

AMERICAN LAW PUBLISHING 1860-1900 Bibliographic Indexes

AUTHOR INDEX

BETTY W. TAYLOR

Professor of Law and Director of Legal Information Center University of Florida

DR. ROBERT J. MUNRO

Law Librarian

University of Florida

Glanville Publishing Company

THE AUTHORS

BETTY W. TAYLOR is a Director of the Legal Information Center and Professor of Law at the College of Law of the University of Florida. She received her M.A. degree in Library Science in 1950 and a J.D. degree from the University of Florida in 1962. She has been employed in the library system at the University of Florida since 1950 and has been Director of the Legal Information Center since 1962. She is the author of many publications and is a frequent speaker on the subject of libraries, law, and computers. As a Board Member of both the American Association of Law Libraries and SOLINET, the Southeastern Library Network, and a member of the American Bar Association's Committee on Law Libraries, she has been influential in the development of automation of law libraries.

ROBERT J. MUNRO has been a law librarian at the Legal Information Center for ten years. He earned his M.A. in Political Science and a J.D. from the University of Iowa, his M.L.S. at Louisiana State University, and his Ph.D. in Higher Education at the University of Florida in 1981. He and his wife Louise reside in Gainesville, Florida.

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SERIES SUMMARY OF CONTENTS

HISTORICAL READINGS

Volume I

Introduction

History of Education 1860-1900

Libraries 1860-1900

Volume 2

The Legal Profession

Printers, Booksellers, and Publishers

American Law Books 1860-1900

Legal Periodicals Published 1860-1900

Bibliography

BIBLIOGRAPHIC INDEX

Subject Index - In one volume

BIBLIOGRAPHIC INDEX

Author Index - In one volume

INSTRUCTIONS FOR USE OF BIBLIOGRAPHIC INDEXES

The author index consists of the bibliographic entries arranged alphabetically by personal author; where a personal author does not exist, the entry is listed by title alphabetically. The author entrie also include the "note" information commonly found on catalog cards in addition to the full bibliographic information.

The subject index consists of the entries arranged alphabetically by Library of Congress Subject Headings. Under each subject entry, the full title is listed in addition to full bibliographic information; the entries in the subject index do not include the "note" information.

PREFACE

The need for a history and analysis of law book publishing for the period 1860-1900 requires elucidation. American legal history, to the shame of the well-paid and luxuriously-equipped American legal profession, remains one of the worst-chronicled of important American institutions. Much of a legal historian's work consists of the culling of the research materials that he needs in his work from local histories, dictionaries of biography, company histories, and sources other than full-length specialized monographs on the rules of lawyers. 1 This is not to say that several excellent histories do not exist. A valuable work on the earliest age of the American legal profession is Anton-Hermann Chroust's, The Rise of the Legal Profession in America, 2 volumes, 1965, a massive compilation of facts about the profession and its practitioners until 1820. A valuable modern survey of the vague and diverse activities of American lawyers in the mid-twentieth century is Martin Mayer's, The Lawyers, 1967, an anecdotal, statistical account all the more valuable because it is by an experienced reporter, who is not a lawyer. Lawrence M. Friedman's A History of American Law, 1974, is a more recent, comprehensive treatment of the subject. The state of legal bibliography parallels the problem of legal history: poor and incomplete records, superficial research, and general lack of interest. In the past, a student of legal bibliography of the 1860-1900 period has been forced to work his way through various book catalogs of the larger libraries to determine bibliographic information on any one item and any subject searching was impossible

¹Daniel Boorstin, <u>The Americans: The Democratic Experience</u> (New York: Random House, 1973), p. 623.

and still is today though the growth computer-based search system such as OCLC and RLIN will no doubt make such searching more feasible. This existence of the book catalogs was complemented by very few good treatises. Charles Warren's <u>History of the American Bar</u>, 1911, contains among many fine chapters, two chapters on "Early American Law Books" and "American Law Books, 1815-1910." These chapters provide the beginning student an invaluable starting point in research. However, the errors and omissions in Warren's classic work are serious.

"Warren's book, it goes without saying, is still a basic, indispensable, and perhaps, unsurpassed text that must be consulted by anyone interested in our subject. Unfortunately, it is so replete with misprints, inaccuracies of detail, errors of citations, and even errors of fact, that it would be extremely unwise to accept any of Warren's statements without further verification."²

In addition to library book catalogs such as the <u>Catalogue of the Library of the Law School of Harvard University</u>, 1909, book catalogers such as Charles C. Soule's <u>The Lawyer's Reference Manual of Law Books and Citations</u> (1883) are of value to the research.³

The absence of a comprehensive bibliography of law books published in the latter half of the nineteenth century led to an interest in the legal literature of the period and ultimately promoted the undertaking of a bibliographical project to fill the void and compliment the bibliography being compiled by Professor Morris Cohen, Director of the Yale University Law

²A.H. Chroust, The Rise of the Legal Profession in America, xix (1965).

