

Wallace Wilfred Swinburne Breem

13th May 1926 – 12th March 1990

Address given at the Funeral Service, the Temple Church, London on Wednesday 21st March 1990

Wallace Breem, President of the British and Irish Association of Law Librarians, died on 12th March 1990. His funeral was attended by nearly forty fellow law librarians, law booksellers and publishers. The address at the funeral was given by Alex Noel-Tod, a former Chair of the Association. It is reproduced here in place of an obituary.



I feel it is both unusual and typical of the spirit and achievement of Wallace Breem, that I should be standing here to give this address.

Unusual in that before me are many who knew him better and longer as a companion, a colleague, or a friend and would honour him more justly than I can hope to.

Typical in that though I am no longer a new or young member of the British and Irish Association of Law Librarians, I was both those things some eleven years ago when I came to the 10th Annual Conference at Cambridge. There I forced myself on the Chairman's attention with a mixture of ignorant enthusiasm and plain bumptiousness which I cringe to recall. Wallace though was as courteous and interested as ever, and when at one of the receptions he passed me on with an introduction to John Jeffries I was too naïve to appreciate the skill with which he had just sentenced me to nearly ten years' hard labour.

But it was an enjoyable decade, that among its privileges included the friendship of Wallace and Rikki. In that September of 1979 Wallace was not only Chairman of the

Association but also, together with Rikki and others, a hard-pressed organizer of the largest annual conference to that date. It would have been understandable for him to have been less welcoming and attentive to a tiresome newcomer, but with Wallace such a scenario was impossible. And therein lies the typicality.

Though we know Wallace as a distinguished law librarian, with some forty years service to the Inner Temple, the fulfilment of his early ambitions might have made for a very different career. On leaving Westminster School he went to Officers Training School in India from where, in 1945, he was commissioned as a Lieutenant in the Corps of Guides. The Guides hold a supreme and well-justified reputation for excellence, loyalty and skill, earned in that hardest of areas the North West Frontier, where for one hundred and fifty years, as either a regiment of the Indian or Pakistani Army, they have had to keep the peace. That was Wallace's chosen career, but with the 1947 Partition it ended, and it was in 1950 that he joined the staff of the Inner Temple Library.

In 1956 he was appointed Sub-Librarian and in 1965 Librarian and also, at a later date, Keeper of Manuscripts. Wallace was keenly aware of the unique mixture of the historical and contemporary in the custodianship of an Inns of Court library, and, more particularly, of the importance of the difficult, expensive but crucial task of a proper preservation of the historical record. His immense knowledge of the historical bibliography of English law is evident in the clear and unforced style in the *Manual of Law Librarianship* where he wrote on 'Law reports' and 'Historical sources': two fiendishly difficult subjects for exposition. The groundwork for such mastery can be seen in his meticulous bibliographies for English law up to 1800 which he compiled for the first two volumes of the *New Cambridge Bibliography of English Literature*, and, I surmise, such groundwork began to be laid earlier when he assisted Eric Hart, the previous Librarian, in the massive task of reconstructing the war-damaged collections. His title of Keeper of Manuscripts went much further than the custodial responsibilities of the post, as can be seen in the assistance he gave to the production of the printed catalogue of manuscripts, published in 1972.

The obituary by Bruce Coward in *The Independent* gives a full estimation of Wallace's standing as a historical novelist; a peculiarly demanding province of creative writing, risking the double jeopardy of failure of fact and failure of imagination. It is a measure of Wallace's skill that his imaginative depiction of the northern Roman

Empire of Honorius Augustus, and the Mediterranean provinces of Octavian earned him the praise and friendship of fellow novelists Mary Renault and Rosemary Sutcliff. His third novel, *The Leopard and the Cliff*, drew on the historical traditions of his early career, being set in the Afghan War of 1919. The exacting standards of research and re-creation which he set himself in that creative task shine through in the more mundane subjects he addressed as a law librarian. So, for a witty yet perceptive account of the founding years of the Association one can turn to his tribute to Willi Steiner. Or again, the facility of his prose allows him to express truly his constant concern for the recognition, establishment and maintenance of professional standards in his 1972 article 'The obligations of a law librarian'.

Whatever difficulties Wallace struggled with in establishing appropriate professional recognition and funding for the library service of the Inner Temple, he never lost sight of the need for activity at a national level of professional association: to give recognition, respect and credence to arguments that could not be won alone.

Typical of this concern was his seven year chairmanship of BIAL's Working Party on Standards in Law Libraries. The final report included a recommendation that professional staff

'... should be interested in their own self-education, especially in the specific subjects of concern to their readers, and should actively support the professional associations relevant to their work.'

