Collected Bankruptcy Statutes, Federal Rules, Official Forms and Pa Local Bankruptcy Rules and Forms*. 2d ed. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court Eastern Region of Pennsylvania*. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court. Western Region of Pennsylvania*. 2004-2005. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsourc*e. 10th Ed. 2004-2005. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsourc*e: *The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 2004.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsourc*e: *The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms*. 9th ed. 2004.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsourc*e : *The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 4th ed. 2004.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2004.

Best, Franklin L., Jr. *Pennsylvania Insurance Law: Life, Health, Property/Casualty*. 3rd ed. 2005.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 28. 2005.

Gerhard, Robert C., III. *Pennsylvania Medicaid: Long-Term Care*. 2005.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsourc*e: *Collected Consumer Federal and State Statutes and Regulations*. 2005-2006 ed. 2005.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 25. 2005.

Rich, Tracey R., Arthur S. Zanan, Lisa A. Ruff. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2005.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Bankruptcy Lawsourc*e: *The Collected Bankruptcy Statutes, Federal Rules, Official Forms and Pa Local Bankruptcy Rules and Forms*. 3d ed. 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court. Western Region of Pennsylvania*. 2005-2006. 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsourc*e. 11th Ed. 2005-2006. 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsources: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 3d Ed. 2005.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsources: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 10th ed. 2005.

Zanan, Arthur S. *Pennsylvania Equity*. 2005.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2005.

Aker, J. Brooke and Thomas A. Boulden. *Probate, Estates and Fiduciaries Code; Pennsylvania Probate, Estates and Fiduciaries Code Annotated: With Forms*. 3rd ed. 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Bankruptcy Lawsources: The Collected Bankruptcy Statutes, Federal Rules, Official Forms and Pa Local Bankruptcy Rules and Forms*. 4th Ed. 2006.

Creo, Robert A. *Alternative Dispute Resolution: Law, Procedure and Commentary for the Pennsylvania Practitioner*. 2006.

Di Pietro, Patrice Wade. *Pennsylvania Juvenile Delinquency Law*. 2006.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 29. 2006.

Friedman, Ronald M. *Ladner Pennsylvania Real Estate Law*. 5th ed. 2006.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2006.

Glazer, Ronald B. *Pennsylvania Community Association Law and Practice*. 2006.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsources: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 8th ed. 2006.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsources: Collected Consumer Federal and State Statutes and Regulations*. 2006-2007 ed. 2006.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2006.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 26. 2006.

Ruff, Lisa A. Tracey R. Rich, Arthur S. Zanan. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2005.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2006.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Bankruptcy Lawsource: The Collected Bankruptcy Statutes, Federal Rules, Official Forms and Pa Local Bankruptcy Rules and Forms*. 4th ed. 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 12th Ed. 2006-2007. 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 4th Ed. 2006.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 11th ed. 2006.

Zanan, Arthur S. *Pennsylvania Equity*. 2006.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 6th revision ed. 2006.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsource : The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 5th ed. 2006.

Zaslow, Darrell M. *Bisel's Pennsylvania Real Estate Lawsource: The Collected Statutes, Rules, and Regulations Affecting Pennsylvania Real Estate*. 2006.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2006.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2007.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 30. 2007.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2007.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsource: Collected Consumer Federal and State Statutes and Regulations*. 2007-2008 ed. 2007.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2007.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 27. 2007.

Rich, Tracey R., Lisa A. Ruff, Arthur S. Zanan. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2007.

Smith, M. Paul, Richard L. Grossman, and James L. Hollinger. *Pennsylvania Fiduciary Guide: A Handbook for Executors and Administrators*. 6th ed. 2007.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2007.

Zanan, Arthur S. *Bisel's Pennsylvania Local Domestic Relations Rules of Court. Western Region of Pennsylvania*. 2007.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Insurance Lawsource*. 13th Ed. 2007-2008. 2007.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 5th Ed. 2007.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 12th ed. 2007.

Zanan, Arthur S. *Pennsylvania Equity*. 2007.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated: With Forms*. 2007.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsource : The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 6th ed. 2007.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2007.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2008.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 31. 2008.

Frank, Jason A. *Maryland Medicaid: Long Term Care*. Bisel, 2008.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2008.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 9th ed. 2008.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsource: Collected Consumer Federal and State Statutes and Regulations*. 2008-2009 ed. 2008.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2008.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 28. 2008.

Stefanoni, Lisa and Joel Fishman. *Bisel's New Jersey Municipal Lawsource: Selected Municipal Statutes, Rules and Regulations*. 2008.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2008.

Steinbacher, Julieanne E. and Adrienne J. Stahl. *Pennsylvania Trust Guide: A Handbook for Trustees and their Advisors*. 2008.

Zanan, Arthur S. and Lawrence P. Kempner. *Bisel's Pennsylvania Discovery Lawsource*. 2008.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 6th Ed. 2008.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 2008 ed. 2008.

Zanan, Arthur S. *Pennsylvania Equity*. 2008.

Zanan, Arthur S., Tracey R. Rich, Lisa A. Ruff. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2008.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsource : The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 7th ed. 2008.

Zaslow, Darrell M. *Bisel's Pennsylvania Real Estate Lawsource: The Collected Statutes, Rules, and Regulations Affecting Pennsylvania Real Estate*. 2008.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated: With Forms*. 2008.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2008.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2009.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 32. 2009.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2009.

Guben, Merry B. and Arthur S. Zanan. *Pennsylvania Animal Law Handbook*. 2009.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsource: Collected Consumer Federal and State Statutes and Regulations*. 2009-2010 ed. 2009.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2009.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 29. 2009.

Ricca, Karen G. and Arthur S. Zanan. *Pennsylvania Accelerated Rehabilitative Disposition Handbook: State, County, and Federal ARD/Expungement Rules, Cases, Procedures, and Forms*. 2009.

Rich, Tracey R., Arthur S. Zanan, Lisa A. Ruff. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2009.

Sherman, Michael Steven and Joseph E. Vogrin, III. *Pennsylvania Driving Under the Influence Law and Practice*. 2009.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2009.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsource: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 7th Ed. 2009.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 2009 ed. 2009.

Zanan, Arthur S. *Pennsylvania Vehicle Code Annotated: Law and Commentary*. 7th revision. 2009.

Zaslow, Darrell M. *Bisel's Pennsylvania Real Estate Lawsource: The Collected Statutes, Rules, and Regulations Affecting Pennsylvania Real Estate*. 2009.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated: With Forms*. 2009.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2009.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2010.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2010 rev. ed. 2010.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 33. 2010.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2010.

Grossman, Richard L. *Bisel's Pennsylvania Orphans' Court Lawsource: The Collected Probate, Estates and Fiduciaries Code; Inheritance and Estate Tax Statute, and Pa Supreme Court Orphans' Court Rules*. 10th ed. 2010.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsource: Collected Consumer Federal and State Statutes and Regulations*. 2010-2011 ed. 2010.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2010.

Pennsylvania Fiduciary Reporter. 2d Series. Vol. 30. 2010.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2010.

Steinbacher, Julieanne E. and Adrienne J. Stahl. *Pennsylvania Trust Guide: A Handbook for Trustees and their Advisors*. 2nd ed. 2010.

Wettick, R. Stanton, Jr. *Pennsylvania Forms for the Rules of Civil Procedure: With Author's Summaries and Comments*. 2010.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsources: The Collected Motor Vehicle Code Statutes, Regulations, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways*. 8th Ed. 2010.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsources: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms Includes WCJ Mediation and Trial Procedures*. 2010 ed. 2010.

Zanan, Arthur S., Lisa A. Ruff, Tracey R. Rich. *Pennsylvania Damages: Personal Injury Verdicts and Settlements*. 2010.

Zaslow, Darrell M. *Bisel's Pennsylvania Municipal Lawsources : The Collected Municipal Statutes, Rules, First Class Township, Second Class Township, and Borough Codes*. 8th ed. 2010.

Zaslow, Darrell M. *Bisel's Pennsylvania Real Estate Lawsources: The Collected Statutes, Rules, and Regulations Affecting Pennsylvania Real Estate*. 2010.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated: With Forms*. 2010.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2010.

Carobus, Kenneth P. *Debt Collection in Pennsylvania: With Forms*. 2011.

Evangelista, Robert L. *Pennsylvania Manual of Civil and Criminal Penalties and Sentences*. No. 34. 2011.

Gerhard, Robert P., III. *Pennsylvania Medicaid: Long-Term Care*. 2011.

Kempner, Lawrence P. *Bisel's Pennsylvania Consumer Lawsources: Collected Consumer Federal and State Statutes and Regulations*. 2011-2012 ed. 2011.

McCarter & English, LLP and Andrew J. Rothman. *Handbook of Civil Practice in the Courts of New Jersey*. 2011.

Pearson, Katherine C. and Trisha E. Cowart. *The Law of Financial Abuse and Exploitation: A Pennsylvania Guide for Older Adults, Families, Counsel and Courts*. 2011.

Pennsylvania Fiduciary Reporter. 3d Series. Vol. 1. 2011.

Sherman, Michael Steven and Joseph E. Vogrin, III. *Pennsylvania Driving Under the Influence Law and Practice*. 2011.

Stefanoni, Lisa. *Pennsylvania Civil Practice Handbook: State and Federal Courts*. 2011.

Steinbacher, Julieanne E. and Adrienne J. Stahl. *Pennsylvania Special Needs Planning Guide: A Handbook for Trustees of Special Needs Trusts and their Advisors*. 2011.

Zanan, Arthur S. *Bisel's Pennsylvania Motor Vehicle Operation Lawsources: The Collected Motor Vehicle Code Statutes, Regula-*

tions, and Cases Regarding the Operation of Motor Vehicles on Pennsylvania Highways. 9th Ed. 2011.

Zanan, Arthur S. *Bisel's Pennsylvania Workers' Compensation Lawsource: The Collected Workers' Compensation Statutes, Rules, Regulations, Notices and Forms* Includes WCJ Mediation and Trial Procedures. 2011 ed. 2011.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Divorce Code Annotated: With Forms*. 2011.

Zulick, Barbara B. and Arthur S. Zanan. *Pennsylvania Support Practice*. 2011.

Joel Fishman, Ph.D., is Assistant Director for Lawyer Services, Duquesne University Center for Legal Information/Allegheny County Law Library

This article was originally published in LH&RB volume 18, number 2 (Fall 2012).

A Visit to Grandfather's Law Office, or The Picture Book

Mark W. Podvia

Among the books in the author's possession is a battered copy of the Congressional Globe. Pictures, apparently cut from newspaper advertisements, have been glued onto many of the books pages, obviously the work of a child. This story offers a possible explanation as to how those pictures came to be there. Dolly and Grandfather are fictitious. Any resemblance to real persons, either living or dead, is purely coincidental.

Dolly O'Day was so excited she could barely sit still. She was going to spend the whole day at her grandfather's downtown law office. She and her mother had met her grandfather at his office before, but this was going to be her first all-day visit.

It seemed as if she had sat in the parlor for hours—although it could not have been more than ten minutes—before she finally heard her grandfather's heavy footsteps coming down the stairs. Grandfather had been wounded in the leg during the Civil War battle of Gettysburg; his footsteps were unmistakable.

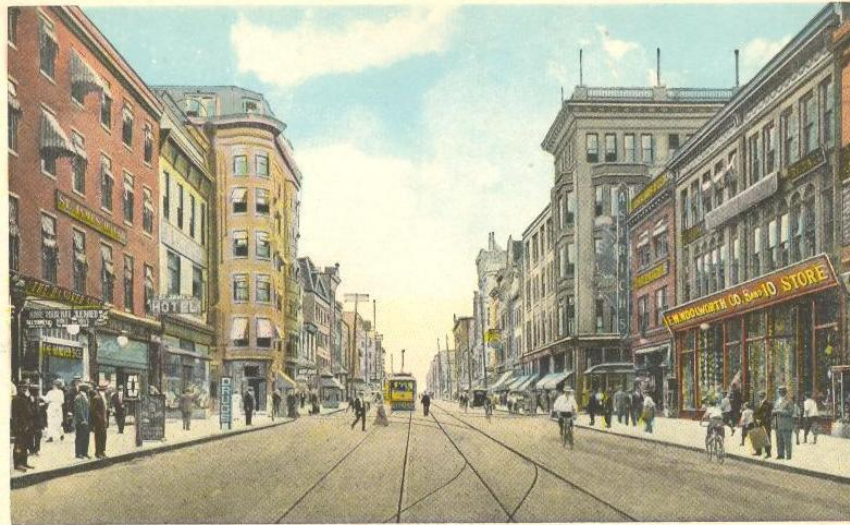
"I see that you are ready to go, my dear," said grandfather. He smiled at his six-year-old granddaughter, so pretty in her white dress and straw hat. "We had best get going or we will miss the trolley."

"I'm all ready, Grandfather, and I am so excited!" said Dolly. "Let's go!"

Dolly loved riding the trolley. The electrified line that ran past her grandparent's house had opened in 1891, shortly before Dolly had been born, but the green and yellow trolley cars still gleamed as if they were brand new. It was a beautiful ride down Second Street, with lovely homes on either side of the street.

It only took a few minutes for the trolley to reach Market Street, where grandfather's law office was located. On the way they passed the site of Pennsylvania's capitol building, which had

burned the previous year.¹ Dolly remembered watching the flames that had reached high into the night sky as the building burned. She had heard that there were plans to build a grand new capitol to replace the old brick structure.²



MARKET STREET, LOOKING WEST, HARRISBURG, PA.

A post card view of Harrisburg's Market Street as it appeared near the turn of the last century. The Woolworth store, where Dolly and Grandfather ate lunch, can be seen on the right.

While walking to his office, grandfather stopped at newsstand where he purchased two bottles of root beer, a bag of licorice, a couple rolls of candy wafers,³ some Wilbur chocolate⁴ and a copy of the July 8th, 1898, issue of the *Telegraph*, one of Harrisburg's daily newspapers. Grandfather never read Harrisburg's other

¹ The "Old Brick Capitol" was destroyed by fire on February 2, 1897.

² Pennsylvania's new capitol building was dedicated on October 4, 1906. At the dedication, President Theodore Roosevelt described the new capitol as "the handsomest building I ever saw."

³ Production of candy wafers—sold today as Necco Wafers—began in 1847. They were a favorite among soldiers during the Civil War.

⁴ Wilbur Buds, introduced in 1893, resemble Hershey Kisses but predate Kisses by 14 years. The Wilbur Chocolate Company continues to operate in Lititz, Pennsylvania today.

newspaper—the *Patriot*—because it had printed insulting remarks about President Lincoln’s speech at the dedication of the Gettysburg military cemetery many years earlier.⁵ Grandfather refused to forgive the editor of the *Patriot* for that!

Grandfather’s law office was on the second floor of a bank building. Usually his clerk would have been able to keep Dolly occupied while grandfather worked, but the young man was out sick with a fever. Dolly would be on her own for much of the day.

Grandfather made certain that Dolly was comfortably situated in his conference room. The room held a large wooden table and a massive roll-top desk. The walls were lined with wooden bookcases that held dozens of law books. Dolly loved the smell of the leather bindings of the books, some of which were more than a century old. Among Grandfather’s most prized possessions were four books that had been published in England shortly before the American Revolution. Grandfather had told Dolly that the books were by a man named Blackstone.

“Here are some licorice and candy wafers for you, child,” said grandfather, “and root beer for when you get thirsty. I’ll leave the Telegraph with you—you might enjoy looking at the pictures. If you want to cut anything out of the newspaper, you will find a pair of scissors in the desk drawer. Please be very careful if you use them!”

“I will, Grandfather,” replied the six-year-old.

“I have to meet with a client shortly,” said grandfather. “I will be back to check on you after my appointment.”

⁵ The *Harrisburg Patriot and Union* offered the following remarks regarding Lincoln’s speech at Gettysburg: “The President succeeded on this occasion because he acted without sense and without constraint in a panorama that was gotten up more for the benefit of his party than for the glory of the nation and honor of the dead...we pass over the silly remarks of the President: for the credit of the nation we are willing that the veil of oblivion shall be dropped over them and that they shall no more be repeated or thought of.” The *Telegraph* ceased publication in 1948. The *Patriot-News* remains in print today, although it is no longer published on a daily basis.

Grandfather went off to his office, leaving Dolly on her own. She took a piece of licorice from the bag and opened the *Telegraph* on the table. The front page headline read “Taking of San Juan Hill: Daring Charge of the Rough Riders Led by Roosevelt.”⁶ Colonel Theodore Roosevelt’s picture stared up at Dolly from the newspaper—he was certainly a handsome man! Dolly had heard all the news about America’s war against Spain. War was terrible, but she was so excited to read the news of America’s victory. Grandfather had told her that Colonel Roosevelt might someday become President of the United States.

Dolly took a break from her reading. She ate a few of the candy wafers—clove, chocolate and wintergreen—and poured herself a glass of root beer. She returned to her newspaper, turning to the advertisement for Pomeroy’s Department Store. Pomeroy’s was the finest department store in Harrisburg.⁷ That was where Dolly’s mother had taken her to get her beautiful Easter dress and hat. Dolly loved shopping there!

One of the pictures in the Pomeroy’s advertisement showed a woman wearing a beautiful dress. Dolly’s mother had a similar dress.

Dolly got up and walked to the roll-top desk, where she found a pair of scissors. She returned to the newspaper and cut out the picture. She also cut out a picture of a woman wearing a shawl, as well as drawings of several dresses and children’s jackets.

Dolly got up to get another piece of Wilber chocolate—Dolly loved Wilber chocolate—then returned to her newspaper. She turned the page and found the advertisement for Bowman’s Department Store. Bowman’s was slightly smaller than Pomeroy’s, but it was a wonderful store and Dolly loved the lady who ran the children’s

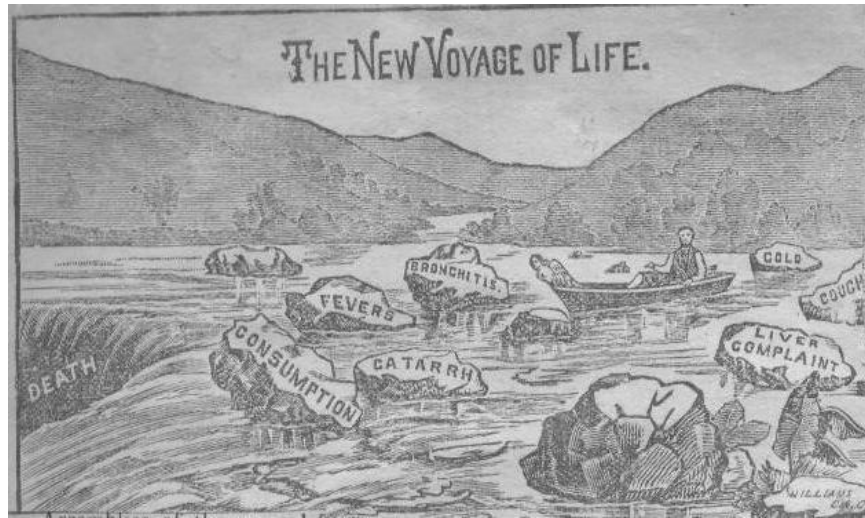
⁶ The Rough Riders, along with the Buffalo Soldiers of the 10th Cavalry Regiment, actually captured nearby Kettle Hill, not San Juan Hill. In 2001 Colonel Roosevelt was posthumously awarded the Medal of Honor by President Bill Clinton for his bravery during the assault. This particular issue of the *Telegraph* could not be located; the headline is taken from the *Citizen* of Jackson, Michigan.

⁷ Pomeroy’s was bought by Bon-Ton stores in 1987. The downtown Harrisburg store was closed three years later.

department.⁸ Dolly cut out a picture of a man in a suit. He was so handsome!

Dolly continued looking through the pages of the *Telegraph*, stopping occasionally to cut out an interesting picture. One depicted a woman in a beautiful dress, drawn so she could be seen from all sides. Another showed a horse pulling a cart.

A somewhat scary picture was labeled “The New Voyage of Life.” It showed a man rowing a boat down a river trying to avoid hitting numerous rocks. The rocks were all labeled: Consumption, Cold, Cough, Liver Complaint, Fevers Bronchitis, and Catarrh. A waterfall just past the rocks was marked “Death.”



Dolly found out many other pictures, ranging from dancing frogs, to cows to various articles of clothing. By the time she finished with the newspaper she had a stack of pictures. Now she just needed to figure out what to do with them.

Dolly took a break for her second root beer. She also tried a piece of Wilber chocolate and a few more candy wafers. She took several minutes to look out the window, watching the traffic in the busy street below. It was filled with pedestrians, horse-drawn wagons and trolleys.

⁸ Bowman’s Harrisburg store closed in 1969. The author has fond memories of shopping at the downtown Bowman’s as a child.

Dolly looked around Grandfather's imposing law library. The book-filled shelves reached almost to the ceiling, high above Dolly's head. She could read the titles on some of the books—*Dallas Reports*, *Mumford's Reports*, *Laws of Pennsylvania*. Dolly looked forward to the day when she would be able to read these impressive books.

Grandfather thumped into the room and saw Dolly looking at his bookshelves. He wondered whether his bright granddaughter might someday take over his law practice. After all, he knew that Dean William Trickett had enrolled a female student at his law school in nearby Carlisle.⁹ Perhaps Dolly would study law under the great Trickett someday!

