

The Law Library at Cornell University

BY E. E. WILLEVER¹

The annual report of May 1, 1919, shows that the law library of Cornell University contained at that time 52,120 volumes, and includes all of the reports of every American state and federal jurisdiction. Not only are there in the library practically complete reports of the English, Scotch, Irish, Canadian and Australian decisions, but it comprises substantially all the reports of the other British dominions. There is also in the library a full collection of old and modern text-books, abridgments and encyclopædias, covering every department of the common law. The legal periodical department is very complete, as well as the collection of trials, Bar Association Reports, Railroad Commission and Public Utilities Reports of the various states. The library also possesses several hundred volumes of the records and briefs of cases in the New York Court of Appeals.

"The Earl J. Bennett collection of Statute Law," embraces about 4,500 volumes of the session laws and statutes of all the states, and of England and her dominions, and is of unusual fulness and value. Evidently this collection of statute law was started in 1905, as in Dean Huffcut's annual report of that year he states that the report of the librarian "discloses that with his usual sagacity he has chosen an opportune time to begin the important task of collecting the entire body of statute law of the American states. In the reports of the courts of this country and of the English speaking world our library is unusually rich. But the history of the law can never be complete without an equally comprehensive collection of statute law. Gibbon declared that 'the laws of a nation form the most important part of its history,' and an eminent legal scholar, Professor Maitland, has pointed out that 'two great English historians (Freeman and Froude) who could agree about nothing else have agreed that English history must be read in the statute book,' though he justly adds that, 'in the course of time the amendment will be adopted that to the statute book be added the law reports, the court rolls and some other matters.' " In 1908 Earl J. Bennett, LL.B., 1901, presented a fund to increase this collection, and in appreciation of the gift it has borne his name since that time.

The early library records show that the nucleus of the Cornell law library was the Merritt King library of 4,000 volumes purchased for \$3,300 in 1886, and considerable faith must have been reposed in the

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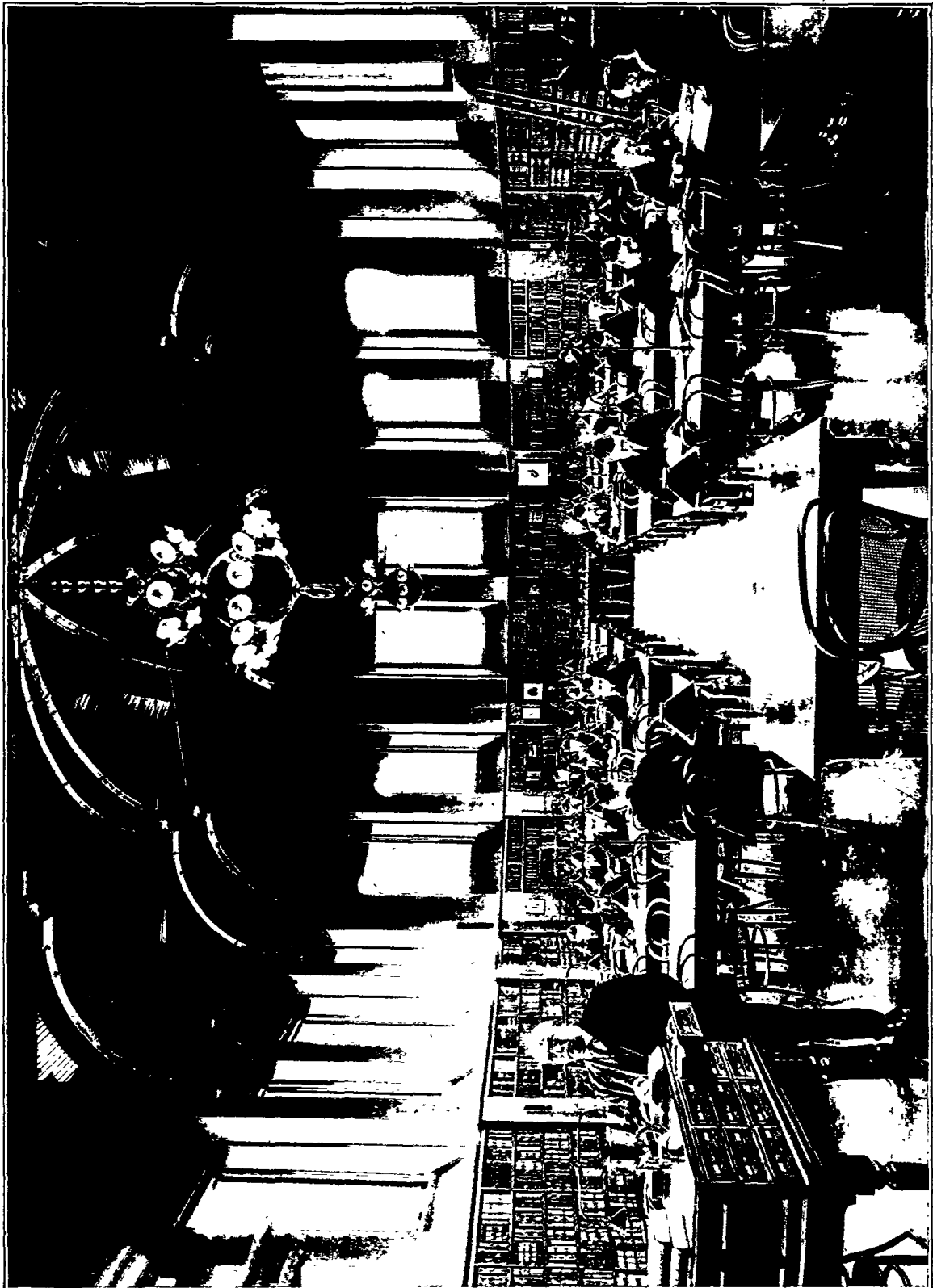
movement already on foot to establish a school of law as this collection was secured before the acceptance by the trustees of the report of the special committee on the establishment of a Department of Law.