The phrase 'active support' is a feeble description of Wallace Broom's contribution to his professional association. Active even before the founding resolution of April 16th 1969, Wallace combined the offices of Treasurer and Secretary from 1969 to 1976; from 1976 to 1980 he was Chairman, and on his retirement as an officer was elected as the Association's first Vice-President in recognition of his exceptional service. I was delighted that, in 1988, my brief spell in office coincided with the moment to invite Wallace to be President. The privilege of honorary posts is their lack of obligations, but it was typical that Wallace never regarded them so, and not only made himself available for advice and action but also continued to be involved in other demanding administration. During his eleven years as an officer, he had participated in most projects, committees, working parties and other ad hoc groups, as well as writing and talking on law librarianship. I cannot detail here all that contribution or properly convey its value to the life and companionship of the Association. But, as an example, I would instance his involvement with the Association's publishing programme.

Wallace recognized the value of advertisement offered by well-researched, well-written and well-produced publications. He served on the Publications Committee from 1971, and was its chairman for the last eleven years. Together with his authors and editors, he took on the whole range of difficult and protracted negotiations that such publications entailed; always sympathetic, always encouraging. The moment would come at Council when his report was required. Then, with an air of civilized

weariness that cloaked a keen and unflagging attention to detail, Wallace would pick up the bizarre tale of backsliding contributors, distraught editors, evasive publishers, misinformed printers, rising costs and tumbling schedules: the common ailments of such complex bibliographical projects. Future historians of the Association may say, quite rightly, that he was fortunate in the dedication, skill and efficiency of the editors and compilers of such works as the *Manual of Law Librarianship*, the *Index to Legal Essays*, the *Directory of Law Libraries*, of the forthcoming *Bibliography of Commonwealth Law Reports*. But they will miss the point: for who would have disappointed Wallace?

I have mentioned many of his achievements and offices in the Association in a concise way, not only because they are, and will be again, well recorded elsewhere, but also because in themselves they cannot be all that drew us to the generous spirit of Wallace Broom.

Wallace was great fun and glad company, and his imagination allowed him to perceive and express the humour and drama of all kinds of situations, and then to recount it with a sympathy that both entertained and enlightened. He knew the true value of hospitality, whether it was in the splendour of the cocktail bar of the Russell Hotel after a Council meeting, or entertaining with Rikki in cramped student residences at the end of a long conference day. The term 'a character' has acquired a debased value, far from its enriching origins. So an anecdote must do the work:

A small group of us were way up in a tower block of student residences waiting for the lift to take us down to the bar, or somewhere else to forget the rather drab, utilitarian, and rainswept surroundings of that conference. The lift arrived, the doors slid back, and as one we were checked in our stepping forward by the sight of Wallace, calmly resplendent in smoking cap, silk dressing-gown and exotic slippers. Wallace merely greeted us with a look of benign authority that managed to convey the mutual understanding that we were improperly dressed, and, furthermore, were making little serious effort to rise above the conventionality of our surroundings. The journey continued in thoughtful silence.

Wallace's interests encompassed an astonishing variety of subjects, and his knowledge was encyclopedic. As gratefully as I will remember his many contributions to professional topics, there will be an equal fondness in recalling the too infrequent conversations on film history, photography, classical literature and mythology and the history of India.

What little I have managed to say in tribute is inadequate against the sum of what can be said with greater eloquence and authority by many more: be it of Wallace the companion, the friend, the colleague, the encourager, the scholar, the author, the wit and raconteur, the person of a true spirit; or simply the member of our profession always willing to listen and to consider. In short, to observe what Laurence Sterne called the 'small sweet courtesies of life'. And all of us know that through their marriage, and through her assistance in the Library and

her active participation in the Association's affairs, what support and encouragement Wallace found in Rikki.

How then to end? That is my least difficult task for Wallace chose the words himself. He wrote them six years ago in a typically generous tribute to another founder member and President of the Association, who is here today to honour Wallace and who, I am sure, will not mind me repaying these lines to their author.

Wallace wrote in the present tense, and I see no reason to change that, as the achievements and personality of Wallace Breem will remain for all of us a present example and inspiration:

'Like all the best professionals he cares more for the work than its rewards. He wears his learning so very lightly, deploying his talents with deceptive ease as befits the most distinguished member of our profession. His lien upon our affections is unassailable.'

The Coastal & Estuarine Law Database at the University of Hull

David Shaw, M.A., A.L.A.

Assistant Librarian (Law), Brynmor Jones Library, University of Hull

Alison S. McNab, M.A., M.Sc., M.I.Inf.Sc.