"Would you like to go for lunch, child?" asked Grandfather. "I know that it is a little early, but I have to be back for a 12:15 appointment."

Dolly suspected that Grandfather planned to take her to the Woolworth store for lunch. She loved the soda fountain there.

"Will we be going to Woolworth's, Grandfather?" asked Dolly. "Can I get a hot dog?"

"Of course, my dear," replied Grandfather. "Just make certain to leave room for a hot fudge Sundae!"

At lunch, Grandfather told Dolly that his morning appointment had been with a man who needed something called a will. He explained that people obtained wills so that they could specify who would receive their property when they died.

"Is your client going to die?" asked Dolly, suddenly feeling very sad.

"No, child," said Grandfather with a little a slight laugh. "He is much younger than me so I hope he will be around for a long time. However, he wants to be prepared, just in case."

Dolly was thrilled that her grandfather had been able to help his client. Perhaps someday, she thought, she would be able to help people in the same way.

⁹ Julia Radle, Dickinson School of Law Class of 1899.

Dolly and Grandfather returned to his office, stopping at the newsstand for another bottle of root beer.

“This will give you something to drink this afternoon, child,” said Grandfather.

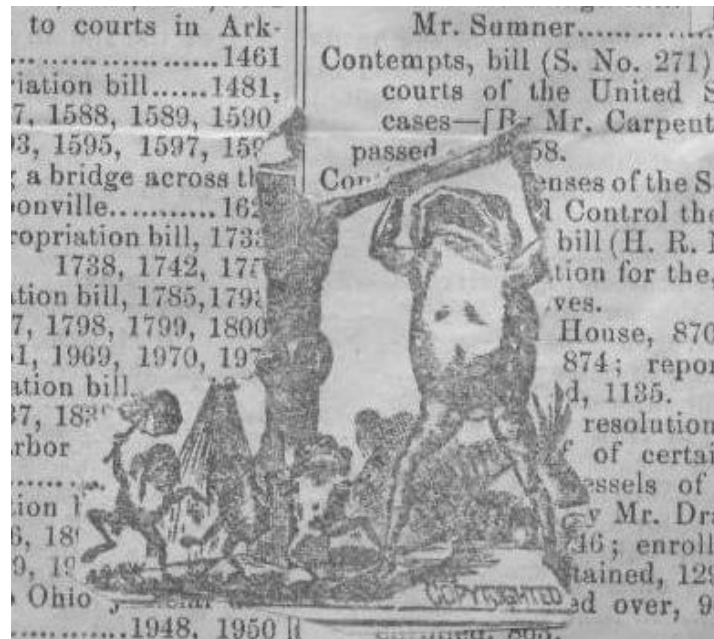
When they returned to the office Dolly had a question for her Grandfather.

“Grandfather, I’ve cut out so many pretty pictures. Do you have any paste, and a book in which I can glue them?”



Grandfather looked around his office. He knew that they had a jar of paste, but he was uncertain as to whether he had a spare book. Then he remembered that several days earlier he had received a box of books from a book publisher in Philadelphia. Packed in the box, probably as fill, had been a battered copy of the 1871 Congressional Globe. Grandfather had no use for the book; he had planned on throwing it out.

“You can use this, Dolly,” said Grandfather, handing her the battered book, along with a jar of paste.



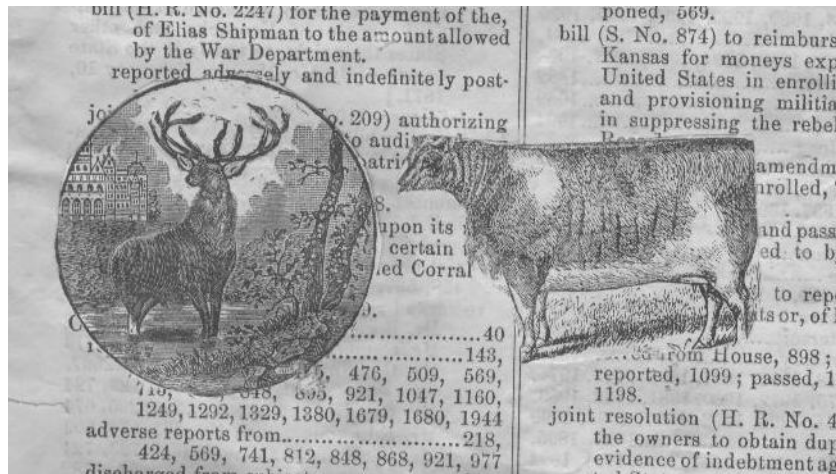
“Thank you, Grandfather” replied Dolly.

Dolly spent the afternoon pasting the pictures that she had cut out in the book that Grandfather had given to her. She pasted the Pomeroy’s women in the beautiful dress next to the Bowman’s man in the suit. She imagined them as being dancing partners at a ball. She filled page after page with her pretty pictures. She spent the afternoon pasting, pausing only occasionally for a piece of licorice or Wilber’s chocolate or a candy wafer.

By the time Grandfather had finished with his afternoon appointments, Dolly had finished pasting all her photos in the Congressional Globe.

“Do you like my picture book, Grandfather?” asked Dolly.

Grandfather paged through the book. He had intended on throwing the battered book in the trash. Now his granddaughter had turned it into a prized possession.



“I love it,” said Grandfather. “May I keep it?”

“I made it just for you, Grandfather,” said Dolly. “I had hoped that you would want it! Thank you for letting me spend the day in your law office!”

Grandfather added Dolly’s picture book to his library. Other books might be worth more, at least in monetary terms, but Dolly’s picture book was his favorite.

...

It was now December 1916. Dolly had graduated from Dean Trickett’s law school the previous year. She had clerked for her grandfather for a year after her graduation. He was now retired; his Harrisburg practice was hers.

Occasionally during the early-morning hours, Dolly would retreat to her conference room and look through the picture book that

she had put together so many years ago. It brought back memories of that day when she had decided to become a lawyer. Grandfather had kept it for all those years, sitting on the shelf next to his first-edition Blackstone.

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

This article was originally published in LH&RB volume 17, number 2 (Fall 2011).

**“Digging” Legal History:
The Presentations by
Dr. James E. Starrs**

Susan Chinoransky, Elizabeth Hilkin, Mark W. Podvia and
Kasia Solon

Over a period of four years, from 2009 to 2012, Dr. James E. Starrs, the David B. Weaver Research Professor of Law and Professor of Forensic Science at the George Washington University, offered a series of lectures at the AALL Annual Meetings entitled “Digging’ Legal History.” These interesting and informative lectures were very well attended—many were standing room only.

We do not usually reprint LH&RB program reviews in Unbound. However, in this case it seems appropriate that we break that rule and reprint the LH&RB reviews of all four programs. We thank Professor Starrs for these excellent presentations.

July 28, 2009, Program J-1: “Digging” Legal History: Using Exhumation and Innovative Forensic Science Techniques to Verify Historical Legal Events

The “Kingfish,” Huey Long, was shot in the Louisiana State Capitol at Baton Rouge on September 8, 1935. He died two days later. Long bodyguards killed the suspected assassin, Dr. Carl Weiss, firing numerous bullets into his body. However, the question has remained throughout the years: Was Weiss really the shooter?

Dr. James E. Starrs, the David B. Weaver Research Professor of Law and a Professor of Forensic Science at the George Washington University, used the example of the Weiss case to explain the application of forensic science in the courtroom. Professor Starrs is a leading expert in modern forensics, and he has investigated the deaths of both well-known historical figures as well as those of the not-so-well-known.

Physical evidence can provide Professors Starrs and his teams of volunteers with an accurate picture of what actually occurred. For example, after examining the remains of Dr. Weiss and other

physical evidence, Professor Starrs determined that there were “grave and persistent doubts” that Weiss shot Huey Long.

Professor Starrs’ presentation was masterful, a perfect blend of detailed fact and humor, that held the audience in rapt attention. Coordinator and Moderator Jennie Meade deserves great thanks for bringing us such an excellent program.

--Mark W. Podvia

July 11, 2010 LH&RB-SIS Program: “Digging” Colorado Legal History: Alfred Packer—The Man, The Myths, The Cannibal

Kicking off the series of LHRB programming at the 2010 AALL Annual Meeting was this thoroughly entertaining talk by Prof. James Starrs, legal scholar and forensic scientist. Those who attended last year’s meeting may remember his session on the murder of “Kingfish” Huey Long. (For a review of that session, see 15 LH&RB 15 (2009).) The topic this year continued to be death, with Starrs as lively as ever. Appropriately enough for the Denver setting, Starrs recounted his Colorado exhumation of the 1874 Packer gold prospecting party victims.

As the standing room only crowd feasted on LHRB’s generous luncheon spread, Prof. Starrs launched into the subject of cannibalism. In the winter of 1874, Alfred Packer and five other prospectors set out in hopes of striking it rich, but only Packer reappeared that spring looking relatively well fed. After various mishaps, Packer was eventually tried and convicted for the five murders in 1885. Still, a mystery remained of how exactly the prospectors had met their fate.

Starrs and his expedition undertook an exhumation in 1989 and established that the bones of the prospectors displayed evidence of defleshing by another human. Unsettlingly, the marks of defleshing exhibited increasing skill by the cannibal as he improved his expertise. Making for a marked contrast between criminal justice then and now is that there was no expert witness or scientific testimony at Packer’s trial; however, the judge and jury appear to have gotten it right.

For those interested in further reading, see *A Voice for the Dead: A Forensic Investigator’s Pursuit of the Truth in the Grave* by Prof. Starrs, with Katherine Ramsland. And hopefully Jennie Meade,

the coordinator and moderator, can track down someone who was mysteriously murdered in Pennsylvania in time for next year's annual meeting in Philadelphia.

--Kasia Solon Cristobal

July 25, 2011 LH&RB-SIS Program: "Digging" Legal History in Philadelphia: The Meriwether Lewis Project

Whether a death has resulted from suicide or homicide is a question AALL Annual Meeting attendees rarely are invited to consider, but Professor James Starrs, reprising his role as AALL's forensics expert, presented that query in his discussion of the controversial 1809 death of explorer Meriwether Lewis. Starrs, Professor Emeritus of Law and Forensic Sciences at The George Washington University Law School, is an icon in the field of forensics. A third-time returnee to AALL, he has discussed for his audiences the utility of applying forensic science techniques and evidence gathered during exhumation to verify or disprove accepted versions of historical legal events, and has analyzed his findings from exhumations of Colorado cannibal Alfred Packer's victims and Senator Huey Long's suspected assassin, Dr. Carl Weiss.

This year's program did not disappoint. Professor Starrs captured the attention of his audience by combining details of the events surrounding Meriwether Lewis's death with drollery. He examined the hypotheses for murder and suicide, the cast of characters associated with Lewis at the time of his death, and some plausible motives for murder, as well as reasons why Lewis's death by suicide could be considered unlikely. Not content with mere speculation, he also reviewed the science that could provide evidence to resolve some of the questions surrounding Lewis's death.

Professor Starrs, with his team of professionals, has laid careful groundwork for the possibility of exhuming the remains of Meriwether Lewis. He has tested the condition of the soil and studied water drainage at the burial site, hypothesizing that the skeletal remains could be in good condition. He has obtained DNA samples from a Lewis descendant to prove whether the remains are actually those of Meriwether Lewis. He has planned a number of forensic tests, since evidence of black powder residue could indicate whether shots were fired at close range, bone strikes could

show the trajectory of the bullet, and residual toxic substances such as mercury (a common treatment for syphilis) could indicate whether Lewis suffered from disease. Finally, Starrs has conducted test firing with weapons similar to those Lewis was believed to be carrying in order to compare shapes in the event that he finds lead balls with Lewis's remains.

Although Professor Starrs is prepared to conduct the exhumation, and enjoys the support of more than 200 descendants of Meriwether Lewis, plus the governors of Tennessee, Missouri, and Virginia, the decision to exhume lies with the National Park Service, which is responsible for the portion of the Natchez Trace in Tennessee where Lewis is buried. To date, NPS has refused to allow an exhumation, and the cause of Lewis's death remains controversial.

I anticipate his return along with that of coordinator and moderator, Jennie Meade, at the 2012 annual meeting in Boston, especially since Professor Starrs already has performed an exhumation of Albert DeSalvo, the purported "Boston Strangler," and Mary Sullivan, the woman thought to be the Strangler's final victim.

--Elizabeth Hilkin

July 23, 2012 LH&RB Program: "Digging" Legal History in Boston: The Case of the Boston Strangler

On Monday, July 23rd, George Washington University's Professor James Starrs completed the fourth (and final) installment in his "Digging Legal History" series for the LH&RB Section of AALL with the presentation: "Digging Legal History in Boston: The Case of the Boston Strangler." Always a rousing speaker, this year's performance was no exception. Prof. Starrs recounted his team's experience with the exhumation and forensic investigation of Mary Sullivan, the Strangler's final victim. His talk and accompanying Powerpoint presentation kept his audience riveted to their seats. Included were photographs of the examination of the exhumed corpse of Mary Sullivan (corpse grayed out so as not to gross out the audience) along with the forensics team brought in by Starrs to perform the analysis. Prof. Starrs debunked much of the misinformation made popular in films such as the 1968 classic "The Boston Strangler" starring Tony Curtis. Indeed, the facts themselves have made for a much more compelling story than any fic-

tionalized account required to be sanitized for the viewing public of the Sixties.

In the past, Prof. Starrs has dealt with exhumations of such controversial figures as explorer Meriwether Lewis, outlaw Jesse James, and reputed cannibal Alfred Packer. Unlike previous exhumation subjects, the case of the Boston Strangler has a much more recent history. In his presentation, Prof. Starrs notes that he accepts these cold cases based on two criteria: historical controversy and scientific value. Prof. Starrs was approached by the Sullivan family and Albert DeSalvo's brother to provide answers to some lingering questions regarding the case. Starrs accepted the challenge.

Some noteworthy items mentioned by Prof. Starrs in his presentation:

- Date of exhumation was Oct. 13, 2000; Mary Sullivan was re-interred on Oct. 15th. Prof. Starrs and his team were at all times respectful of Mary Sullivan as a person and not just the subject of a forensic investigation;
- Starrs misrepresented himself as a part of the Sullivan clan in order to obtain permission to access information not usually approved by someone outside the family;
- Coffins had a 60 year guarantee that the body would not decay. Mary Sullivan was in perfect shape when exhumed;
- Starrs' team collected 68 items to sort out and investigate;
- Fabric used by the funeral home to tie up the jaw was thought to be hair in the initial investigation; Prof. Starrs was able to clear up this confusion;
- Prof. Starrs discovered that Mary Sullivan's hyoid bone was unfractured, which was inconsistent with Albert DeSalvo's testimony that he strangled her manually. Rather, the evidence indicated strangulation by ligatures;
- Seminal DNA was found in Mary's pubic hair and underpants; however, the DNA did not match with that of either Mary or Albert DeSalvo. Prof. Starrs postulated that an unsavory individual may have had intercourse with Mary postmortem.
- Prof. Starrs himself paid for the lion's share of the project.

Although the results of the exhumation were inconclusive on several counts, and actually raised many new questions, the family of Mary Sullivan and Albert DeSalvo were satisfied and did not seek any further investigation from Prof. Starrs' team. They seemed to obtain closure from this investigation.

Prof. Starrs concluded his presentation by noting the vast improvements made in forensic investigation since the time of the Boston Strangler cases. He stressed the importance of saving evidence in order to wait for technological breakthroughs that would unlock evidentiary clues. He also disputed the veracity of Albert DeSalvo's testimony, theorizing that Mr. DeSalvo may very well have killed one or two of the victims attributed to the Boston Strangler, but he most likely did not murder them all. Fame may very well have been behind his confession to all of the murders.

--Susan Chinoransky

Susan Chinoransky is Head of Serials at the Jacob Burns Law Library, The George Washington University.

Kasia Solon Cristobal is Reference Librarian at Tarlton Law Library, University of Texas School of Law.

Elizabeth Hilkin is Archivist and Reference Librarian at Tarlton Law Library, University of Texas School of Law.

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

BOOK REVIEWS

Altschuler, Glenn C. & Stuart M. Blumin <i>The GI Bill: A New Deal for Veterans</i>	79
Beck, Karen S. <i>A Working Lawyer's Life. The Letter Book of John Henry Senter 1879 – 1884</i>	83
Cane, Peter, and Herbert M. Kritzer, Eds. <i>The Oxford Handbook of Empirical Legal Research</i>	87
Cushman, Clare <i>Courtwatchers: Eyewitness Accounts in Supreme Court History</i>	90
Dargo, George <i>Colony to Empire: Episodes in American Legal History</i>	92
Daston, Lorraine and Michael Stolleis, Eds. <i>Natural Law and the Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy</i>	95
Dickinson, Laura A., Mark W. Janis, and John E. Noyes, Eds. <i>International Law Stories</i>	97
Dreisbach, Daniel L., and Mark David Hall, Eds. <i>The Sacred Rights of Conscience</i>	100
Finch, George A. <i>Adventures in Internationalism: A Biography of James Brown Scott</i>	103
Gilles, Myriam E., Risa L. Goluboff, Eds. <i>Civil Rights Stories</i>	106
Gillette, Michael L. <i>Launching the War on Poverty: An Oral History</i>	109
Hoeflich, Michael H., Ed. <i>Sources of the History of the American Law of Lawyering</i>	114
Hoeflich, Michael H. and William E. Butler <i>The Syllabi: Genesis of the National Reporter System</i>	116

Jensen, Kristian <i>Revolution and the Antiquarian Book: Re-shaping the Past, 1780-1815</i>	120
Kaye, J. M. <i>Medieval English Conveyances</i>	123
Lash, Kurt T. <i>The Lost History of the Ninth Amendment</i>	126
Locke, John <i>A Letter Concerning Toleration and Other Writings</i>	130
McMaster, John Bach and Frederick D. Stone <i>Pennsylvania and the Federal Constitution 1787-1788</i>	133
Peterson, Merrill D. <i>Democracy, Liberty, and Property: The State Constitutional Conventions of the 1820s</i>	135
Pollock, Frederick and Frederic William Maitland <i>The History of English Law Before the Time of Edward I</i>	138
Pruitt, Paul M. <i>Taming Alabama: Lawyers and Reformers, 1804-1929</i>	142
Robertson, Craig <i>The Passport in America: The History of a Document</i>	148
Schneider, Elizabeth M. <i>Stephanie M. Wildman, Eds. Women and the Law Stories</i>	152
Tocqueville, Alexis de <i>Democracy in America : Historical-critical Edition of De la Démocratie en Amérique</i>	155
Tsesis, Alexander <i>For Liberty and Equality: The Life and Times of the Declaration of Independence.</i>	157
Vile, John R. <i>Proposed Amendments to the U. S. Constitution 1787-2001; Supplement IV, 2002-2010</i>	160

Altschuler, Glenn C. & Stuart M. Blumin. *The GI Bill: A New Deal for Veterans*. Oxford; New York: Oxford University Press, 2009. 246 pages. ISBN: 978-0-19-518228-6. \$29.95.

The Servicemen's Readjustment Act of 1944, better known as the GI Bill, had a huge impact on America after World War II. It was a new invention in social legislation, directly benefitting 12.4 million of the 15.7 million veterans of World War II and became the largest government program in American history. When veterans were asked what difference the bill made to them, three quarters answered, "The GI Bill changed my life." (p.ix) The book's subtitle, "A New Deal for Veterans," not only places the GI bill within the context of the Roosevelt administration but emphasizes the revolutionary impact of the new policy on its veterans.

I think that Altschuler and Blumin provide a well-researched, informative and balanced study of the GI Bill. The authors argue that the bill was "unique" by comparison with what had gone before. (p.ix). Despite its mythical status, the authors do not shy away from presenting the good, the bad and the ugly about a law that reflected the politics and attitudes of the times. The book's seven chapters provide a compelling narrative, beginning with the Editor's Note and Introduction, which provide brief outlines of the work.

Chapter 1, "Before the GI Bill: Veterans and politics from the Revolution through World War I," is self-explanatory. Following almost every conflict (Revolutionary, 1812, Spanish-American, World War I) Congress responded, and veterans benefits usually took the form of a pension until the twentieth century. Each previous conflict influenced the type of benefits provided to the newest veterans.

Chapter 2, "FDR and the Reshaping of Veterans' Benefits, 1940-1943," and chapter 3, "Mission Accomplished," track the development and process of the several bills that worked their way through Congress culminating in the Servicemen's Readjustment Act of 1944 that President Roosevelt signed. The GI Bill was not the end-product of a grand design, rather it grew in fits and starts. The final bill was the culmination of intense political maneuvering and complex negotiations in and out of Congress. Both political parties in the House and Senate saw the need for a new program of veterans benefits and voted unanimously for the final

bill. However, within a year it became apparent that the original act had serious drawbacks and was amended several times in the next few years. Altschuler and Blumin place the bill in its historical, political, social, and economic contexts and also consider the process and competing interests that led to its passage.