In the first law school announcement of 1887-1888 it is stated that "ample accommodations have been provided in Morrill Hall," and under the heading of library, it is said "that the books in this collection number between 5,000 and 6,000 volumes, all of which will be immediately accessible to the students of the school." It was found necessary to expend about \$1,000 more to bring the King collection up to the size which the faculty deemed necessary at that time. When the new building was ready in 1892, the law library was moved to the third floor of Boardman Hall, which at first gave accommodations for 30,000 volumes and 300 readers. But as in all growing libraries, it was later found necessary to have more shelf room, and the two-story steel stacks were erected in the north room.

In the annual report of 1892 we find that "at the opening of the present university year the library consisted of about 10,000 volumes." Most of these had been purchased with appropriations made from time to time by the trustees; but the collection contained the law library of Judge Boardman, which he generously bequeathed to the school. It should also be noted that Judge Boardman donated 500 volumes to the library two years before his death.

In 1893 the extensive library of 12,415 volumes belonging to the estate of Mr. Nathaniel C. Moak, of Albany, N. Y., was purchased and presented to the school as a memorial to Judge Boardman, by his widow, Mrs. A. M. Boardman, and his daughter Mrs. Ellen D. Williams. In making the presentation of this collection on February 14, 1893, Judge Finch said "it is hardly possible to overestimate its value. * * * and this remarkable collection was the work of one patient and industrious lawyer, the brief story of whose life has lessons for us all."

Mr. Moak was born in Sharon, N. Y., October 3, 1833 and died at Albany, September 17, 1892. In 1853 he entered the law office of James E. Dewey, at Cherry Valley. In 1856 he was admitted to the Bar, and in 1865 removed to Oneonta, where he practiced until the fall of 1867, when he removed to Albany, and soon became one of the leading lawyers of the state. Mr. Moak was District Attorney of Albany County, 1872-1874. Judge Finch said of him: "Brusque and abrupt and even sometimes rough in his speech; with a voice metallic and resonant and scorning all modulations; hating what was false and mean with a temper that had some dynamite in it; with a frame heavy and solid and almost massive in its structure; a born fighter at the bar and fearless of all adversaries; one would hardly



LOWELL TIDD AND YV

Mr. Whitaker

have picked him out as the gentle student, dearly loving his books. And yet that he surely was. How early he began to gather them about him I do not know, but year by year the fruit of his industry and energy, in volume after volume, in choice editions and rare selections, crept along the shelves of his office and those of his library. * * * And with use of it all he began the work of author and annotator, and wore his life out in the labor he loved. His books were his friends. There are none more faithful and true, and he loved them dearly and guarded them well."