Assistant Librarian (Online Services), Brynmor Jones Library, University of Hull

The University of Hull established its interdisciplinary Institute of Estuarine and Coast Studies (IECS) in 1982; the present Director is Dr N. V. Jones. Academic staff from the Departments of Applied Biology, Earth Resources and Law contribute to a research, consultancy and publications programme reflecting the University's expertise in this field.

In February 1986 Graham & Trotman under the auspices of IECS began to publish the *International Journal of Estuarine and Coastal Law* (IJECL). This quarterly journal is edited by David Freestone, Senior Lecturer in Law at Hull, and formerly Adviser, Government of Antigua and Barbuda.

As a result of a Geac library mainframe computer upgrade in the summer of 1988 the Brynmor Jones Library (BJL) at the University of Hull gained additional computing power which enabled it to initiate a significant number of developments in the online provision of bibliographic information available over a campus-wide network and through the Joint Academic Network (JANET)⁽¹⁾. The Library's Information System acts as a host for several locally-produced databases. The Coastal & Estuarine Law Bibliography has recently been added: this lists all articles with named authors published in the

IJECL, and incorporates the Bibliography regularly contributed to the *Journal* by David Shaw, Law Librarian at the University of Hull.

The Coastal & Estuarine Law Bibliography provides an online index to books, pamphlets and periodical articles relevant to the specialist field of estuarine and coastal law. It may be searched by author, title, or keyword. It is hoped to standardize the indexing vocabulary and to produce a brief thesaurus of indexing terms. The database is menu-driven, and updated regularly.

As the Hull Online Public Access Catalogue (OPAC) is available over JANET, UK academic libraries and other subscribers to JANET may access it free. Arrangements can be made for commercial users to have access, if desired, for a fee. One option on the main menu of the OPAC acts as the gateway for accessing several Hull-produced databases including the Coastal & Estuarine Law database.

REFERENCE

- (1) McNab, A. S. From online user to online producer: one academic library's experience. *Online Information '89: proceedings of the 13th international online information meeting*. London: Learned Information, 1989 pp.103-111.

Wallace Breem Memorial Issue



This issue of the *Law Librarian* is dedicated to the memory of Wallace Breem, a much loved and respected friend and colleague, whose death in March 1990 while still working as Librarian and Keeper of Manuscripts at Inner Temple Library was greeted almost with disbelief by those of us who had known him all our professional lives. We could not imagine the world of law librarianship without him.

On a personal note, I regard it as a deep privilege to have known Wallace for almost twenty years, both as a professional colleague and a friend. My first introduction to him and Rikki was at the BIAL Conference held in Liverpool in 1971. He gave a stimulating paper on his perceptions of the current and future role and professionalism of the law librarian. But what I recall most vividly is Wallace pacing the quad between sessions accompanied by Rikki and two Burmese cats on silken leads. His soirees at conferences are legendary and are referred to by others in this issue.

My first job in London in the early seventies was as European Communities Librarian at Middle Temple, with responsibility for providing a collection of material for all four Inns of Court. Wallace was of

enormous support and help in this venture, always supplying encouragement and advice and very generous with his time. One of my enduring memories of those years are of sitting in his office in the Temple and listening to the chiming of that beautiful clock as it rang out, not just the hours, but also the quarter and half hours. In those days, Inner Temple Library became almost a second home, particularly at afternoon tea-time, when Wallace and Rikki, quietly and nobly supported by Adrian Blunt, were always welcoming and pleased to see refugee librarians from the daily rough and tough of dealing with the demands of the Bar.

Barbara Tearle, Don Raistrick, Sheila Doyle and I subsequently worked very closely with Wallace on the Working Party on Standards which involved us all in a huge amount of work. Looking through the minutes, the Committee worked from 1974 to 1981 with Wallace offering help and attempting to revive our sometimes flagging spirits. His meticulous attention to detail, and draft after draft produced in his beautiful handwriting, helped us to complete a task on which none of us would have started had we appreciated at the outset the size of the eventual undertaking. I also served with Wallace on the Publications Committee and was again impressed with his thoroughly professional approach to dealing with publishers and printers, and in negotiating the contents of badly drafted contracts. He was a stimulating speaker, and Executive meetings when he was Chairman were guaranteed not to be tedious.

Wallace was a gentleman. He was always unfailingly polite and courteous both personally and professionally; it was a great pleasure and privilege to have worked with him over the years. We are all the less with his passing.

Memorial Issue

The rationale behind this issue was discussed by Barbara Tearle, the previous editor of the *Law Librarian*, Robert Logan and myself. We agreed that it should contain articles about areas of law librarianship in which Wallace was interested, but written with a strong bibliographical bias. The areas that we came up with included history of law reports; legal history; law and literature; special collections in law libraries and Roman law. We have managed to keep fairly true to this schema with the exception of Roman law, although this is covered to some extent in Paul Norman's article.