Like many Americans, I think of the GI Bill primarily in terms of college tuition and low-interest home loans that were made available to veterans. These are covered in detail in chapter 4, "SRO: Veterans and the Colleges," and chapter 7, "Finding a Home: The VA Mortgage." By 1956, more than 7 million veterans had participated in either education or training programs, and more than 2 million had taken out home loans backed by the Veterans Administration. There was an explosion in the number of students enrolling in college or university and this caused a huge increase in the need for housing, facilities, faculty, curriculum and other services. The GI Bill paid full tuition up to \$500 as well as providing stipends for veterans, married or single. The bill provided opportunities to many men who otherwise might not have attended college. The vets were excellent, determined students, and few flunked out. They tended to view the benefits as a privilege, not an entitlement, and had a positive view of government.

Although buying a home was not the first priority of veterans, there was a housing squeeze when they were ready to take advantage of the loans guaranteed by the VA. After problems with the VA mortgage program were quickly resolved by Congress, about 17% of vets used the mortgage guarantee program to purchase a home, 27% used FHA loans, and 55% used conventional loans (p.195) between 1945-1955.

As I stated previously, the authors include the good, the bad and the ugly about the GI Bill, particularly in chapter 5, "The Most Inclusive Program: Race Gender, and Ethnicity in Title II" and chapter 6, "Overlooked: GI Joe but not Joe College." Issues of gender, race and ethnicity are the focus of these two chapters although there are not overlooked elsewhere in the book. The authors indicate that even though the authors and administrators of the bill did not consciously intend the legislation to be racist or sexist, it was created with (white) men in mind (p.119). As "the most inclusive program...it did not discriminate between more or less privileged Americans. It made no distinctions between GI Joe and GI Jane" (p.118); "... It made no distinction based on "race, creed, color, or national origin" (p.129). Yet it was discriminatory in application and the VA failed these groups by not providing in-

formation and counseling about the programs available to veterans, as required by the legislation. These omissions influenced the extent to which each group took advantage of the GI Bill benefits. Current political and cultural prejudices also had a significant impact on the administration of the benefits. Nevertheless, there were gains and losses based on gender, race and ethnicity.

Women gained by entering the workforce and enrolling in colleges in record numbers during the war; they lost as the men returned home, the GI Bill was passed, and as things returned to normal, women returned to the domestic sphere. After passage of the GI Bill, women became a casualty of the post-war educational boom and college admissions officers turned down record numbers of applications from female high school graduates (p.125) to give veterans top priority, at least for a few post-war years.

Although underrepresented in the armed forces, African-American vets gained by taking advantage of the education and training benefits offered by the GI Bill, especially as a way to progress into the middle class. More blacks than whites used their Title II (Education) benefit to attend schools and training programs below the college level. Following the war, the VA may not have been willing to challenge the status quo in race relations, but the veterans who went to college gained the skills to organize and became active leaders and participants in the civil rights movement (p.137).

Religious and ethnic groups fared better under the GI Bill in large part because during the war the military came to look more like America than any other organization, public or private (139). Discrimination did not disappear overnight, but the discriminatory admissions policies of colleges and universities were challenged. Democratization of higher education accelerated in large part because of the demonstrated success of millions of vets.

The GI Bill was a product of its time and was not perfect but there is no denying its significance in shaping post-war America. About 78 percent of veterans took advantage of one or more of the benefit programs (unemployment payments, education or training, VA-guaranteed loans) offered under the bill (p.8). The GI Bill was an innovative set of programs that enabled veterans to not only readjust to civilian life but realize richer and more satisfying lives (p.203).

Altschuler and Blumin write about a very familiar icon of Americana but bring fresh insights and perspectives to the story of the GI Bill. I think this would be a welcome addition to general academic and large public libraries. In the law library setting this work would be useful as a narrative type of legislative history. The authors provide extensive bibliographic footnotes that show use of government reports, hearings, documents, newspapers, magazines, primary and secondary sources. The Epilogue brings the GI Bill up to the present, indicating how it has changed over the years into a tool for military recruitment.

Lorraine K. Lorne
Young Law Library
University of Arkansas - Fayetteville

Beck, Karen S. *A Working Lawyer's Life. The Letter Book of John Henry Senter 1879 – 1884*. Clark, N.J.: The Lawbook Exchange, 2008. xiv, 267p. ISBN-13: 9781584779292. \$39.95.

Karen S. Beck's book, *A Working Lawyer's Life. The Letter Book of John Henry Senter 1879 – 1884*, offers a rare opportunity for the reader to examine the business practice of a small town lawyer through the pages of his *Letter Book*. While Senter's *Letter Book* provides a close look at the day to day affairs of a nineteenth century working lawyer through a document used to record his everyday business transactions; we can also gain insight into Senter character through his letters. Much more than a simple business document, the *Letter Book* of John Henry Senter brings to light a time when the business of being a lawyer was achieving professional status.

Senter, of Warren, Vermont, is seen through the lens of his *Letter Book*, from the beginning of his practice as he juggles the roles of educator and lawyer, to his days as an attorney held in high esteem as a captioned newspaper illustration within the text indicates. According to Beck, Senter was also the subject of a contemporary biographical sketch. Ms. Beck moves beyond these texts, using the *Letter Book* as a biographical tool to provide a fuller, more intimate look at the practice of law in the nineteenth century.

As M.H. Hoeflich states in his article, "John Livingston & the Business of Law in Nineteenth Century America,"¹ the study of the "business of law" has received less attention by scholars of legal history. In this regard, Beck's book is a welcome addition to this field of scholarship, offering further insight into the practical experiences and methods of nineteenth century lawyers. In Beck's hands, Senter's *Letter Book* does far more than illuminate the everyday working practices of a nineteenth century lawyer, but it also provides important observations onto the lawyer himself.

As a practical recording device for everyday activities, the *Letter Book* plays both the role of copier and file, affording valuable insights into the day to day secretarial and business tasks of maintaining a working office. Beck explores the *Letter Book* both by

¹ M.H. Hoeflich, "John Livingston & the Business of Law in Nineteenth Century America, 44, *Am. J. Legal Hist.* 347 (2000).

content and method for reproducing letters within its pages. The *Letter Book* is not an immaculate recording piece but a real working document full of improperly recorded letters, overly damp pages, and smudges. Beck has gratefully supplied the directions for recording letters and since a certain amount of water was needed to transfer the letters into the book, it is a small wonder that any of them were recorded properly. No one is perfect and Senter's book is full of the types of smudges, smears and transfers one would expect with such a process.

If Senter, or perhaps his clerk, followed the steps outlined in the text's illustration for attaining quality reproductions the task would require a good deal of time and precision in order to make fine copies. Though the procedure must have been an improvement on earlier methods for copying, the method was still difficult enough that fine copies would be challenging to achieve. Beck not only provides us with the record of a nineteenth century lawyer's daily affairs, scarce enough, but she also supplies the reader with the tools and techniques that made the copy book possible for Senter to record his transactions. This is a useful addition to the study of the working habits of nineteenth century lawyers and it provides a richer basis for comprehending the actual process of recording daily activities. The text has several such illustrations and they are of great interest and assistance to the reader, especially in regard to process.

The book is largely formatted into two categories: the biographical and informational text, followed by the complete compendium of the *Letter Book*. Within these divisions there is a good deal of Senter's personality to be found within the texts of his business letters. While Senter's copy book is arranged within chronological order in the second section of the book, Beck dissects its text in the biographical section, arranging the letters by subject. It is here, within the biographical section, that Senter's career can also be found to be divided in terms of his occupations as a lawyer and educator. The latter is not an unusual position for a lawyer who needed to make ends meet while attempting to get his own practice off and running. Many a lawyer's biography of this time period alludes to lawyers as educators and teachers. A steady and reliable income would be an essential means of support when beginning a new practice and education, as an additional means of employment, was often a good fit for an educated lawyer.

In this regard, thanks to Beck's subject oriented approach, we applaud Senter's humor and sympathize with his exasperation as

he examines a geology textbook in his role as a member of the Textbook Selection Committee. Beck quotes Senter in a letter to a Boston book agent when he writes “. . . compare the west coast line of the U.S. as given on 25 & 28, 30 & 58 pages. I have compared them by sketching on tissue paper, and think the result would convince any one, that whoever drafted those maps, had no idea of the “Eternal fitness of things.””²

Senter was not unrecognized in his time for his skills as a lawyer, speaker and politician. The inclusion of an 1890’s photograph showing Senter addressing a crowd as orator for a Memorial Day speech is testament to his interests and his role as public servant. With a caption that reads “famous lawyer and talker from Montpelier”³ as well as the subject of a contemporary biographical sketch,⁴ we know that he was a man of importance. When Beck shares a quote from Senter’s case, *Floss v. Smith*, directed to the jury when he says, “granted that he, Floss, is a knave,”⁵ Beck reaches beyond Senter’s historical legacy and displays expressions of his personality that bring the real, living, breathing person to us, beyond the image of the “famous lawyer.” There are times too, when Beck shows Senter’s character to be a bit prim, yet hot-tempered. These examples present John Henry Senter as a much fuller personality.

The actual letters from Senter’s *Letter Book* provide the text of the second part of Beck’s exploration of this working lawyer’s life. Transcription is always challenging and Beck has thoughtfully provided a note describing her approach to the vagaries of misspellings and punctuation that vary over the intervening years between Senter’s time and our own. Retention of the text, followed as closely as possible to the original, adds a richness and flavor that cannot be duplicated when the text is cleaned and presented to us in our modern parlance. Additionally, many of the recorded letters serve as a reminder that it could be challenging at times to receive payment for services rendered, and the task of continuously badgering clients to pay their bills was odious indeed. An index of people and places mentioned in Senter’s *Letter Book* rounds out the volume, providing a useful addition to the text.

² Karen S. Beck, *A Working Lawyer’s Life. The Letter Book of John Henry Senter 1879 – 1884*, p. 52 (2008).

³ Supra note, 33

⁴ Supra note, 15

⁵ Supra note, 101

In short, Beck's life of John Henry Senter, as viewed through his *Letter Book*, is a much needed contribution to our knowledge of the working lawyer of the nineteenth century. This is a book that will appeal to those with an interest in legal history, especially as it pertains to the daily life and working practices of early lawyers. Biographical volumes of this nature show us the differences between Senter's time and our own, but more than that, books of this nature show us the similarities between us, connecting the lawyers of today with those of yesterday.

Stewart Plein
Special Collections Librarian
West Virginia University College of Law

Cane, Peter, and Herbert M. Kritzer, Eds. *The Oxford Handbook of Empirical Legal Research*. Oxford: Oxford University Press, 2010. xv, 1094p. ISBN: 978-0-19-954247-5. \$250.00.

One of the half-truths concerning empirical legal research is that it only deals with current law and there's nothing historical about it. *The Oxford Handbook of Empirical Legal Research* helps dispel this myth and show how empirical studies have impacted various areas of law over many decades, notably bankruptcy (pp. 198-208), consumer protection (pp. 176-187), environmental regulation (pp. 449-455), family law (pp. 287-294), and occupational safety and health (pp. 424-429). One of the book's co-editors authored an entire chapter on "The (Nearly) Forgotten Early Empirical Legal Research" (pp. 875-900). The text includes some portions useful to legal historians and law librarians, a fact masked by the somewhat generic title.

"In the American legal academy, empirical research gained contemporary prominence in the late 1990s" (p. 1). So begins the introduction to this volume, which then explains succinctly what the volume is about, and also what is omitted. The book is not affiliated with, or only about, the movement called "Empirical Legal Studies," but covers a broader scope of social science approaches to studying law. The book also purposely skips historical and legal analysis as discrete categories of research, and instead looks at empirical investigations of legal institutions, topics, and actors. And what a variety and potpourri of legal fields are covered in this black book!

The core materials of the book are the 43 separate chapters designed to be more than literature surveys of particular legal subfields. The editors asked the 54 authors to provide "concise, original, and critical discussions of work they consider to have made a significant contribution to our understanding of the various topics covered in the *Handbook*. They were also asked to identify gaps in the extant body of research and possible topics for future research." (p. 5). In addition, the authors often brought comparative law perspectives to their chapters, with 7 Australian, 20 American, and 20 United Kingdom scholars joining 5 others from Argentina, Canada, Ireland, Italy, and South Africa. (These numbers don't add up exactly to the 54 total due to dual-degrees and affiliations of some authors. See the list of "contributors and edi-

tors” on pages xiii-xv). To the degree their sub-topics lent themselves to such a wide analysis, the chapter authors succeeded

very well in fulfilling the editors’ goals. For example, Sally Wheeler, professor of law at Queen’s University in Belfast, Northern Ireland, contributes an insightful chapter on “Contracts and Corporations,” (pp. 125-150) which compares and contrasts British and American approaches to researching contract law and behavior on multiple levels, and even includes portions on environmental standards, human rights, and an Australian study on corporate behavior.

I was most impressed with the depth and coverage of the many sub-topics of law within this large handbook. I expected to find good material and information on empirical studies within law in general—and those are here and described in rich detail, particularly in Part 2 of the book, “Doing and Using Empirical Legal Research” (pp. 873-1058). What I was surprised at was the breadth and original analysis of the many, many legal sub-fields comprising the first three-fourths of the book in Part 1 “Surveying Empirical Legal Research” (pp. 9-872). After sampling many of these chapters, I am tempted to return here whenever I start any sort of research—empirical or not—in a legal subfield. The 35 chapters run the gamut from civil procedure (pp. 679-704), constitutions (pp. 376-398), criminal law (pp. 64-95), housing and property (pp. 331-352), international law (pp. 753-784), to legal education (pp. 854-872), personal injury (pp. 235-259) and much more. Each chapter contains at least two or three pages of references relating to the topic, there’s an overall index, and even a prior companion volume, *The Oxford Handbook of Legal Studies* (2003). This 2003 handbook also contains an in-depth analysis of scholarship about law, legal rules, and legal institutions, although from a doctrinal perspective rather than an empirical one.

The Oxford Handbook of Empirical Legal Research is a good purchase for academic law libraries, particularly those with faculty interested in 1) empirical studies, 2) comparative legal analysis (especially across common-law jurisdictions), and 3) doctrinal research but looking for excellent surveys of current and potential future research directions in their fields. Although “legal history” and “history” do not show up in the index, there is still plenty of content here for legal historians seeking contemporary perspectives of almost any legal subfield. This will also be an important text in the future for anyone needing to know which tools are be-

ing used to answer today's legal questions and what academic legal scholarship looked like across the board in 2010.

Galen L. Fletcher
Faculty Services Librarian
Howard W. Hunter Law Library,
Brigham Young University

Cushman, Clare. *Courtwatchers: Eyewitness Accounts in Supreme Court History*. Lanham; Boulder; New York; Toronto; Plymouth, UK: Rowman & Littlefield Publishers, Inc., 2011. xiv, 312p. ISBN: 978-1-422-1245-9. \$35.00.

Thoroughly researched and bursting with historical vignettes, Clare Cushman's new book sheds light on the human side of "the Brethren," as the justices have been known to call themselves. Although its lack of substantive legal content is a departure from more typical Supreme Court biographies, Cushman's book will appeal to those looking to learn about the Court and its history from a new and different perspective, without being encumbered by weighty legal discourse. Ultimately, the book's unique approach has something to offer both lay readers and those devoted Supreme Court followers who share a nickname with its title.

Unlike other books that peer into the Court's famously cloistered world, Cushman packs over 200 years of history into a series of anecdotes that focus more on the justices themselves than on particular Court decisions. Abandoning the typical case-by-case legal discussion, Cushman quickly bounces around in time, highlighting behind-the-scenes events, personalities and relationships that have shaped the Court's history. Cushman also uses her association with the Supreme Court Historical Society to great effect, weaving in original source material and interviews with clerks, administrators, advocates, and the justices themselves. She has clearly left few stones unturned in the search for refreshingly new anecdotes about the Court. The result is a book that comes alive with the voices of those who helped shape the Court's history and offers a glimpse into a world that has largely been hidden from public view.

Each chapter in the book is devoted to a different aspect of life on the Court, resulting in an organization that is both thematic and loosely chronological. The book starts with the Court's humble beginnings, when an early sitting in a borrowed space had to be adjourned because the required quorum of justices was not met (p. 4). In other chapters, Cushman explores some of the unique challenges the justices have faced throughout history: appointment and confirmation (pp. 67-88), the complexities of managing a chambers (pp. 89-104), the relationships among the Justices (pp. 143-178), and the difficulties of deciding when to retire (pp. 229-249).

This unique organizational style allows Cushman to examine how each theme has developed throughout history. A striking example is oral argument (pp. 121-141). Early arguments were akin to theatre, with multi-day spectacles performed by great orators like Daniel Webster. These elaborate affairs attracted elite members of society, who were often pandered to more than the justices themselves. Cushman vividly recounts the drama of that era, when proceedings took place in the dark, cramped, cave-like cellar of the Capitol, a place far removed from the grandeur of the current Court's "marble palace." Although the location has certainly improved, much of that early drama has faded, as oral argument is now carefully controlled and advocates' time is typically limited to thirty minutes each. Cushman effectively uses these contrasts to illustrate how the Court has evolved as an institution. However, because she essentially covers the same time period in each chapter, Cushman has a tendency to skip around in time and occasionally repeats parts of some anecdotes. This might leave some readers feeling disoriented, but it is a small price to pay for such an ambitious discussion.

Cushman's anecdotal style also helps to humanize the Court. Rather than engaging in complex discussions of opinions and legal reasoning, Cushman weaves the justices' (and others') own words and experiences into the narrative, revealing the forces at work behind the Court's reported decisions. A particularly memorable anecdote involved Justice William Brennan, who received a cool reception from colleagues on his first day at the Court because they were huddled in a darkened room intently watching the 1956 World Series (pp. 98-99). Reflections like this are sprinkled throughout the book, and they provide generous insight into the justices' lives both on and off the bench.

Because of the book's focus on history, readers will find relatively little commentary about the current Court. Although some may see this as a detriment, Cushman shows considerable restraint by eliminating discussions of policy, politics, and legal doctrine that can easily be found in other treatments of the Court and elsewhere on the Internet. This wise editorial decision allows both current and aspiring courtwatchers to learn about a different (and more human) side of the Court's history as told by the people who were there; those who argued, compromised, wrote, and ultimately shaped it into the fascinating institution that it has become.

Devin M. Misour
Duquesne University School of Law

Dargo, George. *Colony to Empire: Episodes in American Legal History*. Clark, N.J.: The Lawbook Exchange, 2012. 363pp. ISBN-13: 9781616191443. \$75.00.

In *Colony to Empire: Episodes in American Legal History*, prominent historian and professor George Dargo combines highlights from a lifetime of scholarly achievement. The book is a collection of selected articles and excerpts of works, authored by Dargo, on a wide array of legal-history topics, all of which have been recently revised and edited. With a doctorate in history and a law degree, Dargo pens unique insights into how historical events fashioned the development of America's legal principles.

The book is organized into three time periods, with each segment containing various articles that are apropos to that interlude of American history. Beginning with the section "Colonial Foundations," followed by "Nineteenth Century Episodes," and ending with "Twentieth Century Episodes," Dargo traces the United States' legal development from colony to empire throughout these time periods. The author calls each one of these writings in the sequence "infection points." In other words, each commentary highlights a phase in history that was integral in the nation's development of the law or a distinctive event in America's legal past. Each exposé, relevant to that generation, is an intersection where law and history meet.

It does not do these articles justice to give them a cursory review. However, that is the best I can achieve with the space constraints at hand and I will attempt to emphasize the main foci of the works contained in this collection.

In the segment that examines America's early foundations, Dargo first gives an in-depth analysis on the development of legal rights with particular stress placed on how each colony took its English heritage and transformed that tradition. Many historical examples are produced that point to the divergence and similarity in American and English law customs. The next "episode" examines the topic of religious toleration, or the lack thereof, in early America. Dargo gives a colony-by-colony overview of religious freedom and the limits that were placed on that right. Overall, he explores the reasons America was the setting for the realization of a tolerant philosophy in matters of religion. The third article, entitled "The Condition of the Colonial Press," traces the history of the media and its regulation in the early colonial period. Dargo surveys how laws and powerful assemblies constrained the operation of the

press and highlights a few of the landmark cases in the colonial era that shaped this freedom we know today. Lastly, to finish the segment on America's early foundations, Dargo includes an article on political life in the time period. He puts particular focus on voting rights, campaign techniques, public participation in the electoral process and voter behavior in elections. In sum, Dargo describes how America's early political culture came to life.

The second portion of the book deals with the nation's jurisprudential life in the 1800s. The first essay in this collection is very broad in its scope. It illustrates how the legal system developed in the virgin republic. Some highlights from this article include: a portrayal of the notable events and political battles surrounding the drafting and ratification of the Constitution; descriptions of some integral judicial decisions that aided in formulating and clarifying the law in that age, especially in the areas of torts, contracts, and wills; and lastly, how the changing legal profession affected the law of the time. The works that follow in this segment of the book are all very specific in nature. The essay that ensues in this collection, describes the unique political and cultural events that surrounded the adoption of Louisiana's Civil Digest of 1808. Dargo walks the reader through these occurrences to see how the drafting of this body of laws was an effort of the people of Louisiana to preserve their unique founding and historical past. The next article also deals with a significant event, not only in the history of Louisiana, but in the nation as well: the legal battle that ensued over the Batture of St. Mary. The case involved politician and lawyer, Edward Livingston, and the federal government, including President Jefferson, Congress, and Marshall's Supreme Court. The Livingston battle was a climactic point in the clash of the diverse legal systems that existed at that time, especially between the civil law tradition of Louisiana and her new acquirer, the United States. The essay that follows, entitled "Steamboats and Tugboats on the Mississippi," also touches on an issue dear to Louisiana and the developing nations. In this article Dargo explains how the new technology of the era and the problems that came with that advancement were regulated and dealt with by legislatures and judiciaries at that time. It is a focused study on how states dealt with rapid industrial change. Rounding out the last essay from the 19th century, Dargo examines the origins of the "Separate But Equal" doctrine in his analysis of the case *Sarah Roberts v. City of Boston*. The outcome of the Massachusetts case had an immense impact on federal constitutional law. Dargo believes that this was one of the most important court opinions of

the antebellum period, because it was the first decision to uphold and justify the regime of Jim Crow.

