

# Building a Foreign Law Collection at the University of Michigan Law Library, 1910–1960\*

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*Ms. Leary describes the vision, energy, imagination, and techniques of the dedicated people who built an eminent foreign law collection at the University of Michigan Law Library. She also uses Michigan as an example to illustrate the development of libraries and librarianship nationally.*

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¶1 During the first half of the twentieth century, books as well as people emigrated from Europe and South America to the United States in huge numbers.<sup>1</sup> The United States was wealthy, politically stable, internationally powerful, and almost completely free of natural disasters such as earthquakes and fire. The libraries of its growing institutions of government and higher education were able not only to purchase in the normal market but also to take advantage of economic and political instability elsewhere.<sup>2</sup>

¶2 Academic research libraries in this country acquired deep and rich collections. They usually allowed anyone with a desire to use their material to have access to them, as did American public libraries. This open access flowed from the democratic principles of free basic education and the public's right to know, providing greater public access than libraries elsewhere in the world.

¶3 This article describes the people and processes that built the foreign law collection at the University of Michigan Law Library, now among the best in the world according to faculty, visitors, and scholars who come from many countries to use the library and say that Michigan's collection of material from their country is better than what is available to them at home.

¶4 The history of the development of any particular collection can illustrate the methods used by many libraries. In the case of the University of Michigan Law Library from 1910 to 1960, techniques included buying whole libraries from individuals, developing lists of desiderata, accepting gifts and exchanges, and using dealers abroad. Michigan's experience shows the value of starting early, having a clear understanding of the desired content, and working from a sound strategy.

¶5 The Michigan Law Library's development also illustrates the development of the profession of librarianship during the twentieth century. For roughly the first half of the century, its librarians were intent upon acquiring, organizing, and cataloging the collection: what we now call technical services work. Only when this work was complete could the librarians consider how best to connect library users with the right material: public services work. There is little evidence, however, that by 1960 the librarians at Michigan were conscious of having completed retrospective collection building, or that they realized the extent of the opportunity they had to shift from building to using the collection.

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1. See generally ARTHUR T. HAMLIN, *THE UNIVERSITY LIBRARY IN THE UNITED STATES, ITS HISTORY AND DEVELOPMENT* (1981) for a description of the context in which the Michigan Law Library developed. Chapter 3 covers the emergence of the research library, 1876–1920, linking library development to the shift of universities from a teaching to a research orientation; chapter 4 covers the period 1920–1946. Chapter 6 covers “building the collection” and illustrates with several examples the “distinct flow of books from the old world to the new.” *Id.* at 108–09.

2. The most exhaustive historical collection of statistics on the growth of American academic research libraries is ROBERT E. MOLYNEUX, *THE GEROULD STATISTICS, 1907/08–1961/62* (1986). James Thayer Gerould began gathering statistics on the number of books in and added to libraries, and the money spent for books, staff, and salaries when he was library director at the University of Minnesota. Molyneux argues that Gerould's series is the foundation upon which the Association of Research Libraries built its subsequent statistical series. These statistics do not identify anything about the content of the library collections.

¶6 Finally, the story of the development of this one library illustrates how much difference individuals can make even to the largest institutions. Between 1920 and 1960, the vision of Dean Henry Bates, the financial resources of William W. Cook, the architectural genius of Edward Palmer York and Philip Sawyer, and the energy and intelligence of the Law Library Director Hobart Coffey combined to create one of the world's most magnificent libraries.

## The Men Who Built the Michigan Collection

### *Henry Bates's Vision*

¶7 Why did the University of Michigan Law School develop one of the world's most comprehensive collections of foreign, comparative, and international law material?<sup>3</sup> Who had the vision to build such a collection, and how was it achieved? The answer starts with the school's dean from 1910 to 1939, Henry Moore Bates.

¶8 In 1910, then-professor Henry Bates negotiated with the Regents of the University of Michigan for months about the terms under which he would accept the deanship of the law school. Former dean Harry Hutchins had just become president of the university. Bates' dream was to make Michigan a first rank, internationally renowned law school, and he wanted to be sure he had transformative power sufficient to do that. He wanted full-time faculty members with an academic, rather than practical, bent. He wanted more, and better qualified, students. He wanted a curriculum that emphasized intellectual effort and that developed capabilities, rather than one that merely passed along superficial information about the law. He wanted a larger, finer physical facility. And he wanted a library that would support research and teaching in all aspects of the law, over all the world, for all historical periods.<sup>4</sup>

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3. The foreign, comparative, and international collections of the Michigan Law Library now contain about 300,000 volumes (total holdings are 912,000 volumes), including scholarly commentary and primary material (legislation, court decisions, administrative rules, and official gazettes appropriate to each jurisdiction) from all nations and all intergovernmental organizations with law-making power. The collection includes complete documents from the League of Nations, United Nations, GATT/WTO, and the European Union and its predecessor organizations. Michigan was the first academic library designated as a depository by the European Communities. In 2000–01, the library spent about \$713,000 on non-United States material, 36% of the total collection expenditures of \$1,959,000. Michigan subscribes to virtually every title indexed by the *Index to Foreign Legal Periodicals*, and has approval plans to ensure complete coverage of scholarly monographs from Europe and Japan.
  4. See G.C. Grismore, *Memorial Prepared by the Faculty of the Law School*, in IN MEMORIAM HENRY MOORE BATES 3–4 (1949); Comments of Dean E. Blythe Stason summarizing Bates' accomplishments (available in Bates Correspondence, Box 2, Michigan Historical Collections, Bentley Historical Library, University of Michigan [hereinafter Bates Correspondence]). See also Letter from Henry Moore Bates, Dean, University of Michigan Law School, to Harry B. Hutchins, President, University of Michigan (Feb. 12, 1918) (available in *id.*, Box 1). In this letter, Bates detailed the school's needs: increasing faculty salaries, reducing the number of faculty due to the war, maintaining adequate funds for the library, remodeling the existing building, keeping graduate work under the umbrella of the Law, rather than the Graduate, School, continuing to allow the law school to confer the J.D. rather than some other degree, and supporting the publication of the *Michigan Law Review*.

¶9 Bates eventually obtained from the Regents the authority he needed. Between 1910 and 1939, his deanship did transform the law school.<sup>5</sup> Bates appreciated the central role of the library. He had been an officer of the Chicago Law Institute in 1902,<sup>6</sup> during his pre-Michigan life practicing law in Chicago from 1890 to 1903. He also knew he needed an aggressive, imaginative, far-seeing person to build the Michigan collection. The first two librarians, John Vance and Victor Lane, had done a decent job of building a collection of Michigan material. But Bates saw Lane as too engaged in teaching to be a collection builder. He probably had little faith in the staff's ability to understand his vision if the following account of an event in 1918 is typical. As a visiting professor at Harvard Law School that year, Bates facilitated Michigan's acquisition of Harvard duplicates, but apparently the library staff disappointed him in their treatment of this opportunity.

¶10 On June 6, 1918, law library staff member E. B. Steere wrote to Bates at Harvard:

I am sorry that you feel that our disposal of the Harvard lists was not satisfactory. So far as the Year Books are concerned we of course have only the 1678–1680 edition—none at all of those offered by Harvard, and it would be a wonderful piece of fortune for us if we could get them all. . . . In the list I sent you we were simply making a modest request because we did not suppose there was any chance of our getting more. We have not learned to do things on a big scale out here.<sup>7</sup>

Bates very nearly did not return to Ann Arbor. Harvard offered him a professorship in April 1917,<sup>8</sup> but in the summer of 1918 he decided to come back to the Michigan Law School. Over the next three years he and President Hutchins successfully cultivated a donor, William Wilson Cook, who would eventually supply

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5. The University of Michigan was, under President James B. Angell, "to an extent" one of the small group of universities that led the move to develop research as a major activity. Research libraries were essential to that new activity, and they emerged between 1876–1920. This was an enormous change, "from a classically oriented and culturally elitist posture, to a more vocational, scientific and democratic stance." HAMLIN, *supra* note 1, at 48.
  6. See CATALOGUE OF THE CHICAGO LAW INSTITUTE TO DECEMBER 31, 1901, at 699 (1902).
  7. Letter from Elizabeth B. Steere, Assistant Law Librarian, University of Michigan Law School Library, to Henry Moore Bates, Dean, University of Michigan Law School (June 6, 1918) (available in Bates Correspondence, *supra* note 4, Box 1). This apparent lapse was later remedied when a valuable collection of year-books was acquired through the Harvard Law Library. Librarian's Report to the Dean (1932) (available in Law School Library Records, Box 1, Michigan Historical Collections, Bentley Historical Library, University of Michigan [hereinafter Law School Library Records]).
  8. Letter from Henry Moore Bates, Dean, University of Michigan Law School, to T.W. Kock (July 20, 1917) (available in Bates Correspondence, *supra* note 4, Box 1). According to other correspondence, Bates considered going to the Judge Advocate General but decided not to. Bates' struggle to decide whether to return to Michigan was resolved in March 1918, when he accepted the Regents' salary offer of \$7,000. Letter from Harry B. Hutchins, President, University of Michigan, to Henry Moore Bates, Dean, University of Michigan Law School (Apr. 18, 1918) (available in Bates Correspondence, *supra* note 4, Box 1) ("Regents . . . provided your salary of \$7000. Again expressing my pleasure at your return.").

four buildings and an endowment to support faculty research. In 1921, Bates could certainly see the realization of his vision within reach but had no idea of the frustrations that would intervene before it finally came to fruition more than a decade later.

### *William W. Cook's Fortune*

¶11 William W. Cook, born in 1858 in Hillsdale, Michigan, earned both bachelor's (1880) and law (1882) degrees at the University of Michigan. He immediately went to practice law in New York City, first in the office of William B. Coudert and later as general counsel for the Commercial Cable and Postal Telegraph Company of Clarence Mackay and his son, John W. Mackay. He retired from active practice in 1920, and for the next ten years spent a great deal of time and energy in planning and executing gifts totaling \$16 million to his alma mater.<sup>9</sup> Cook's gifts included the Martha Cook women's residence hall and, at the law school, the Lawyers Club residence hall (1925), John P. Cook dormitory (1930), Legal Research building (1931), and Hutchins Hall (1933). He also provided landscape architecture for the entire block, the Law Quadrangle, which contained the law school buildings. And he left a trust fund to support faculty research and lectures on American institutions, which by 2000 was worth \$60 million.