Many of the most greatly respected law librarians of our generation have generously agreed to write articles for this issue and I wish to express my thanks to them for all the time and effort they have put into their work. Whilst it may be invidious to single out individuals, Guy Holborn and Sheila Doyle have both

acted well beyond the call of duty in producing magnificently scholarly pieces of work. Guy's article on sources of biographical information on past lawyers really deserves publication as a monograph - publishing it as an article does not really do it justice. It has been decided to publish it in its entirety, as it seemed invidious to attempt to wield the editorial scissors on any of it. It will therefore appear in two parts, the second part to be published in the September issue of the *Law Librarian*. Sheila Doyle went to a great deal of trouble to research her article on "The Barrington Manuscripts: from Durham to the Inner Temple" visiting other libraries and consulting with colleagues and the result is magnificent.

Adrian Blunt, who has been working at Inner Temple for many years, and is now Deputy Librarian, has produced an article in his inimitably clear style on the manuscript collection there.

Peter Clinch has provided a very interesting survey of the reasons for publishing law reports. This article has been extracted from part of the research undertaken for his Ph D thesis and contains a wealth of interesting analysis of the rationales behind law report publishing. It also will be published in two parts with the historical survey appearing in this issue and the material relating to more modern law reports to be published in the September 1992 issue.

John Jeffries expressed a desire to write something which he felt could appeal to Wallace's interests in the profession itself and his article illustrates another facet of Wallace's personality. His infinite capacity to surprise stayed true to form in his contribution, but it should provoke stimulating debate.

Robert Logan has produced a thoroughly professional piece on the Viner Collection in the Bodleian Law Library and Paul Norman has mined the deepest recesses of the Institute of Advanced Legal Studies Library to unearth a few gems. We thus have contributions about two of our leading law libraries. With the publication of a new edition of her classification scheme imminent, Betty Moys has provided a fascinating historical sketch of the evolution of her eponymous scheme.

All the contributors to this issue owe a deep debt of gratitude to Wallace Breem. May his pioneering work continue to influence the younger generation of law librarians. They may not all have known Wallace personally, but they have a great deal to thank him for. Without Wallace's great professionalism, tenacity and generosity, BIAL would not be the strong and influential organisation it is today.

CHRISTINE MISKIN

Contents

Editor's Notes	53
Obituary - Wallace Breem by A.R. Noel-Tod	55
Historical Manuscripts in the Inner Temple Library by Adrian Blunt	57
"To Provide Instruction, Learning and for the Common Good". An Analysis of the Reasons given for Publishing Law Reports: Part I by Peter Clinch	60
The Barrington Manuscripts: from Durham to the Inner Temple by Sheila Doyle	66
Sources of Biographical Information on Past Lawyers: Part 1 by Guy Holborn	75
From Cavalry to Courts - Impressions of Law Librarianship by John Jeffries	91
The Viner Collection at the Bodleian Law Library by Robert Logan	93
History of a Classification Scheme by Elizabeth M. Moys	96
Buried Treasure: Some lesser-known items in the Institute of Advanced Legal Studies by Paul Norman	99
Current Awareness	103
Conference Report	106
Book Reviews	106
Ranfurly Library Service	108
Annual Study Conference 1992	108

Historical Manuscripts in the Inner Temple Library

Adrian Blunt, B.A., A.L.A.
Deputy Librarian, Inner Temple Library

Anyone who has read just one of Wallace Broom's three published novels will be aware how deeply the subject of history stirred his imagination. The aura of history and tradition that pervades the Inns of Court in London must surely have been amongst the attractions for him when he joined the staff of the Inner Temple Library as Assistant Librarian in 1950.

The history of the Inns is certainly a long one. Gray's Inn, Inner Temple and Middle Temple are known to have been in existence by 1388. Lincoln's Inn may possibly be a little younger, but certainly existed by the 1420's (Baker, 1990:183). It can be assumed that each had some sort of rudimentary library at an early stage in its development. At the very beginning the Inn libraries may have consisted of a few volumes locked up in a cupboard or a small room, or perhaps even no more than a reading room without any permanent collection of books. Their evolution into the substantial collections we know today has involved periods of steady growth, the occasional serious setback from fire, war or other misfortune, and from time to time a dramatic leap forward.