The third and last portion of the book focuses on 20th century legal episodes. All three articles come from Dargo's work on the history of the United States Court of Appeals for the First Circuit. The segment starts with a look at the "Red Scare" that followed after the First World War, especially how this era shaped legal rights and the role of government. Dargo closely scrutinizes Judge George Anderson's landmark decision in *Colyer v. Skeffington* and points out how the opinion achieved important civil liberty goals. The next article looks at challenges to the religious "blue laws," which prohibited commerce on Sundays. In particular Dargo examines the Massachusetts blue law statutory regime and the legal challenges to that scheme in the mid-20th century. Furthermore, he closely dissects the judicial opinions that upheld and struck down the blue laws. Particular emphasis is put on Justice Calvert Magruder's philosophy and its effect on the federal judiciary. The final article on the 20th century centers on the Commonwealth of Puerto Rico and its unique legal status, which is considered a vestige of colonial times. Dargo discusses the First Circuit's relationship with the territory, and once again Justice Magruder's thought is given particular weight.

In conclusion, I believe this book is a tribute to the late Dargo, who passed away shortly before the release of the work. It is truly amazing to witness how one man can have such a commanding knowledge on so many scholarly topics. However, I must add some criticism. The articles, even though wonderful in themselves, have no common theme except for their chronological order and focus on legal history. For example, jumping from a discussion of voting rights in colonial times in one chapter and then to an examination of court decisions decided during the Red Scare in the 1920s in the next, perplexed me in trying to decipher the purpose for compiling this work. Nevertheless, I found the book to be a pleasurable and easy read for a novice in legal history, like myself.

David M. McGoron
Juris Doctorate Candidate '13
Ohio Northern University Pettit College of Law

Daston, Lorraine and Michael Stolleis, Eds. *Natural Law and the Laws of Nature in Early Modern Europe: Jurisprudence, Theology, Moral and Natural Philosophy*. Burlington, VT: Ashgate, 2008. xii, 338p. ISBN: 978-0-7546-5761-3. \$134.95.

What do we mean when we use the word “law?” Lawyers alone could debate the meaning of the word indefinitely. Enter philosophers, theologians, scientists, and linguists and the debate becomes all the more complex. In *Natural Law and the Laws of Nature in Early Modern Europe*, editors Lorraine Daston and Michael Stolleis have compiled a group of essays, characterized in the introduction as a “shared puzzlement among a group of historians of law and science,” that discuss the concept of natural law that rose to sudden prominence in early modern European philosophy, and its relation to modern science, with its so-called scientific “laws” or “laws of nature,” between the sixteenth and eighteenth centuries. What, these historians ask, led thinkers from such varied disciplines to borrow so liberally each other’s language and ideas? The featured authors attempt to answer the question of whether the intertwining of these two disciplines was merely a matter of shared language, or whether the two disciplines evolved within a “common conceptual matrix, in which theological, philosophical, and political arguments converged to make the analogy between legal and natural orders”.

The result, as one might expect, makes for a difficult, though fascinating, intellectual journey. As promised in the introduction, the book’s essays combine to take a truly interdisciplinary approach to the stated questions. Drawing from ancient, medieval and early modern philosophy, for example, philosophy professor Catherine Wilson explores the question of why science might borrow the word “law” to indicate a well-confirmed statement based on scientific observation, when in fact the law is inherently inconsistent, irregular and unpredictable. Professor of history of science and technology Friedrich Steinle provides a comparative overview of the use and meaning of the word “law” in France and England, drawing primary from the “law-concepts” of Bacon and Descartes, and examining why and when the word’s meaning shifted and broadened to encompass philosophical and scientific concepts. Heinz Monhaupt, jurist and legal historian, considers the need for certainty and security in conclusions of science, and points out the close relationship between science and the humanities that existed during the Enlightenment. Examining science and the humanities together, he uses the quest for scientific certainty as a framework for addressing the question of what, if any-

thing, natural law or the laws of nature have in common with man-made laws. In one particularly compelling essay, German law professor Andreas Roth discusses the history of “crimes against nature,” citing actual scientific arguments that have historically been used to justify the criminalization of such acts as sodomy, homosexuality, and bigamy. Though recognizing the religious justifications for the punishment of these “crimes,” Roth demonstrates how biology and the idea of “derivations from nature” worked hand in hand with theology to criminalize these acts in early modern Europe, thus offering a unique perspective on the history of morality offenses.

These, as well as the rest of the essays, each draw from multiple academic disciplines. Taken together, they serve as a starting point for a rich academic discussion that must and will likely be continued until we can form a more complete picture of the intertwining of law, philosophy and science. The book undeniably requires an existing knowledge of European history, as well as a fairly in-depth understanding of the other disciplines from which the authors draw. The writing is dense and academic, and is unlikely to appeal to most casual readers or even to many students. In fact, some of the essays will be largely inaccessible to readers without a sophisticated understanding of the particular author’s area of expertise.

In the end, while *Natural Law and the Laws of Nature in Early Modern Europe* does not make for light reading, its premise is engrossing and original, and will appeal both to legal historians and to historians of early modern philosophy, theology and science. It is not a legal history book in the strictest sense. There is very little discussion of the legal system or of the law as most lawyers would choose to define it. Instead, it is a study of the word “law” as applied in the natural sciences, philosophy, and theology. While perhaps not appropriate for every law library, it is an essential addition to any program that focuses heavily on legal history or philosophy of law, and would also be at home in a theology school or in the philosophy or history of science section of a university library. It is recommended for historians, scholars of law, philosophers, and theologians, and for any reader willing to embark on a challenging but fulfilling exploration of the deeply intertwined histories of natural law and the laws of nature.

Susan Gualtier
Foreign, Comparative, and International Law Librarian
Louisiana State University

Dickinson, Laura A., Mark W. Janis, John E. Noyes, Eds. *International Law Stories*. New York: Foundation Press, 2007. xiii, 442p. ISBN: 978-1-59941-086-9. \$40.00.

Foundation Press's website states that its "Law Stories" series was designed to "bring famous cases to life by telling the true, never-heard-before stories behind landmark cases", and in the process of telling those stories, explain the cases' importance to the body of law. The idea is a good one – if a student can attach an interesting story to a case, it should be easier for them to remember. I read many cases during law school, and while many of them have blurred together, I can still remember the case involving *Rose of Aberlone* or the story of, as my Torts professor described her (cue sad, sympathetic tone), "poor Mrs. Palsgraf".

Though I have heard of the "Law Stories" series before and our library regularly purchases new installments in the series, I had never read one of the volumes before, so I decided to take the chance to review this book and find out if it lived up to its promise. Overall, I would say that *International Law Stories* does a good job of achieving what its editors set out to do – present important events in the field of international law through stories that help the reader to understand how they contributed to the development of that body of law.

The book contains thirteen chapters, which the editors have organized into three parts. The first part is devoted to "Nuremberg and Its Progeny", discussing the Nuremberg trials and subsequent human rights actions; the second part to the domestic impact of international law; and the final part to interstate conflicts in international law. The lines between categories can be blurry at times – the chapter discussing *Abu Ghraib and Hamdan v. Rumsfeld*, for example, could likely have fit any of the three categories. Nevertheless, the division into parts helps the reader understand how the cases discussed tie together.

The editors seem to have done a good job in selecting the cases to be covered in the book. One of the chapters even reaches beyond the world of caselaw, discussing a principle of customary international law that evolved from diplomatic correspondence. Most of the stories focus on developments that involve the United States, but there is one chapter describing the first case contested in the Inter-American Court of Human Rights, and another involving the

case that led to the idea of “objective bodies” such as the United Nations that could have a legal impact on even non-members.

There is a decent mix of historical developments from the 19th and 20th centuries that marked important milestones in international law. Among other things, the reader can find out about how Daniel Webster averted another war with the British and developed a doctrine of the amount of force a State can properly use in self-defense; why migratory birds helped determine whether treaties could override the rights of individual states within the United States; not to mention where the distinction between self-executing and non-self-executing treaties came from (something that has baffled many a law student – and librarian).

The editors also selected well in picking cases from the past couple of decades that they thought would have a major impact on international law in the years to come. Granted, it is always hard to predict the future, but I believe the editors chose their “instant classic” cases well. For example, one of the chapters discusses the 2001 LaGrand case involving German citizens who were sentenced to death in the United States without being told they could contact the German consulate for help. As if to illustrate the importance of this case, I just read a news article about a Mexican citizen who was executed in Texas in July 2011 without being given access to Mexican consular officials.

Selecting good cases, though, is just the first part in making a good casebook – in a series like “Law Stories” that is intended to bring the law to life for the reader, the book itself must be readable. As a whole, the book succeeds. Each of the thirteen chapters has different authors, legal scholars covering both sides of the Atlantic. With different authors, there will be different writing styles. Some chapters pop to life; others are somewhat drier. All chapters, though, are at least readable, and accomplish their most important tasks – selecting an important case, giving the reader the story of the people behind the case, and establishing why that case is important to the development of international law. I was pleased to see that many of the chapters even included an epilogue to tell you what happened to the parties after the case was over (a question that comes up now and then when reading about cases). The author of the chapter on *Filártiga v. Peña-Irala* did an especially good job of bringing the people in the case to life, including interviews with the plaintiff’s attorney, a clerk at the Second Circuit who was assigned to write the opinion, and a Justice

Department attorney who wrote the United States's amicus brief in the case.

If *International Law Stories* is a typical example of the "Law Stories" books, then I would say this is a series well worth adding to academic libraries' collections. I am interested in international law, and this book taught me quite a few things about the field I did not know. The editors and the chapter authors did a fine job of weaving the individual stories into an overall tale that illustrates how international law has evolved from the body of customary practice between nations to a system that relies more on the text of treaties and collections of supernational "objective bodies" like the United Nations and the European Union, as well as international courts like the International Court of Justice. The authors also do a good job sounding a warning tone about the United States's recent unilateral tendencies and their possible impact. This book assumes some familiarity with concepts like customary practice and positivism, but it would serve well as a supplemental text to an international law class or as a good read for someone interested in the history of the field.

Frederick W. Dingley
Reference Librarian
Wolf Law Library
College of William & Mary

Dreisbach, Daniel L., and Mark David Hall, Eds. *The Sacred Rights of Conscience*. Indianapolis: Liberty Fund, 2009. xiv, 672p. ISBN: 978-0-86597-715-0. \$14.50. (paperback)

In *The Sacred Rights of Conscience*, Daniel L. Dreisbach and Mark David Hall have delivered what the subtitle of the book promises—Selected Readings on Religious Liberty and Church-State Relations in the American Founding. The question is, when one has that, what exactly does one have?

The book consists of readings that run the gamut from single paragraphs in letters to political pamphlets of many pages. The subject matter covers an enormous amount of time and number of subjects, which are tied together by short essays. The book begins with selections from the Bible and European influences and then enters the specifically American experience of religion and public life, from the colonial period to the 1830's. The American selections treat some of the well-known church/state controversies, such as early religious discriminations, disestablishment in the States, the omission of God and prohibition of religious tests in the Constitution, the adoption of the Establishment and Free Exercise Clauses, the use of religious references in the early Republic, the religious disputes in the election of 1800 and the treatment of the metaphor of the Wall of Separation between church and state.

Dreisbach and Hall are scrupulously fair scholars. Aside from the biblical and European sources, which are too scattered and opaque to contribute to the reader's understanding of the American religious experience and should be eliminated in the next edition, their selections are helpful and do not exhibit any ideological bias. This alone should earn them praise in this politically contentious field.

Nevertheless, the format they have chosen—relatively short readings with a few very brief essays—may unintentionally create misleading impressions. For example, their essay about the Presidential election of 1800 states that Jefferson's supporters “introduced into American political discourse a separationist principle... .” This phrasing suggests that separation of church and state was a relatively late idea in America. But this ignores the contribution that Roger Williams made in the 1640's forward, which is included in earlier portions of the book. Even if Williams' pamphlets did not circulate in America until later, it is unlikely that the thrust of separation was not communicated from

Rhode Island outward. In addition, a reading in the book from James Bayard explains the omission of a reference of God in the Constitution in completely separationist terms: “[the Constitution] was intended exclusively for civil purposes... .” (364). Bayard’s explanation comes very late, in 1833, and perhaps Dreisbach and Hall would say that Bayard did not reflect the thinking of 1787. But that kind of explanation is precluded by the format they have chosen.

Another example of a perhaps misleading treatment is the authors’ view that the Establishment Clause primarily served as a federalism device that “implicitly affirmed state jurisdiction in religious matters.” (405) This suggests that America in 1791 was still accepting of the state religious establishments. Yet a too-short earlier section of the book describes the movements in the states toward disestablishment and prohibitions on public support of religion—for example, the rejection by the voters in Maryland of taxpayer support of multiple religious denominations in 1785. (253). It is at least arguable that the ban on national religious establishment was adopted with an understanding that official support for religion in the states was waning.

The format of readings without much explanation also allows only a very simplistic story to be told by the authors about America’s history of church/state relations. That story is essentially that the diversity of Protestant denominations in America led to a principle of religious liberty but that Christianity in particular and religion in general retained a dominant role in early American culture.

I don’t think anyone could contest that description, but it leaves out an underlying trend over this period. Something seems to have happened in American life between 1750 and 1800. For example, the Day of Prayer Resolution adopted by the Continental Congress in 1775 was directed to “Christians” (217) and the Thanksgiving Resolution of 1777 was proclaimed “through the merits of Jesus Christ” (224). But the Day or Prayer Resolution in 1779 makes no reference to Christ beyond the phrase “year of our Lord” and the Resolution of 1780 drops even that reference. More generally, it seemed from the readings that a less Christian and even less pious atmosphere was forming during this period. By 1788, Elihu was referring to the drafters of the Constitution as “great philosophers” and calling those who wanted a reference to God in a new Preamble, FANATICS, in capital letters (353).

I am no historian and so my impressions here are undoubtedly not worth too much. Yet that is precisely the problem with the

format of this book. It encourages simplistic conclusions instead of leading the reader to a more nuanced understanding.

Bruce Ledewitz
Professor of Law
Duquesne University School of Law

Finch, George A. *Adventures in Internationalism: A Biography of James Brown Scott*. Ed. by William E. Butler. Clark, NJ: The Lawbook Exchange, 2012. xxviii, 245p. ISBN: 978-1-61619-165-8. \$49.95.

In *Adventures in Internationalism: A Biography of James Brown Scott*, we are treated to a lively biographical account of James Brown Scott's lengthy and distinguished career. George A. Finch, the original author of this work, was Scott's assistant, associate, and friend from their first meeting in 1907, and was named as Scott's literary executor upon Scott's death in 1943, as the result of his having agreed to Scott's request that he write the biography. Unfortunately, while Finch wrote several incomplete manuscripts of Scott's biography before his own death in 1957, nothing was ever actually published. In this volume, editor William E. Butler has integrated the manuscripts so that they could be published as a biography for the first time. Butler's Editorial Foreword, Preface, and Biographical Materials on James Brown Scott provide context to help the reader understand the history of the work as well as to give the reader a basic overview of Scott's career before delving into the biography itself.

James Brown Scott's influence on international law and on American legal education is well known. He played an integral role in the formation of the American Society of International Law in 1905 and 1906, and acted as the Managing Editor of the *American Journal of International Law*. He served as secretary of the Carnegie Endowment for International Peace and as director of the Division of International Law for over three decades. He also served as Solicitor for the U.S. Department of State and was a technical delegate to the Second Hague Peace Conference. He was Chairman of the United States Neutrality Board from 1914 to 1917, and acted as legal adviser to U.S. delegates at several international peace conferences. Scott was active in advocating for the establishment of an international court of justice, and helped to found the American Society for Judicial Settlement of International Disputes, which was instrumental in the creation of the Permanent Court of International Justice after World War II. He also advocated for an international Court of Arbitral Justice, though his idea never came to fruition. Scott received seventeen honorary degrees, and was nominated for the Nobel Peace Prize at least six times.

Scott was also a prolific writer, lecturer, and legal scholar. As a professor at Columbia Law School, he pioneered the casebook

method of legal study, which represented a break from the more traditional lecture and textbook methods, which he advocated be discarded. Having persuaded the West Publishing Company that casebooks were the new frontier in legal education, he served as General Editor to the American Casebook Series for nine years, from 1906 until 1915, before retiring the position at the suggestion of West Publishing to focus on his other commitments. Thus, Scott clearly represents an extremely important influence not only in international law, but also in the history of legal education in America, a fact that alone would likely merit the publication of his biography.

For the legal historian, however, the value of *Adventures in Internationalism* lies not only in its biographical content, but also in the archival value of the manuscript itself, as well as the skill with which editor William E. Butler has framed the main text and supplemented it with further biographical information on both Scott and Finch, as well as his own commentary on the nature of the original text, and original archival research from the papers of James Brown Scott. Butler himself summarizes the nature of the work more eloquently than perhaps any book review can when he states that, “the aim of the work has changed. Now it is an archival treasure rather than a fresh appreciation of a major figure in international law intended to appear not so long after his death. The detail is interesting, not otherwise easily ascertainable by the modern generation, and beyond our memories.”¹

Given its unique nature, *Adventures in Internationalism* is an interesting mix of influences. Though written by one of Scott’s contemporaries, it was not published contemporaneously with Scott’s death, and therefore possesses both an immediacy of tone and a certain historical quality. Finch’s language and writing style are ever so slightly antiquated, though perhaps not notably so to a reader who was unaware of the time period in which the manuscript was written. Finch’s first-hand knowledge of many of the events in the book, as well as his personal relationship with Scott, lend a detail to the text that is unlikely to be found in a more recent biography whose author had relied solely on historical research.

At the same time, however, there is a sense of bias on Finch’s part. Finch appears to have been a great fan of Scott’s, and his enthusiasm for telling Scott’s story is evident throughout the work as he extols not only Scott’s legal work and scholarship, but also his assertiveness, grace, and humor in personal relation-

ships and interactions. One must remember that Finch had been Scott's employee, and was writing the biography at Scott's personal request. Butler does not mention whether Finch received any compensation for doing so, but whether the authorial bias is that of a paid employee or a good friend, the fact remains that it is evident throughout much of the text, and Finch has very little negative to say about James Brown Scott. Butler in fact draws the reader's attention to this bias in his Editorial Foreword, suggesting that the bias was professional in nature: "In style and substance the biography is decidedly well within the bounds of political correctness and professional discretion. Finch will have known Scott's foibles and weaknesses better than anyone, but there is no hint of them here other than to paint his subject in the best possible light."²

Overall, *Adventures in Internationalism* is an entertaining biography of a dynamic and accomplished man, written by a person who was, if a bit biased, also well-acquainted with his subject and obviously enthusiastic about the story that he had been asked to tell. Taken together, Finch's biographical account of James Brown Scott, as well as the primary sources included by both Finch and Butler, and the framing information provided by Butler in the Editorial Forward and Preface, add up to what should be a satisfying read for scholars of legal history, international law, and the history of American legal education.

Susan Gaultier
Foreign, Comparative, and International Law Librarian
Louisiana State University

Gilles, Myriam E., Risa L. Goluboff, Eds. *Civil Rights Stories*. New York: Foundation Press, 2008. v, 371 p. ISBN: 978-1-59941-081-4. \$40.00.

Civil Rights Stories gives readers a broad look at American civil rights law. The sixteen contributors tell the stories of fifteen important cases in civil rights legal history, brought before the Supreme Court over a span of 50 years. The stories cover a wide variety of issues concerning education, housing, employment, voting, gender, reproductive rights, free-speech, and police misconduct.

The contributors share impressive credentials as educators in academic institutions and authors of numerous books and articles about civil rights. These men and women have engaged in civil rights litigation, argued before the Supreme Court, and clerked for the United States District Court, the Court of Appeals and for Supreme Court justices. Most have been directly involved in civil rights litigation and continue to make contributions to civil rights legal theory and practice through their work.

Civil Rights Stories goes beyond a traditional case book, providing readers with historical and cultural context to the cases. The stories are all well researched and well written, and each author brings his or her own style and experiences to the story, presenting complex issues and multiple points of view. For example, *US Airways v. Barnett*, is a story that pits disability discrimination against a seniority system. I was drawn into this story wondering how I would decide – disability or seniority – knowing either decision would directly impact the rights of an individual. Author, Sam Bagenstos demonstrates that as civil rights cases move from racial equality to claims involving material equality, effective remedies become harder to devise

Individuals are brought to life in the telling of these stories, that at times left me feeling deep sorrow. In one such case, *DeChaney v. Winnebago County*, Lynda G. Dodd's recounts of child abuse that left five year old Joshua in a coma and permanently brain damaged. William N. Eskridge, Jr. tells of *Bowers v. Harwick* in which the landmark decision by the Supreme Court denied fundamental constitutional rights to gay people. One of the few illustrated stories, Mr. Eskridge puts a face to Michael Hardwick, provides insight into his life and motives, and leaves the reader with a deep sense of loss for the outcome of the case and for the individuals involved.