¶12 The story of William Cook's professional life and his interactions with the university has not been fully told,<sup>10</sup> largely because he was a very private man. Initially, he did not want the world to know he had given the money, and he never wanted his name associated with any of the buildings. Several contemporaneously published works, however, including those issued at the dedication of each of the law school buildings, describe Mr. Cook's role in helping the law school realize

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9. A BOOK OF THE LAW QUADRANGLE AT THE UNIVERSITY OF MICHIGAN 11–12 (Nathan Fred ed., 1934). For a summary of Cook's life and a careful assessment of his writing, see Alfred F. Conard, *Cook's Books: The Published Writings of William W. Cook* (1994) (unpublished manuscript, on file with University of Michigan Law Library); Walter H. Sawyer, *William W. Cook, University Benefactor*, 36 MICH. ALUMNUS 643–46 (1930); Earl D. Babst, *Dr. Hutchins Paused over the Name of William W. Cook*, 36 MICH. ALUMNUS 646 (1930); Myrtle White Godwin, *William Wilson Cook*, 36 MICH. ALUMNUS 715–16 (1930).

For contemporary reporting about Mr. Cook and his gifts, see *Donor of \$2,000,000 Michigan Law Club Proves to Be W.W. Cook*, N.Y. TIMES, Sept. 21, 1924, at 1; *Cook Gives New Dorm to Michigan University Law Club*, N.Y. TIMES, Apr. 27, 1928, at 8; *Law Foundation Has Broad Scope*, N.Y. TIMES, Sept. 21, 1930, at 6; *Huge Law Centre Is Nearly Finished*, N.Y. TIMES, June 7, 1932, § 2, at 3; *\$10,123,967 Estate Left by W. W. Cook*, N.Y. TIMES, Nov. 26, 1932, at 17.

10. *But see* Robert G. Peterson, *William W. Cook and the University of Michigan* (1970) (unpublished student manuscript) (available in Michigan Historical Collections, Bentley Historical Library, University of Michigan). Peterson's sources were several published items (all cited in this article); Daniel Van Eyck, *President Clarence Cook Little and the University of Michigan* (1965) (unpublished Ph.D. dissertation, University of Michigan) (available on microfilm at Michigan Historical Collections, Bentley Historical Library, University of Michigan); and the collected papers of Marion Burton, Harry Hutchins, Clarence Little, James Murfin, and Walter Sawyer (all available at Michigan Historical Collections, Bentley Historical Library, University of Michigan).

buildings<sup>11</sup> that he never saw.<sup>12</sup> In addition, later studies<sup>13</sup> relying on primary source documents, many found in the law school archives housed at the Michigan Historical Collections,<sup>14</sup> have done much to recover and preserve this important historical record.

¶13 Cook and Bates initially shared mutual respect. In June 1921, Cook wrote to Hutchins that Bates “has ideals, other than brick and mortar and a mob, and I shall help him all I can.”<sup>15</sup> However, by 1925 Cook refused to “have any communication with him, written or oral. . . . He certainly is the limit.”<sup>16</sup> The story of

11. See A BOOK OF THE LAW QUADRANGLE AT THE UNIVERSITY OF MICHIGAN, *supra* note 9, at 10–11; William W. Cook, *A Letter to the Lawyers' Club*, 24 MICH. L. REV. 34 (1925); James P. Hall, *The Next Task of the Law School*, 24 MICH. L. REV. 42 (1935); *The Lawyers' Club, A Gift to Posterity*, 31 MICH. ALUMNUS 99 (1924); *University Receives Gift of Tapestries and Prints [from William W. Cook]*, 35 MICH. ALUMNUS 358 (1929); *John P. Cook Dormitory Completed*, 37 MICH. ALUMNUS 5 (1930); *World's Finest Educational Building*, 37 MICH. ALUMNUS 465 (1931).
12. Three reasons for never seeing the buildings appear in the documentary record. First, that seeing them would spoil his dream, seems plainly evident from the following statement attributed to Cook: “No, doctor, you cannot persuade me [to drive to Ann Arbor from Hillsdale to view the buildings]. You want to spoil my dream. I shall never go to Ann Arbor.” SHIRLEY W. SMITH, HARRY BURNS HUTCHINS AND THE UNIVERSITY OF MICHIGAN 306 (1951). Second, that he preferred to stay where “my head is clearer at this distance where a fixed purpose is not disturbed by the swirling eddies of University life.” Letter from William W. Cook to Harry B. Hutchins, President, University of Michigan (Mar. 10, 1925) (available in Law School Records, Box 66, Michigan Historical Collections, Bentley Historical Library, University of Michigan [hereinafter Law School Records]). And third, that he was simply too ill, after 1925, with the tuberculosis that eventually killed him. See Transcript of Interview with Florentine Cook Heath 6 (Apr. 1959) (available in Elizabeth Brown Papers, Box 1, Michigan Historical Collections, Bentley Historical Library, University of Michigan). Heath was Cook’s niece.
13. ILENE H. FORSYTH, *THE USES OF ART: MEDIEVAL METAPHOR IN THE MICHIGAN LAW QUADRANGLE* (1993) describes the construction of the law school’s buildings and the meaning of the figures and portraits used in them. Forsyth also carefully reconstructs the interactions among Cook, Bates, several university presidents, and the architects and craftsmen who created the buildings. Chapter 4, “Patronage in Pursuit of an Ideal,” is particularly relevant. *Id.* at 31–44. Like Forsyth’s work, KATHRYN HORSTE, *THE MICHIGAN LAW QUADRANGLE, ARCHITECTURE AND ORIGINS* (1996), a lavishly illustrated history and guidebook, relies on material from the Michigan Historical Collections archives of the Law School and other internal University documents. In addition, ELIZABETH GASPARD BROWN, *LEGAL EDUCATION AT MICHIGAN 1859–1959*, at 305–326 (1959), includes a substantial chapter on “The Law School and Mr. Cook,” drawing information from official publications such as the minutes of the proceedings of the Board of Regents, and the dean’s reports to the president.
14. In the late 1940s, librarian Hobart Coffey obtained from an unexpected (and unnamed) source, three or four large bundles of letters by and to William W. Cook, along with a “strict injunction that I was not to make them public until I had gone through them and culled out those that were full of dynamite. I was authorized, however, to make any use of the letters that seemed appropriate.” Coffey indicated that he had thought of writing a history of the Cook gift to separate myth from fact, but “I have lost interest in the subject. Historical research is, in my mind, often quite unremunerative. Sometime these letters ought to be cataloged and the same is probably true of those in the Michigan Historical Collection and those in your own files.” Letter from Hobart Coffey, Director, University of Michigan Law School Library, to E. Blythe Stason, Dean, University of Michigan Law School (Jan. 28, 1947), (available in Law School Library Records, *supra* note 7, Directors files). By 2000, the law school and its library had carefully culled their files to send such archival material to the Michigan Historical Collections, Bentley Historical Library, University of Michigan.
15. Letter from William W. Cook to Harry B. Hutchins, President, University of Michigan (June 1, 1921) (available in Bates Correspondence, *supra* note 4, Box 1).
16. Letter from William W. Cook to John T. Creighton, lawyer, National City Bank, New York (May 27, 1925) (available in Law School Records, *supra* note 12, Box 66). Creighton worked in the Trust Department

Cook's relations with Bates, Hutchins, and others is beyond the scope of this article, but the impact of the frustrated relationship on the law library was real.<sup>17</sup>

¶14 Although this rift would cause great frustration and delay, especially from 1925 to 1929, the prospect of the coming gift put Bates in a position to begin the actions that would help achieve his dreams.

#### *York and Sawyer's Architectural Expertise*

¶15 William Cook first worked with the architectural firm of Edward York and Philip Sawyer in 1911, when he contracted with them to build his New York town house at 14 East Seventy-First Street. He then used them for his first gift to Michigan, the Martha Cook Building, and continued to work with them on subsequent Michigan projects and for interior furnishing with the Hayden Company.<sup>18</sup> Forsyth's book includes many examples of the dialectical process that created the Law Quadrangle—determining the site, siting the individual buildings, selecting the type of stone—and quotes Cook's description to York of this process as “Going over the designs together, you furnishing the art and I the philosophy.”<sup>19</sup> There never appears to have been any question that York and Sawyer would do all the buildings for which Cook provided the funds.

¶16 York and Sawyer met as associates at the preeminent New York City firm of McKim, Mead & White, where they worked together from 1891 to 1898.<sup>20</sup> They left to form their own firm when they won a competition for Rockefeller Hall at Vassar College, where they eventually did six more buildings.<sup>21</sup> In the next few years, they won eleven of fourteen competitions, when the usual rate was one in four. After five years they had \$5 million worth of work, more than McKim, Mead & White. But York had to borrow a quarter from Sawyer to pay for lunch.<sup>22</sup>

¶17 The firm developed specializations in college buildings, banks, and hospitals. They designed about fifty banks, including the Franklin Savings Bank at 8th Avenue and 42nd Street, and the Bowery Savings and Federal Reserve banks in New York City. Hospitals included Tripler Army Hospital in Honolulu. They did a score of private residences, including a twenty-six-room apartment for Mrs. W. K. Vanderbilt in 1927. They also did office buildings in Montreal and Toronto, and the U.S. Steel Sphere at the 1939 World's Fair in New York.

¶18 One measure of the extent of York and Sawyer's work is their sixty-seven

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of the National City Bank and was responsible for the Cook Trust. He became Cook's confidante and was his agent on the scent in Ann Arbor during the construction of all the buildings financed by Cook.

17. See *infra* ¶¶ 30–31.

18. FORSYTH, *supra* note 13, at 10.

19. *Id.* at 39.

20. PHILIP SAWYER, EDWARD PALMER YORK: PERSONAL REMINISCENCES BY HIS FRIEND AND PARTNER PHILIP SAWYER AND A BIOGRAPHICAL SKETCH BY ROYAL CORTISSOZ 9 (1951).

21. ELIZABETH DANIELS, HISTORY OF VASSAR COLLEGE—ARCHITECTS AND BUILDERS OF VASSAR BUILDINGS, at <http://vassun.vassar.edu/~daniels/buildings.html> (last updated Feb. 5, 1999).

22. SAWYER, *supra* note 20, at 29.

entries, as of May 7, 2002, in the *Avery Index to Architectural Periodicals*. A measure of the historical influence of the firm is that entries begin in 1905, and the most recent is to an article in the March 2002 issue of *Architectural Digest* that details the restoration of “one of the great, grand apartments in Manhattan, a seldom-seen, beautifully preserved time capsule,” the very maisonette originally built for Mrs. Vanderbilt. An article in the June 2000 issue of *Interiors* describes the restoration of the 1923 Bowery Savings Bank.

