

THE DUKE UNIVERSITY LAW LIBRARY

An Account of Its Development

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I. INTRODUCTION

As there is very little specific information about particular law libraries available in print, comparisons between libraries can usually be made only by those who have been fortunate enough to visit other libraries under such circumstances as permit a more or less detailed study of their quarters, equipment and methods. This article is, therefore, intended to serve not only as a brief account of the development of the Duke University Law Library but also as a medium for the discussion of certain aspects of its administration that may perhaps be of interest to other law librarians, not because the decisions reached and the methods employed should be adopted elsewhere but because it is believed that sounder decisions may be made after various alternatives have been considered. At any rate, it contains information for which law librarians have repeatedly asked—information which usually could be supplied only with a good deal of effort and never in such detail. An appendix containing statistical information in summarized form will be found at the end.

II. EARLY DEVELOPMENT

While the history of the Law Library as an independent library is a brief one,

beginning as it does in August, 1930, the collection of books has as a matter of fact been developed over a much longer period of time and, accordingly, a brief sketch of these earlier beginnings should be of interest. Although it is impossible to state at precisely what date a separate collection of law books was commenced, for professional training in law was offered as early as 1868, the fact that the present Law School was founded in 1904¹ may be taken as an indication that at least by that time some definite provision was made to supply books for the study of the law, and at any rate it was not long thereafter that three rooms in the General Library were set aside for the use of law students. Such law books as the Library possessed were kept in these rooms and as the collection grew, the necessary shelving was added. By the year 1908 this collection was regarded as of sufficient importance to justify the printing of a "Catalogue of the Law Library of Trinity College," a slender booklet containing 14 pages and listing the books under the traditional legal headings. That growth continued to be very gradual is indicated by the fact that the total holdings were

¹For a brief history of the Law School see ALUMNI DIRECTORY, DUKE UNIVERSITY SCHOOL OF LAW, 1935. pp. xi-xiii.

reported as 2,600 in 1912; 2,781 in 1923; and only 4,000 in 1927.²

However, the following year was to witness a significant change for in the spring of 1928, Professor Bryan Bolich, a member of the Law School faculty, demonstrated his intense interest in the collection by assuming the arduous responsibility of systematically developing the Library, while at the same time continuing to carry his regular assignment of duties as a full time member of the teaching staff. Due almost entirely to his efforts, more than 7,000 volumes were selected and acquired in a little over two years and when he passed the responsibility on to the present librarian in July, 1930, there were 11,141 bound volumes ready to be moved into the new Law School building upon its completion.

Due credit should of course also be given to a number of other persons who played important parts in this early development of the legal collection. Mr. Joseph P. Breedlove, the Librarian of Trinity College and then of Duke University, together with the members of his staff, carried the entire responsibility for the accessioning and cataloging of the books, for binding when required, and supplied the necessary reference service. From 1928 until the law books were moved to the Law School building in 1930, Miss Marianna Long had charge of the room in which the legal collection was housed and she cataloged every legal item as it came in. In this manner she developed a detailed knowledge of the collection that made her a very useful member of the staff, not

² See 5 LAW LIBRARY JOURNAL 35 (1912) and list of law libraries in STANDARD LEGAL DIRECTORY (1923). There were 4,000 volumes in the collection when Professor Bolich began to develop the collection as indicated in the next paragraph.

only at that time, but subsequently when she became a member of the Law School Library staff. Dr. William K. Boyd, Director of Libraries from 1930 to 1934, was also greatly interested in the growth of the legal collection not only before it was transferred to the Law School but afterwards as well and a substantial number of valuable and sometimes rare items have found their way into the Law Library, either through his personal selection or because of his encouragement of others.

III. A DECADE OF GROWTH

1. *The Problem in General*

From the foregoing remarks it will be perfectly clear that those responsible for the development of the library service when the Law School opened its doors in the new building in September, 1930, did not have to start at the very beginning. As a matter of fact 12,156 volumes, a collection well above the minimum required by the Association of American Law Schools, was moved into the Law Library on August 20th. During the summer months the full time staff had been increased from one full time staff member (in charge of the legal collection in the General Library) to three, namely, a librarian, a cataloger and a secretary. The new library quarters were adequate for immediate needs and the requisite equipment—chairs, tables, shelving, etc., were at hand.

But nothing could be further from the truth than the conclusion that, because of these facts, there was no real library problem, for a fundamental change in both the methods of teaching and the objectives of the Law School had taken place between the academic years 1929-

30 and 1930-31. A school which had been training men almost exclusively for practice in North Carolina now planned to draw its students from all parts of the country and expected them to return to their own states to practice. The faculty was substantially increased and some of the new members required highly specialized classes of library materials. A number of new courses were added at once and others were planned for the future. In addition, arrangements were being made to open a legal aid clinic at the beginning of the following year.