Two stories tell of police brutality and the disappointing court decisions. Erwin Chemerinsky's *City of Los Angeles v. Lyons* recounts the events of a traffic stop for a burned out tail light that led to Adolph Lyons being put into a choke hold until he passed out. In the case of *Monroe v. Pape*, Myriam E. Gilles tells a story of false accusation, a warrantless police raid, and the terrorization of James Monroe and his family. The fact that this was common practice, and the attitude of police officer Frank Paper, offer readers a snapshot of policing in early 20th century Chicago.

Sheryll Cashin's story is part of her family history. The daughter of civil rights activist Dr. John L. Cashin, Jr., the author remembers events that led to *Hadnott v. Amos*. Her story tells of the creation of the National Democratic Party of Alabama (NDPA), a predominantly black, independent political party and its efforts to gain recognition and legitimacy.

Education equality is a common subject in *Civil Rights Stories*. Risa Goluboff's retelling of the landmark *Brown v. Board of Education* case and its impact on civil rights doctrine, laments how much Jim Crow remained intact after the decision. In *San Antonio v. Rodriguez*, Richard Schragger describes how the Texas state system of unequal funding resulted in great disparity between the schools of Edgewood and Alamo Heights. The difference in geography of the two neighborhoods, the vast difference in financial status of families, and the resulting success of students between the schools is stark.

Told by Tomiko Brown-Nagin, *Missouri v. Jenkins* is another story demonstrating the disparity in student success resulting from segregated Kansas City schools. *Runyon v. McCrary* and *United States v. Virginia* take on the restrictive admission practices of other schools. Cornelia T. L. Pillard writes of gender discrimination at The Virginia Military Institute, the last all-male university in the United States. George Rutherglen's story of *Runyon v. McCrary* tells of a mother's fights against racially exclusive private pre-schools.

Schenck v. Pro-Choice Network of Western New York is an interesting case in that both sides argued for civil rights. Serna Mayeri describing the clash between abortion protesters and providers leaves readers with the sense of dangers faced at having to cross picket lines for medical services. Schenck, a memorable character, saw himself as a civil rights crusader arguing his right to

picket was protected free-speech. The creation of the Pro-Choice Network (a partnership of medical providers, NOW Legal Defense, the ACLU, and others) is an example of how alliances form and can influence legal outcomes.

Caroline Bettinger-Lopez and Susan Storm tell another story of litigation alliances. *International Union, U.A.W. v. Johnson Controls* reveal a coalition made up of labor, civil, and women's rights groups, working to achieve workplace equality and safety. The successful outcome, that fetus safety can not justify discrimination, unfortunately did not result in safer working conditions.

Another story with memorable characters is *Virginia v. Barry Black* which looks at whether cross burning is a "threat of intimidation" as opposed to the Ku Klux Klan "message of shared ideology." Barry Black's lawyers were unsympathetic to the Klan but defended his right to free-speech. Thomas Metzloff's story demonstrates that history and what constitutes "civil rights" are important to these debates.

Several of the authors discuss how the court decisions did not go far enough to result in social change. *Shelley v. Kraemer*, as told by Wendell R. Pritchett, demonstrates how the restrictive Supreme Court decision that prohibited judicial enforcement of racially restrictive covenants, allowed for the same covenants to continue as effective means of residential segregation.

Civil Rights Stories is a significant contribution to legal literature. It provides readers with a rich understanding of the history of civil rights in America. The complex issues and concerns raised in this diverse collection of stories will stimulate debate. This book is highly recommended for libraries that support law, civil rights, and political sciences curriculums, as well as public libraries.

Joni Herbst
Technical Services Law Librarian
University of Oregon

Gillette, Michael L. *Launching the War on Poverty: An Oral History*. Oxford: Oxford University Press, 2010. xx, 458p. 2d ed. Paper. ISBN:978-0-19-538727-8. Oxford Oral History Series. \$24.95.

Poverty has long been a bane of civilization and a challenge to national leaders. The United States, in that regard, has a long and creative history of trying to address the problem and to insure freedom from want for its people. In the 1930s President Franklin Roosevelt led the effort to raise living standards and made social legislation broadly acceptable. In the 1960s President Lyndon Johnson sought to extend those protections in what he called the Great Society. Specifically, he declared war on poverty in his first State of the Union Address in 1964, and then through the passage of the Economic Opportunity Act in August of that year (PL 89-452, 78 Stat. 508). The legislation set up the Office Economic Opportunity, an umbrella under which a constellation of innovative anti-poverty programs were assembled and administered. *Launching the War on Poverty: An Oral History* traces the anti-poverty warriors' creative process that framed the issues, forged the programs, got them underway, and administered them. It is an inside view in the voices of the participants – assembling the team, drafting the legislation and getting it passed, launching the programs, and overcoming obstacles along the way. And, it is a backwards glance from a position of experience and reflection.

The interviews were excerpted from the large oral history collection at the Lyndon Baines Johnson Library in Austin, Tex., which holds more than 1,700 interviews recorded to fill in the gaps in the written record of the Johnson years. They were begun under the auspices of the University of Texas, at Austin, during the last year of the Johnson presidency, and continued until the 1980s. In an effort to encourage candor the interviewees were allowed to review and edit their comments. Nonetheless, there are some limitations to the oral history approach that need to be kept in mind when reading this account. Memories can be vague, biased, or erroneous, and relevant topics can be overlooked. In the Johnson project some officials declined to be interviewed and others declined to make the transcripts available. There can also be inconsistent recollections, although in this account there is a remarkable degree of consistency.

The interviews relied upon in this account were excerpted and arranged topically – and (mostly) chronologically – to highlight corroborative and divergent recollections. The second edition is en-

hanced by the inclusion of the direct words of President Johnson. They were taken from recorded telephone conversations and add an interesting contrast between his contemporaneous and spontaneous conversations with recollections of those conversations after years of reflection. They also bring Johnson's role and participation more directly into focus.

Also included for the reader's use are helpful thumbnail biographies of each quoted interviewee, a lengthy bibliography, footnotes, and a list of those interviewed, when, and by whom. The cast of characters is an assorted lot of borrowed government officials, university based economists and academics, corporate lawyers, and experts on poverty. It should be kept in mind, though, that this is a view of the War on Poverty from the top and does not include voices of those the programs were intended to help and other participants at the local level.

What became the War on Poverty had its origin in the administration President John F. Kennedy, who had read accounts of American poverty from such authors as Michael Harrington and Harry Caudill, as well as a series of articles in the New York Times by Homer Bigart. They convinced him that poverty was an issue that needed to be addressed and could be a good issue to take to the voters in his reelection effort. A working group was set up under Walter Heller, Chairman of the Council of Economic Advisers, to look into means. The day after Kennedy's assassination Heller met with Johnson and got enthusiastic permission to continue. Because Johnson had taught underprivileged Hispanic children in Texas in the 1930s and had also run the National Youth Administration office for Texas he had strong feelings about the need for, and effectiveness of, anti-poverty programs. He also saw eradication of poverty as his signature issue, and he wanted it in the spotlight of public attention, noticed by all.

Johnson decided on a more comprehensive approach than the small demonstration program that Kennedy and Heller had in mind and recruited R. Sargent Shriver, Director of the Peace Corps and a Kennedy brother-in-law, to organize and run the War on Poverty Task Force. Although the process was chaotic, frenetic, and idealistic within six months they had conceived specific programs and crafted and secured passage of legislation to carry them out. Shriver used his powers of persuasion, and backing from the president, to staff the task force and to sell the programs on Capitol Hill, all while still running the Peace Corps. First, he had to get theoreticians to generate the ideas, then planners to

put the ideas into action, and then people who could draft the legislation and sell it to Congress. Finally, he needed people to operate the programs. Many of those people have a voice in this treatment.

From the beginning the task force, with the full support of Johnson, determined that since the problem of poverty defied rigid institutional boundaries the centerpiece of their attack should be comprehensive community action programs overseen, but not controlled, by a small independent agency. They also felt that innovative ideas would go further in a new agency – the Office of Economic Opportunity (OEO) – than in the established bureaucracy. Secretary of Labor Willard Wirtz preferred a full-employment program because it would get money into people's pockets, make them taxpayers, and get them off welfare. Shriver and his team disagreed and felt that extreme poverty was debilitating and that the poor had to be made ready for jobs before jobs were made ready for them. It was to be a hand up, not a hand-out.

The idea behind the Community Action Program was to allow localities to be creative, to innovate and come up with programs that suited their own local needs, i.e., what works in Boston may not be helpful in Kansas City. Through “maximum feasible participation” it would seek regularized input from the target population to learn what they thought. It was also hoped that the program would focus the public's attention in communities around the country on the problems of poverty. As Shriver's deputy Jack Conway put it, “If they give us three years with this program, we'll put a rivet on the conscience of the country that they'll never take off.”

Since there were a variety of needs a variety of programs was arranged under the umbrella of the OEO to meet them.

- The Jobs Corps: Offered vocational training to teenagers to prepare them for the job market. The idea was to get the youth out of their environment, get them some education, health, nutrition, and social services.
- Project Head Start: For children in the year before school starts. It was not just pre-school service but a more comprehensive child-development program that would offer health, nutrition, and social services. More than 50% of the poor were children. Reaching them early was essential to their long term success.

- Volunteer in Service to America (VISTA): A national service program akin to the Peace Corps.
- Legal Service Program: To assist and advocate for the poor through free legal services.

The OEO also oversaw delegated programs, such as Work Study (operated through the Office of Education) and the Neighborhood Youth Corps (run by the Department of Labor). Indeed, over time the programs conceived and run by the OEO were to be spun off to the established departments and agencies so that OEO could concentrate on newer programs.

The Office of Economic Opportunity got off to a fast start and for a while it was seen as the agency with the most action in town. However, because it was new, experimental, and got off to such a fast start it had its share of problems, as well as opponents. A primary concern was over power struggles for control of local agencies – would the poor be merely involved in decision making or would they control the agencies? In the end, Congress had to amend the law to put local government in control. But there were other problems too.

- The OEO was slow to recognize the need for guidelines.
- They didn't have an adequate audit system in place early on.
- Violence and crime erupted in a few Jobs Corps centers.
- Poor job placement from the Jobs Corps at first.
- Lack of adequate funding – in part due to the escalation of the war in Vietnam.
- Poverty turned out to be more intractable than had been originally thought.
- Early enthusiasm faded.
- Race was sometimes an issue – especially in the south.
- Overheated rhetoric and over-optimism led to difficulty in living up to expectations.
- Bad press – any local problem was reported as if of national importance.
- While the OEO was supposed to be in charge of interdepartmental anti-poverty efforts Shriver did not have the leverage or standing to oversee those efforts.
- Tactical mistake - maybe they should have built an early record of success by focusing first on the easier cases rather than on the hardest ones. Lack of early success endangered the program.

With more than a thousand programs there were bound to be some problems. In the end, though, the fact remains that many

of these programs were successful and continue to be so today: Head Start, Jobs Corp, Legal Services Corporation, Work Study, Americorps VISTA. And the community action program had impact. Localities learned how to create programs to deal with poverty and other concerns and departments redirected how they allocated money. Unfortunately, since it is hard to quantify the programs' effect on the eradication of poverty the history will continue to be controversial. Still, the poverty rate shrank during those years and at least some of the improvement can probably be attributed to the efforts of Johnson, Shriver, and the others quoted in this book.

After Johnson left office the Office of Economic Opportunity struggled along during the years of the Nixon presidency but was replaced in 1975 by the Community Services Administration, which was in turn abolished in 1981 by the Reagan administration. Along the way its popular programs were transferred to other departments.

The War on Poverty is still controversial and its repercussions continue to inform our national debate today. As such much has been written about it, positive and negative. Regardless of one's point of view this book can be of use by showing what the old warriors thought they were doing and where they thought they failed. It is a rich vein and tells an exciting story. It is also a fascinating read and it captures some of the spirit of that dynamic historical moment. Donald M. Baker, former counsel to the OEO, may have summed up the war's overall impact best when he said, ". . . I think that there has been a sort of unmeasurable and imponderable impact that, I suspect, is of more long-lasting importance than what we've done directly, and that is the indirect impact on the operations of federal, state, and local agencies, public and private. They are never again going to do things in the area of helping the poor quite so badly as they were doing them beforehand."

W. Clinton "Buck" Sterling
Senior Reference Librarian and Assistant Professor of Law
Chastek Library
Gonzaga University School of Law

Hoeflich, Michael H., Ed. *Sources of the History of the American Law of Lawyering*. Clark, N.J.: The Lawbook Exchange, 2007. xv, 668p. ISBN: 978-1-58477-8615. \$40.00

The role of a modern American attorney as a zealous advocate for their client's cause is the foundation of the lawyer-client relationship in American society today. As with the law itself, the expected role of the lawyer has evolved over time. The idea of zealous advocacy is attributed to Lord Brougham who in 1820 as counsel to Queen Caroline, accused of adultery, stated that it was his duty to represent his client by all means possible regardless of the consequences to others. This position was rejected at the time and was seen as merely a way to save his own life after being threatened for representing the Queen against the King. Over the next one hundred years, the proper role of the lawyer was the subject of much discussion and debate. The lawyer's role of having a moral duty to uphold justice evolved into that of a zealous advocate who would use any means to obtain a favorable outcome for a client.

Although zealous advocacy is widely accepted as the default role for lawyers, many lawyers will agree that zealous advocacy can leave the lawyer torn between what is expected and what is morally appropriate. A modern scholar, Professor Thomas Shaffer of the Notre Dame Law School has challenged this position by advocating that the lawyer follow personal standards of morality to mitigate the dangers of zealous advocacy. Shaffer relies on two specific historical sources, the works of David Hoffman and George Sharswood, along with religious and personal morality to support his argument.

In *Sources of the History of the American Law of Lawyering*, Michael H. Hoeflich delves into the topic to survey and examine the Hoffman text and the Sharswood text as well as a broad range of nineteenth century and early twentieth century sources to examine the evolution of the concept of zealous advocacy and to ultimately bolster Shaffer's argument. Hoeflich examines each text and summarizes his findings. Hoeflich further supports his findings by providing the full text of the primary sources cited as well as additional primary sources that will allow the reader to fully research the background of the evolution of this concept.

The primary texts range from rules of professional conduct and speeches given at law schools to sermons and eulogies. The reader is advised to consider both the content of the primary text as

well as the background of the author of the primary text when considering the impact the text may have had on the actual practice of law. Hoeflich touches on this issue by giving some geographic and occupational context of the author of cited texts. However, the similar social statuses of the authors leaves the reader wondering if these examples represent the actual practice of law at the time or are ideals set forth by academics and religious leaders.

This book is recommended to anyone interested in the moral questions raised by the contemporary practice of law and its reliance on the concept of zealous advocacy to justify winning at any cost. This book would also make a useful complement to contemporary textbooks on professional responsibility. The possibility of a new infusion of morality into the practice of law has the potential to raise the esteem of lawyers in the eyes of the public as well as making law practice more tolerable to those tormented by the moral pitfalls inherent in zealous advocacy.

Laura J. Ax-Fultz

Access Services and Reference Librarian

The Dickinson School of Law of The Pennsylvania State University

Hoeflich, Michael H. and William E. Butler. *The Syllabi: Genesis of the National Reporter System*. Clark, N.J.: The Lawbook Exchange, 2011. xiv, 208p. 978-1-61619-233-4. \$49.95.

With a title like *The Syllabi: Genesis of the National Reporter*, one might expect a monograph devoted to the history of early years of West Publishing. However, other than a two page preface by Michael Hoeflich and a twelve page introduction by William Butler, this is simply an offset reprint of West's original newspaper published in 26 issues from 21 October 1976 until 14 April 1877, *The Syllabi*. After I was directed by Galen Fletcher to examine West Publishing's 1991 "limited edition reproduction" of the same material it became clear that the two were taken from the same source. In several instances washed out print in the 1991 edition is also washed out in the 2011 edition. The classic example is on page 31 of the 4th issue, 11 November 1986. The header title "The Syllabi" is missing the lower corner of the second capital L in both books. Beyond the introductory material, the only differences I could identify were the color and quality of paper, the binding, and the numbered stamp on the book board of the West limited edition.

Though the subtitle is misleading, the preface and introduction do discuss the significance of *The Syllabi* as a predecessor to West's *Northwestern Reporter*. Professor Butler offers commentary on several features that appear in different issues laying two foundational approaches to the historic reprint. The first is a structural analysis of the content of selected issues. The types and numbers of cases, posted rates for subscription, extent and position of advertising, as well as technical components (such as the table of contents and the existence and potential source for headnotes) are all discussed. Though no direct reference is included, Butler asserts that "[a]lthough no specific mention is made, it soon transpires that the judges are not providing their own syllabi of their cases." (p. ix). Referencing publications by date, he concludes that, "[b]y 17 February 1877 [issue 14] *The Syllabi* had begun to assume its mature form." (p. xi). Unfortunately, in both examples the reader is left to examine the text to understand the basis of the conclusions.

The second approach is a more detailed analysis of non-legal content such as an examination of advertising included in various issues. Noting John West's advertisement for the Encyclopedia Britannica, California, Iowa, New York and Pennsylvania reports, as well as legal treatises, Butler demonstrates the value of *The Syllabi* in an attempt to understand the informational world in which West ultimately introduced the *National Reporter*. The introduction does not delve deeply into this approach, but instead demonstrates its value and leaves readers to continue the process on their own.

Though the legal issues covered in *The Syllabi* are various, one consistent theme is the interpretation and application of statutes. Seven out of the 11 cases reported in the first issue, 21 Oct. 1876) dealt with statutory provisions. The final case in issue 1 is from the Hennepin Court of Common Pleas. It uses a strict application of statute to deny Mrs. Martha Angle Dorsett, an Iowa attorney, admission to the Minnesota bar. (6). Though the legal doctrines may be unimpressive over century later, the questions they raise and how judges determined the outcomes provide excellent starting points for historical scholarship.

As a seminal text, *The Syllabi* could easily serve as the primary point of departure for students in a legal history course. It has sufficient content to be the target of critical textual studies, quantitative studies such as frequency and coverage of opinions reported, and by comparing its text to the text of the *Minnesota Reports*, it can be used as a reference to the study of the development of both the *National Reporter* as well as the *West Digest* system.

For instance, after a cursory reading of *The Syllabi*, it becomes clear that John West had some type of business relationship with Chief Justice Gilfillan, the author of the first reprinted set of the *Minnesota Reports*. The announcement in issue one, 21 Oct. 1876, offers the first 11 volumes of the revised set and claims the reports "have so long been out of print, and so much called for, that we have decided to reprint them." (p. 6). Based on that claim, it is surprising to find the existence of volumes 10 – 15 noted in the 6 July 1872 *Albany Law Journal*. Further, an examination of

volume 18 of the original reports, which is currently available on Google books, bears the copyright date of 1873. However, whether or not any of those editions were available in 1876 is an open question.

Similarly exactly when Gilfillan started his reprints of the official Reports is unclear. What *The Syllabi* offers is eight issues of consistent advertisement for volumes Gilfillan's volumes 1 – 11. In the ninth issue, 16 December 1876, 21 volumes are advertised. In the West reprints of the Minnesota Reports, Gilfillan is credited as the editor—technically volumes 1 – 20 were “prepared by” Gilfillan. Starting with volume 21, George Young is listed as the Reporter—a position mentioned only in passing in the Gilfillan reprints. Gilfillan notes the Reporter since statehood in 1858 Harvey Officer, but he fails to mention his successor, William A. Spencer, the copyright holder volume 18 of the official version of the Minnesota Reports in 1873. Spencer served from 1865 until 1875 when he was replaced by Young. Young began his service three months after Gilfillan commenced his second term as the Chief Justice of the court—Gilfillan had served earlier from July 1869 until January 1870. What led to the replacement of Spencer with Young is again a significant point of inquiry, demonstrating the potential value of this reprint of *The Syllabi* to open avenues of historical research yet untraveled.

In a similar vein, a review of *The Syllabi* combined with the Minnesota Reports can shed light both on the practice of headnoting, and with an investigation into Spencer's version of the Reports even the origins of the West Digest system. It is not immediately clear if the headnotes that appear in the Gilfillan edition of the Minnesota Reports, and also used in *The Syllabi* were produced by the judge who authored the opinion, a practice noticed in the introduction to Gilfillan's edition, or if they were augmented by Gilfillan when he edited his reprints. Comparing Spencer's volume 18 with Gilfillan's, it becomes clear that Gilfillan offered extensive additional notes over the original version. For an example, see *Miss. Rafting Co. v Ankeny*, on page 1 of Gilfillan's reprints, and page 17 of Spencer's Reports (1871). In his volume 18, Gilfillan takes pains to explain why the opinion never should have made it into the official reports. What is less clear is why Gilfillan

chose not to follow Spencer's use of an Analytical Index. That index is very similar in form to later digests, using bold typeface to frame the legal issue in an opinion, following it with a summary of the law found in the case, and ending with a page reference to where that issue of law could be found in the Reports. The fact these elements were all in place almost a decade before John West published his first digest raises interesting questions about the information environment West was immersed in when he started his legal publishing endeavor.