¶19 York was the “thoughtfully directed energy behind”<sup>23</sup> the partnership who nurtured clients and developed the overall strategy for the firm’s future. He was “innately philosophical and serene,” a “rationalizing, constructive architect.”<sup>24</sup> According to Sawyer, York did his work almost invisibly, “got his stuff drawn by others, let the contracts, built it satisfactorily without noise, working so intangibly that no one ever caught him at it.”<sup>25</sup> And, Sawyer continued, his “scope was unlimited. He never lost patience with any client, no matter how foolish his suggestions, and when I once complained bitterly of a Building Committee who would not allow me to do the thing which seemed so obviously the best to me, he said, ‘But Sawyer, think of all the fool things that our clients have prevented you from doing.’”<sup>26</sup>

¶20 Sawyer, in his own words, “was a draftsman. I would have confined myself to drawing, sketching, and painting, if I could have afforded it. I had compromised on architecture as the next best thing, and my interest was in rounding out the building on paper to the last detail. What happened to the drawing afterward didn’t much matter to me.”<sup>27</sup>

¶21 York was the lead architect on the Michigan project until he died in December 1928. His role in the design and detail of the buildings was critical to a dialectical process in making the Law Quadrangle. For example, he educated Cook about the quality of stone,<sup>28</sup> and the rationale for using Gothic-style architecture.<sup>29</sup> After York’s death, Sawyer became equally influential, and Cook accepted his suggestions about the higher foundation and towers for the Legal Research Building.<sup>30</sup>

¶22 By the early 1920s, then, the law school had Bates’s vision, the promise of Cook’s money, and the architectural proficiency to create fine buildings. What remained was to create the library collections that could support the teaching and research for the present and long into the future. And by 1924, Bates had found the man he believed could build a great library at Michigan: Hobart Coffey.

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23. *Id.* at 9.

24. *Id.* at 10.

25. *Id.* at 38.

26. *Id.* at 39.

27. *Id.* at 23–24.

28. FORSYTH, *supra* note 13, at 37.

29. *Id.* at 38.

30. *Id.* at 41.

### *Hobart Coffey's Energy and Intelligence*

#### *Coffey's Background*

¶23 Hobart Coffey was born in 1896 “to a family of old American stock . . . my ancestors were Scotch and Irish who emigrated to northern Ohio from Maryland and Virginia around 1800.”<sup>31</sup> He was educated in Ohio, earning a BA in English from Ohio State in 1918. At Ohio State, he was a student assistant in the library for three years. He taught in several private schools before he went to the Michigan Law School, from which he earned an LL.B in 1922 and a graduate J.D. in 1924. With the support of a Carnegie Fellowship in international law, he studied French in Grenoble from July to November 1924 and then entered the University of Paris, where he passed both oral and written exams in French. He attended the Academy of International Law at the Hague in summer 1925, and in the fall he studied German at Heidelberg and then the University of Berlin. In spring 1926 he went to Munich for the summer, later returning there for another semester in 1928. He concentrated on public and private international law and comparative law. He spoke French and German with some fluency, had some command of Italian, did considerable work in Russian, and had a very good knowledge of Spanish.<sup>32</sup>

¶24 Did Coffey set out to become a law librarian? There is nothing in his papers, or those of the law school or the law library, to suggest that such was his goal. There is no evidence that he attended library school, although Michigan established one in 1926.<sup>33</sup> In 1924, after Bates asked him to become the law librarian, Coffey consulted Michigan law professor Edwin Dickinson who wrote back with thoughtful encouragement. As a result of his service for years on the Library Committee, as well as his interest in international law, Dickinson knew that the library collection required significant improvements. In his reply to Coffey, Dickinson expressed his happiness at Coffey having seen the League of Nations in action and congratulated him on the acceptance of his admiralty article by the *California Law Review*<sup>34</sup> and on the progress he had made in the art of French conversation. He speculated that the job of law librarian would have real attractions

if one loves books, likes to research, has some capacity for efficient administrative organization, and knows how to get others to do the routine effectively. . . . [T]here is a rather

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31. Hobart R. Coffey (n.d. 1941–43?) (unpublished memorandum, available in Law School Library Records, *supra* note 7, Directors files).

32. *Id.*

33. The director of the University Library provided summer instruction in library science starting in 1906. In 1926 the Regents established a Department of Library Science, chaired by University Library Director William Warner Bishop, with programs leading to the Bachelor's and Master's degrees. Finding aid for School of Information and Library Studies collection 1 (available in Michigan Historical Collections, Bentley Historical Library, University of Michigan). Because the law library staff already included women with library degrees, and over the years would add many more, Coffey and Bates probably did not even consider that Coffey himself would need such training. His expertise in the law would be sufficient.

34. Hobart Coffey, *Jurisdiction Over Foreigners in Admiralty Court*, 13 CAL. L. REV. 93 (1925).

exceptional future in the position which Dean Bates has in mind for our School . . . [and] the position will be one of real dignity. It will require that the incumbent acquire an immense amount of information about books, foreign and domestic. It will present some real problems in organization. There will be unusual responsibilities involved in the development of a large research library. . . . The librarian should be in a very substantial sense the master of his own time. The salary will no doubt be better than professors' salaries in most law schools. . . . In addition to the above, I should expect that the job would involve some rather attractive opportunities to travel in search of books, libraries to buy, etc. Personally, I would be much pleased to see you tackle the job.<sup>35</sup>

Coffey accepted the offer and began his career as a librarian in enviable fashion: as Assistant Law Librarian (on leave) in 1925–1926, while he studied abroad.<sup>36</sup>

*Bates and Coffey Collaborate, 1925–1928*

¶25 Bates had kept a firm hand on the library's development from the very start. On October 10, 1910, the faculty approved the appointment of a Library Committee, to consist of the dean, the librarian, and three other faculty members appointed by the dean.<sup>37</sup> Faculty members of the committee were those who wanted the library to expand and who had the expertise to identify needed material. The Library Committee met in the dean's office.

¶26 From 1922 to 1925, the Library Committee consisted of Bates, librarian Victor Lane, and professors Joseph H. Drake, Horace L. Wilgus, Edwin Dickinson, and Edgar Durfee. Drake, who began serving as early as 1914, specialized in Roman law. Wilgus, also serving since 1914, was a teacher of corporations, commercial, and tax law. Dickinson, a specialist in international law, joined the committee in 1919. Durfee, who taught equity, rounded out the subject expertise on the committee. Blythe Stason, who succeeded Bates as dean, joined the faculty in 1924 and served on the Library Committee from 1928 to 1933, a critical period for the construction of the Legal Research Building.<sup>38</sup>

¶27 Committee minutes consist of lists of suggested titles, and by 1922 included some items of international and comparative law, as well as court reports and statutory material from non-U.S. common law jurisdictions—which was what passed for “foreign law” at the time.

¶28 Bates, who chaired the committee during his entire deanship, paid attention to more than book selection, especially before Coffey arrived. For example, at a

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35. Letter from Edwin Dickinson, Professor, University of Michigan Law School, to Hobart Coffey (Dec. 1, 1924) (available in Law School Library Records, *supra* note 7, Box 1).

36. Coffey was appointed assistant law librarian on leave without salary, 1925–26, at the May 1925 Regents' meeting. UNIV. OF MICH. REGENTS, PROCEEDINGS 611 (1925). At the June meeting, the Regents approved a salary of \$2000 in view of the duties he would perform in the selection and purchase of material for the Law Library. *Id.* at 624.

37. Minutes of Faculty Meetings, 1910–1920, at 454 (available in Law School Records, *supra* note 12, Box 60).

38. Information about committee membership appears in *id.* at 454, 604a, 695, 759, 826, 856. For a description of the activities of the Library Committee, see Faculty Library Committee Minutes 1922–1952 (available in Law School Library Records, *supra* note 7, Box 2).

meeting in 1922, he stated that “undoubtedly money could be obtained for catalogers, to make available the foreign material recently acquired.”<sup>39</sup> The search for catalogers would include consulting Harvard, the Library of Congress, and eastern library schools.

¶29 However, once Coffey was on board, Bates could delegate. For instance, Bates wrote to Coffey, who was in Paris at the time:

You are to go on with your investigations in the graduate work in international law and other fields in which we are trying especially to develop our library. . . . [D]evelop your knowledge of French, German, and Spanish. . . . Undoubtedly we will have to do much in South America in the future. The more you can do to establish contacts with book dealers and libraries of Europe, the better.<sup>40</sup>

Other letters from Bates to Coffey in Geneva and in Berlin illustrate Bates’s personal role in, and commitment to, building a foreign, comparative, and international law collection at Michigan. Coffey spent much of both the 1924–1925 and 1925–1926 academic years in Europe, studying law and languages and buying books. He did the same in the summer of 1928. However, by the fall of that year, he began to lose faith in the school’s commitment to building a great library. He and the rest of the faculty were frustrated that a new building for classrooms, faculty offices, and the library was not yet built. The school’s students had, since 1924, been living in the sumptuous Lawyers Club dormitory financed by William Cook, but the law school’s benefactor was slow to give more. As Forsyth observes, “[Cook] succeeded in maintaining a surprising amount of control to the very end.”<sup>41</sup> A major element of Cook’s control derived from the law school’s desire for the building that would house faculty offices and classrooms. By postponing that building to the end, Cook held the trump card.

¶30 Cook’s relationship with Dean Bates had soured, particularly during construction of the Lawyers’ Club in 1924–1925. President Marion Burton, with whom Cook had good relations, died prematurely in 1925, and Clarence Cook Little replaced him. From 1925 to 1928, Little and Bates were unable to persuade Cook to provide resources for the buildings needed to house the library, faculty offices, and classrooms. Meanwhile, with no immediate prospect of more space, the precious and growing collection of foreign law books, along with gifts from Cook himself, were piled in the halls of the fire-prone law building, one-half-mile north of the finished Lawyers Club where students resided.

¶31 In August 1928, Coffey expressed frustration and concern about a lack of commitment to building a foreign and international collection at an informal meeting of the Library Committee:

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39. Faculty Library Committee Minutes 1922–1952, *supra* note 38 (meeting of Oct. 11, 1922).

40. Letter from Henry Moore Bates, Dean, University of Michigan Law School, to Hobart Coffey, Assistant Law Librarian, University of Michigan Law School (June 1925) (available in Law School Library Records, *supra* note 7, Directors files).

41. FORSYTH, *supra* note 13, at 87.

The Committee discussed building up a library of comparative law. Some faculty have objected to this, but the committee felt it had always been and still was the wish of Dean Bates. The librarian was of the opinion that we have reached the cross roads in the development of our library and we must decide very shortly exactly what kind of library we hope to build during the next two or three decades and prepare a program embracing these aims. He suggested that in case the faculty decided not to go further with foreign law and international law, . . . the services of the present librarian might well be dispensed with, since someone else could be secured to do all that was necessary at much less expense. He felt that most of his qualifications would be more or less superfluous in a library which did not go outside the field of American and English law. Dickinson and Stason were both of the opinion that the faculty would continue to pursue the policy which it has pursued during the past five years, namely, building up as rapidly as possible the foreign and international law collections. The Librarian pointed out that we should have to do a great deal more than we have done in the past, and that in certain fields we should have to act very quickly. He reported that he had purchased several thousand dollars worth of material on his recent trip to Europe, all done on his own initiative, and he had paid all of his own expenses. This, he said, he had no intention of doing in the future. Stason suggested that a sum should be set aside to provide adequate travelling expenses so that the librarian could visit the various European countries from time to time, and perhaps also the countries in South America.<sup>42</sup>

¶32 In 1928, the Library Committee met monthly, and there is no further record of anyone questioning the school's commitment to fulfilling Bates's vision.