That this sudden change in the Law School program raised an acute library problem should be perfectly clear to all, for while the teaching staff can be substantially increased by adding the required number of persons, each of whom is qualified to teach certain courses, a library such as they will need cannot be developed in any such sudden manner, even if unlimited funds are available. The books must be selected with care and for the particular purpose in hand and unfortunately many of them cannot be acquired at will but must first be located and may then be ordered only if available at reasonable prices. And, as every librarian knows, this is only the beginning, for they must be ordered, received, accessioned, cataloged and shelved. In short, it is a far cry from a book selected and the same book finally ready for use by the public.

2. *Books and More Books*

For these reasons the rate at which any library develops in usefulness is, in the long run, to a large extent determined by the adequacy of the staff, and

it may seem as if this aspect of our problem should receive first consideration. However, we will in this case address our immediate attention to the collection, primarily because one of the first decisions made by the staff was that of not restricting the acquisition of books to the capacity of the existing staff to handle them as received. Because of budgetary limitations affecting salaries and the difficulty of finding suitably trained persons, it was perfectly apparent that it would be necessary to enlarge the staff gradually rather than at once. To have restricted the acquisition of books accordingly would have postponed the receipt of some important books indefinitely and many scarce out of print volumes in the interval would have at least increased in value and might have become unavailable.

But in order to take full advantage of the policy based upon this decision, it was also decided temporarily to adopt two short cuts. First, any urgently needed book was put to use without cataloging and as soon as a temporary record was made and, second, many long sets, notably court and departmental reports, and even several entire groups of infrequently used volumes, were placed in the regular collection immediately without waiting until they were cataloged. While these decisions cleared the way for a rapid program of expansion, it was obviously still necessary to adopt some policy regarding the order in which books should be acquired for they could not all be procured at once. In spite of the fact that the major emphasis necessarily had to be placed upon the acquisition of books required for immediate use, it was decided that the long range objectives of the School

should receive due consideration from the very beginning. Consequently, a reasonable amount of time and money were devoted to the acquisition of early and out of print books, whether the need for them was urgent or not, provided they should be an integral part of the collection of the future.

Although this initial effort was not confined within definite limits, the major emphasis was upon court reports, statutes, bar association reports, attorney general reports and opinions, serials and non-serials in the fields of criminal law and criminology, and pamphlets concerning every legal and near-legal subject. In all of these classes the materials were collected for all states. The responsibility for the development of a comprehensive pamphlet collection was assumed both because it is so frequently neglected and because there was no comprehensive collection in the South Atlantic States.

A word should also be said about the collection of continental legal materials. A special appropriation of \$5,000.00 was obtained in 1930 for the purpose of making a beginning and this fund (supplemented by drawing upon the general book fund) was used to advantage in securing some of the more important volumes and sets in French, German, Spanish and Italian law. While funds to develop this collection as rapidly as would be desirable have not been available, it has not been altogether neglected. Growth has for the most part been in response to the immediate needs of members of the Law School faculty or in order to supplement the foreign collection in the General Library.

So much for the fields covered. While

the size of a collection and its rate of growth are only two among a number of criteria which should be considered in any attempt to evaluate it, they are quite correctly always of interest to the librarian. As has already been stated, the fiscal year 1930-31 commenced with a collection of 12,156 bound volumes. To this 21,287 volumes were added during the first year (1930-31) and 9,861 during the second (1931-32) thus bringing the total holdings to 43,304 bound volumes on June 30, 1932. Although the rate of growth declined to 3,596 volumes in the following year and has continued at approximately this rate, the decade from 1930 to 1940 witnessed a fivefold increase or a growth from 12,156 to 65,158 bound volumes.

A few comparisons with the collections of other law school libraries should also be of interest. In 1930 the Duke collection was the 40th law school collection in the United States in point of size. By 1932 it had advanced to 20th place in the nation and had assumed the lead in the entire south, a position it has since maintained. Its relative rank has continued to improve, although at a continuously decreasing rate, until today the Duke collection is the 13th in size. Further advances, comparatively speaking, are not as likely to occur because the Library has now definitely taken its place among those law school libraries that are being systematically developed.

It remains but to make a few general remarks about the collection. In the first place, utility, either present or future, has at all times been the primary objective and rare books have for the most part been acquired only because they filled important gaps. This policy

has been consistently pursued not because of any belief that the acquisition of rare but little used classics is not a legitimate objective but because of the conviction that a young library with an inadequate collection must for the time being forego such luxuries. By adhering to this policy great progress has been made in building up a useful working collection. Many entire special collections are complete, others contain only such gaps as can be filled without undue delay. Unfortunately, however, in some instances the cost of needed items is prohibitive and others are not available at any price. Where there is no other practical procedure, microfilm and other methods of photo-reproduction, already employed on a modest scale, will no doubt be used to full advantage.