This edition of the *The Syllabi* is valuable for the questions that it gives rise to, more than in those it can definitively answer. It is best suited for large academic law libraries needing access to the primary source material underlying the history of American legal publishing or as a course text for a legal history course. As then ending point of historical scholarship, this edition offers about 13 pages of useful information. As a starting point, every page has potential to help develop our understanding of a time period that is often taken for granted. If this text leads readers to reinvestigate the lives of William Spencer, Harvey Officer, Homer Elmer, and James Gilfillan and their relationships with John West, it will definitely lead to a greater understanding of the genesis of the National Reporter System.

David Armond
Senior Law Librarian
Howard W. Hunter Law Library
Brigham Young University

Jensen, Kristian. *Revolution and the Antiquarian Book: Reshaping the Past, 1780-1815*. Cambridge: Cambridge University Press, 2011. x, 318p. ISBN: 978-1-107-00051-3.

Wonderfully researched and written, Kristian Jensen takes the reader on a journey to eighteenth century Europe to develop themes and characters significant to the collection of incunabula. These rare books, called incunabula, were the earliest books printed of 1400s and 1500s vintage. Jensen's many examples of incunabula come from his years as Head of Arts and Humanities at the British Library, and enrich the text. One example of these old and rare books is Fichet's *Rhetorica*, printed in Paris around 1471 and bound in red satin as a gift for Pope Sixtus IV, which was enthusiastically bought in 1791 by an aristocrat collector.

These old books took on a new role during the time of the French Revolution. During the 1700s and after a hundred years of neglect the suddenly became sought over 'cultural trophies.' Jensen's research documents the reasons why this collection activity in rare incunabula spiked in the 1700s particularly in the year 1790. The catalogues of the great collections in such early books by the Bodleian and British Libraries, as well as the Bibliotheque National in Paris, really were acquired during this time frame. As one gauge the seriousness of collection and acquisition efforts Jensen quotes from letters by the Library Director in Paris to the French military requesting incunabula be systematically purchased or looted from occupied Germany for the Bibliotheque National.

Jensen's focus on incunabula collection is enhanced by many themes. For example, cultural attitudes Jensen discusses indicate that the fascination with early books was not about the content of the works but rather about ideas of intellectual freedom and either national or class pride. The content of incunabula was typically in Latin in difficult gothic font, lacked page numbers, indexes, or verso. They were not read by many of the collectors and as Jensen demonstrates with excellent historical analysis were routinely rebound and even dismembered to fit into binding of the 1700s. Original wood covers and binding were disintegrating by the 1700s and not valued or brutally replaced by modern cover

art. Further, rare book pages were bleached to display a whiteness expected from modern presses that removed margin notes and any context from the medieval uses of the work.

Other themes from *Revolution* and the antiquarian book document the effect of the collapse of the Benedictine Monastic orders in French occupied Germany and the sudden availability of incunabula on the international book market. The motives and operations of major book sellers and collectors made incunabula a market category for the first time. As an example, Jensen integrates the rich correspondence of Earl Spenser into the narrative to show a collection fever for incunabula as essentially competition with the revolution in France led by the Bibliotheque National in Paris for knowledge control.

One of the greatest strengths of the book is the deep harvest of examples from the primary historical documents of the era. Jensen's book is 318 pages long but the last one hundred pages are endnotes and bibliography. This is a great resource of the letters, library collection policies, book catalogues, book selling manifests, newspaper coverage, and other cultural sources of 1780-1815 in Europe touching and concerning incunabula.

Jensen researched the material as a scholar in the Lyell readership in bibliography at Oxford University for 2007-08. The set of six lectures formed the basis of the *Revolution and the antiquarian book* (2011). Interestingly the lengthier title of Jensen's lectures describes the subject matter of his research better than the eventual book title. The lectures were called *Collecting Incunabula: Enlightenment, revolution and the market - rediscovering and re-creating the earliest printed books in the eighteenth century*, and this title more accurately defines his scholarship.

The book, like the lectures, assumes a historical context by the reader on the events of the times. The invention and impact of printing, the Reformation, the rise of a bourgeois class, revolution and world war until the French defeat at Waterloo underpins the narrative but is not explained. Jensen's approach works because the collection of incunabula is a discreet part of a large drama

and needs focus to be coherent without defining the larger issues of history.

The activities of the new United States and other countries beyond England and France are not incorporated into the text. For example, George Washington appears once in the text but does not even rate a spot in the index.

Revolution and the antiquarian book: Reshaping the past, 1780-1815 is expertly divided into six chapters that roughly mirror the Lyell lectures. Chapters 1 & 2 read like a antiquarian book-lover's tale of war and the search for meaning on both sides of the Channel. Contrasting English and French motivation and practice is a clever way to foster understanding of the incunabula phenomenon of the time. Chapter 3 seems like a departure from the narrative and jumps back from the 1780s to the early part of the century. This Chapter is readable and adds to the impact of the book but does feel like a prologue to the main chapters and perhaps should be at the beginning of the work. Chapters 4 & 5 are worth the wait and show the cultural activity surrounding the books. In particular Chapter 5 should be read by any book lover for the madness of both 'commemorating and obliterating' the past that happened to incunabula collected in this time period.

The hard-bound volume of Revolution and the antiquarian book: Reshaping the past, 1780-1815 is published by Cambridge Press and includes numerous pictures and portraits. All illustrations are black and white and sometimes they do not convey the beauty of these old books as well as color might allow.

Jensen's scholarship and spirit of librarianship work well in this recent work.

Rob Hudson
Associate Dean of the Law Library
Phoenix School of Law

Kaye, J. M. *Medieval English Conveyances*. Cambridge, Cambridge University Press, 2009. xlv, 382p. Cambridge Studies in Legal History Series. ISBN: 978-0-521-11219-2. \$140.

This treatise treats the development of the contents of documents conveying property beginning with the conquest in 1066 by William the Conqueror to the end of the Medieval period which ends with approximately the reign of Henry VII at the end of the Fifteenth Century. One of the first questions the author addresses is how did William the Conqueror convey the land in England to his followers after conquest. It is an accepted fact that he displaced the Anglo Saxons with his own Norman followers but how was this accomplished? The author suggests that the documentation has not survived but this reviewer proposes another thesis. Perhaps the concept of private ownership and looking to some document for authority for ownership had not been fully conceptualize in 1066. The Normans began castle building immediately and the King appointed his trusted followers in charge of each castle as the concept of feudal system was put in place.

The author reviews the general developed of charters conveying property and it is not surprising that the scribes who drafted these documents would in time include standardized provisions which by the end of the Fifteenth Century became common depending on what type of property conveyed. This introduction is an prefatory chapter to the history to the evolution of the law governing charters ranging from pleading such a documents and how the courts treated forgeries of which there are many.

In chapters following the introduction, the author examines the different types of conveyances and examines the common provisions separately for each type with appropriate quotations from these historic documents found in many printed and manuscripts sources found in many depositories throughout England. For the American reader it is simply amazing that so many such manuscripts have survived. Monasteries and Churches were among the earliest corporations to receive charters and grants which were kept in collections designated as chartulary. The bibliography lists the many such collections which have been printed or

still exist in manuscripts. These charters and collections are an insight into activities of life during this era which is known to many as the “Dark Ages”.

The Normans not only built the early stone castles but they introduce the feudalism system which required the holder of grant to perform certain duties, generally military duties for his mesne grantor. Not surprisingly, over the centuries that followed, other duties were required of holder of the demesne and charters with common provisions for specific purposes such as grants in alms. Such grants were to religious houses or churches, generally obligating the receptor to pray for the soul or take care of the donor in some way during his lifetime. It is interesting to note that this was a form of retirement. The author notes that a few that some of the religious houses purchased land and insisted that the grant be made in alms perhaps getting a lower price for the land. The grantor had to make arrangements for what ever the duties required in his charter to be provided for.

As long as a woman remain unmarried, she could dispose of her property as freely as a man but as soon as she married, the husband could dispose of her property unless some other provision was made. If the property was conveyed during the marriage, provision must be made for his interests. The author reviews many reasons why such conveyances were made and the results. This chapter is of interest in view of today studies of women’s rights.

There are several valuable appendices in this volume. The first is a listing of “Abbreviations and references” to sources that the author cites in the text. The local historical societies in England have for several centuries, been engaged in publishing these local records and far more involved in this type of publication. Another valuable segment of this volume is its glossary of legal terms which aids the reader to understanding legal terms of this period.

To read this book requires close study for it is legal technical. It is obvious that the author has done in depth research among the old charters in the preparation of this volume and has produced

an excellent study of the origin of these documents and their use over the several centuries surveyed.

Erwin C. Surrency
Professor of Law and Law Librarian emeritus
University of Georgia

Professor Surrency passed away on November 8, 2012.

Lash, Kurt T. *The Lost History of the Ninth Amendment*. New York: Oxford University Press, Inc., 2009. xix, 374p. ISBN: 978-0-19-537261-8. \$85.00.

In conversations about constitutional law or constitutional history, the Ninth Amendment rarely is discussed because it is among the least known amendments to the U.S. Constitution and from Kurt Lash's perspective it is also the most misunderstood. This amendment guarantees:

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

"By the People" in the eyes of the author refers to the people in their respective states and does not refer to individual citizens of a nation. In other words, this amendment was designed to ensure that the first eight amendments would be not be construed as mere exceptions to a federal government with unlimited power and risk undermining the states' power of local self government. The problem occurs when one looks at the Tenth Amendment, which states that "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." At first glance, this view of the Ninth Amendment would render the Tenth Amendment redundant because the Tenth specifically limits the power of the federal government at the expense of the states, but Lash sets out to show the real purpose of the Ninth and how both amendments were designed to work together to develop a construction of limited federal power. This interpretation may not be accepted by many constitutional scholars, but the author makes a compelling case that looks at the history of the Constitution, case law, and scholarly writings. The analysis considers the state ratifying conventions and follows the history of the Ninth through the Antebellum, Reconstruction, and New Deal periods showing how this amendment was originally understood and how the Supreme

Court and modern scholars eventually disregarded the amendment altogether.

The author is very thorough in his analysis of the Ninth Amendment and how it lost its original meaning. First, he discusses the concerns from the state ratifying conventions to the U.S. Constitution about the dangers of a centralized federal government and how the Bill of Rights were promised as a remedy to ensure a limited government. Second, he refers to James Madison's original draft of the Ninth Amendment which was more specific about its application to the states, but was changed to simplify the text. Third, he alludes to James Madison's speech in 1791 against the Bank of the United States where Madison discusses the Ninth Amendment in support of his opposition. Fourth, Lash points to the early struggles of the nation with respect to the Alien and Sedition Acts and the role of the Ninth in the debate regarding its constitutionality. Fifth, he consults scholarly writings such as *View of the Constitution of the United States* by St. George Tucker to illustrate the common understanding of the Ninth Amendment in the nation's early history. Finally, he heavily relies on state and federal case law, including several Supreme Court cases to display the history of the Ninth Amendment.

So how did everyone get it wrong? Kurt Lash explores this question in vivid detail. He shows that numerous cases for the first century and a half of U.S. history and scholarly writings, that regardless of whether the individual court or scholar had a broad or narrow interpretation of federal power, understood that the Ninth Amendment was designed to protect the rights of states and meant something different than the Tenth Amendment. Assuming the author's interpretation of the Ninth is correct, it would appear to be moot considering the addition of the reconstruction amendments including the Thirteenth, Fourteenth, and Fifteenth, which were designed to expand individual rights. This is especially the case with the Fourteenth, which applies the privileges and immunities to the states. The author deals directly with the impact of the Fourteenth Amendment on the Ninth Amendment:

“Either the Ninth was completely erased as an enforceable clause, or remnants of the original Ninth survived Reconstruction and must now be reconciled or synthesized with the Fourteenth Amendment. It is this last possibility that seems most supported by the historical record (p. 248).”

In the author’s eyes, the Fourteenth Amendment simply limited the scope of the rights retained by the states under the Ninth; it did not do away with them completely. The New Deal brought on a number of cases such as *NLRB v. Jones & Laughlin Steel Corp.* that, according to Lash, discarded the Ninth and Tenth Amendments altogether. Discussion in fact wasn’t revived until *Griswold v. Connecticut*, which produced a concurring opinion by Justice Arthur Goldberg using the Ninth in support of the right to privacy based on the notion that the ninth referred to the protection of individual rights. Hence, the Ninth Amendment evolved from a provision respecting the right of local self government to a disregarded area of the Constitution. While the Rehnquist court gave the author hope in the revival of federalism principles through rulings such as *United States v. Lopez* and *Alden v. Maine* that have restricted federal power, he points out that these cases incorrectly attribute this principle to the Tenth Amendment, but use Ninth Amendment reasoning instead. Lash stipulates that the same court completely disregarded the principle altogether in the famous medical marijuana case, *Gonzales v. Raich*. The author points out that some modern scholars have failed to fully understand the Ninth Amendment as well. For example, *The Founders Constitution*, published in 1987, did not include excerpts attributing the right of local self government to the Ninth Amendment.

The Lost History of the Ninth Amendment will challenge the reader to view the Ninth Amendment differently than how it is otherwise perceived in modern times. Lash’s argument will not convince everyone as there are varying views of the Constitution with respect to the power of federal government as it relates to state government and individual rights. However, it is an eye opening exposition of the inconsistent application of constitutional princi-

ples by our courts and scholars that everyone, especially those whose interests lie in constitutional law, should read.

Christopher C. Dykes
Reference/Research Librarian
O'Quinn Law Library
University of Houston Law Center

Locke, John. *A Letter Concerning Toleration and Other Writings*. Edited with an Introduction by Mark Goldie. Indianapolis: Liberty Fund, 2010. xlvii, 208p. ISBN: 9780865977914. \$14.50.

The restoration of Charles II as King of Great Britain in 1660 following the English Civil Wars and Interregnum reinstated the Church of England as the established church within the government and society. From 1660 to 1689 there were various attempts to introduce comprehension and/or toleration by various groups to circumvent the Clarendon Code of the 1660s that placed limitations upon dissenters' ability to carry on their religious beliefs. In 1667-68, there were ongoing discussions of introducing a comprehension bill into the parliament which in part led to John Locke's writing his Letter Concerning Toleration. This Letter, however, was only first published in Latin, in 1689 after William III and Mary II replaced James II as king and queen of England. The Letter "was one of the seventeenth century's most eloquent pleas to Christians to renounce religious prosecution." (p.xi).

Mark Goldie, a Locke specialist and historian of the era, serves as the editor of this work including Locke's other writings related to toleration. In his introduction, Goldie provides background information on the publication of the Letter. Although first published in 1689 in Latin at Gouda in Holland, the English version was translated by William Popple and published in London about October 1689 (p.xxix). The text published is the second edition published in March 1690. Goldie emphasizes that the English translation is not of Locke's composing (as stated in his will), but Popple's. Goldie edits the Letter, provides useful footnotes to variations in texts and additional information for the general reader.

Goldie discusses important aspects of the Letter: separating church from state, the ineffectiveness of tolerance, skepticism, and antinomianism. Goldie recognizes that Locke's Letter "is limited to a case for religious conscience in matters of worship and speculative theology" (p.xi); Locke does not grant tolerance to Roman Catholics and atheists. He does not believe in a Christian commonwealth, and so toleration may be granted to non-Christians (pagan, Mahumentan, nor Jew). Goldie cannot ascer-

tain whether Locke is “a categorical separationist” because of the conflicting points in his writings (p.xiv). Secondly, Locke points out that prosecution is ineffective. If belief is a matter of inward conviction, then physical pressure cannot affect the individual’s belief. Locke carries on a longer discussion in his succeeding Letters against Proast, who resented the Toleration Act and wanted to compel non-Anglicans to accept the state religion. Locke argued that each state has its own religion and could try to impose its own religion upon all people within that society (p.xvi).

Goldie next discusses Locke’s view of skepticism involving “things necessary” and “things indifferent” in matters of religion, which meant that matters not prescribed by Scripture were open to human choice and local use. Goldie observes that Locke was not completely satisfied with this viewpoint, and that Locke did not accept latitudinarian views of those who at first supported comprehension, but were in fact intolerant for those who did not accept comprehension would then be punished. (pp. xvii-xviii). Goldie also asserts that Locke felt one should argue against error rather than current society’s view to “respect” others point of view. (p.xviii).

Goldie observes that Locke opposes atheists who have no motive for keeping rules, since they have no fear of punishment. Locke opposes Roman Catholics, not for their religious beliefs, but because their political and moral positions threaten civil society. Popes can depose heretic princes and encourage their followers to overthrow their princes. Roman Catholics do not have to keep their promises when dealing with heretics. Goldie actually describes these views as “antimomian”, those who “hold either that they are divinely inspired to rule (the ultimate form of a godly commonwealth) or, on the contrary, that they are exempt from rule (the ultimate form of godly anarchy).” (p.xix).

Besides publishing the first Letter (pp. 1-67), Goldie also includes a partial text of Locke’s Third Letter Concerning Toleration (pp.69-104) which is written against Jonas Proast. Locke’s An Essay Concerning Toleration (pp. 105-39), written in 1667 (at the time he entered the household of Anthony Ashley, Earl of Shaftsbury) but not published until the twentieth century, reflects

Locke's conversion to tolerance than in his previously written *Two Tracts on Government* (1662). Goldie provides a slightly revised version that was published in 2006 edition by J. R. Milton and Philip Milton as part of the Clarendon Edition of the Works of John Locke which can be referenced for its complete textual edition of the publication.

The Fragments (pp. 141-89), a selection of 21 short pieces from a variety of Locke's manuscript writings from 1667 to 1689, consists of just a sentence or two to a couple of paragraphs, e.g., infallibility, against Samuel Parker, religion in France, and tradition.

Goldie provides a short bibliography on books written by Locke and upon Locke as well as a chronology of his life, and an index.

Liberty Press continues to publish important reprints of primary sources at a reasonable price. This is the first title in the Thomas Hollis Library, an eighteenth century Englishman who had a large library on understanding liberty predating the Revolution. Mark Goldie offers an important introduction and commentary upon the selected works. This title is recommended for all libraries collecting works relating to law and religion.

Joel Fishman, Ph.D.
Assistant Director for Lawyer Services
Duquesne University Center for Legal Information/Allegheny
County Law Library

McMaster, John Bach and Frederick D. Stone. *Pennsylvania and the Federal Constitution 1787-1788*. Indianapolis: The Liberty Fund, 2011. vi, 803p. Paperback. ISBN: 978-0-86597-794-5. \$14.50.

John McMaster was a professor of History at the University of Pennsylvania and Frederick Stone was the librarian at the Historical Society of Pennsylvania when they first published this work in Philadelphia in 1888 and which is now being reprinted by Liberty Fund.

The Constitutional Convention that created the federal Constitution met from May 14 to September 17, 1787. The Constitution was read in the Pennsylvania legislature the next day. Two months later, on November 6, Pennsylvania elected delegates to the state convention to ratify the Constitution that met from November 20 to December 15, 1787. On December 12, the convention ratified the Constitution by a vote of 46 to 23. When New York ratified the constitution on July 26, 1788, the new Constitution was put into effect and the first Congress was called to meet in early 1789.

In Pennsylvania, the passage of the most liberal constitution during the first wave of state constitutions in 1776, led to a continuing controversy between the Constitutionalist and anti-Constitutionalist over the constitution. Constitutionalist became Antifederalist and Republicans became Federalist. Following the adoption of the Constitution in December 1787, the controversy continued between the two sides until a new Constitution, following the Federal Constitution model, was adopted in 1790.

McMaster and Stone bring together the primary source materials printed from a variety of sources chronologically in order. There were a variety of sources including Thomas Lloyd's notes on the debates of the Assembly (Proceedings and Debates of the General Assembly of Pennsylvania), newspaper accounts of which there were fifteen newspapers and two magazines at this time including Eleazer Oswald's *The Independent Gazetteer* and John Dunlap

and David C. Claypoole's *The Pennsylvania Packet*. Alexander Dallas published reports of the convention who served as editor of *The Pennsylvania Herald*, and other papers.

The work is divided into seven major chapters covering from 1787 to 1788 during the time the convention was called (ch. 2), before the convention met (ch. 3), the debate in the convention (ch. 4), while the convention was sitting (ch. 5), and after the convention rose (ch. 6). The *Letters of Centinel* (ch. 7) contains the 24 anonymous letters written by Samuel Bryan, a leading Constitutionalist, who wrote against the new federal Constitution and was cited by other opponents throughout the states. Two concluding chapters contain biographies of the Pennsylvania members at the federal Constitutional Convention and those at the Pennsylvania Convention. An Appendix contains James Wilson's notes taken at the Federal Constitutional Convention. Wilson was one of the leading Federalists along with Madison.

For those interested in state constitutional and political history of the early Republic, this volume is an interesting compilation of contemporary publications. It has been reprinted at least once after its original publication just over forty years ago. A modern introduction may have been useful to the modern reader similar to many of Liberty Fund's other reprints. This book may be used in conjunction with volume 2 of the *Documentary History of the Ratification of the Constitution* (Merrill Jensen, ed. 1976) that is the current, scholarly edition on the states' ratification and can be used effectively with the narrative of chapter 4 on Pennsylvania in Pauline Maier's *Ratification: The People Debate the Constitution, 1787-1788* (2010).