*Reaffirmation and Inspiration: 1929*

¶33 After the frustrations of 1928, 1929 first brought new hope through Cook's formal commitment to build a Legal Research Building, and then inspiration as Coffey visited the Harvard Law Library.

¶34 Cook reaffirmed his commitment to provide a library building with a formal offer to the Regents on January 11, 1929. The library moved into the new Legal Research Building in 1931. Cook had died in 1930, leaving most of his wealth to the law school.<sup>43</sup> There was further delay in 1931 when his former wife, claiming their divorce had not been valid, sought her widow's share.<sup>44</sup> However, by December of that year Regent James O. Murfin announced an agreement,<sup>45</sup> and the terms of the settlement were final by February 1932.<sup>46</sup> The law school inherited the rest of his fortune. The Cook trust has supported faculty research ever since.

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42. Memorandum describing informal library committee meeting (Aug. 2, 1928) (available in Law School Library Records, *supra* note 7, Box 2).

43. *W.W. Cook Dies, Was Noted Lawyer*, N.Y. TIMES, June 5, 1930, at 27; *Cook Will Is Filed; Bulk to College*, N.Y. TIMES, June 13, 1930, at 25; *Law Foundation Has Broad Scope*, N.Y. TIMES, Sept. 21, 1930, at 6.

44. *Will Sue to Break W.W. Cook's Will*, N.Y. TIMES, Apr. 17, 1931, at 21

45. *End Suit over Cook Will*, N.Y. TIMES, Dec. 25, 1931, at 8.

46. *Mrs. Cook Settles Claim for Estate*, N.Y. TIMES, Feb. 2, 1932, at 36 (Reporting that Ida Cook accepted \$160,000 and the law school received \$12,000,000, in a "compromise in order to use funds at once" to end the delay in building Hutchins Hall.); *\$10,123,967 Estate Left by W.W. Cook*, N.Y. TIMES, Nov. 26, 1932, at 17 (containing further details of Cook's bequest).

¶35 Inspiration came when Coffey visited the Harvard Law Library from May 20 to July 10, 1929. He recorded his observations in a memo that is both fascinating and amusing, but its significance for collection building lies in Coffey's articulation of the methods that Michigan would have to use to build a collection even approaching the comprehensiveness of Harvard's.<sup>47</sup> First, Michigan needed to put through book orders with more efficiency and more thorough preorder searching. Second, Michigan needed to develop more sources. "Harvard has five sources of material where we have one. Lines are out to all corners of the globe, to publishers, agents, professors, friends of the school, men in public life, etc."<sup>48</sup> Michigan needed to know about a commission appointed to suggest changes in the constitution of Arkansas or an international conference on the safety of lives at sea. Coffey suggests "a little discrete publicity . . . not to ape the methods of the athletic association nor Yale Law School, of course."<sup>49</sup> Third, Michigan would benefit from a faculty library, with law reviews and court reports.<sup>50</sup> Finally, Coffey investigated how the Marquis de Olivart worked up the collection of international law at Harvard, "probably the best collection of international law in the world."<sup>51</sup> He found that Olivart used the same method Coffey contemplated, "preparing a comprehensive want list based on works cited in Fauchille, Oppenheim, Hyde, von Liszt, Sanchez, and Ansolotti. With this list as a guide we could spend the next quarter century building up a collection which might even be superior to the Olivart."<sup>52</sup>

¶36 Coffey also learned the value of creating complete records and controlling the circulation of books. He reported that "no one knows how many hundreds or even thousands of books have been lost, because no inventory can be taken. There is no shelf list by which to take an inventory."<sup>53</sup>

¶37 Thus by fall 1929, the new building was assured, and Coffey knew how to proceed to fill it with foreign, comparative, and international material as well as that from the United States. Over the course of the next thirty-five years, he would do just that.

### Building the Collection, 1925–1960

¶38 Nearly thirty years later, Coffey himself provided a rough sketch of the origins and development of Michigan's foreign and international law collection:<sup>54</sup>

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47. [Hobart Coffey], Report of a Visit to the Harvard Law Library (Sept. 3, 1929?) (unpublished manuscript, available in Law School Library Records, *supra* note 7, Box 2).

48. *Id.* at 7.

49. *Id.* at 8.

50. *Id.* at 9.

51. *Id.* at 11.

52. *Id.*

53. *Id.* at 5.

54. Hobart Coffey, *The Law Library*, in 4 THE UNIVERSITY OF MICHIGAN: AN ENCYCLOPEDIA SURVEY 1397, 1400–01 (Walter A. Donnelly ed., 1958).

Although Harvard began to collect foreign law materials as early as 1841, our Law Library seems to have had few, if any, books dealing with foreign law until about 1897, when part of the Buhl bequest is said to have been used for the purchase of foreign material. The accession records, which began in 1900, reveal that the “foreign material” referred to was books (principally statutes and court decisions) for England and her colonies. Because of the common-law background of most British possessions we should today scarcely regard their legal materials as “foreign.” No works on German, French, or Italian law appear in our accession records until the first two decades of the twentieth century, and there were very few of those. Even as late as 1920 the foreign law collection occupied only a few shelves in the workroom of the order department.

Between 1920 and 1925 three large foreign libraries were purchased: the Star Hunt collection of Spanish and Mexican Law;<sup>55</sup> the Heinrich Lammasch Collection, devoted largely to international law; and the Viollet Collection<sup>56</sup> which for the most part related to French law and legal history. In 1929 the Library acquired the collection of private international law which formerly belonged to Professor Antoine Pillet of the Faculty of Law of the University of Paris. In 1935 we acquired the library of Professor Francesco Carrera, eminent criminologist, of the University of Pisa. All of these purchases greatly enriched the Library.

No attempt seems to have been made to acquire an international law section until about 1919, when Edwin De Witt Dickinson was added to the staff of the Law School. Professor Dickinson, whose main interest had been public and private international law, immediately recognized the inadequacy or, in fact, the almost total lack of books and documents in his field. He prepared bibliographies and want lists and was instrumental in helping the Library to acquire many of the important and fundamental source materials in international law and relations. The systematic effort begun in 1919 has been continued through succeeding years and has resulted in the University’s having the most complete collection to be found west of the Atlantic seaboard. It has attracted scholars not only from this country but also from many other parts of the world.

Professor Joseph Horace Drake, a member of the Law School faculty from 1907 to 1930, had a lively interest in both Roman and Comparative Law. In 1923–24, while on a leave of absence in Europe, spent principally in Germany and France, he helped the Library to acquire its first important materials from those countries. In the following three decades great emphasis was placed on the acquisition of the constitutions, codes, laws, and judicial decisions of all-important foreign countries. To find this material and arrange for its purchase the Director of the Library made several trips to the various countries of Europe,

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55. “The foundation of our Mexican collection was the library of Starr-Hunt, a distinguished American lawyer who spent much of his life in Mexico. His library came to us through purchase in 1922. By adding to this library year after year, we have built up a Mexican section which is probably the third or possibly even the second in the United States. Among the works added to the Mexican section last year were 30 volumes devoted mostly to the laws, decrees, and orders for the state of Yucatan.” [Hobart Coffey], Librarian’s Report, 1951–52, at 5 (1952) (available in Law School Library Records, *supra* note 7, Box 1) [hereinafter Librarian’s Report, 1951–52].
56. “Many volumes and pamphlets, non legal in nature, which originally came from the library of the French historian and collector Paul Viollet, were transferred to the general library.” [Hobart Coffey], Librarian’s Report, 1944–45, at 3 (1945) (available in Law School Library Records, *supra* note 7, Box 1) [hereinafter Librarian’s Report, 1944–45].

including the Soviet Union, two trips to Mexico and Central America, and one to the Caribbean and South America. The foreign law section of the Library is now one of the outstanding collections of the world.

¶39 This description is correct so far as it goes, but it says nothing about the critical specific steps in the “systematic effort . . . continued through succeeding years.” Just how did Coffey, the faculty, and the library staff identify and acquire the books to create “one of the outstanding collections of the world?” As will be shown in the following sections, Coffey developed the collection using at least five different tools: assistance from the faculty, travel abroad, developing relationships, exchanging and selling duplicates, and receiving gifts.

#### *Faculty Assistance*

¶40 The minutes of the Library Committee from 1898 to 1906 show monthly meetings in Dean Hutchins’ office. Not only did this committee handle faculty suggestions for purchases, it also interviewed prospective employees and authorized the purchase of rubber stamps. Bates was consistently a member of the committee.

¶41 Coffey’s account of how the collection was built<sup>57</sup> gives credit to several faculty members who helped with foreign acquisitions. This initial reliance on faculty advice was typical and Michigan’s experience was the same as that of university libraries. Ultimately, however, although faculty expertise was essential to ensure depth in specialized topics, building a great collection also required consistency in moving towards an articulated goal. Coffey and Bates’s goal was a collection of primary material—the text of the laws—from all over the world and of scholarly secondary material—books and articles about the law. Faculty helped to identify the existing material that fit that goal.

¶42 A review of the minutes of the Faculty Library Committee from 1922 to 1952<sup>58</sup> shows that at first the committee worked mainly from lists created by faculty members (and later by Coffey), and that final approval came from the committee rather than the librarian. By March 1925, however, the committee was dividing up the work. It named Dickinson, Drake, and Shartel to advise Coffey specifically on foreign acquisitions. By 1928, minutes show disappointment at the lack of faculty suggestions, and the records of Coffey’s trips to Europe show that want lists were developed primarily by library staff, although some ideas continued to come from a few dedicated faculty members.

¶43 Faculty requests also influenced the development of the U.S. collection. Minutes show that some decisions were taken to the faculty as a whole (for example, state digests in 1924), but most suggestions were handled within the committee. In fall 1928, faculty suggested acquiring codified ordinances of the main cities in the United States and U.S. Supreme Court records and briefs offered by the

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57. See *supra* ¶ 38.

58. Faculty Library Committee Minutes 1922–1952, *supra* note 38.

Library of Congress, completing the collection of state session laws, and beginning to collect the reports of state banking and insurance commissions.