The Inner Temple Library is known to have been in existence in one form or another as early as 1505, but the single most important event which set it upon a firm foundation did not occur until 1707. In that year William Petyt, Keeper of the Records in the Tower of London from 1689 to 1706 and Treasurer of the Inner Temple in 1701-2, bequeathed to the Inn his collection of books and manuscripts, together with a sum of £150 for the building or purchase of a new library to house them, and a further £50 to purchase additional books. Within two years the new building was completed and the Inn's first Librarian, Samuel Carter ("a somewhat aged and impecunious barrister of the Inn"), had been appointed. By 1713 Carter had compiled the first known catalogue of the library, and in the same year there is the first record of an annual allocation, initially £20, being made for the purchase of books, at the discretion of the Treasurer and four other Masters of the Bench - in effect the first library committee.

WILLIAM PETYT

William Petyt (1637-1707) was a Yorkshireman, from the village of Storiths near Skipton. He was specially admitted by the Inner Temple in 1664, having been called to the bar not by Inner but by Middle Temple in 1660, and became a Master of the Bench in 1689.

He appears to have been successful at the bar, though not much is known of his practice. He was active in legal and historical research, principally into the history and functions of Parliament, and produced five published works, including *Miscellanea Parliamentaria* (1680), *Lex Parliamentaria* (1690) and the posthumously published *Jus Parliamentarium* (1739).

Petyt was a devoted parliamentarian, and it was following the success of the parliamentary cause in the Great Revolution of 1689 that he was appointed Keeper of Records at the Tower. The bulk of his manuscript collection was probably assembled during the seventeen years that he held that office.

THE PETYT MANUSCRIPTS

Of the five groups of manuscripts that now make up the library's collection, the Petyt manuscripts, rich in legal and historical content, remain the most numerous and the most important. There are 386 volumes. The original bequest comprised only 252 volumes, but a further 134 volumes from a variety of other sources came somehow, mostly in the ensuing forty or fifty years, to be associated with the Petyt press numbers. In the new library built in 1708 to house them the Petyt manuscripts occupied most of the presses from no. 502 to no. 538, and they are still referred to today by those numbers.

Almost half of the manuscripts in the Petyt bequest group are transcripts of Public Records, many, not surprisingly, from the Tower of London, but from a variety of other sources too, including the Rolls Chapel, the Chapter House, Westminster Hall, the Palace of Westminster and from many private collections. To the layman these transcripts may seem less interesting than the original manuscripts in the collection, but their historical importance is considerable. Their range is wide, including Assize Rolls and other judicial records, Chancery records, Exchequer records and various parliamentary and ecclesiastical records. The parliamentary records are particularly extensive. The first Petyt press number (502), for example, is a long series of 83 volumes containing transcripts of the Journals of the House of Commons 1604-24 and 1660-1708.

Some of the original documents from which Petyt made his transcripts no longer exist. Others have deteriorated since Petyt's day to the point where they are now unusable. In such instances the Petyt

transcripts provide the only existing versions or the most accurate versions now available.

However, it is the original documents in the Petyt collection which are most likely to capture the interest and imagination of the non-historian. One small group of volumes comprises medieval chronicles and other popular European works of the time. They include an early 15th century *Polychronicon* of Ralph Higden, a 14th century *Speculum Historiale* of Vincent de Beauvais, and an illuminated *Historia Anglorum* of Roger de Hoveden (modern Howden in what is now North Humberside), which once belonged to the Abbey of Rievaulx and which was probably written in the Durham scriptorium about 1220. Another in this group, a manuscript of Macrobius's *Somnium Scipionis*, beautifully written and illuminated probably in the mid-12th century, is thought to be the oldest manuscript in the library.

Amongst the many legal items are some early collections and abridgments of statutes, including one printed by Machlinia and Lettou c.1481 and others printed by Machlinia c.1484 and 1485. Many other items reflect Petyt's interest in parliament, for example three separate drafts of Henry Elsynge's *Modus Tenendi Parliamentum*, one of which is annotated by John Selden.

One of the most interesting groups of volumes contains holograph letters and other documents mainly from the second half of the sixteenth century, including letters by William Cecil (Lord Burghley), Sir Edward Coke and Sir Christopher Wren, and two letters bearing the signature of Queen Elizabeth I, the familiar elaborately curlicued "Elizabeth R". Perhaps most fascinating of all is a group of documents relating to the royal succession in 1533. These include a letter from Lady Mary, later Queen Mary (written by another but with additions in her own hand), to her brother King Edward VI on 16th May 1533 expressing concern for his health; a draft made in June 1533 in which the dying king, at the instigation of his protector John Dudley, Duke of Northumberland, sets out "my devise for the succession", excluding his sisters Mary and Elizabeth in favour of Northumberland's daughter-in-law Lady Jane Grey; a letter dated 9th July 1533 in which Mary, under signet and sign manual "Jane the Quene", writes to two of her supporters, just a few hours before her arrest and the end of her ten day reign.