3. *The Staff*

After this brief digression we may now return to the staff. Obviously, the one person who had charge of the legal collection while it was a part of the General Library would no longer suffice, for the Law Library staff was confronted not only with the necessity of taking over all routine work formerly done in the General Library, it also had to prepare itself to serve an enlarged Law School faculty and student body as well as to meet a greater demand for legal materials from other departments of the expanding University. In addition, it had to carry forward the development of the collection at a greatly accelerated rate as already indicated. Lack of funds for this purpose prevented as rapid an increase in the staff as would have been desirable. However, the original staff

of one was increased to three in July, 1930: one librarian, one cataloger and one secretary. In October, a full time assistant, to take charge of the reader's service, was added and at the same time provision was made for seven student assistants, each to work for 15 hours per week during the academic year. At the beginning of the following summer permanent arrangements were also made for the employment of three student assistants to serve each year on a full time basis during the summer months of June, July and August.

As the work got under way, the most obvious inadequacy was in cataloging and a second cataloger was appointed in July, 1931, but it was not until July, 1937, that it was possible to satisfy another long felt need, the need for a sixth full time assistant to take over the book selection and order routine theretofore carried by the secretary assisted by other members of the staff.³ This added expense was met in part by permanently reducing the number of student assistants to eight at the beginning of the next academic year. On three occasions extra full time help has been employed for limited periods of time. In addition, National Youth Administration assistance has been available during several academic years. Although the amount of such help has fluctuated from year to year and supervision has required a good deal of time on the part of the regular staff members, the benefit to the Library has in the aggregate been considerable.

³ A full time staff of six has been continued to the present time. Present and past members of the staff in the order of their appointment are as follows: Marianna Long, since September 1928; William R. Roalfe, since July 1930; Mary S. Covington, since October 1930; Mrs. Francis E. Walker (formerly Annie Carpenter) from January 1931 to August 1941; Katharine B. Day, since July 1931; Mrs. Allston Stubbs (formerly Hazel Mangum) from July 1937 to August 1941; Natalie Hessee, since September 1941; Louise Bethea, since November 1941.

Before leaving this subject, it may be well to mention the relationship of the Library staff to the faculty because this relationship varies considerably in different schools. While control of the Library, like the rest of the Law School program, is vested in the faculty and the librarian is of course responsible to the dean as the head of the Law School, the Library staff is expected to carry on its administration, subject only to supervision as to matters of broad general policy, and, accordingly, the full authority to do so is delegated to it. Consequently, for all ordinary purposes the faculty acts through the librarian rather than through a library committee and all delays occasioned by the necessity of having to wait for the infrequent meetings of such a group are avoided. It follows that the faculty as a group ordinarily acts only when some matter is presented to it by the librarian, but it may and sometimes does act upon its own initiative.

However, it should not be concluded either that the faculty takes little interest in the Library or that it plays an unimportant role in its development for such is not the case. As individuals, faculty members are almost continuously of assistance. They are encouraged to offer suggestions with respect to any matter concerning the Library and its administration, and because of their specialized knowledge, they play a vital part in the process of book selection. It is because the Library staff is represented on the faculty and these informal avenues for collaboration are assiduously cultivated that the necessity for formal participation by the faculty as a body is so seldom necessary.

4. *Organization of Work*

A logical division of labor is sometimes more difficult to achieve with a small staff than with a large one because each member of a small staff may have to perform a diversity of duties. For this reason it was some time before the present division of duties was fully in effect. However, from the very beginning the responsibility for cataloging was delegated to one assistant and the supervision of the reader's service was very soon placed in the hands of another. To the head cataloger was also assigned full responsibility for the binding program. Thus, the librarian was freed from all but general responsibility in these three fields of activity and could devote most of his time to the supervision of the work incidental to the selection and acquisition of books and related materials. For several years the secretary carried on much of this routine work but under such an arrangement it was necessary to call upon other members of the staff for assistance. Eventually, in July, 1937, as has already been pointed out, a sixth full time staff member was added and it became possible for the first time to coordinate all of this routine work.

5. *Scope of the Service*

a. *In General*

The foregoing remarks about the organization of the staff should no doubt be supplemented by some indication of the scope of the service for no useful conclusions may be reached or helpful comparisons made in the absence of such information. In this respect law school libraries vary greatly. In some a "glorified janitor" to return the books to the

shelves and to straighten the tables and chairs appears to suffice. In others, supervision by a mere custodian with neither professional training nor an interest in the work is regarded as adequate. Perhaps such schools perform a useful service, but an effective use of library materials can hardly play an important part in their programs, and it may very well be a fact that, for their purposes, such libraries are adequate.