¶44 During the 1920s, the role of the dean and the Library Committee seems to have evolved from that of doing title by title selection to one encompassing the broader responsibilities of setting collection development objectives and helping make hard decisions, such as denying requests to transfer material from the law library to the University General Library. For example, in May 1929 the committee supported the librarian's recommendation not to transfer the *Congressional Globe* to the General Library.

¶45 The Library Committee files also show faculty suggestions that, after some consideration and efforts, were abandoned. For example, one faculty member advocated acquisition of the journals of each of the state legislatures. Another urged that the library selectively acquire transcripts and all other court documents of important trials. Coffey would, in the case of particularly demanding requests, suggest that as an experiment the faculty member's secretary do the collecting for a year or two to gather representative material and test the time required. Requests thus treated did not recur.

#### *Travel Abroad*<sup>59</sup>

¶46 Librarian Coffey went abroad many times: Paris in 1924–1925; Berlin and Munich in 1925–1926; Europe more broadly in 1928 and again in 1931; Ireland, England, Denmark, Finland, Russia, Poland, Germany, and France in 1935; Mexico and Central America in 1941, and a final trip in 1950 to Central and South America (including every country except Bolivia and Paraguay). Finally after twenty-five years, Coffey had carried out Dean Bates's 1925 directive.

¶47 The records of the law library contain many lists of what Coffey sought and what he obtained on these trips. The general procedure was to spend months or years creating want lists. These were very detailed: for monographs, editions were specified. For serials of any kind—law reviews, session laws, court reports—volumes and years were provided. The lists included questions about what had actually been published. The librarian's report to the dean each year specified major purchases in great detail.

¶48 In general the priorities from 1922 to 1950 were first to complete the collection of U.S. primary and major secondary material, then to do the same for the rest of the Anglo-American world, including British colonies and former colonies.

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59. Michigan was apparently exemplary in using this tool. President Tappan went on a book buying trip abroad in 1853 and bought nearly a thousand volumes with \$1500. Fifteen years earlier, Michigan sent Asa Gray to Europe to buy books according to instructions from the Board of Regents. Gray, with the assistance of a young George P. Putnam of Wiley and Putnam, bought 3401 volumes, of which only forty-four titles were not in English. President Tappan was "one of the few early college presidents who insisted that there be an annual appropriation for books, and had said in his 1852 inaugural address, 'We have erected vast dormitories for the night's sleep instead of creating libraries and laboratories for the day's work.'" HAMLIN, *supra* note 1, at 88–89.

These were followed in order of priority by western Europe, central and south America, and finally, after World War II, Japan and other parts of Asia, new nations, and intergovernmental organizations.

¶49 Before each trip, library staff performed many tasks to smooth the way. Preparing the want lists was the most important job, but staff also compiled lists of libraries and law schools to visit. Coffey himself wrote in advance to librarians, law school deans and faculty members, and Michigan Law School graduates to arrange meetings during the upcoming trip. He wanted to know about developing areas of law, prominent scholars, and publishing and book selling practices. He sought to discover the best means to acquire books on the want lists and to set up reliable methods to acquire material in the future.

¶50 The Law School Library Records contain a great deal of correspondence between Coffey and the staff back in Ann Arbor. A typical exchange is the following excerpt from a letter to order librarian Rebecca Wilson written from The Hague during his 1925 trip to Europe. First, Coffey thanks her for sending guides and bibliographies. He then discusses the *Code de la Martinique* and whether to pay what either book dealer, Nijhoff or Karpinski, asked for it:

In a previous letter I expressed a feeling that had been growing on me for some time—viz. that Nijhoff was the most expensive place in Europe to buy books. Since coming to The Hague I have investigated the matter still further and I am more convinced than ever. Nijhoff has a sort of monopoly on foreign books. He charges just as much as his customer will stand. Most of his business is with American libraries. I feel that our best plan is to try to buy books in the country where they are published. This will not always be possible, especially in the case of old books. But if we do it where it is possible we shall save a lot of money. As an example . . . Mr. Hicks of Columbia paid a thousand dollars for a collection of Brazilian reports which can be bought in Rio for a song. . . .

By the time I have finished in Europe I shall know most of the large libraries and book-sellers. And when I recommend books, I shall try always to give you the publisher, date, etc. This will help you in ordering. . . . Paris is a much cheaper place to have binding done—cheaper than in America or Holland. It seems to me that now is the most advantageous time to buy French books. I shall soon have another list of recommendations for you. The Hague is an excellent place to get a line on books.<sup>60</sup>

In another letter from 1925, Coffey expressed his thoughts about the Soviet Union:

I am wondering whether we have started a collection of Russian law. While I doubt whether anyone on the present faculty reads Russian, we shall certainly have someone sooner or later who will be interested in this field. From a purely scientific viewpoint, I think we cannot afford to neglect Russian legislation. At present, there are a few works on Russian law in German, which I shall recommend in my next list. They consist,

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60. Letter from Hobart Coffey, Assistant Law Librarian, to H. Rebecca Wilson, Order Librarian, University of Michigan Law Library (July 17, 1925) (available in Law School Library Records, *supra* note 7, Box 6).

unfortunately, largely of extracts. An attempt is being made in France to translate the Soviet code, but thus far only one or two small volumes have appeared.<sup>61</sup>

¶51 The next year, the library was “very fortunate to secure a set of laws of Russia from 1649 to 1866, purchased through Russell Batsell of the Reference Service in Paris. He bought these laws in Russia during his visit there last May.”<sup>62</sup> In 1928, the library acquired a set of the statutes of the Russian Empire covering 1866–1913.<sup>63</sup>

¶52 And the area remained important. The 1935 report to the dean includes “added legal material for Imperial Russia, including the first and second editions of the Russian code of 1649.”<sup>64</sup> The next year, “We were fortunate to add a number of important items to our collection of Russian material dealing with the history and law of the Empire. Among these items are the proceedings of the State Duma; the reports of the Council of State; and a nearly complete collection of the various editions of the Russian codes. One item of importance for the law of the new regime was secured: the official journal of the Soviet Commissariat of Justice.”<sup>65</sup> In 1950, Coffey reported acquiring a fourteen-volume set of the proceedings and researches of the Russian Code Commission of 1899. “Although the proposed code never became law, the research of the commission constitutes one of the most valuable and scholarly studies ever made in any country.”<sup>66</sup>

¶53 Some of the pre-Soviet material in the Michigan collection contains ownership marks showing that it was once part of the Russian Czar’s library in the Winter Palace.

¶54 Another example of material formerly owned by an historically important person is the library’s copy of the *Diario de sesiones* of the Cuban Constitutional Convention, 1900–1901. It is inscribed with the name of Lino D’Ou. D’Ou was a journalist and writer who organized several black societies in Cuba and became a Conservative Party representative from the province of Oriente in 1908. That his copy of the *Diario* came to Michigan in 1954 is ironic, if the description by U.S. authorities of him as someone who hated whites, “particularly Americans,” is correct.<sup>67</sup> D’Ou remained a prominent Afro-Cuban political and intellectual figure until his death in 1939.

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61. Letter from Hobart Coffey, Assistant Law Librarian, University of Michigan Law School Library, to H. Rebecca Wilson, Order Librarian, University of Michigan Law Library (Dec. 17, 1925) (available in Law School Library Records, *supra* note 7, Box 6).
  62. [Hobart Coffey], Report of the Librarian to the Library Committee, 1926–27 (1927) (available in Law School Library Records, *supra* note 7, Box 2).
  63. [Hobart Coffey], Report of Librarian to the Library Committee (Nov. 1928) (available in Law School Library Records, *supra* note 7, Box 2).
  64. [Hobart Coffey], Librarian’s Report to the Dean, 1934–35, at 9 (1935) (available in Law School Library Records, *supra* note 7, Box 2).
  65. [Hobart Coffey], Librarian’s Report to the Dean, 1935–36, at 5 (1936) (available in Law School Library Records, *supra* note 7, Box 2).
  66. Letter from Hobart Coffey, Director, University of Michigan Law School Library, to E. Blythe Stason, Dean, University of Michigan Law School (Apr. 24, 1950) (available in Law School Library Records, *supra* note 7, Directors files).
  67. See ALEJANDRO DE LA FUENTE, A NATION FOR ALL: RACE, INEQUALITY, AND POLITICS IN TWENTIETH CENTURY CUBA 38 (2001).

¶55 The best-documented trip was the one Coffey made to South America in 1950, which also serves as a prime example of the third tool used to build the Michigan collection, developing relationships.

***Developing Relationships***  
*Relationships Abroad*

¶56 The following excerpt from the *Librarian's Report, 1949–50* illustrates the wide range of relationship building during his second trip south of the border. This trip is the best-documented of them all.

My trip to Central and South America had been planned for the winter of 1941–42, but was deferred because of the war and for personal reasons. My trip began with a visit to Havana, Cuba, . . . followed by visits to Haiti, Dominican Republic, Puerto Rico, Venezuela, Trinidad, Brazil, Uruguay, Argentina, Chile, Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala, and Mexico. The only South American countries not visited were Paraguay and Bolivia.

In every country I called on our agents, ironed out difficulties which had accumulated over the years, and arranged for our agents to supply materials relating to the law of their particular country.

In each city visited I went to the second-hand bookstores, picked out what we needed. In each country I visited I tried to do the following:

- Visit the leading law schools, talk with the dean and some of the professors, find out what I could about trends in legal education, publications being brought out by the faculty, new books being published in the country, etc.
- Wherever possible I tried to get our library on the mailing list for free copies of laws, court reports, and journals. In some cases I arranged to send the Michigan Law Review in return.
- In almost every country I contacted some of the leading members of the bar, visited bar association libraries, inspected the libraries of individuals, and called on some public officials.
- Went to bookstores searching for material we could use, and arranged for the shipment of same.
- In every country I went to the National Library and talked with the Director and some of his staff. I also visited every other library of importance, including the American libraries maintained in some countries under the sponsorship of the U.S. Dept. of State. These libraries are often connected with a “cultural relations center,” an institution found in several Latin American countries for the promotion of better understanding between those countries and our own, for teaching English, providing information, etc.

In Cuba, Venezuela, Brazil, Argentina, Chile, Peru, Colombia, and Panama I contacted former students of this Law School, who were of tremendous help to me in arranging for visits to libraries, making appointments, and smoothing the way for visits to public officials, lawyers, and judges. Without the help of these men I should have accomplished far less than I did, especially in view of the limitations on my time.

During the course of my trip I acquired considerable material in the form of gifts from individual or government agencies. Often, material which we had never been able to secure

through correspondence was readily produced when I made a person[al] call. In Colombia a former student, Senor Jose Perdomo, and his uncle, Senor Pedro Escobar, presented me with a collection of Colombian material of considerable value and scope.