Of the 134 "Petyt" volumes which derive from sources other than the Petyt bequest, perhaps the most notable are the fourteen volumes of papers of Sir Martin Wright, a King's Bench judge from 1740 to 1755. There are papers on over a thousand cases heard by the judge during that period, together with precedents, proceedings and notes. These provide much detailed information on the law, legal procedure and machinery of justice of the time. A portrait of Sir Martin Wright hangs near the entrance of the library. Other items amongst these 134 volumes include a

Year Book 10-17 Edward III, and an illuminated manuscript of Walter Hilton's *Scala Perfectionis* dating from the first half of the fifteenth century.

THE BARRINGTON MANUSCRIPTS

The collection of manuscripts associated with the lawyer, antiquarian and polymath the Hon. Daines Barrington (1727-1800) is merely mentioned here for the sake of completeness, since it forms the subject of a separate article in this issue. The Barrington collection itself comprises 57 volumes, but there are a few additional volumes which somehow came to be counted amongst the Petyt collection, and a few insets and loose leaves which are now to be found amongst the Miscellaneous Manuscripts.

RECORDS OF THE INNER TEMPLE

The third group of manuscripts, the Records of the Inner Temple, is the smallest. There are 39 volumes, comprising with a few exceptions records (correspondence, accounts, legal documents etc) relating to the internal affairs of the Inner Temple. They cover the period 1567-1851, with the eighteenth century predominating. The records of widest general interest are probably those which relate to events in 1669 when resistance by the Temple to the encroaching authority of the City of London culminated in a riot.

THE MITFORD MANUSCRIPTS

John Mitford (1748-1830), later Lord Redesdale, was called to the bar by the Inner Temple in 1777, became a Bencher in 1791, and was Treasurer 1795-6. At one time or another in a distinguished career he held the posts of Judge of the Court of Great Sessions of Wales, Chancellor of the County Palatine of Durham, Solicitor General, Attorney General, Speaker of the House of Commons and Lord Chancellor of Ireland. About half of the 79 volumes derive from the collection of Sir Thomas Sewell (Master of the Rolls 1764-1784), and half from Mitford himself. The Sewell volumes consist almost entirely of digests of Chancery causes and decisions. The remaining volumes contain fee books from Mitford's time as counsel, judicial notes as Lord Chancellor of Ireland, and opinions from his period as a law officer. The Mitford manuscripts are a comparatively recent acquisition, having been presented to the library in 1957 by Lord Dulverton.

THE MISCELLANEOUS MANUSCRIPTS

The fifth and final group, largest after the Petyt manuscript, is indeed a very miscellaneous collection of 211 volumes, from a wide variety of different sources. The Miscellaneous Manuscripts are mainly of a legal nature, and include several items of particular interest.

A number of manuscripts relate to the Inn itself, such as a Grace Book of 1505, which was in regular use until the present century, and a volume containing the library catalogues of 1713 (the Carter catalogue), 1715, 1726 and 1733. Many manuscripts were presented or bequeathed by members of the Inn, but some are of entirely unknown origin, including perhaps the most important item in this group, a Year Book for Michaelmas term 26-27 Edward I (1297) believed to be the only copy in existence for the period.

Other notable items include an illuminated late 15th century manuscript of Fitzherbert's *La Graunde Abridgement*; Coke's original draft of his 12th and 13th Reports; several manuscripts of the lawyer, mathematician and writer Francis Maseres; a transcript of the Black Book of the Admiralty made in the reign of Charles II by Thomas Bedford, with annotations by William Scott, Lord Stowell; various manuscripts and papers of Stuart A. Moore and his son H. Stuart Moore relating to their researches in the law of fisheries and the foreshore; and the autograph manuscript dated December 1841 of Samuel Warren's three-decker novel of life at the bar *Ten thousand a year*.

The best known of the Miscellaneous Manuscripts is the set of four mid-15th century illuminated folios presented by Lord Darling (Treasurer 1915), depicting scenes in the Courts of Chancery, King's Bench, Common Pleas and Exchequer. These are the earliest known pictorial representations of the English courts at Westminster, and they are often in demand as illustrations for law and history textbooks. Their vivid colours have been seen several times in recent years on book covers, for example on works by Milsom (1981) (Court of Common Pleas) and Baker (1990) (Court of King's Bench).