³See Eldon Revare James, "A List of Legal Treatises Printed in the British Colonies and the American States Before 1801," in <u>Harvard Legal</u> Essays Written in Honor of and Presented to Joseph Henry Beale and Samuel Williston (Cambridge, Mass.: Harvard University Press, 1934); Kate Wallach, "The Publication of Legal Treatises in America from 1800 to 1830," 45 <u>Law Library Journal</u> 136-148 (1952); Jenni Parrish, "Law Books and Legal Publishing in America, 1760-1840," 72 Law Library Journal 355-452 (1979).

Library, from the beginning of American legal publishing to 1860.

The authors initiated the compilation, surveying the completeness of the existing resources, and extracting entries from extant bibliographies. The authors, assisted by members of the research staff and aided by NEH funding, culled entries from the following sources:

- 1) United States, Library of Congress, <u>A Catalog of Books Represented by Library of Congress Printed Cards</u>. (Paterson, N.J.: Rowman and Littlefield, Inc. 1963).
- Soule, Charles C. <u>The Lawyers Reference Manual of Law Books and Citations</u>. (Boston: Soule and Bugbee, 1883).
- 3) Griswold, H.E. <u>Catalogue of Law Books</u>: Banks & Brothers. (Buffalo Hein, 1977). (Reprint of 1894 ed.).
- 4) Warren, Charles. "American Law Books, 1815-1910," <u>History of the</u> American Bar (1911).
- 5) Catalogue of the Library of the Law School of Harvard University.
 Volume I and II. Cambridge: Harvard Law School Press, 1909.
- 6) Catalogue of Law Books, 1902, St. Paul, Minn.: West Pub. Co., 1902.
- 7) Catalogue of Law Books Published or for Sale by William Gould and Son, Albany, New York: William Gould Publishing Co., 1881.
- 8) Catalogue of Law Books Published or for Sale by F.W. Thomas and Co. St. Louis, Mo.: F.H. Thomas and Co., 1884.
- 9) Schwartz, Mortimer and Henke, Dan. <u>Combined Catalog Anglo-American Law Collections</u>: <u>University of California Law Libraries, Berkeley and Davis with Library of Congress Class K added</u>. <u>Littleton, Col.</u>: Fred B. Rothman & Co., 1970. 10 v. Supplement, 1979. 9v.

Each author entry garnered from these sources was searched on the OCLC system to locate more entries by the same author. Consequently, we tapped the resources of law and general libraries throughout the U.S. The student of bibliography will note with great interest that the Library of Congress catalog data constituted only one of several significant sources for bibliographic data. Consequently, it would be very wrong to assume that LC catalogs are comprehensive in their coverage.

While compiling the titles, guidelines for inclusion and exclusion of entries were refined for uniformity in identifying appropriate books. Bib-

liographies do exist for official publications, statutes, court reports, and serials; therefore, they are excluded from the bibliography unless they have been enhanced by an author's contributions to the work. The guidelines, refined as the project progressed, describe the monographs and subject matter that were included:

- A legal monograph with an American imprint from the period 1860 to 1900.
- Only a limited selection of government documents of a substantial nature and relating to major legal issues.
- Digests or collections of statutes only when compiled by an individual and containing commentary or annotations.
- Legal dictionaries, bibliographies, directories, and similar works of the period.
- 5. Pamphlets, similar short monographs, published trials and briefs (with notes, commentary, or other additional text) of a legal and valuable nature.
- Law-related monographs, including these with a mixture of other subject areas and law.

Exclusions:

- Session laws, reporters, digests, attorney general reports, official codes and statutes and works of a serial nature.
- 2. Single speeches in Congress.
- 3. Reprints of articles previously published in journals.
- 4. Official trial records and briefs filed in litigation.

The bibliographic data was then input via computer terminals at the Legal Information Center onto discs and then tapes at the University of Florida's Northeast Regional Data Center. The computer magnetic tapes were then transmitted to the publishing company's data processing affiliate where the data was manipulated to produce the author and subject indexes.