For each country visited I carried a list of the important materials which our library already owned and a list of the books which we wanted to acquire. These lists, incidentally, had entailed months of work on the part of Miss Wilson, our Chief Order Librarian, Mrs. Roberts, Chief Bibliographer, and Mrs. Patrick, who did the typing. Without their help my visit would have been of little value.

Most of the materials we were looking for were out of print and, consequently, hard to obtain. The almost complete lack of organization of the book trade in most countries added to the difficulty. While I did succeed in uncovering many of the items needed by contacting individuals or searching in the second-hand stores, it was impossible in a few days time to do the whole job. The only practical arrangement was to find a satisfactory person who would agree to keep hunting for the material on our list and send it to us when found. I am happy to report that I was able to make such an arrangement in every country except Honduras. Material on our want-lists is now coming in from practically every country and will continue to come for a considerable time. Our contacts at the present time are excellent in nearly all countries. Unfortunately, many of these contacts are not with established law book firms (often no such firm exists) but with individuals—public officials, members of the bar, American diplomatic officers, representatives of American companies, etc. These contacts have the bad habit of disappearing after a time—men retire, change their occupation, return to this country, or simply grow weary in well doing. Acquiring materials from Latin American is a matter of eternal vigilance.<sup>68</sup>

¶57 Coffey was less formal when he wrote back to the staff during the trip with observations about individual people and the conditions in each place he visited.<sup>69</sup>

Weather is pleasant, not too hot, glad I brought along my summer clothes. Don't care much for this city! It is *smelly*, terribly over-crowded, and the noisiest place I have ever seen. It is as though all Hell had broken loose. [Havana, January 6, 1950]

Here I am in a beautiful villa on the side of a mountain looking out on the sea. I have the best room and the best food thus far. [Port au Prince, Haiti, January 11, 1950].

Had a devil of a time finding Laurent . . . he looks like de Lawd in green pastures, black as Egypt's night. He used to be in the archives but was thrown out to make room for a political hack. They say he took part of the archives with him, and I suspect he did. Lazy, indifferent, he cannot be moved or pushed. You should see his "store," I'll tell you about it later. [Describes several items purchased from Laurent]. Also included are three or four old things we may be able to use. If not, we'll sell to Harvard at a stiff price. Legal material is so hard to find here that it ought to be worth its weight in gold. Last night I went to the Exposition . . . saw a marvelous bit of voodoo dancing. . . . No one here has heard of the *Revue de droit l'haiti*. The street number you gave is a *shack* with room for two or three

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68. [Hobart Coffey], Librarian's Report, 1949–50, at 1–3 (1950) (available in Law School Library Records, *supra* note 7, Box 1) [hereinafter Librarian's Report, 1949–50].

69. The quotations which follow are all from correspondence sent by Coffey to law library staff from the locations and on the dates indicated (available in Law School Library Records, *supra* note 7, Directors files, Trip to Latin America, January–March 1950).

pigs. . . . This is a country of over 3,000,000, almost all blacks, lazy, shiftless, ignorant (less than 10% can write their names) and woefully poor. . . . [S]tudents rely on books from France. . . . The French is Creole, unintelligible. Only a few black taxi drivers speak English. I suspect they learned it in jail, because they are a gang of thieves. [Port au Prince, Haiti, January 11, 1950]

The hotel is one of the most beautiful I have ever seen. The city is clean, beautiful and quiet. [Ciudad Trujillo, Dominican Republic, January 14, 1950]

Here I am in Caracas, the boomtown of the Americas. The expansion of the city, the construction of new buildings, roads, what not almost passes belief. The city has a gold rush atmosphere, big fortunes being made overnight . . . but I shall probably never return unless I make a fortune in oil. I had two long sessions with Ahrensburg. We must keep him as our agent. . . . He is blue eyed, blond, stocky, grandson of a German professor who came to Caracas and spent his life here in scientific work. He is part German, part English, and the rest Venezuelan, employed by an oil company, a book collector and broker on the side. . . . The high court will be interested in some of our publications in exchange. [Caracas, January 15, 1950]

Arrived in Rio after a long and hard flight from Trinidad. Amazingly beautiful city with a kind, friendly population. Have seen Leyte and shall have another conference with him. He is said to be about the only one in Rio who will do this sort of work. Leyte is a Brazilian, speaks no Spanish or English. We had to talk German. He keeps a good file of what the various libraries lack and when he buys an old library he tries to fill in the gaps in the collections of the various libraries. Beerens is Belgian, as is his wife. They have been in Rio a long time. Brazilians may be able to grasp what you have said in Spanish, but when they reply in Portuguese you are about where you were in the beginning. I have been able to make my way. . . . there are more German-speaking people here than Spanish. Beerens[']s main job is to supply American publications to Brazilians. He is handling Brazilian subscriptions for us and a lot of other libraries, a new venture for him. He says he would rather try to get twenty American periodicals than one Brazilian. For complete sets and back runs we have to rely on Leyte it seems. [January 30, 1950]

I arrived in Sao Paulo late Friday night. . . . Certain institutions and individuals can probably use many of our foreign law duplicates on exchange. . . . hold them until I get back. I have picked up a few ideas on library equipment . . . one is a newspaper rack, better than the makeshift we have now. [January 31, 1950]

Barreiro does not want to handle subscriptions, but will pass on subscription inquiries to the publisher. I can understand his difficulties. Subscriptions are a headache and there is no profit in them in a country like this. . . . The Bibliotheque National is housed in the university, provisionally and has been there 45 years, but a new building is going up. When the library is moved and organized we may hope to get a list of duplicates. . . . In Sao Paulo had a grand visit with Teizera, one of the finest we had at Michigan. . . . At the moment it looks as if Chile might be in a revolution or state of siege by the time I am ready to go. . . . I am well but homesick. [Montevideo, February 3, 1950]

Visits to government agencies in Buenos Aires were not too satisfactory. People are being changed all the time, publications discontinued, etc. Heavy dirty hand of Peron and the light but even dirtier hand of Evita are felt everywhere. . . . I spent much time with Bunge and with some friends of Perriaux. Many lawyers and judges came to see me. I was entertained, too much. I felt I was leaving BA in sheer self-defense. Chile has been almost as

bad. My great problem is how to slip away for a day so that I can avoid eating anything at all. The amount of food that people can consume here passes all belief. Must be some Swedish influence . . . prosperous people are nearly all fat. Santiago is very ugly in the centro, many old buildings are being torn down, the city is damaged by improvements! [Santiago, February 19, 1950]

Am now in Lima. . . Rosay is dead, his store discontinued, and his business in bankruptcy. No use to depend on them. Lib. Internacional is the biggest and most active but the manager is thought to be slippery; have placed our list with Iturriega. Two partners, one a German Jew who came here about 1928. He is well educated, very bright, knows books, and has a great memory and a flair for bibliography. The other partner, Iturriega, is a young Peruvian, a musician and composer, who recently won first prize in Peru and will go to Paris in October. The firm has almost no stock, uses runners who go out and buy. Here as in many other countries, new law books are as much of a problem as old, out of print books, because authors publish their works privately and do not give them to the stores. To get one new book a dealer has to make telephone calls (usually the author has no phone because phones are very scarce here) and then make one or more trips. Don't pay Rosay any more. [Lima, February 28, 1950]

Here in Quito. . . obviously some of my letters never reached their destination. In some countries the postmen take the letters, steam off the stamps, and sell them, imagine! Have seen Chavez and Munoz and shall see them again this afternoon. Munoz is not an old professor, but a comparatively young man, all dressed in black. He speaks as he writes, i.e., at great length, and pays little attention to what I say. He is fascinating, a real scholar, a character. [Quito, March 11, 1950]

¶58 These samples show the effort Coffey put into finding people he trusted to help build the collection from afar.

#### *Relationships within the University*

¶59 In accordance with the Bylaws of the Board of Regents, the law library at Michigan has always been a part of the law school and independent from the university library. The bylaws provide for a Library Council, consisting of the directors of the individual libraries (University, Law, Business, Clements, and Bentley), that meets periodically to coordinate activities.

¶60 For the most part, coordination of collection development between the libraries has involved questions relating to American legal and law-related materials, such as constitutional conventions, criminology, journals of state legislatures, and reports of state commissions. But there was conscious collaboration on some topics related to foreign and international law as well. For example, in response to an inquiry from University Library Director William Warner Bishop, Coffey wrote:

We checked our holdings of treaties using Myers *Manual of Collections of Treaties and of Collections Relating to Treaties*, 1922, indicated our holdings, and where we had something important not on the list, we added to the list. The list is incomplete because treaties get into the statutes, official gazettes, textbooks, and all sorts of places. . . . Our policy has been to rely on the League of Nations Series for most of the treaties made since 1919. We

bought very extensively in this field in an attempt to get together the leading treaty collections prior to the beginning of the League of Nations series.<sup>70</sup>

Later Coffey offered to help the University General Library locate dealers and dispose of duplicates on his Latin American trip.<sup>71</sup>

¶61 In general, though, foreign and comparative law was not the subject of collaborative discussions. A major exception was countries whose language was in a nonroman script and for which there was outside support for “area studies” programs, that is, the nations of Asia and the Middle East. In 1953 Coffey wrote to University Librarian Warner Rice that “our policy for Japan and China is the same as for all other countries . . . to acquire basic materials. . . . We have lagged behind in building up our collections for the Orient . . . [but] still we have made some progress. It is my view that the Law Library should continue to be responsible for the acquisition of Japanese legal materials.”<sup>72</sup> Over time, however, the Asia Library did acquire a great deal of legal material, as did the law library. In 2001, the law library established an “approval plan” by which to acquire secondary material from Japan.

### *Exchanging or Selling Duplicates*

¶62 The value of exchanges (the *Michigan Law Review* was usually the currency from Michigan) in foreign acquisitions is clear from the examples in the previous section. These exchanges meant that the library paid the *Michigan Law Review* for subscriptions to be sent to other institutions, who in turn would send material to the library.

¶63 One result of buying when abroad, from whence Coffey was unable to check existing holdings, was the acquisition of unneeded duplicates. Many gifts were also duplicates. In the 1930s, with the Depression deepening, the sale or exchange of this material was significant. From a 1932 report comes this description:

Duplicates exchanged, free for transportation, or sold totaled 2,475 books and 1,050 periodicals; total amount of money \$2,115.58.

Exchange relations have been established with Michigan State Library, New York State Library, Association of the Bar of the City of New York, Louisville Law Library Co., New York County Lawyers' Association, University of Chicago, University of Illinois, the law libraries of Columbia, Duke, and Yale.

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70. Letter from Hobart Coffey, Law Librarian, University of Michigan Law School, to William Warner Bishop, Director, University of Michigan Library (Mar. 28, 1938) (available in Law School Library Records, *supra* note 7, Directors files 1919–1963, General Library).