THE CONWAY DAVIES CATALOGUE

In 1961 the archivist and palaeographer Dr James Conway Davies was invited to compile a catalogue of the Inner Temple Library manuscripts. The result was a substantial and impressively detailed work in three volumes, published for the Inn by Oxford University Press in 1972. Sadly Dr Davies did not live to see it in print, but the long introduction, the main text, appendices and index had all been completed at the time of his death in 1971. All that was required was

to construct a preface from the notes, correspondence and other material left behind by Dr Davies, and it was Wallace Breem, Librarian since 1965, who took on that task and saw the finished work through the press. Wallace had already assisted in many ways, particularly in the later stages of compilation when Dr Davies was confined to his flat with failing health, and Wallace would take material back and forth from the library for him to work on.

The custodianship of the manuscript collection had been an important aspect of the Librarian's responsibilities ever since the appointment of Samuel Carter in 1709, a fact which Wallace, with an eye on the "Librarian and Keeper of the Records" over at Middle Temple Library, felt should be reflected in the Librarian's title. He believed that the Conway Davies catalogue was a major achievement, and was proud to have played a part in its production. It gave him particular pleasure when, at his request, the Library Committee agreed that the title should be changed. He thus became the first, though eleventh in the line of Librarians which began with Samuel Carter, to bear the designation "Librarian and Keeper of Manuscripts".

REFERENCES

Much of the information in this article has been taken from:

Davies, J. Conway (Ed) (1972). *Catalogue of manuscripts in the Library of the Honourable Society of the Inner Temple*. Oxford: OUP. 3 vols.

Specific references are to:

Baker, J.H. (1990). *Introduction to English legal history*, 3rd ed, London: Butterworths.

Milsom, S.F.C. (1981). *Historical foundations of the common law*, 2nd ed, London: Butterworths.

ADDITIONAL NOTE

A microfilm edition of the whole manuscript collection was published in 1978 by World Microfilms. The current distributor is University Microfilms.

From Cavalry to Courts - Impressions of Law Librarianship

John Jeffries, B.A., Ph. D., F.L.A., F.R.S.A., M.I., Inf. Sc.
Information Services Manager, Wragge & Co

When asked how he came to enter law librarianship, Wallace Broom would answer simply that a friend had told him there were jobs going in the Inner Temple. Perhaps many of us find ourselves where we are today by similar accident. How many can truly claim that it was a dedication to a sense of some professional identity which has guided us, from the outset, towards the achievement of definite career goals? Do we imagine, moreover, that a formal qualification is ticket and passport for a package tour through the business, in which we are absolved from making any of the arrangements for ourselves?

If asked about his education, equally simply, Wallace was inclined to say that he had attended the University of Life. And maybe that is the best fostering mother of all. In Wallace's case this included a commission in the Guides, that most pukka of Indian Army cavalry regiments. He was also a writer of historical novels and much else besides. He knew a very great deal. He achieved a very great deal.

At the time he became one of us, it would be difficult to say that there was a recognised calling of law librarian. We have emerged as a coherent entity - and in this Wallace played a very significant part - so much so that we may forget that there was a time when law librarianship could scarcely be said to exist. Books were books, and the fact that some of them were law books was neither here nor there.

Law librarians, legal information professionals - call them what you will - have this much in common: they are ancillary to the organisations which employ them. Whatever it is which drives an organisation, the provision of information within it is rarely perceived as any more than secondary to the fulfilment of the purposes for which that organisation was established in the first place. The library or information service is most likely to be perceived at best as a support function, and at worst as an administrative overhead. I suggest that this is something we have to change as a piece of very enlightened self-interest. Better for ourselves, better for the organisations in which we work, that it should be recognised that we have a distinctive and valuable contribution to make to the life of those organisations.

Whether something (or someone!) is an administrative overhead or an economy of scale is no more than a difference of view coloured by prevailing economic circumstances. When times are hard and

revenue difficult to come by, the individual perceived as a meaningless functionary who wants secretaries and assistants - some of you may be familiar with this line of reasoning - is under threat. It is probably insufficient to dismiss this as a mixture of prejudice and vindictiveness even though those who express the view must frequently have had a say in the recruitment of the said functionary in the first place. What went wrong if a post perceived as important when times are good becomes entirely dispensable when times are bad? Maybe it was the individual and not the function.

Those who regard themselves as the professionals within an organisation - in our case the lawyers - see themselves also as the owners of the knowledge. Knowledge in this sense being a body of learning which could be set down in writing for all to read (whether or not it was understood) as well as professional expertise acquired subsequently only through experience (that is to say "know how"). This is true whether or not the professionals concerned actually own the business as in the case of equity partners in law firms. In law firms solicitors, whether partners or not, are the possessors and inheritors of the knowledge; in academic institutions the lecturers; in the Inns of Court the barristers, and so on. And all this is hardly surprising because they make their living by what they can claim to know. Their reaction to those who set up their stall alongside them, offering information as a commodity, is frequently as a kitten playing with an insect: not knowing whether it is a danger, a meal or a toy.