The inclusion of background readings on the culture and socio-economic environment of this publishing period was designed to acquaint the reader with the developments and institutional factors that created the markets,

readers, and interest in the many areas of law publications of the 1860-1900 period. The historical background information and the readings were organized around the following topics:

- I. Introduction
- II. History of Education 1860-1900
- III. Libraries 1860-1900
- IV. The Legal Profession
 - V. Printers, Booksellers, and Publishers
- VI. American Law Books 1860-1900

Within each chapter, there is a discussion of critical developments and the literature on the topic with readings from or concerning the period.

The authors are indebted to numerous individuals and organizations for their help in sponsoring this research effort. The authors thank Mr. Phillip Cohen and Mr. David Cohen of Oceana Publishing Company, Dobbs Ferry, N.Y., for their support and encouragement and the National Endowment for the Humanities for its financial support. The research project was ably assisted by Barbara Pactor in preparing the bibliographic data and Carole Grooms and Carol Feltz of the Cataloging Department. Numerous law student assistants and computer programmers, Charles White and Bruce Klein, were involved in the garnering and organizing of the bibliographic entries. Claire Moynihan and Lauren Frazier provided valuable assistance in the editorial preparation of the historical readings.

TABLE OF CONTENTS

BIBLIOGRAPHIC INDEX

Instructions for Use of Bibliographic Index	i۶
Preface	X
Author Index	1

vii

- 'A Beckett, Gilbert Abbott; 1811-1856; Cruikshank, George; 1792-1878 * The comic Blackstone of "Punch". With illustrations by Cruikshank. Part 1 has added t.-p., engraved with vignette. Parts I and II each with special t.-p. and separate paging; pts. III and IV combined in 1 vol. * Detroit, Collector publishing company, 1897. 3 v. in 1. front. 20 cm. * BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.; LAW-ANECDOTES, FACETIAE, SATIRE, ETC. * 38-4455; 2652829
- *A Beckett, Gilbert Abbott; 1811-1856 * The comic Blackstone. Paged continuously. *Philadelphia, 186-? 4 pt., in 1 v., ving., illus. *BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.; LAW-ANECDOTES, FACETIAE, SATIRE * ETC.
- A Beckett, Gilbert Abbott; 1811-1856; Cruikshank, George; 1792-1878 The comic Blackstone. With illustrations by George Cruikshank. Philadelphia, J. B. Lippincott and co., 1866? xii, 252 p., illus., 17 cm. BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.; LAW-ANECDOTES, FACETIAE, SATIRE, ETC.
- 'A Beckett, Gilbert Abbott; 1811-1856; Cruikshank, George; 1792-1878 The comic Blackstone. With illustrations by George Cruikshank. Chicago, Callaghan and Cockcroft, 1869. xi, 13-376 p., incl. front. plates., 24 cm. BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.: LAW-ANECDOTES, FACETIAE, SATIRE, ETC. 35-25042; 377593
- 'A Beckett, Gilbert Abbott; 1811-1856; Cruikshank, George; 1792-1878 The comic Blackstone. With illustrations by George Cruikshank. Chicago, Callaghan, 1870. 11-376 p. BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.; LAW-ANECDOTES, FACETIAE, SATIRE, ETC.
- A Beckett, Gilbert Abbott; 1811-1856; Cruikshank, George; 1792-1878 The comic Blackstone. With illustrations by George Cruikshank. Chicago, Callaghan and Cockcroft, 1871. 376 p., plates., 19 cm. BLACKSTONE, WILLIAM; 1723-1780. COMMENTARIES-PARODIES, TRAVESTIES, ETC.; LAW-ANECDOTES, FACETIAE, SATIRE, ETC.
- A Missourian Douglas' doctrine of popular sovereignty in the territories; its counterpart. By a Missourian. St. Louis, Printed by R. V. Kennedy and company, 1860. 42 p., 22 cm. DOUGLAS, STEPHEN ARNOLD; 1813-1861; SQUATTER SOVEREIGNTY E438.D73 11-4662; 6725110
- Abbot, Everett Vergnies; 1862-?; United States. Laws, statutes, etc.; Foster, Roger; 1857-1924 A treatise on the federal income tax under the act of 1894. By Roger Foster and Everett V. Abbot. Boston, The Boston book company, 1895. ix, 546 p., 23 cm. INCOME TAX (UNITED STATES); INCOME TAX (UNITED STATES) LAW HJ4651.F8; 08-6545; 3085621
- Abbot, Francis Ellingwood: 1836-1903 Just and equal taxation: or, no exemption-direct appropriation. • Boston, Ellis, 1874. 12 p., 24 cm. • TAXATION, EXEMPTION FROM (UNITED STATES)
- Abbott and others, vs. The Quicksilver Mining Co. and others. 1863. ... Defendant's Affidavits. Cover-title. In the original brown paper covers. Bound in green cloth. Caption reads: Court of Common Pleas, Philadelphia County, Pennsylvania. Abbott and others vs. The Quicksilver Mining Company and others. Affidavits of Byron Sprague, William G. Angell, Charles S. Bradley, Samuel G. Arnold, George Hail, and Edwin J. Nightingale. The Wagner Collection, April 1922. * Philadelphia,