In other words, the question of adequacy can only be determined by taking into consideration, first, the extent to which the program of the particular law school (and the University of which it is a part) involves the use of law library materials and, second, the degree of success achieved by the library staff in supplying these needs. This is not the place to discuss the objectives of the Duke Law School and the methods by which it has sought to achieve them nor is this at all necessary. For our present purpose it is sufficient merely to state that the library has at all times been regarded as an indispensable factor in the Law School's program—so indispensable in fact that every effort has been made to create a library service adequate to meet every demand that may be placed upon it. So much for generalities. The following paragraphs are intended to indicate, in more or less detail, the manner in which the staff has sought to fulfill the obligation thus imposed upon it.

b. Selection and Acquisition of Books

For example, the responsibility for the selection of books and related materials has been taken seriously. In the first place, the staff endeavors to apprise itself of the existence of every book and

pamphlet in any field of interest to the Law School, although this involves the systematic scanning and checking of a considerable number of sources of information. Titles that should obviously be acquired are secured at once, others as soon as sufficient information is at hand to make an intelligent determination possible, and every new title that may be of interest is kept on file until it has been definitely determined that it is not advisable to acquire it although in doubtful instances a decision may not be reached for a year or more. So far as possible the needs of readers are anticipated but the future as well as the present needs of the Law School and the University as a whole are kept constantly in mind. Consequently, careful consideration is given to titles that will probably go out of print, or that are not collected by law libraries generally, because one of the useful services that a research library may perform is that of preserving information that cannot be secured elsewhere, or at least in the section of the country in which it is located. Although the library staff assumes the primary responsibility for the selection of books, participation on the part of Law School faculty and staff members is encouraged both by the distribution of the list of "Current Legal Publications" through which they are informed about new books that may be of interest to them and by consulting with individuals with respect to publications in their respective fields.

c. Cataloging, Binding and Classification

And again, the arduous task of systematically arranging and cataloging the collection has not been neglected. A

program of full cataloging has been in effect from the beginning and this has included all pamphlets as well as books. The fact that a complete duplicate set of cards for all titles (except pamphlets and such documents as are also in the General Library) is prepared for the union catalog in the General Library, and an additional card for each title is prepared for the Duke University depository at the University of North Carolina, adds considerably to the work involved.

Although the value of cataloging is of course demonstrated on a small scale and in individual cases every day, one may, when considering the expense involved, still be inclined to doubt if there is after all an adequate return on the investment. However, in this Library the staff has had two opportunities to demonstrate its value on a larger scale. The first occurred when the collection of pamphlets was bound and cataloged and the second, when the collection of miscellaneous documents (hearings, reports, etc.) was similarly treated. In spite of the fact that in both instances these materials were temporarily arranged in pamphlet boxes under broad general headings, so that they were reasonably accessible, they were seldom used until they were brought to the specific attention of the reader under the appropriate headings in the catalog.

Adherence to the rule that if a title is worth keeping, it is worth cataloging, has been no stricter than to the rule that it is also worth binding. Every book received in poor condition is either repaired or rebound and all unbound materials are appropriately bound. But various reasonable economies are practiced. Little used materials are bound inexpensively and pamphlets of various

classes are bound together in volumes of convenient size rather than separately, thus greatly reducing the expense. This, however, also achieves another purpose, for standard sized volumes are much less readily misplaced than pamphlets.

Obviously, the problem of classification presented itself at the outset, both because of the inescapable necessity of making some intelligent disposition of the volumes and because the adoption of a permanent scheme at the beginning might obviate the necessity of making a radical change in the future. However, as no thoroughly tested comprehensive classification for legal materials was available, if an immediate solution of this problem was to be undertaken, there appeared to be but two alternatives: first, the formulation of a classification scheme based upon such proposals as were already in print (either for the whole or for certain portions of the collection) or, second, the preparation of a substantially new classification, designed to meet the immediate and future needs of this particular Library. Both alternatives were rejected as impracticable because it was believed that no classification scheme could be adequately tested except by applying it to a large and diversified collection. In other words, there was too much danger that important decisions would be made, in the absence of sufficient opportunities for testing, with the result that at a later date the scheme adopted would prove to be impractical in important particulars. Consequently, the collection was and has continued to be arranged rather than classified in the strict sense but as far as possible the way has been kept clear for the adoption of a classification scheme either for the collection as a

whole or for certain classes of materials if this should prove to be desirable at some time in the future. Every effort has been made to avoid the making of irrevocable decisions that might later be regretted.