Joel Fishman, Ph.D.
Assistant Director for Lawyer Services
Duquesne University Center for Legal Information/
Allegheny County Law Library

Peterson, Merrill D. *Democracy, Liberty, and Property: The State Constitutional Conventions of the 1820s*. Indianapolis, Indiana: Liberty Funds, 2010. xxvii, 412p. ISBN: 978-0-86597-789-1 (pbk)/ 978-0-86597-788-4 (hbk). \$17.50/\$34.00.

Merrill D. Peterson (1921-2009) was Professor Emeritus of History at the University of Virginia and a noted Jeffersonian scholar. Peterson was a prolific author who wrote for a general audience making his books highly readable. In addition to Thomas Jefferson, his subjects included the abolitionist John Brown, the great 19th-century orator and statesmen Henry Clay, Daniel Webster, John C. Calhoun, and Abraham Lincoln. Notable works include *Thomas Jefferson and the New Nation* (Oxford University Press, 1970) and *The Great Triumvirate* (Oxford University Press, 1988).

Democracy, Liberty, and Property is a collection of original documents with introductory essays by Peterson that provide context for each state convention discussed. First published in 1966 by Bobbs-Merrill - as part of the American Heritage Series - this Liberty Funds edition reprints selected debates, Peterson's introductions, chronologies, analytical tables, and a selective bibliography. New to the 2011 edition is a forward and further reading list by G. Alan Tarr, Distinguished Professor of Political Science and Director of the Center for State Constitutional Studies at Rutgers University - Camden.

The book is not a survey of state constitutions, as the subtitle might suggest. Rather, it covers three constitutional conventions: Massachusetts (1820-21), New York (1821), and Virginia (1829-30). Peterson selected these three conventions as being representative in size, political development and influence, issues and conflicts, and as the leader of their geographic section - New England, Middle Atlantic and Southern.(p.xxiii) Each state also faced distinctive conflicts - Massachusetts with religious liberty, New York with problems of institutional structure, and Virginia with slavery and equality of representation.

Most of the original state constitutions had been drafted during the Revolutionary War by people who lacked experience in constitutional design and self-governance. With the passage of time

the constitutions proved to be insufficiently democratic, devoid of checks and balances, and lacking in separation between branches of government. A number new states and territories seeking statehood had written constitutions that served as examples to other states.

Significant changes had occurred in political thought and practice since the writing of the original charters and constitutions. Reformers insisted that constitutions should reflect those shifts.

The book title, Democracy, Liberty, and Property represents three current themes in the histories and speeches. Reformers and conservatives valued liberty but reformers tied it to the expansion of democracy, while conservatives believed expanded democracy threatened the liberty and privileges of the property owner. Excerpts of speeches by John Adams, Martin Van Buren, James Madison, James Monroe, and John Marshall are among the selections.

Representation is a recurring topic throughout the book, addressed by Joseph Story and Daniel Webster at the Massachusetts convention. I found history coming alive for me in the eloquent speech of John R. Cooke on representation at the Virginia convention. Cooke spoke of “eternal truth,” “nature of man” and “happiness to be obtained.”

“That all power is vested in, and consequently derived from, the people.”

“That all men are, by nature equally free.” And

“That a majority of the community possesses, by the law of nature and necessity, a right to control its concerns.” (p.261)

At the Virginia convention, Abel P. Upshur spoke on majorities and minorities, making a distinction between majority of interests and majority in number. He states, “...each individual has his rights, which are precisely equal to the rights of his fellow. But the right of a majority to rule, necessarily implies a right to impose restraints in some form or other; either upon the freedom of opinion or the freedom of action.” (p. 277) Upshur asks if the mi-

nority is bound by what the rest have determined, how will the majority be determined?

Democracy and representation were complicated issues. Who was represented, who could vote, and how representation was determined were heavily contested. Representation based on population was not clear cut. How were women, children, and slaves to be counted? In the 1820s enfranchisement meant white males. Reformists called for the equality of representation and enfranchisement of every man who paid taxes or served in the militia. Conservatives were concerned about protecting property and wanted to limit the franchise to real property owners. Virginia plantation owners feared heavy taxation of slaves with the expansion of the vote.

Institutional structure was another recurring topic at the conventions. Experience had shown the need for a separation of powers. The New York convention of 1821 produced important reforms when it abolished the Council of Revision and the Council of Appointment, made thousands of offices elective, and reformed the state judiciary.

I quite enjoyed Peterson's writing style. His introduction to the Virginia Convention set the stage for me with such comments as "inexhaustible exercise in political erudition", "a dazzling forensic display", and "men that can split hairs in all abstruse questions of political economy." (p.243) He also gave me a vivid visual image with his description, "There seated around a long table - all except John Randolph, who pouted and stared in a corner". (p.247)

Democracy, Liberty, and Property is highly recommended for students of history, political science and for law and academic libraries.

Joni Herbst
Technical Services Law Librarian
University of Oregon
John E. Jaqua Law Library

Pollock, Frederick and Frederic William Maitland. *The History of English Law Before the Time of Edward I*. Indianapolis: Liberty Fund, [2009]. 2v. (725 p., 786 p.). Paperback. ISBN: 978-0-86597-752-5. \$110.50.

The Liberty Fund, in its commendable effort to reprint the scholarship of the seventeenth, eighteenth, and nineteenth centuries, has republished the second (1898) edition of Pollock and Maitland's 2-volume *History of English Law Before the Time of Edward I*. This work represents a turning point in the study of legal history as well as a turning point in the authors' relationship. Let us consider the latter point first.

Of the two, Frederick Pollock (1845-1937) was already a scholar of formidable reach and reputation. He had published notable works on contracts (1876) and torts (1887). He was editor (1883-1919) of the *Law Quarterly Review*; from 1883 he was Corpus Professor of Jurisprudence at Oxford. In these capacities Pollock was a perceptive mentor to the younger Frederic William Maitland (1850-1906), who like Pollock had studied at Eton and at Trinity College, Cambridge, and who also had been called to the bar from Lincoln's Inn. In particular, Pollock introduced Maitland to a circle of friends who would support and stimulate his future work. These included the Russian-born medieval historian Paul Vinogradoff and Cambridge-educated critic and savant Leslie Stephen (father of Virginia Woolf and uncle-by-marriage of Maitland's future wife Henrietta Florence Fisher). After unsuccessfully seeking a position at Oxford, Maitland had in 1884 secured a readership at Cambridge. There he subsequently would be elected Downing Professor of the Laws of England.

Acting on a suggestion made by Vinogradoff, Maitland in 1887 published his first major work, the three-volume *Bracton's Note Book*, an edition of the case notes of Henry de Bracton, reputed author of the great thirteenth-century treatise *De Legibus et Consuetudinibus Angliae*. The same year, Maitland helped found the Selden Society; over the next two decades he was closely involved in editing or commissioning editions of an impressive range of medieval legal documents. Because of the efforts of Maitland and his successors, we have in our hands authoritative editions of

records that otherwise might have been lost; or that at best would have been utilized by small numbers of scholars. First class editorial work, however, seldom generates the sort of fame that today follows Maitland's name. He owes his status as a god of legal history to his work on *The History of English Law*, conceived in 1889 and first published in 1895. Maitland's biographers affirm a story (a legend, really) that after Pollock lingered over the composition of a chapter on Anglo-Saxon law, Maitland rushed to compose the remaining chapters. There is little doubt that Pollock exercised a certain influence over the whole work; certainly Cambridge University Press placed his name first on the title pages. But the work is essentially Maitland's.

The History of English Law begins with a series of chapters based on standard chronological or cultural divisions ("The Dark Age in Legal History," "Anglo-Saxon Law," "Norman Law," "England Under the Norman Kings,") and moves to chapters based on intellectual factors, including "Roman and Canon Law," a long-standing interest of Maitland's, and memorably, "The Age of Glanvill" and "The Age of Bracton." The remaining chapters, several of which are books-within-a-book, are driven by more technical topics: landed tenures, legal "conditions" of men, jurisdiction and communities, ownership, contracts, inheritance, family law, criminal law, and procedures. Chief among Maitland's virtues was his ability to present complex subjects in direct, easily comprehended prose. Thus he was able to give engaging, telling explanations of what might otherwise have been bewildering, dull, or both. See, for instance, his extended discussions of landed tenures—by military tenancy, serjeantry, socage, and villeinage [I: 243-313, 377-405]. It is a mark of Maitland's work that, having shown us the human possibilities, he has in the meantime kept an eye on underlying principles. The result is that we come away with the mental image of a world as complex and as comprehensible as our own. More, we come away with the sense, possibly illusory, that we have learned to think like a medieval person.

Maitland's work is open to criticism on several fronts. The scholar S.F.C. Milsom, whose bibliography and notes conclude the Liberty Fund edition, has argued that Maitland was too much Bracton's disciple, too much inclined to allow *De Legibus et Consuetu-*

dinibus Angliae to influence his perception of earlier events, and indeed, too quick to assume that the death of Bracton's royal patron (Henry III, d. 1272) was the natural end of an era. [For a perceptive assessment of these and other matters, see Milsom's "Maitland, Frederic William," in the Oxford Dictionary of National Biography.] Still, Milsom agrees that Maitland and Pollock's great work is very much alive more than a century after its publication. If confirmation were needed, this reviewer recently turned up via FirstSearch 126 records of *The History of English Law*.

It is only a slight exaggeration to say that Maitland created the discipline of English legal history. He did so with considerable freedom from national prejudices, notably the sort of patriotic motives that had characterized so much of "Whiggish" historical writing. Maitland's cosmopolitan affinities stretched in one direction from Cambridge right across Europe, and in another from Cambridge to Cambridge (U.S.). There is an heroic element to his life, too, as he wrote with remarkable speed, racing against ailments that periodically debilitated him and eventually laid him low. Since one of Maitland's enduring legacies is his prose style, we cannot do better than close with passages of the sort that plentifully await readers of *The History of English Law*.

Discussing the state of French law at the time in the tenth-century, when William the Conqueror's Viking ancestors established themselves in Normandy: "Their invasions occurred in the very midnight of the legal history of France; indeed they brought the midnight with them." [I: 71]

On the balance between customary law and written laws during Bracton's time: "And if in one sense England was never to be a 'country of the written law,' it had become preeminently the country of the written record." [I: 239]

On the dangers of formulary law, such as had developed by the mid-thirteenth century: "It may become an occult science, a black art, a labyrinth of which the clue has been lost." [I: 239]

Commenting on the linguistic pleasures of the concept of *servitium* (service): “A single Latin stock has thrown out various branches; the whole of medieval society seems held together by the twigs of those branches.” [I: 299]

Pointing out the difficulties of legal fictions, especially the one that regarded monks and nuns as “dead to the world”: “A fiction, however, which would regard a living man as dead must find that limits are set to it by this material world. A monk does wrong or suffers wrong; we cannot treat the case as though wrong had been done to a corpse or by a ghost.” [I: 459]

Illuminating the connotations of “*seisin*”: “If on the one hand ‘*seisin*’ is connected with ‘to seize,’ on the other it is connected with ‘to sit’ and ‘to set’: —the man who is seised is the man who is sitting on land; when he was put in *seisin* he was set there and made to sit there.” [II: 31]

Paul M. Pruitt, Jr.
Bounds Law Library
University of Alabama

Pruitt, Paul M. *Taming Alabama: Lawyers and Reformers, 1804-1929.* (Tuscaloosa, Alab.: University of Alabama Press, 2010). 200pp. ISBN-13: 978-0817356019. \$26.95.

The disciplines of history and biography, while related in their research methodologies and narrative expression, have different strengths as they attempt to describe and explain the past. History is a synthesis of the whole; its perspective is the wide-angle shot. While its panoramic viewpoint is excellent for discerning the dominant theme of the subject it surveys, it can only offer detail on such issues that fall in the shot as it follows that thread. Biography, on the other hand, sees the past process in sharp focus over the shoulder of its protagonist; its camera focus is predominantly that of the close up. It can make history palpable and emotive. However, it is blinkered by its devotion to following the stage movements of its leading star.

There are ways to get the best of both techniques. The “life-and-times” biography takes such an approach, mixing the two disciplines. In *Taming Alabama*, Paul Pruitt, the Special Collections Librarian for the University of Alabama’s Bounds Law Library, uses another method: collective biography. This approach, which collects biographical sketches of people related by a similar theme, attempts to benefit from the sharp detail of the biography tempered by the diverse viewpoints of several selected subjects. This *Rashamon*-like technique has only occasionally been used in state legal history, but shows some promise in illuminating changes in the law, the complexity of legal practice, and the role of lawyers in American society.

Taming Alabama doesn't completely realize this promise because the biographical subjects collected to illustrate legal reformers include not only lawyers but also non-legal social reformers, thus diluting the focus on legal history. The biographies do, however, show the many unifying themes of Alabama reform movements: roots to the pre-Civil War Whig party and the post-war Bourbon Democrats; an acceptance of the Southern consensus of white supremacy with a paternalist urge to mitigate its harshness; and a foreshadowing of these gentile reformers' ultimate failure in the face of the populist racialism of mid-20th century politicians like

George Wallace. Ultimately, African Americans—whose struggles and biographies are outside the scope of this compilation—would seek their own means of reform, ones with little connection to the reform movements detailed in *Taming Alabama*.

Each of the seven chapters is a short biographical sketch, and the subjects can be roughly broken into four groups: Antebellum legal reformers who set the foundations of the statute and common law, like Harry Toulmin and Benjamin F. Porter; non-lawyer reformers like social activist Julia Tutwiler and minister James F. Smith who attempted to improve the law from the outside; post-war lawyers who grappled with reconstruction from opposing perspectives; judges Thomas Goode Jones and Henry D. Clayton; and agrarian populist and civil rights activist Joseph C. Manning, the most radical subject of the work, who fits in none of the other groups.

There can be no better start to such a book than a sketch of the remarkable life of Harry Toulmin (1766-1823). Born in 1766 in England, he emigrated to the United States in 1793 to become president of Transylvania College in Lexington, Kentucky. After serving as Kentucky secretary of state, he was commissioned by the state legislature to study criminal code of the state, which resulted in the publication of *Review of the Criminal Law of the Commonwealth of Kentucky* (1804-1806). A Jeffersonian, in 1804 he was appointed territorial judge for the Tombigbee district of the Mississippi Territory (the portion that would later become Alabama). He served until Alabama statehood in 1819. As a judge he crafted the new state's early common law; as a legal scholar he helped to “make” statute law with his massive *Digest of the Laws of the State of Alabama* (1823), which codified its legislative enactments.

Benjamin F. Porter (1808-1868) was another legal pioneer who helped shape the common law, while trying to reform it. Joining the bar in 1825, his scholarly inclinations led to his appointment as reporter of the decisions of the Alabama Supreme Court in 1835, where he prepared volumes covering the court's opinions in the terms from 1834-1840. Like many court reporters, his service led to a very successful career at the appellate bar. Porter also

served several terms in the state House of Representatives from the early 1830s until the late 1840s, where he had a reputation as a supporter of public education and women's rights. However, his strongest energies were for reform of Alabama's criminal law and for the construction of a state penitentiary. In 1839, Porter's efforts in the legislature led to the passage of a modern penitentiary act. He was less successful in his 1846 attempt to ban the death penalty. A long-time Whig, he opposed secession but supported the Confederacy. In 1868, he joined the Republican Party and was appointed circuit court judge, but he died shortly thereafter.

Reform of penal institutions was the mission of one of the two non-lawyer reformers, Julia Tutwiler (1841-1916). Born to an educator and slave-owner in 1841, she was raised in an educated household steeped in the Southern Whig tradition. Sent to a Philadelphia boarding school, she received an excellent education, attending Vassar College and The College of William & Mary, and receiving a Prussian teaching certificate after attending a normal school in Berlin. She returned to teach in Tuscaloosa, Alabama in 1876. Soon after, she began to assist inmates at the city's jail. Animated by Christian duty and shocked by the facility's squalid conditions, Tutwiler joined with other local women to provide clothing and Bible instruction to the prisoners. The organization she founded, the Tuscaloosa Benevolent Association, then looked to legislature to reform the state's correctional institutions. Without challenging racial barriers, Tutwiler fought abuses of the convict lease system (which often forced inmates—most of them black-- imprisoned for minor offenses into hard and dangerous labor). She also battled for separate prisons for men and women, advocated for a juvenile reform school, and urged education of prisoners.

Compared to the heady accomplishments of Julia Tutwiler, Rev. John F. Smith's (1821-1899) reform credentials are small beer. Nonetheless, he lived at a great time of change in Central Alabama, as agricultural ways were challenged in the 1880s by industrialization sparked by nearby iron ore fields. Smith began his ministerial career as a Methodist but just before the war he joined the Episcopalian Church where he would remain the next forty

years. Based in Talladega as rector of St. Peter's Parish, he saw the effects of the new capitalist order in disorder and drunkenness. In the summer of 1887, groups of young men, most from good families, began to disrupt church services, talking and smoking in the pews, and even defacing church property. Churchgoers were outraged—some even retaliating by caning the offenders—and Talladega authorities threatened force to stop the transgressions. Smith gave a widely distributed sermon in which he saw the cure not in evangelistic fervor or harsh judicial action, but in the moderate Christianity of the Book of Common Prayer.

Two biographical subjects, Thomas Goode Jones (1844-1914) and Henry D. Clayton (1857-1929), held (in succession) the same seat on the federal bench as the district judge for Alabama's northern and middle districts, although their legacies are quite different. Jones will long be known as the father of modern legal ethics for his drafting of Alabama's 1887 Code of Legal Ethics, even though that was but a single aspect of his long career. Raised in a family that valued martial service, Jones attended the Virginia Military Institute as a youth and in 1861 he was swept into the Confederate army at the age of 16. He served first under Stonewall Jackson and later in Robert E. Lee's Army of Northern Virginia, garnering battle scars and promotions along the way. After the war he tried to restore his family's cotton farms and took up the practice of law. In 1869, the young war hero was appointed official reporter of the Alabama Supreme Court, a position he would hold for over a decade alongside a successful legal career, which included years of service as a leading outside counsel for the L&N Railroad. He was equally successful as a politician, serving as speaker of the Alabama House of Representatives before his winning gubernatorial campaign in 1890. In two terms as governor, Jones's reforming instincts led him to oppose laws making it a crime for sharecroppers to break labor contracts, combat the convict-lease system and strenuously oppose lynching. During the 1901 constitutional convention assembled to completely disenfranchise blacks, Jones opposed the proposed grandfather clause as blatantly unfair but supported the final document. His opposition to lynching sparked a friendship with Booker T. Washington,

who urged Theodore Roosevelt to cross party lines and appoint Jones to the federal bench.

While Judge Jones' first footsteps of manhood fell in the wake of the legendary Robert E. Lee, Henry D. Clayton was thoroughly a man of the postwar era. Clayton's chief accomplishment, the Clayton Anti-Trust Act of 1914, marked the concerns of an industrialized modern America. Raised on his parent's plantation, Clayton's only exposure to the peculiar institution would be as a young child. He attended the University of Alabama, graduating in 1878 with a degree in law. A legal practice followed but politics was Clayton's passion and in 1896 he was elected to the U.S. Congress as a free-silver Democrat. This was the first of the nine terms Clayton would serve in that body. In Congress, he supported progressive measures, including the antitrust legislation that would bear his name. Clayton, a member of the Judiciary Committee, became committee chair in 1911. He strongly supported Woodrow Wilson, who appointed him to the seat on the bench vacated by Thomas Goode Jones. During the World War, Clayton presided over the successful prosecution of a group of anarchists for violating the Sedition Act. His disdain for the defendants was evident from the bench. The conviction was upheld by the Supreme Court in *U.S. v. Abrams*, a case most known for the dissent of Justice Oliver Wendell Holmes, Jr., who called for "a free trade in ideas." Still interested in his state, Clayton opposed the lawlessness of the revived Ku Klux Klan even as it began to infiltrate the Democratic Party.

Joseph C. Manning (1870-1930) stands apart from the other subjects of *Taming Alabama* because he alone rejected the consensus of white supremacy. Born to a merchant whose business suffered greatly from the collapse of cotton prices, he was an early and life-long supporter of agrarian populism. In 1892, he joined the populist People's Party as an organizer and editor, seeing both wings of the Democratic Party—Bourbon and Populist—as similarly devoted to a system that kept poor rural whites in servitude. After William Jennings Bryan captured the Democratic presidential nomination by co-opting populist themes, Manning realized independent populist parties were doomed and joined the Republican Party where he often battled that party's racist "lily-white"

faction. He worked as a journalist for the GOP paper in New Orleans, but poverty caused him to seek a postmaster position from the Republican administration of William McKinley. With the patronage of his friend Booker T. Washington, he was appointed postmaster of Alexander City, where he was known for his scrupulously respectful treatment of black customers. His interests expanded in office and he began to view the subjection of African American rights as the South's biggest obstacle to progress. In his 1904 book, *The Rise and Reign of the Bourbon Oligarchy*, Manning argued that Southern elites used racism to force both blacks and poor whites into peonage, with the same political system used to "keep down" blacks also serving "to bring about a condition where the whites of the South have come to endure a yoke of political serfdom" (p. 84). His radicalism led to his dismissal from federal service by President William Taft in 1908. Manning spent the rest of his life in Washington, D.C., as a civil rights lobbyist and journalist for African American newspapers. He died in New York City far from the cotton fields of Alabama.