- King and Baird, printers, 1863. 39 p. THE QUICKSILVER MINING COMPANY, AND OTHERS
- Abbott, Albert A. * The laws for the formation of clubs, with forms of certificate of incorporation, constitution and by-laws of well-known clubs, and suggestions as to the formation of the Hamilton club. Cover-title. * New York, W. A. Leonard, printer, 1882. 21 p., 24 cm. * SOCIETIES; HAMILTON CLUB (BROOKLYN)
- Abbott, Augustus Levi; 1858-?; Mills, Henry Edmund; 1850-1920
 Mills on the law of eminent domain. 2d ed., by Henry E. Mills and Augustus L. Abbott. St. Louis, The Gilbert book co., 1888. 1xxx, 81-572 p., 24 cm. EMINENT DOMAIN (UNITED STATES) 12-36812; 1995331
- Abbott, Austin; 1831-1896 Brief for the argument of questions arising upon the pleadings on the trial of issues of law or fact in civil actions at law, in equity, and under the new procedure. New York, The Diossy law book company, 1891. xxi, 871 p., 24 cm. CIVIL PROCEDURE (UNITED STATES) KF8870.A72; 12-4126; 4030577
- Abbott, Austin; 1831-1896 A brief for the trial of civil issues before a jury. • New York, Diossy and co., 1885. viii, 3-201 p., 23 cm. • JURY (UNITED STATES); CIVIL PROCEDURE (UNITED STATES) • KF8972.A72 1885; 12-4131; 3472894
- Abbott, Austin; 1831-1896 A brief for the trial of civil issues before a jury. 5th thousand. New York, Diossy and co., 1887. viii, 3-201 p., 24 cm. JURY (UNITED STATES); CIVIL PROCEDURE (UNITED STATES) KF8972.A72 1887; 36-29430; 3993283
- Abbott, Austin; 1831-1896 A brief for the trial of civil issues before a jury. 6th thousand. New York, Diossy and co., 1889. JURY (UNITED STATES); CIVIL PROCEDURE (UNITED STATES)
- Abbott, Austin; 1831-1896 A brief for the trial of civil issues before a jury. 7th thousand. New York, Diossy and co., 1892. viii, 3-201 p. JURY (UNITED STATES); CIVIL PROCEDURE (UNITED STATES)
- Abbott, Austin; 1831-1896 A brief for the trial of civil issues before a jury. 2d and enl. ed., by the publishers' editorial staff. Rochester, N. Y., The Lawyers' co-operative publishing company, 1900. 3 p. l., v-xiii, 603 p., 24 cm. JURY (UNITED STATES): CIVIL PROCEDURE (UNITED STATES)• 00-6742; 1667860
- Abbott, Austin; 1831-1896; Beecher, William C. A brief for the trial of criminal cases. By Austin Abbott, assisted by William C. Beecher. New York, Diossy and co., 1889, xvii, 566 p., 24 cm. CRIMINAL PROCEDURE (UNITED STATES); BRIEFS KF9619.A72 1889; 12-4132; 1534868
- Abbott, Austin; 1831-1896; Beecher, William C. A brief for the trial of criminal cases. By Austin Abbott, assisted by William C. Beecher. New York, Diossy law book co., 1892. xvii, 566 p., 24 cm. CRIMINAL PROCEDURE (UNITED STATES)
- Abbott, Austin; 1831-1896 Brief on proving the facts most frequently in issue or collaterally in question on the trial of civil or criminal cases. 4th thousand. New York, The Diossy law book co., 1891. xii, 306 p., 24 cm. EVIDENCE (LAW) (UNITED STATES)
- Abbott, Austin; 1831-1896 A brief on the modes of proving the facts most frequently in issue or collaterally in question on the trial of civil or criminal cases. New York, Diossy and co.,