d. *Service to the Public*

Because of the relatively smaller student body the Library has been able to provide all students with greater latitude in the use of library materials than is sometimes the case. For example, every student has access to the entire collection both in the reading room and in the stacks (except the relatively small number of books on reserve) and may, as his knowledge of the collection grows, select his materials for himself or browse among the books at will. All students doing intensive pieces of research work are permitted to hold needed books at their carrels or tables until their work is complete, a privilege which is sometimes accorded only to a limited few, such as law review men. This library policy, supplemented by a teaching program which introduces every student to the Library through the course in Legal Bibliography⁴ given in the first semester and emphasizes the use of books at many points thereafter, results in a rather heavy tax upon the Library on a per student basis but it is believed that this is fully justified by the results attained, namely, the graduation of men trained to make effective use of law books when they become members of the legal profession.

Service to Law School faculty and

⁴This course places the emphasis upon practice in the use of the books themselves. From 1930 to 1940 the course was entitled "Legal Bibliography." During the year 1941-42 the same instruction was given in the first eight weeks of a two hour course, extending throughout the year, entitled "Legal Research and Writing."

staff members involves the usual assistance in the locating and assembling of desired materials, in page service throughout the Law School building and in borrowing books from and returning them to the General Library. An additional service entailing a good deal of routine work, which faculty and staff members would not now dispense with, is the circulation of all current periodicals under a plan giving each Law School faculty and staff member 24 hours to scan the current numbers of all periodicals in which he expresses an interest, with the privilege of requesting the return of any number for further reading after it has circulated to the entire list. Obviously, a few of the outstanding periodicals circulate to all persons on the list while others go only to those interested in the special fields involved. Several faculty members, however, have broad and diversified interests and therefore, desire to see a considerable number.

Supplementing this service is the circulation of the list of "Current Legal Publications," until the year 1941-1942 included in the "Law School Bulletin", but now issued separately, intended both to keep faculty and staff members informed about new legal and near-legal publications in their several fields and to provide them with a regular opportunity to recommend books to be purchased by the Library. The circulation of this list and the current periodicals, has stimulated a broader participation in the process of book selection and has in turn increased the interest of those who participate in the development of the Library.

The issuing of the "Law School Bulletin," although not strictly a library

function, has devolved upon the Library staff largely because it was preceded by the "Law Library Bulletin." When the contents of this original bulletin was broadened, a change in title became necessary but the responsibility for its preparation remained with the Library staff. As a matter of fact the Bulletin has always included news items about the Library and for a number of years the list of "Current Legal Publications" as well. It has, therefore, in spite of its broader objective, provided the Library with an appropriate medium for extending its own service.

An annual report by the librarian has also been employed to acquaint those interested in the Law School with the progress made during the year, with special collections or particular features of the Library service and with the problems with which it is confronted.⁵ This report also serves as a medium for publicly expressing appreciation to those who have made gifts to the Library during the year and the reports taken together constitute a permanent record of its development. The annual reports, the "Law School Bulletin," and "Current Legal Publications" are sent to a number of law libraries at their request, and it is hoped that this wider distribution also serves a useful purpose.

Some mention should no doubt also be made of inquiries which come to the Library by mail, for although some of these are disposed of without much effort, others have required careful consideration and detailed replies. This has been especially true when such inquiries

⁵ These mimeographed reports have been issued since the year 1930-31. Briefer statements relating to the Law Library are also embodied in the reports of the University Libraries and the Dean of the School of Law which appear annually in the printed REPORT OF THE PRESIDENT AND REPORTS OF OTHER OFFICERS published by the University.

have come from other libraries for in such instances, the Library staff has never confined its service to the answering of simple reference questions but has endeavored to respond as fully as the situation appeared to require. Many of these inquiries have concerned problems in law library administration, and frequently information about the practice in this Library has been one of the objects of the inquiry.⁶

6. *Quarters, Furniture and Equipment.*

Most libraries outgrow the quarters provided for them, and many do so sooner than those who made the original plans expected. In this the Duke Law Library has not been an exception. While the seating capacity is still adequate and would permit some increase in the number of persons served, its growth during the first decade in the present building has demonstrated its inadequacy both as to work space for the staff and as to stack room for the collection. One of the important developments in the future should, therefore, be new and more adequate housing. When planning for this step, full advantage can be taken of the many recent developments in library construction.