On February 3, 1913, 373 volumes were given "by many former students and present and former members of the faculty of this college as a memorial to William Albert Finch, professor at law, from 1891-1912." These volumes were a part of Professor Finch's private library and consisted largely of reports. On November 27, 1915, Miss Lillian Huffcut presented 145 volumes from the library of her brother, the late Dean Ernest Huffcut. Many smaller collections, sets and individual volumes have been received as gifts, and bookplates are placed in such volumes identifying the collections of which they are parts, and the donors.

These gifts come from every quarter. For example, the library received recently a very rare manuscript copy of the Decisions of the Rota Romana, 1376-1381, from a member of the 1894 law class; while another gift has just been received in the form of a foreign postal order from a member of the 1914 class, who is in foreign service. He requests that his name be withheld for the present, but suggests that some memorial be secured for his class-mate, Coe Charles Lemnitzer, who died, November 16, 1917, while undergoing an operation which was necessary in order that he might be accepted into active military service.

For the first few years the law library was under the care of different members of the faculty, assisted by students who were appointed as librarians. Mr. James McCall of Bath, N. Y., and Mr. Charles R. Coville of Oneida, N. Y., were among the first to be selected for these positions. The following quotation taken from a letter recently received from one of the first librarians is interesting at this time:

"I arranged the books in the south room on the third floor of the south building and we had the catalogue of some large law library in which I underscored the books possessed by the library so that the students could ascertain what we had by reference to that book. The library was open from 9 in the morning until 6 at night, and certain evenings, and around the long tables which ran through the center of the long narrow room, the students gathered during the day hours and studied and helped themselves to such books as they wished to use;

and I think occasionally in the evening Mr. Woodruff, Mr. Huffcut, Mr. Olmsted and Mr. McCann could be found there."

In 1893 the services of Alexander Hugh Ross Fraser were secured as law librarian. Mr. Fraser graduated from the law school of Dalhousie University in 1890, where his work was of high character and after his graduation he was in charge of the law library of that school. Of Mr. Fraser's work as librarian the President of Dalhousie in a public report said, "I think I express the sentiments of professors and students alike when I say that his painstaking devotion to the duties of his office has doubled the value of the law library." That Mr. Fraser brought high qualifications to his new position at Cornell is shown by the 1897-98 report of the president in which it is said that "the excellent condition of the library is due to the painstaking and arduous labors of the librarian, Mr. A. H. R. Fraser, whose unselfish devotion to the university takes too little account of the need of rest and recreation for himself." In the New York Evening Post of May 20, 1911, under the title "A Librarian's Devotion, Alexander H. R. Fraser, known of all Cornell men," the writer in speaking of the death of Mr. Fraser, which occurred on May 5, 1911, says "He was held in high regard by hundreds of undergraduates and thousands of alumni of Cornell. * * * Much of his success was due to his unusual skill as a collector of books. The difficulty lay in the relatively small amount of money at his disposal, as compared with the sums appropriated for other great libraries. He overcame this handicap to a large extent by his uncommon business acumen and skill as a buyer, and by his personal generosity in buying books out of his own salary * * * All those who knew him were amazed at the intense intellectual activity of the man, at the range and extent of his knowledge and interests." In the hall connecting the two main rooms of the law library may be found a most fitting tablet, erected by the trustees of the University:

ALEXANDER HUGH ROSS FRASER, LL.B.

1866-1911

Librarian of the College of Law

1893-1911

Learned in the bibliography of the law,
Generous and efficient in contributing
to the growth of the library,
His services to all who used it was marked
by wisdom and kindliness.



BOARDMAN HALL LOBBY

Lawrence

In September, 1911, the writer was appointed law librarian and the general policy of growth and usefulness has been followed as nearly as conditions would allow. Regardless of the lean years, and the war, which lessened the usual annual accessions, over 10,000 volumes have been added since that time. A few years ago such a number of volumes would have been considered a large library in itself. As is said in the 1896-97 annual report "the bulk of reported adjudications is constantly on the increase, and a good library needs them all." It has also been said that "the larger the library is the faster it must grow." It cannot stand still, as it has achieved a rank which brings with it many responsibilities. Some collections and individual books only come on the market at infrequent intervals and a working capital is necessary to compete with other institutions when opportunities for purchase occur. As a rule the nearer any collection is to completion the more the cost for the necessary items. The working tools of our laboratory must be kept up regardless of the ever increasing cost of legal publications.