71. Letter from Hobart Coffey, Law Librarian, University of Michigan Law School, to Warner Rice, Director, University of Michigan Library (Nov. 4, 1941) (available in Law School Library Records, *supra* note 7, Directors files 1919–1963, General Library).

72. Letter from Hobart Coffey, Law Librarian, University of Michigan Law School, to Warner Rice, Director, University of Michigan Library (Feb. 26, 1953) (available in Law School Library Records, *supra* note 7, Directors files 1919–1963, General Library).

More than half of the duplicates have been sold to such institutions as the Colorado Supreme Court Library, the Cincinnati Law Library Association, the New York County Lawyers' Association, the Iowa State Library, and the law libraries of such universities as Duke, Cornell, Iowa State, New York University, Minnesota, Pennsylvania, Chicago, Indiana, and Yale.

The legal treatises which remained on the first duplicate list were offered to some of the smaller law libraries for the cost of transportation. The law libraries of Howard University, the University of Missouri, the University of Arizona, and the University of Arkansas took advantage of this offer.<sup>73</sup>

¶64 This is only one example. The files reflect a very conscientious effort to find a home for material that was duplicative or out of scope for a law library. However, most of this activity related to domestic rather than foreign or international material. With the exception of offerings from Harvard, exchanges with other libraries were not an important acquisition tool for Michigan's foreign collection. However, exchanges directly with the law schools or other legal institutions of foreign countries were often significant, especially when a country had no established book trade.

### *Gifts*

¶65 Gifts also appear to have been far less important for building the foreign, comparative, and international law collections than they were for the American collection. The collection of domestic law was "composed of a small collection of about 350 volumes donated by Judge Thomas M. Cooley"<sup>74</sup> in 1859 and a gift of almost eight hundred volumes from the Honorable Richard Fletcher in 1866, who was "moved entirely by his admiration for this institution."<sup>75</sup> The collection almost doubled as a result of a gift in 1885 from Christian Buhl who had "carefully selected a complete library of English and American text-books and reports."<sup>76</sup> On the other hand, the librarian's annual reports to the Library Committee or the dean show that most of the foreign collection was acquired by purchasing items from the want lists constructed as described earlier.

¶66 There are important exceptions, however. The annual reports include the number of gift volumes received and describe notable gifts. Those that enhanced the collection beyond the borders of the United States included:

- **1931–1932:** Dartmouth College, sixty-seven volumes of early editions of English treatises.

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73. Duplicates Exchanged and Sold July 1, 1932–June 30, 1933 (n.d.) (available in Law School Library Records, *supra* note 7, Directors files).

74. Coffey, *supra* note 54, at 1397.

75. *Id.* at 1398.

76. Jerome Knowlton, *Christian Buhl*, in *TO WIT* 124 (1894), *quoted in* BROWN, *supra* note 13, at 365.

- **1930–1940:** Over this period, Orla Taylor, an 1887 graduate of the University of Michigan Law School, made several gifts of early law books. The files<sup>77</sup> reveal a classic donor–recipient relationship, in which Taylor offered books to Dean Bates in 1930, suggesting that the books could be placed in display cases in conjunction with construction of the new library. Coffey assessed the value of the proposed gift and concluded “the value of the gift is too slight to warrant us accepting it on the terms Taylor seems to demand.” Coffey cited the cost of the exhibit cases, which would exceed the value of the books; the likelihood of ruining the books by keeping them on permanent exhibit; and the facts that people would cease to pay attention to a permanent exhibit and that the library already owned at least two hundred more valuable volumes. Nevertheless, and probably because of estimates of what Taylor might do for the university later, the library accepted the books and built display cases. In 1932 Taylor gave fourteen early English books and a 1625 Grotius.<sup>78</sup> The next year, he gave “an excellent 15th century manuscript containing a Register of Writs used by lawyers of the period, and in 1940 a copy of Sir J. Fortescue’s *A Learned Commendation of the Politique Lawes of England*, 1599.”<sup>79</sup>
- **1935:** Judge George A. Malcolm of the Supreme Court of the Philippines sold a collection of Philippine material at such a low price it was termed “in the nature of a gift.”<sup>80</sup>
- **1946–1950:** The records of some of the Japanese war crimes trials came as a gift from Col. Edward H. Young of the Judge Advocate General’s Office in 1947. Judge V. C. Swearingen gave records of the trials of German war criminals that year. Two years later, Col. Rowland W. Fixel gave three hundred volumes of transcripts, records, and exhibits in the Japanese war crimes trials, and in 1950 the Office of Chief Counsel for War Crimes gave 415 volumes of Nuremburg war crimes trials records and proceedings. Also that year the library selected 148 volumes from the library of George Melchior, distinguished author and international lawyer in The Hague. The collection was primarily secondary sources, most in German, published from 1900 to 1935 and included five “Treaties of Peace with Germany,” 1919–1920, and five

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77. See Letter from Orla Taylor to Henry Moore Bates, Dean, University of Michigan Law School (Jan. 28, 1930); Letter from Orla Taylor to Henry Moore Bates, Dean, University of Michigan Law School (Mar. 11, 1930); Letter from Henry Moore Bates, Dean, University of Michigan Law School to Hobart Coffey, Law Librarian, University of Michigan Law School (Dec. 29, 1930); Letter from Hobart Coffey, Law Librarian, University of Michigan Law School to Henry Moore Bates, Dean, University of Michigan Law School (Jan. 7, 1931); Letters from Hobart Coffey, Law Librarian, University of Michigan Law School to Orla Taylor (Jan. 7, 28, 1931) (all available in Law School Library Records, *supra* note 7, Directors files, Box 6, Correspondence).

78. [Hobart Coffey], Librarian’s Report, 1931–32, at 5 (1932) (available in Law School Library Records, *supra* note 7, Directors files, Box 2).

79. [Hobart Coffey], Librarian’s Report, 1939–40, at 9 (1940) (available in Law School Library Records, *supra* note 7, Directors files, Box 2).

80. [Hobart Coffey], Librarian’s Report to the Faculty 8 (Nov. 1935) (available in Law School Library Records, *supra* note 7, Directors files, Box 2).

collections of German laws published from 1889 to 1939.<sup>81</sup> Judge Henry M. Butzel gave three volumes called *Microcosm of London*,<sup>82</sup> an original edition with 104 cold aqua plates which Coffey estimated was worth \$1000 in 1949.<sup>83</sup>

- **1950 Latin American trip:** “During the course of my trip I acquired considerable material in the form of gifts from individuals or government agencies. Often, material which we had never been able to secure through correspondence was readily produced when I made a personal call. In Colombia a former student, Jose Perdomo, and his uncle, Pedro Escobar, presented me with a collection of Colombian material of considerable value and scope.”<sup>84</sup>

¶67 By 1947, the librarian reported that “few of the gifts offered or made actually furnish material which we can use. Ninety-nine percent of a lawyer’s library which comes to us is duplicate. We have donated this material to the University of the Philippines and to the devastated libraries of Europe. Large libraries, like large nations, must necessarily help to bear the burdens of the weak.”<sup>85</sup>

### *Special Note: The Impact of World War II*

¶68 The Librarian’s Report for 1940–1941 notes that practically no books or periodicals arrived from continental Europe. In 1941–1942, Coffey notes the increased difficulty of purchasing materials for the library because of the spread of the World War. “A large share of the world is now cut off from us, and transportation restrictions and marine hazards make it difficult to import material, even when it can be purchased.” Nevertheless, “a few items dealing with continental European law were secured from libraries of German refugees.”<sup>86</sup> This statement was accompanied by a list of several hundred volumes from Austria and the Czech Republic. In the library that year, staff inventoried the whole collection for the first time since the move to the Legal Research Building in 1931. Practically all staff participated, and they completed the inventory in little more than two weeks. They found many misshelved volumes, and errors in cataloging were uncovered and corrected. Of the 166,000 volumes, only 181 could not be found. Coffey’s work with policies and records succeeded in avoiding what he had observed at Harvard in 1929, a lack of bibliographic and physical control over the contents of the collection.

¶69 Fear of Japanese and German bombs led the law library to move a large share of its most valuable holdings to the nearly bomb-proof quarters available,

81. Librarian’s Report, 1949–50, *supra* note 68, at 2.

82. *MICROCOSM OF LONDON* (London, T. Bensley, printer, 1808–11?).

83. Letter from Hobart Coffey, Director, University of Michigan Law School Library, to E. Blythe Stason, Dean, University of Michigan Law School (Dec. 8, 1949) (available in Law School Library Records, *supra* note 7, Directors files, Box 2).

84. Librarian’s Report, 1949–50, *supra* note 68, at 3 (“research project—book purchases”).

85. [Hobart Coffey], Librarian’s Report to the Dean, 1946–47, at 4 (1947) (available in Law School Library Records, *supra* note 7, Directors files, Box 1) [hereinafter Librarian’s Report, 1946–47].

86. [Hobart Coffey], Annual Report 1941/42, at 11 (1942) (available in Law School Library Records, *supra* note 7, Box 2).

but the material was not easy to access there. Coffey wrote that, “In doing this, we have exposed it to another hazard, i.e., water. We believe that few libraries in America have been able to safeguard their collections as well as we have.”<sup>87</sup>

¶70 The 1943–1944 report continued the theme of acquisition difficulties and extended that to predictions of continued post-war problems. “No material was received for any part of continental Europe. Material from England declined in volume, but still continued to arrive. . . . We were able to import a large number of books from Latin America, thus fortifying our already strong collection in that field. Visiting scholars from certain South American countries report that our holdings are frequently more complete than those in their own countries.”<sup>88</sup> Coffey went on to predict that “the opening of the European sources of supply will see a mad scramble for the materials available. The supply is bound to be much restricted because of the wholesale destruction of English and European libraries and book houses.”<sup>89</sup>

¶71 However, the lull in acquisitions provided time to take care of the existing foreign law collection. In 1944–1945,

The assistant librarian disposed of 80 years’ stock of duplicate material, including many tons of completely worthless material which was given to the waste-paper drive. The Cataloging Department spent considerable time adding call numbers to catalog cards covering foreign law. Shelf classification of foreign law, so ably planned and carried out by the assistant law librarian, has now been completed. We plan to now classify international law and criminology, and may complete it this fiscal year.<sup>90</sup>

¶72 The 1945–1946 report refers to the resumption of nearly normal acquisitions except from Europe, as well as the return of more students than ever.

¶73 By the 1946–1947 report, books again began to flow from Europe to the United States:

Material in considerable amounts, some of it an accumulation of the war period, has come to us from Spain, Italy, Switzerland, and Holland. Material from France has arrived irregularly and in small quantities. French dealers, in general, showed little inclination to resume business. It seems likely that in countries with unstable or greatly depreciated currencies owners of books prefer to hold tangible property rather than money of uncertain value.