The situation being such as has been indicated above, no useful purpose would be served by incorporating a detailed description of the present library quarters in this article and as the furniture and equipment are the same as one customarily finds in law libraries, there is

⁶ Largely because the plan of the building makes any other arrangement impracticable, the Library performs two services not connected with its primary function. All mail for the Law School is received by the Library and is distributed throughout the building by its page service which at the same time assembles outgoing mail and deposits it in the Library where it is collected by the regular mail carrier. The Library also provides a limited amount of page service not related to its function as a Library.

also no justification for enlarging upon these matters. Both furniture and equipment have been made available as needed and accordingly the Library program has never been hampered in these respects.

7. *Cooperation with Other Libraries and With Professional Groups.*

Cooperation with other libraries and with professional groups has at all times been an integral part of the Library's program. Accordingly, this account would not be complete without some indication of the form this has taken, for the staff and its work have been vitally affected by the obligations thus assumed and by the benefits which have accrued from the relationships thus established. In the first place, cooperation with the General University Library has been continuous. This has concerned the acquisition of books, cataloging, reference work and has frequently involved the temporary transfer of books to the Library where they were urgently needed and should be placed on reserve. The task of developing an adequate collection for the Law School has of course been considerably simplified because of the proximity of the rapidly expanding and more comprehensive collection in the General Library, a collection which includes many useful and even indispensable volumes in the social sciences. Because of the daily messenger service between the libraries of Duke University and the University of North Carolina, the combined library resources of the two universities are readily available thus reducing to a minimum the need to call upon libraries outside of this area through inter-library loans. By way of reciprocation the Law Library has sent

any book, regardless of its character, (unless actually in use) to the University of North Carolina. Requests from any other library are honored unless the book is in more or less constant use or could not readily be replaced if lost in transit.

But cooperation directly between libraries has long since been demonstrated as not enough and the growth of professional groups has developed in order to meet the need for more widespread collaboration. In this members of the staff have participated acting upon the belief that benefits flow in both directions. While this has involved participation in the activities of the American Bar Association, state bar associations, the American Library Association, and occasionally other professional groups, as would be expected, the major emphasis has been upon the programs of groups more directly concerned with law school libraries, namely, the American Association of Law Libraries, the Association of American Law Schools and the Carolina Law Library Association. In addition to frequent participation as officers and committee members, members of the staff have contributed articles, check lists and book reviews to legal and library periodicals.

While it is hoped that these efforts have contributed something of value to the programs of the several professional groups concerned, there can be no doubt about the fact that benefits have accrued to members of the staff and in turn to the Library. Such work has unquestionably enlarged the capacities of those who have participated and through them the Library has been kept in touch with developments in the several fields with which its service is concerned.

IV. THE LIBRARY TODAY AND TOMORROW

The foregoing remarks have appeared under the general heading "A Decade of Growth" because for most purposes it has been convenient to treat the period since the summer of 1930 as if it were a decade rather than a slightly longer period. However, there is one important matter to which attention should be called. Whereas the outstanding problems of the decade, that is now receding into the past, were no doubt those of developing a competent staff and assembling an adequate collection, the major problem with which the Library is confronted at the beginning of the second decade is that of housing. This is obviously a problem that cannot readily be solved in a period of emergency like the present one, but it is clear that when the opportunity offers, it should be possible to take advantage of the many recent developments in library construction. When that time comes

the value of the unobtrusive work now being done will become far more apparent.

No doubt one of the outstanding characteristics of a growing library is the inadequacy of the collection in important particulars. The demands invariably outrun performance. Certainly a collection of 70,274 bound volumes and 7,639 pamphlets can hardly be regarded as a complete legal research collection however adequate it may be to meet many of the everyday demands that are placed upon it. Indeed, it is no more than a very good beginning, but after all, what is a decade in the life of a library. If past experience can be relied upon as a guide, the Library will continue to grow for it will receive the support of the Law School faculty and of the University Administration, a support which has consistently been characterized by the belief that the Law Library should be made as adequate as the University can afford to provide.

APPENDIX

Figures in the following tables are confined to the decade from July 1, 1930 to June 30, 1940, or to such years within this decade for which they are available. On February 20, 1942, the collection consisted of 70,274 bound volumes and 7,639 pamphlets.

| Class | I. CONTENTS OF COLLECTION | |
|---|---------------------------|--------------------|
| | Number of Bound Volumes | |
| | 1930 | 1940 |
| Appeal Papers | * | 923 ¹ |
| Association Proceedings | | |
| Bar Associations | 96 | 1,249 ² |
| All Others | * | 422 ³ |
| Attorney General Reports and Opinions | * | 980 ⁴ |
| Court Reports | | |
| American | | |
| Official | 4,514 | 15,384 |

| Class | Number of Bound Volumes | |
|--|-------------------------|------------------|
| | 1930 | 1940 |
| Unofficial | 2,665 | 8,117 |
| British Empire | 610 | 2,829 |
| Digests (American and English) | 273 | 1,332 |
| Encyclopedias (American and English) | 171 | 754 |
| Foreign Law | * | 2,848 |
| Pamphlets | | |
| Documentary | * | 496 ^e |
| Non-Documentary | * | 423 ^e |
| Periodicals | 594 | 5,253 |
| Shepard's Citations | * | 118 |
| Statutes | | |
| American | 475 | 6,494 |
| British Empire | * ⁷ | 187 |
| Texts and Treatises | 565 | 10,004 |
| Trials | * | 135 |
| In All Other Classes | 2,193 | 7,210 |
| Total Number of Volumes | 12,156 | 65,158 |