- 1889. xiii, 306 p., 24 cm. EVIDENCE (LAW) (UNITED STATES) KF8935.A715 1889; 12-4133; 2002253
- Abbott, Austin; 1831-1896 A brief on the modes of proving the facts most frequently in issue or collaterally in question on the trial of civil or criminal cases. New York, Diossy and co., 1890. xiii, 306 p., 24 cm. EVIDENCE (LAW) (UNITED STATES) 36-21505
- Abbott, Austin; 1831-1896 A brief on the modes of proving the facts most frequently in issue or collaterally in question on the trial of civil or criminal cases. With autograph of author. New York, The Diossy law book co., 1891. xiii, 306 p. EVI-DENCE (LAW) (UNITED STATES)
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 Clerks' and conveyancer's assistant. A collection of forms of conveyancing, contracts, and legal proceedings ... With copious instructions, explanations, and authorities. By Benjamin Vaughan Abbott and Austin Abbott. 4th ed. New York, Baker, Voorhis and co., 1872. xl, 702 p. forms., 24 cm. FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES)
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 Clerks' and conveyancers' assistant. A collection of forms of conveyancing, contracts, and legal proceedings ... With copious instructions, explanations, and authorities. By Benjamin Vaughan Abbott and Austin Abbott. New York, Baker, Voorhis and co., 1866. xi, 702 p., 24 cm. FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES) KF170.A2 1866; 07-39874
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 * Clerks' and conveyancers' assistant. A collection of forms of conveyancing, contracts, and legal proceedings, for the use of the legal profession, business men, and public officers in the United States. With copious instructions, explanations, and authorities. By Benjamin Vaughan Abbott and Austin Abbott. 3d ed. * New York, Baker, Voorhis and co., 1868. xl, 702 p. forms., 24 cm. * FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES)
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- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 * Clerks' and conveyancers' assistant. A collection of forms of conveyancing, contracts, and legal proceedings. For the use of the legal profession, business men, and public officers in the United States. With copious instructions, explanations, and authorities. By Benjamin Vaughan Abbott and Austin Abbott. 5th ed. * New York, Baker, Voorhis and co., 1874. xl, 702 p., 24 cm. * FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES)
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- 702 p., 24 cm. FORMS (LAW) (UNITED STATES); CON-VEYANCING (UNITED STATES) • 33-23548
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 Clerks' and conveyancers' assistant. A collection of forms of conveyancing, contracts, and legal proceedings. For the use of the legal profession, business men, and public officers in the United States. With copious instructions, explanations, and authorities. By Benjamin Vaughan Abbott and Austin Abbott. New York, Baker, Voorhis and co., 1887. xl, 702 p., 23 cm. FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES) KF170. A2 1887; 33-3759
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 Clerks' and conveyancers' assistant; a collection of forms of conveyancing, contracts, and legal proceedings, for the use of the legal profession, business men, and public officers in the United States, with copious instructions, explanations, and authorities, by Benjamin Vaughan Abbott and Austin Abbott. 6th ed. New York, Baker, Voorhis, 1875, 702 p., 24 cm. FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES)
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 Collection of forms of conveyancing, contracts, and legal proceedings by B. V. and A. Abbott. N. Y., Baker, 1879. 702 p. FORMS (LAW) (UNITED STATES); CONVEYANCING (UNITED STATES)
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 A collection of forms of practice and pleading ... prepared with reference to the Code of Procedure of the state of New York ... by Benjamin Vaughan Abbott and Austin Abbott. New York, Baker, Voorhis, 1882-. FORMS (LAW) (UNITED STATES); PLEADING (UNITED STATES)
- Abbott, Austin; 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 A collection of forms of practice and pleading in actions, whether for legal or equitable relief, and in special proceedings; prepared with reference to the Code of procedure of the state of New York, and adapted to the present practice in the states of Ohio, Indiana, Iowa, Wisconsin, Minnesota, California, Oregon, Missouri, Kentucky, and Alabama, and the island of Newfoundland. With copious notes and authorities. By Benjamin Vaughan Abbott and Austin Abbott. New York, Baker, Voorhis and co., 1867. 2 v., forms., 24 cm. FORMS (LAW) (UNITED STATES); PLEADING (UNITED STATES)
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- Abbott, Austin: 1831-1896; Abbott, Benjamin Vaughan; 1830-1890 A collection of forms of practice and pleading in actions, whether for legal or equitable relief, and in special proceedings; prepared with reference to the Code of procedure of the state of New York, and adapted to the present practice in the states of Ohio, Indiana, Iowa, Wisconsin, Minnesota, California, Oregon, Missouri, Kentucky, and Alabama, and the island of Newfoundland. With copious notes and authorities. By Benjamin Vaughan Abbott and Austin Abbott. New York, Baker, Voorhis and co., 1877. 2 v., 24 cm. FORMS (LAW) (UNITED STATES); PLEADING (UNITED STATES)
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