The German situation remains hopeless, as before. Some of the leading book houses, especially those in Leipzig, were completely wiped out in bombing raids. Those not completely destroyed have found it impossible or impracticable to ship us materials. Thus far, there has been no way by which we could make payment for German material that came to us in a roundabout way through friends, Army personnel, etc. Until normal trade relations are resumed, there is little chance that we shall be able to fill in the gaps caused by the war or

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87. *Id.* at 4.

88. [Hobart Coffey], Librarian’s Report, 1943–44, at 2 (1944) (available in Law School Library Records, *supra* note 7, Box 2).

89. *Id.*

90. Librarian’s Report, 1944–45, *supra* note 56, at 2.

to secure the few current works now being published in Germany. Even when normal trade relations are resumed, it is feared that the supply of material available will be very small indeed, and for this supply there will be the keenest competition not only in American but in Germany itself. One great source of supply of scholarly and research materials had always been professors' libraries. Professors' collections have largely disappeared in the last two decades. German libraries which suffered heavily during the war will absorb a large share of the scanty supply of books which may be available.<sup>91</sup>

### The Collection Building Era Comes to an End

¶74 Following the war, the foreign law collections continued to grow, but with more emphasis on the developing intergovernmental organizations and new nations than on retrospective collecting, although that too continued. For example, the 1948–1949 report said:

Our collection of documents continues to increase, especially with the huge addition from the United Nations. The time is fast approaching when we shall have to have the services of a full-time documents librarian who would be responsible not only for the selection and the acquisition of most of our documents but for their cataloging as well. Such an employee could also be of great help on the reference side.

Last year we were fortunate in being able to add a considerable amount of Chinese material which helped in a small way to make up for past neglect. Our collection of material for the Orient has never been strong—a fact that was brought home to us in the last war when such material was needed and we were unable to supply it.

Beginning in the spring of 1949 we have employed a part-time assistant who has knowledge of Russian and a genuine interest in Russian law. This assistant has been checking our holdings and keeping close watch on new Soviet publications. With this sort of help we may in time build up our Soviet collection to a satisfactory level.

A considerable amount of Japanese material has come to us in the past year, largely through an exchange arrangement carried on under the supervision of the occupation authorities. These materials, together with those from China and the Soviet Union, obviously throw an added burden on both the order and catalog departments, particularly because of language difficulties.

During the war years our whole European collection fell into arrears because of the impossibility of obtaining continuations and new works as published. Since the conclusion of hostilities we have been gradually filling in the gaps, and although we still have a long way to go we are able to report a considerable progress.<sup>92</sup>

The report concluded with a long list of journals and primary material, current and retrospective, from Western Europe.

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91. Librarian's Report, 1946–47, *supra* note 85, at 2–3.

92. [Hobart Coffey], Librarian's Report, 1948–49, at 2–4 (1949) (available in Law School Library Records, *supra* note 7, Box 2).

¶75 The next year, 1949–1950, contained affirmation of the collection development policy Coffey supported back in 1928:

Our aim is still to acquire the leading and significant legal materials, first for this country and those countries where the common law prevails . . . and next, . . . for the other important countries of the world. During the past year we have added considerabl[y] to our holdings from Japan, a country hitherto almost unrepresented in our collection. . . . Last year we obtained some very valuable material for Czechoslovakia to bring our collection up to date. . . . As Czechoslovakia passes more and more under the control of the Soviet Union we may expect that the character and trend of the law will change and opportunities for further acquisitions will all but disappear.<sup>93</sup>

¶76 By 1951–1952, Coffey could look back with satisfaction, yet still see room for improvement in the foreign collections:

Our collections for the various European countries have often shown an uneven development. This is due in part to the fact that in building up a library, the librarian is forced to buy in a given year what he can find. Also, when we have had our choice we have tried to acquire first those materials dealing with the law of the more important countries, such as Germany, France, and Italy. Some countries have been almost completely neglected, e.g. the Balkans, Hungary, Finland, and the Near East. Recently we have been able to strengthen some of the weaker sections in our collection. In the past year we have been particularly fortunate in having the aid of a specialist in Slavic materials, Israel Perlstein of New York, who has helped us to fill many gaps in our Russian and Czechoslovakian sections, and has supplied us with many of the fundamental legal source materials for Yugoslavia, a country hitherto almost unrepresented in our library. Altogether we secured for Yugoslavia approximately 350 volumes. Our dealer is at present on a buying trip in the Balkans, and will undoubtedly help us again to complete some of our sets and fill in important gaps. Among the items acquired for the territory now known as Yugoslavia are [followed by a long list of primary and secondary material.]<sup>94</sup>

¶77 In 1957, the Michigan Law Library became the first library in the United States to be designated a depository for publications of the European Coal and Steel Community, one of the predecessors of the present European Union.<sup>95</sup> The library continues in this role to the present. In 2001, the Michigan Law School was honored to become an official European Union Center institution.

¶78 The major work in building the foreign, comparative, and international collections retrospectively was completed by 1960. The director's role remained central, but gradually the primary responsibility for selecting individual titles shifted to reference librarians who were assigned collection development responsibilities for areas of the world congruent with their reference work duties. By the

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93. Librarian's Report, 1949–50, *supra* note 68, at 2 (1950).

94. Librarian's Report, 1951–52, *supra* note 55, at 4.

95. Letter from Leonard B. Tennyson, European Coal and Steel Community Information Office, Washington D.C., to Derek Prag, Information Service, High Authority (Oct. 10, 1957) (obtained from Barbara Sloan, European Union, Washington D.C. office, on file with the author) ("The University of Michigan Law School Library is the first university library with which we have made arrangements for a depository of Community documents.").

time Coffey retired in 1965 he was “more than any other person or group of persons . . . responsible for the fact that the library of [the Michigan] law school is one of the world’s great law libraries.”<sup>96</sup> His successor wrote of him:

His first and primary concern was with building the collection, and the Michigan Law Library today stands as a memorial to his towering achievement. . . . [W]hen he came [the library was about 80,000 volumes], a modest, primarily American collection; [it was] 350,000 in 1965 when he retired, comprising one of the great legal research collections of the world. His interest and special skills ranged widely: he collected early American session laws, as well as the rare volumes of French Coutumes; canon law, as well as anthropology; British Commonwealth materials as well as Indian [Native American] treaties. He brought to bear upon the task of collection-building a keen legal intellect, a broad range of humanist scholarship, including a knowledge of six languages, and a curiosity that remained undiminished until the end.<sup>97</sup>

### Conclusion

¶79 As collection building gradually took less of his time, Hobart Coffey increasingly turned to other activities. He had taught admiralty and domestic relations since the 1930s and this continued; he also taught the part of a law and equity course that dealt with sources of law and using the law library. He wrote several manuals on the use of a law library,<sup>98</sup> two articles for the *Dictionary of American Biography*, half a dozen book reviews, and many articles on law libraries and legal education.<sup>99</sup>

¶80 He was a leader in the library profession beyond the law library world. In 1937–1938, he was chair of the Michigan State Board for Libraries, which had general supervision over the Michigan State Library. In 1949 he was not only the president of the American Association of Law Libraries, he was also president of the Michigan Library Association. From 1938 to 1953, he was originator, president, treasurer, and generally responsible for the Legal Microfilms Association, a nonprofit corporation that began the microfilming of United States Supreme Court records and briefs. Locally, he was a very active member of a cooperative eating club, the Wolverine Cooperative, from 1932 until its dissolution in 1951. In 1940 it was the largest enterprise of its kind in the country, serving five to six hundred dinners each night. He was chair of the Ann Arbor branch of the American Civil

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96. *Hobart Coffey: Memorial Resolution of the University of Michigan Law Faculty*, 68 MICH. L. REV. 627, 627 (1969).

97. Beverley J. Pooley, *In Memory of Hobart R. Coffey*, 63 LAW LIBR. J. 363, 363–364 (1970).

98. *E.g.*, HOBART COFFEY, *THE USE OF THE LAW LIBRARY AND THE PREPARATION OF A CASE* (3d ed. 1941); HOBART COFFEY, *GUIDE TO LEGAL MATERIALS* (2d ed. 1948); HOBART COFFEY, *INTRODUCTION TO THE LEGAL SYSTEM: PROBLEMS IN THE USE OF THE LAW LIBRARY* (1950).

99. *E.g.*, Hobart Coffey, *Method of Handling Continuations at the University of Michigan*, 25 LAW LIBR. J. 27 (1932); Hobart R. Coffey, *The Use of Microfilm in a Law Library*, 31 LAW LIBR. J. 252 (1938); Hobart R. Coffey, *Non-Professional or Sub-Professional Work in Law Libraries*, 39 LAW LIBR. J. 175 (1946).

Liberties Union in 1932 and ran a meeting that spring, in the depths of the Great Depression and unemployment, to discuss what to do about “the recent march of the unemployed in Dearborn, and the shooting of several of the marchers by the Dearborn and Ford Factory police,”<sup>100</sup> and its impact on civil liberties.

¶81 As he reflected on the growth of the Michigan Law Library collection, Coffey himself never failed to give credit to Dean Bates for its development:

A large part of the credit for the development of the Library . . . must go to Dean Henry Bates, who brought to Michigan a genuine appreciation of the value of research material in a library. . . . He showed from the beginning a keen personal interest in the development of the law collection, and saw to it that his colleagues obtained the materials necessary for their research.<sup>101</sup>

As Bates completed his deanship, Coffey’s 1938–1939 report commented that “under the administration and general supervision of our present dean the library has grown from an insignificant collection of about 20,000 to one of 145,000. The library today, both in its collection of materials and in its organization, is one of the outstanding law libraries in the country. It has been a center of research for lawyers, judges, and professors from all parts of the country.”<sup>102</sup>

¶82 William Cook’s gift of buildings and an endowment to support research, York and Sawyer’s design for the inspirational Legal Research Building, Henry Bates’s expansionary view of legal education and legal research, and Hobart Coffey’s superb collection efforts spanning five decades brought reality to what was only a hope in 1934: “To have a collection of law books which will permit scholars to do research work in any field of law, regardless of country or period.”<sup>103</sup>

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100. [Hobart Coffey], Remarks as Chairman, ACLU AAA (?) School (May 11, 1932) (unpublished manuscript) (available in Law School Library Records, *supra* note 7, Directors files 1919–1963).

101. Coffey, *supra* note 54, at 1399.

102. [Hobart Coffey], Librarian’s Report, 1938–39, at 10 (1939) (available in Law School Library Records, *supra* note 7, Box 2).

103. A BOOK OF THE LAW QUADRANGLE AT THE UNIVERSITY OF MICHIGAN, *supra* note 9, at 43.