* Figures are not available but the holdings were negligible.
¹ Consists of 555 volumes for the Supreme Court of North Carolina and 368 volumes for the U. S. Circuit Court for the Fourth Circuit.
² Consists of 1,609 separate numbers bound in 1,249 volumes.
³ Consists of 662 separate numbers bound in 422 volumes.
⁴ Consists of 993 books bound in 980 volumes.
⁵ Consists of 2,250 titles bound in 496 volumes.
⁶ Consists of 4,994 titles bound in 423 volumes.
⁷ The General Library had a complete set of English statutes but these were not transferred to the Law Library along with the other legal materials.

II. GROWTH OF COLLECTION

a. Bound Volumes

| | Aug. 1930 | 1930-31 | 1931-2 | 1932-3 | 1933-4 | 1934-5 | 1935-6 | 1936-7 | 1937-8 | 1938-9 | 1939-40 |
|--------------|-----------|---------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| Number Added | 12,156** | 21,287 | 9,861 | 3,696 | 3,353 | 3,022 | 2,815 | 1,216 | 1,535 | 2,410 | 3,807 |
| Total Number | 12,156 | 33,443 | 43,304 | 47,000 | 50,353 | 53,375 | 56,190 | 57,406 | 58,941 | 61,351 | 65,158 |

** Number of volumes transferred to the Law Library when it was moved into the new Law School building.

b. Pamphlets†

| | 1934-5 | | 1935-6 | | 1936-7 | | 1937-8 | | 1938-9 | | 1939-40 | |
|--------------|--------|-------------|--------|-------|--------|-------|--------|-------|--------|-------|---------|-------|
| | Titles | Bound Vols. | Titles | Vols. | Titles | Vols. | Titles | Vols. | Titles | Vols. | Titles | Vols. |
| Number Added | 756 | 102 | 2,103 | 246 | 1,392 | 134 | 1,053 | 189 | 1,104 | 151 | 836 | 97 |
| Total | 756 | 102 | 2,859 | 348 | 4,251 | 482 | 5,304 | 671 | 6,408 | 822 | 7,244 | 919 |

† All pamphlets are bound together in volumes of convenient size and are fully cataloged. Those repre-

sented in this table have been assigned to two sets entitled "Miscellaneous Documents" and "Pamphlets." The Library possesses many pamphlets that do not fall in either of these groups but these have not been counted because they were not finally arranged and cataloged prior to June 30, 1940. Most of these pamphlets will be classed in "Business Documents," "Miscellaneous Appeal Papers," "Theses" and "Trials." Pamphlets which form a part of a series or which are an integral part of a set, as for example, appeal papers for a court for which the Library maintains a complete file, are not counted.

III. SERIALS

| | <i>Currently Received</i> | <i>Inactive</i> |
|-------------------|-------------------------------|-----------------|
| Periodicals | 321 | 325 |
| Newspapers | 7 | 6 |
| All others | 630 | 782 |
| Total | <u>958</u> | <u>1,113</u> |
| Grand total | | 2,071 |

IV. FACULTY COLLECTION‡

| | |
|---------------------|-----|
| Books | 33 |
| Articles | 142 |
| Reports | 54 |
| Miscellaneous | 64 |
| Book Reviews | 68 |

‡ The faculty collection is composed of copies of contributions made by faculty members while they are members of the Duke Law School faculty. Book reviews which are available in the general collection are not duplicated, but all book reviews are listed.