Pruitt's *Taming Alabama* largely succeeds in showing the promise of collective biography, illuminating the key themes of reform movements in 19th and 20th century Alabama with the kind of granular detail not usually found in traditional histories. The work is well-written, excellently integrated, and its production is relatively error-free. My Kentucky-bred eyes only noticed a misspelling of the surname of Bluegrass-born abolitionist James G. Birney (p. 36). It is amply footnoted, has a serviceable index, and would be an excellent addition to the book list for a course on Southern legal history.

Kurt X. Metzmeier
Louis D. Brandeis School of Law
University of Louisville

Robertson, Craig. *The Passport in America: The History of a Document*. Oxford: Oxford University Press, 2010. x, 340p. ISBN: 978-0-19-973342-2. \$27.95.

“Show me your papers.”

No phrase evokes the involuntary dread of authoritarian power and the terror of bureaucratic arbitrariness as this four-word request for one's passport. This fear is not surprising; in the inner dialogue we humans typically go through in deciding what kind of person we should be—good or bad, successful and hard-driving or serene and content, confident or pushed-around—rarely is the existential question of “who am I” rendered so brutally concrete. In one small booklet, with a few lines of text, a tiny photo, and stamps and seals, one's identity is defined.

It is this social construction of identity that is the real theme of the Craig Robertson's *The Passport in America* and its evolution through the nineteenth and early twentieth centuries from something personal, local and attested by one's neighbors to an impersonal bureaucratic construct, established with official documents. While telling the story of one document, the passport, Robertson describes the increasing importance of official documents in all aspects of the life of modern Americans. A subtext to the story is the increasingly herculean efforts by officials to pin down this identity and to use new technologies to confirm a person's identity in a single document. Along the way, enduring themes of race, war, immigration and class make cameo appearances.

The Passport in America is divided into two distinct parts. The first examines the surprisingly rich history of the physical document as it evolved from a simple letter of introduction to a complex legal document by focusing on its constituent parts: name, signatures, description, photograph, etc. Each data point had its own interesting set of problems, and Robertson also discusses the bureaucracy that involved to work out these issues and to assemble the document. The second part looks at the complex issues that the passport regime involved, including knotty questions of citizenship, the possibility of fraud and forgery, and the increasing role in national security in its evolution.

The story of the creation of the document that we call a passport is really a collection of separate stories of the various bits of data we accept without thought as fixed and self-evident but were until recently much more negotiable in meaning. Standard features of

the modern document like exact name, official birth date, signature, even physical description are in fact modern creations. President Barack Obama was long hounded by opponents to produce a “birth certificate” but few perhaps realize that uniform birth registration is a 20th century innovation and that only those presidents elected after WWII could reliably produce such certificates.

Robertson effectively describes the evolution of the U.S. passport, its various datum, and the application process. The original passport was merely a letter of introduction from the Department of State to foreign nations on behalf of person. It made no attempt to verify the identity of that person; its mere possession was the some total of its effectiveness. America’s earliest passports were “big official looking” papers, twelve-by-eighteen inch broadsheets, written in grand letters and bearing wax seals. As time progressed, the seals evolved and were surrounded with ornamentation—not to prevent forgery, but instead to enhance the “sacredness of the instrument.” The seal, always that of the U.S. Department of State, became an elaborate engraving similar to those found on paper currency, which, like the passport, developed into an abstract representation of the authority of the U.S. government. The late nineteenth century saw the proliferation of these valuable pieces of paper from the postal money order (1864), to the travelers check (1891), to the first “electronic funds transfer” by telegraph (1918).

Robertson describes how the passport began to take the current booklet form in 1826, with the increasing instance of forgery in postwar Europe. Standardization still focused more on the sacredness of the document than the identity of the user. In 1933, a new publication caused consternation in the State Department over a mock advertising representation of the passport. Even as authorities grumbled over the dissolution of the passport’s “trademark,” the data within the passport identifying the user was coming under increasing scrutiny.

Among the most fascinating parts of Passport in America are the mini-histories of the various datum that became part of the passport. In the chapter on “name,” Robertson discusses how the rise of the passport occurred at a time when the stabilization of the formal name as a concrete part of identity was still underway. An early American might sign his last name “Boon” or “Boone” as his mood carried him, and his middle initial might stand for different things throughout his life. A passport, however, required that

name to be frozen in form and spelling, a concept that was not only strange, but also resented. Moreover, the gendered reality of 19th and early 20th century America is revealed in the lack of separate passport names for married women. A wealthy American woman might travel the courts of Europe carrying a passport identifying her as "wife of Andrew Carnegie." This did not sit well with early feminists; the National Women's Party and the Lucy Stone League joined together to force the State Department to issue women passports in their own names, succeeding only in 1925--five years after women received the right to vote.

The signature also had its own interesting history. In the beginning, the key signature was that of the issuing official; early on this would be that of the secretary of state. The requirement that the passport holder's own signature be affixed was the first anti-forgery measure. Its use coincided with the beginnings of modern forensic science. Handwriting analysis was one of its first tools and Robertson does a good job showing how the development of police science affected travel documentation. However, the use of signatures posed problems not only with illiterate travelers, but also with "important" men who had never had to sign anything to prove who they were and certainly not on demand for a grubby functionary. This was part of the "passport problem," the egalitarian discomfiture felt by traveling Americans unaccustomed to the indignities we moderns take for granted.

The anxiety was heightened with the addition of first a written physical description and then a photograph, which allowed a hard-eyed border guard to determine that holder was the person so described by visually (and humiliatingly) scrutinizing them. Travelers would complain of fear of changing hairstyles or shaving off a beard for fear of not matching their passport photo. Again, the science of the detective is employed, first with scientific measuring methods pioneered by the French Sûreté and later with photos based on the "mugshot." Thus the vacationing railroad tycoon might be forced to submit to the same brand of camera as the Bowery thug arrested in a bar-room brawl.

Robertson also shows how race, both that of travelling African Americans but more particularly the race of Asian visitors to America, impacted passport use. With the Chinese exclusion laws of the 1880s, the passport saw its first as a tool of immigration control. Interestingly, class (a continuing subtext of the book), plays a role here. As Chinese merchants were allowed into the U.S. during the exclusion period, passports (as well as the cut

of a traveler's clothes) were carefully inspected by officials to verify a merchant's status.

The *Passport in America* is a fascinating and well-researched work which effectively weaves the history of this common travel document with the changes in society and its relationship to the individual that arose as the United States evolved from a rural nation where one's identity was established by personal relations to an impersonal modern society where documents defined who you were. Along the way, Robertson shows the impact of interrelated developments as varied as the rise of modern police science and the creation of the birth certificate. The process was not an easy one; then as now travelers have resisted the confinement of their identity to a small blue booklet. And the steely-eyes of the border guard on those papers has never failed to discomfit.

Kurt X. Metzmeier,
Associate Director
Louis D. Brandeis School of Law
University of Louisville

Schneider, Elizabeth M., Stephanie M. Wildman, Eds. *Women and the Law Stories*. New York: Foundation Press, 2011. xiii, 475p. ISBN: 978-1-59941-589-5. \$40.00.

Women and the Law Stories highlights twelve separate cases, from the 1870s to the present day, that have impacted the development of women's legal rights in the United States. The cases fall under a wide array of categories including reproductive freedom, sex discrimination, discrimination in the workplace, family law, and women in the legal profession. All of the accompanying articles emphasize both the struggles that women of varying ages and race have had to endure in order to fight unequal treatment in these different arenas.

What distinguishes this volume from a case law textbook on women and law is the amount of detail and attention paid not only to the legal histories of each case, but also to the backgrounds of the women involved in the case, their motivations for pursuing litigation, and the personal impacts of the case upon them both during and after the legal process. Such detail is achieved through exhaustive research that includes conducting in-person interviews with individuals personally involved in various cases, as well as obtaining access to personal documents related to the cases. Such individualized attention sometimes extends not only to the female plaintiffs, but also the female attorneys and judges involved in various cases. For instance, in "Single-Sex Public Schools: The Story of *Vorcheimer v. School District of Philadelphia*," author Martha Minow tells the story of Susan Vorcheimer, who sought to attend the most prestigious public high school in Philadelphia, which was all-male at the time. Minow not only pieces together Vorcheimer's personal history through court opinions and other outside sources, but also interviewed Vorcheimer's attorney to gain insight into her legal strategy for the case.

Overall, this book also succeeds in placing of these various cases into broader historical context, providing the reader with a richer understanding of events and social norms which informed legal developments of the time. One of the most insightful articles in this regard is the first, which focuses on *U.S. v. Cruikshank*, an 1875 case in which the Supreme Court reversed the convictions of two white defendants in the lynchings of two African American men. Authors Rebecca Hall and Angela P. Harris seek to reframe *Cruikshank* as a lens through which to understand "racialized gender" during and after the Reconstruction era. Defining "racialized gender" as "the interplay of race and gender subordination",

the authors detail a brutal history of white supremacist violence that occurred towards both black men and black women during Reconstruction, interlinking events of the period with concurrent developments in federal and state law.

Several of the cases covered are well-known, including *United States v. VMI* (in which the U.S. Supreme Court held that excluding women from an all-male public military college was unconstitutional) and *In re Marriage Cases* (in which the California Supreme Court ruled that it is unconstitutional to deny marriage to same-sex couples). Yet some of the more compelling chapters in this compendium are those addressing lesser-known cases not typically covered in a law school course. In “Infertile by Force and Federal Complicity: The Story of *Relf v. Weinberger*,” Lisa C. Ikemoto describes the shocking facts behind a case in which two sisters, ages twelve and fourteen, were sterilized by federal family planning officials without their parents’ knowledge or consent. She traces the historical roots of involuntary sterilization in the U.S., with particular emphasis on social norms and practices that disproportionately affected women and girls of color “with respect to their reproductive capacity.”

Some of the articles also serve to illustrate how little American women have been and still are served by the judicial system, even after years of groundbreaking cases that have moved women’s rights forward. In “State-Enabled Violence: The Story of *Town of Castle Rock v. Gonzalez*,” author Zanita E. Fenton evaluates a case in which the United States Supreme Court denied redress to a plaintiff whose children were killed due to the stunning failure of police to enforce a protective order against her husband. The final chapter “A Tribal Court Domestic Violence Case: The Story of an Unknown Victim, an Unreported Decision, and an All Too Common Injustice,” narrated in the first person by law professor Stacy Leeds, recounts her experience as a tribal judge on a particular domestic violence case. She describes not only the story of a woman who approached the tribal court for protection against an abuser, but also her own tale of how she came to realize her powerlessness in a judicial system where complex issues of tribal jurisdiction essentially negated her power to give concrete help to a woman in desperate need of it.

Other chapters emphasize how much progress is left to be made in the United States where women’s rights are concerned. In a chapter on *California Federal Savings & Loan Association v. Guerra*, first brought in the 1980s by a plaintiff fighting for the

right to maternity leave under California law, author Stephanie M. Wildman observes that the U.S. has since made only “grudging steps” towards making the workplace more welcoming for women.

Overall, this book is an excellent supplement to any casebook used in a course on feminist jurisprudence or women’s rights. It provides significant contribution to legal literature in its focus on the lives and stories of the women whose struggles personally motivated these various cases, and paved the way for greater rights for all women across the U.S. across a wide array of issues. But they also highlight the struggles that women still face in these areas, despite the progress that has been made in the judicial and legislative arenas. In this way, *Women and the Law Stories* is also a call to arms towards ensuring that progress continues in expanding women’s legal rights in the United States.

Alyssa Thurston
Research Services Librarian
Pepperdine University
School of Law Library

Tocqueville, Alexis de, Democracy in America : historical-critical edition of De la démocratie en Amérique. Edited by Eduardo Nolla; translated from the French by James T. Schleifer. Indianapolis: Liberty Fund, 2010. 4 v., cxlix, 1569 p., ill. ISBN: 9780865977198. \$60.00.

In 1831 Alexis de Tocqueville and Gustave de Beaumont visited the United States, ostensibly to study the American prison system for the French government. What emerged from that visit was Tocqueville's *Democracy in America*, a comprehensive study of the people, culture and institutions of the young United States. Tocqueville addresses issues ranging from race relations and gender equality to the government and the Constitution to the role of religion in maintaining the American republic. His discussion usually takes the form of a comparison of the United States and Europe, France.

Democracy in America is familiar to generations of political science and American history majors. Many reviews are available in a variety of print and electronic sources. An additional review of the work itself is unnecessary.

The bilingual edition of *Democracy in America* published by Liberty Fund is a superior version of this celebrated tome. It includes the text and notes of Eduardo Nolla's French Critical Edition of "Democracy in America" on the lefthand pages. Nolla, a professor at the Universidad San Pablo-CEU in Madrid, was a visiting scholar at Yale University from 1981 to 1985 and taught there full time from 1986 to 1992. Professor James T. Schleifer's English translation is contained in the right-hand pages. He is dean emeritus of the Library and Professor of History at the College of New Rochelle. He has also been a visiting lecturer at Yale University.

The editor has compared the important French editions of the work (1835, 1838, 1840 and 1850) and corrected more than 100 errors. Early outlines of the text, drafts, marginalia, fragments, and other material are also included either in brackets within the text or as footnotes. An extensive appendix includes two pieces written by Tocqueville during his American travels, *Journey to Lake Oneida* and *A Fortnight in the Wilderness*. The final volume includes a list of works used by Tocqueville in the book and those cited in his notes and drafts, as well as an extensive bibliography and indices in both French and in English.

The paper and binding of the four-volume paperback edition is of superior quality. The four volume bilingual edition is also available in hardback (ISBN978-0-86597-719-8). A two-volume English-only edition is available in paperback (ISBN 978-0-86597-840-9).

Mark W. Podvia
Associate Law Librarian and Archivist
The Dickinson School of Law of the Pennsylvania State University

Tsesis, Alexander. *For Liberty and Equality: The Life and Times of the Declaration of Independence*. New York: Oxford University Press, 2012. 397p. ISBN: 9780195379693. \$29.95.

It is stated in the Declaration of Independence that "all men are created equal," yet history shows that there has been an ongoing struggle to attain equality status for all Americans. *For Liberty and Equality: The Life and Times of the Declaration of Independence* by Alexander Tsesis examines the "evolving relevance" (p.3) of this seminal document by arguing that American law has not lived up to typical standards of equality such as citizenship and suffrage. He also looks at the persuasive rhetoric of social movements that have turned to the Declaration of Independence when fighting for their natural rights.

For Liberty and Equality is a scholarly work covering history that will resonate with legal scholars as well as those who leisurely enjoy American history. Tsesis is well researched on the topic of American freedom and rights. As a law professor at Loyola University - Chicago, his focus is on civil rights, hate speech, the Declaration of Independence, and Constitutional Law. The book is rich with primary materials: letters between Samuel Adams and Thomas Paine, cases such as *Dredd Scott v. Sandford*, speeches such as *President Lyndon B. Johnson's Radio and Television Remarks Upon signing the Civil Rights Bill July 2, 1964*, and a few images from *Harper's Weekly*. Tsesis eloquently weaves in these primary materials when depicting and sympathizing with oppressed Americans.

Tsesis begins with a history of how our fledgling nation decided to break from the crown and establish a government based on human equality and popular sovereignty. He then turns to a chronological exploration of the invocation of the Declaration of Independence over the years in various American social movements. To illustrate his point, Tsesis provides anecdotes of abolitionists, women, labor unions, Native Americans, civil rights activists, and other groups who would agree with Tsesis' statement that: "The nation's greatest shortcoming has been its failure to fulfill the manifesto's pledge of equal liberty"(p. 3).

One of the great things about this book is that it gives a voice to less famous stories of struggle. There are volumes written on Abraham Lincoln's struggles in defending the Declaration of Independence. Tsesis writes on Lincoln as well, but he also draws on other examples, such as the 1957 story of the Little Rock Nine. A

group of African American students in Arkansas wished to attend Little Rock Central High School after *Brown v. Board of Education* declared segregation of public schools to be unconstitutional. The students and their community supporters experienced backlash from Arkansas Governor Orval Faubus, causing President Eisenhower to intervene with a military presence. Just like the civil rights advocates who turned to the Declaration of Independence in claiming their natural rights, Eisenhower also quoted the Declaration when defending his actions.

Another story deserving attention is that of the immigrant laborers of the 1880s. Chinese laborers were denied naturalization on the basis of being nonwhite and also faced the prohibited immigration and reentry as victims of the Chinese Exclusion Act of 1882 and the Scott Act of 1888. Activist Henry Ward Beecher and Senator George F. Hoar defended the rights of Chinese laborers by asserting that the current laws were not upholding the standards of the Declaration of Independence. Tthesis' most interesting anecdote regarding laborers was that sympathizers were not the only ones recognizing the powers granted by the Declaration of Independence. Those opposing immigration knew the freedoms granted by the document and were afraid of it being used against them. The Nevada State Journal quoted the opposition as saying that immigrant laborers "may try to smother us with the Declaration of Independence and the Constitution" (p. 229).

The narrative includes an argument that the Declaration of Independence would have been a little known piece of history had there not been a statement of human rights to quote from in years to come. Tthesis states: "Had Jefferson and the Continental Congress not included a statement about human rights and the people's primacy in governance, the document might have gone into obscurity; becoming nothing more than a national relic of the country's achievement in 1776. This was indeed the case with multiple Latin American declarations of independence that contained no statements of natural rights" (p. 124).

Tthesis concludes his narrative around the 1960's, but this important utilization of the Declaration of Independence is still effective today. Authors and activists are still quoting it. Former Vermont governor Madeleine Kunin refers to the Declaration of Independence and the pursuit of happiness in supporting her argument for gender equality through family-friendly policies in *The New Feminist Agenda* (2012). Politicians are still quoting it. The Declaration of Independence has been referenced in the 2012

presidential debates. If Tthesis is correct about references keeping the Declaration of Independence alive, then the document promises to be important to Americans well into the future.

Alexander Tthesis deserves applause for his depth of research, clear organization, and his detailed writing. He skillfully draws your interest towards diverse stories of oppression and causes emotional response that is not common for a history book. *For Liberty and Equality: The Life and Times of the Declaration of Independence* is a compelling narrative of a formative document and a country that has come a long way in terms of human equality.

Konya Lafferty, MSLIS
Chicago Branch Librarian
Supreme Court of Illinois

Vile, John R. *Proposed Amendments to the U. S. Constitution 1787-2001; Supplement IV, 2002-2010*. Clark: Lawbook Exchange, 2011. 4 vols. ISBN: 978-1-58477-225-5 (Set). \$495.00.

Dr. John Vile is a political scientist who is a well-known author of several encyclopedias dealing with constitutional law (Constitution Convention of 1787, Civil Liberties, First Amendment, etc.) as well as Great American Lawyers and Great American Judges.

The current set under review is a reprint from 2002 of three volumes that themselves are reprints of major publications offered from the late nineteenth century to the end of the twentieth century that chronicle the proposed amendments to the United States Constitution. Following the publication of the Articles of Confederation, Constitution of the United States, and Constitution of the Confederate States of America, Vile arranges the following works in chronological order. A fourth volume is a new supplement that covers the period 2001-2010.

Henry Ames, *The Proposed Amendments to the Constitution of the United States During the First Century of Its History* (reprinted from the Annual Report of the AHA for the Year 1896 (pp.1-442)). The second volume contains H. H. B. Meyer's *Proposed Amendments to the Constitution of the United States* (1926) (pp.443-594) that updated Ames's work from 1887 to 1926. Michael A. Musmanno, before becoming a county judge and then a justice of the Pennsylvania Supreme Court, updated Meyer's work from 1889 to 1929 as *Proposed Amendments to the Constitution* (1929) (pp. 595-1141). Roger K. Haley, *Proposed Amendments to the Constitution of the United States...January 9, 1963-January 3, 1969* (pp.1143-1260); Richard A. Davis, *Proposed Amendments from...January 1969-December 1984* (CRS REPORT 85-36) (pp.1263-1585); and *Proposed Amendments to the U.S. Constitution...(1985-1990)*. (CRS 92-555 Gov). (pp.1587-1736).

A cumulative index covers from 1787 to 2001 (pp.1737-1807). This index "as a labor of love" provides the single comprehensive subject index to Congressional amendments. Vile explains how he

compiled the index and though he acknowledges incompleteness in some areas, it still will serve as a major contribution to historical research on the Constitution.

The fourth volume is new as a supplement to the original set, covering the period from 2002 to 2010. Vile continues his numbering system from where he left off in the middle of the 107th Congress (2001-2002). Each entry has the Resolution number, the lead sponsor with their state and party designation, and the number of co-sponsors. A subject index and sponsor index are provided at the end of the volume. If you have already purchased the original set, the supplement can be purchased separately for \$95.00.

Vile is to be congratulated for his continuing work in this important area. Since the study of the U. S. Constitution is such an important aspect of constitutional law today, this publication will continue to be the primary source anyone will go to in researching constitutional amendments.

Joel Fishman, Ph.D.

Duquesne University Center for Legal Information/Allegheny
County Law Library