V. EXPENDITURES FOR BOOKS AND BINDING

| | 1930-31 | 1931-2 | 1932-3 | 1933-4 | 1934-5 | 1935-6 | 1936-7 | 1937-8 | 1938-9 | 1939-40 |
|---------------|---------|-----------|-----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Binding | *** | | | | 894.95 | 2,064.70 | 994.21 | 1,124.75 | 1,479.55 | 1,759.29 |
| Continuations | *** | | | | 3,849.23 | 4,262.31 | 4,926.24 | 5,506.78 | 5,317.12 | 5,141.78 |
| All Others | *** | | | | 8,048.18 | 12,453.73 | 5,407.29 | 9,707.30 | 7,777.81 | 8,435.05 |
| Total | 15,000 | 63,578.24 | 11,881.52 | 9,526.67 | 12,792.36 | 18,780.74 | 11,327.74 | 16,338.83 | 14,574.48 | 15,336.12 |

Average Yearly Expenditure: \$18,913.67

Total for the Decade: \$189,136.70

*** The book fund was not broken down into separate funds for binding, continuations and other books until 1934-5.

b. Cards Prepared||

| | 1930-31 | 1931-2 | 1932-3 | 1933-4 | 1934-5 | 1935-6 | 1936-7 | 1937-8 | 1938-9 | 1939-40 |
|---------------------|---------|--------|--------|--------|---------|---------|---------|---------|---------|---------|
| Library of Congress | 11,316 | 25,026 | 18,550 | 14,204 | 13,636 | 21,189 | 10,473 | 11,490 | 13,404 | 12,768 |
| Typed | 2,183 | 6,654 | 3,126 | 5,640 | 6,487 | 11,354 | 8,828 | 8,656 | 7,763 | 6,098 |
| Total for Year | 13,499 | 31,680 | 21,676 | 19,844 | 20,123 | 32,543 | 19,301 | 20,146 | 21,167 | 18,866 |
| Total to Date | | 45,179 | 66,855 | 86,699 | 106,822 | 139,365 | 158,666 | 178,812 | 199,979 | 218,845 |

|| A duplicate set of cards, for all titles except pamphlets and such documents as are also in the General Library, is prepared for the union catalog in the General Library and one extra card for every title is prepared for the Duke University depository at the University of North Carolina.

VI. CATALOGING

a. *Items Cataloged*

| | 1930-31 | 1931-2 | 1932-3 | 1933-4 | 1934-5 | 1935-6 | 1936-7 | 1937-8 | 1938-9 | 1939-40 |
|----------------|---------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
| New titles§ | 1,067 | 2,771 | 1,248 | 1,386 | 1,373 | 3,259 | 2,001 | 2,091 | 1,923 | 1,636 |
| Continuations | 8,803 | 5,193 | 3,413 | 2,753 | 2,846 | 2,502 | 2,155 | 2,678 | 2,899 | 2,551 |
| Duplicates | 138 | 3,265 | 217 | 259 | 283 | 272 | 224 | 241 | 257 | 220 |
| Recataloged | 0 | 0 | 0 | 62 | 114 | 49 | 42 | 66 | 36 | 36 |
| Total for year | 10,008 | 11,229 | 4,878 | 4,460 | 4,616 | 6,082 | 4,422 | 5,076 | 5,115 | 4,443 |
| Total to date | | 21,237 | 26,115 | 30,575 | 35,191 | 41,273 | 45,695 | 50,771 | 55,886 | 60,329 |

§ Including pamphlets most of which are cataloged as fully as if they were books.

Notes Concerning A. A. L. L. Members

ARTHUR S. BEARDSLEY, Law Librarian of the University of Washington, is the author of an interesting historical article entitled "Controversies Over the Location of the Seat of Government in Washington" which was published in the July and October, 1941 numbers of the *Pacific Northwest Quarterly* and is also available as a reprint.

WILLIAM S. JOHNSTON was re-elected Librarian of the Chicago Law Institute at the Annual Meeting of the Members of the Institute on January 31, 1942. Other Officers elected are: 1st Vice-President, Frank Smith Sims; 2nd Vice-President, Frederick Z. Marx; Treasurer, Roy C. Osgood; Secretary, Herbert C. DeYoung; and Members of Board of Managers: Charles C. Spencer, John D. Black, John E. MacLeish, Jacob G. Grossberg, Willard L. King, Robert F. Kolb, Paul M. Godehn, Louis P. Haller, Edward D. McDougal, Jr.

MATTHEW A. MCKAVITT, Director of Libraries of the Department of Justice, is lecturer in Legal Bibliography at the Columbus University Law School, Washington, D. C.

DOROTHY MITCHELL has succeeded Mrs. Herberta Leonardy as Librarian of the School of Law of the University of Miami, Coral Gables, Florida.

ERVIN POLLACK, formerly an assistant on the staff of the Columbia University Law Library, has been appointed Librarian of Hays, Podell & Shulman, 39 Broadway, New York City.

JOHN T. VANCE, Law Librarian of Congress, spoke on "Book Hunting South of the Border" at the dinner meeting of the Fifth Convention of the Inter-American Bibliographical and Library Association, held February 20th and 21st in Washington, D. C. Mr. Vance, who recently returned from Mexico, will soon leave the country again for an extended trip in South America.