As Samuel F Johnson tells us, knowledge is of two kinds: "We know a subject ourselves, or we know where we can find information upon it."

Lawyers may well possess the former. The evidence that they have the latter is rather more slender. What is surprising is the assumption that knowing a subject means that one is sufficiently skilled to find information upon it. Stranger still that it should be supposed that even those whose knowledge of the subject is shaky may still be sufficiently skilled to research it. The art of finding information seems undervalued by those who use it after it has been found. Diamonds may be for ever but information is worthless until it is wanted, when suddenly it becomes priceless. Those who want it care little about what the information miners go through to get it, just so long as they do get it. Well, about as much as we think about coal miners when

we switch on the light.

We can be certain that the ownership of knowledge coincides very closely with the distribution of power within an organisation. In this respect it is interesting to contrast the position of accountants. Once an organisation reaches a certain size, in-house accountancy skills become a necessity. Now accountancy is a strong profession, but accountants in legal organisations - though they will assuredly have more power than librarians - are still comparatively disenfranchised in comparison with lawyers. The prospect of multidisciplinary partnerships becomes an enthralling one, but something tells me that of the professions it might embrace, ours is not one of them. Why is this so?

There was at one time a debate as to the difference between legal information and legal advice. This was very proper. The giving of legal advice is regulated by statute and, more to the point, protected by professional indemnity insurance. When there is professional indemnity insurance for librarians then we shall have really arrived. I can see little point in the librarian trying to steal the lawyer's clothes, and become like him, for several reasons. Organisations with a full complement of lawyers do not need to employ more of them to carry out functions for which a legal qualification is largely irrelevant. Secondly, the process of information gathering is both intuitive and lateral whereas legal work is decidedly vertical in its thinking. Thirdly, library and information services are facilities to be managed and there is little in a legal education which prepares anyone for management. Fourthly, much of the information required to support legal activity has got precious little to do with the law. In law firms, for example, a substantial proportion of the input is in fact business information.

Information is a raw material. It is somewhat more advanced than data. Data only become information when they have the capacity to inform. Value can be added to information by collecting it, organising it and mobilising it in such a way that it assists particular user populations. Knowledge, however, only takes shape inside heads when people think. An unsophisticated point to make perhaps, but it is amazing how often this simple truth is overlooked. I have long been worried by those who imagine that computers, for example, will spare them the necessity of thinking. Knowledge can be said to be provisioned by information and nurtured by thinking. A computer may, or may not, facilitate and expedite the process. In the last analysis, you cannot beat the quiet stir of thought. Where information technology really scores is as a medium of communication. We would do well to remember that our business has got as much to do with communication as custody. I see little future for those who set themselves up as custodians of the great unread and have nothing to communicate.

The situation in which we find ourselves is uncomfortable. I remember the day when I, as the

local conference organiser needed to consult Wallace. He had a problem, or opportunity as they say in the computer business, which he needed to talk about. Earlier, a member of his staff had reported a difficulty with an unidentified person believed to be a bencher. This Master of the Bench had wanted a copy of *Archbold* which was in use by another barrister. Wallace emerged from his office and recognised Lord D. With the courtesy and tact with which we shall always remember him, Wallace said that he was quite prepared to point out the user of the volume, what he was not prepared to do was take the book from him. Whereupon, Lord D marched up to the reader, snatched away the book, saying that he was sure the barrister could make use of the superseded edition. Later, Wallace received a formal complaint from the Treasurer of the Inn that Master D "had been kept waiting". We all of us have to face these kinds of situations. We have developed a kind of Jewish humour of jokes against ourselves. Sometimes, we do not see our users on their best behaviour. There comes a point, however, when you have to make a stand. The sycophantic toady is the sort of person who will get sent out to choose birthday presents for partners' secretaries.

We do have to remember that our clients are as much at the mercy of theirs as we are of them. As a practitioner, though, I mind little what I have to do if people come clean with me. If they have dug themselves a hole, I will make every effort to help them climb out again if they own up. I cannot help bridling if they shout the odds without telling me what the real problem is. Communication is a two-way process. Thus, it is insufficient to complain that they do not communicate with us when we are doing our best. We have to consider how best we can enable them to communicate with us. It is not necessary to be hostile in order to be assertive. Hostility exists within hostile relationships. Working relationships can be founded upon mutual respect.

I have a lot of difficulty categorising tasks as either professional in nature or not - the latter presumably being clerical in nature. I have just as much difficulty categorising an individual as professional or not depending upon formal qualification. If one reviews the work actually being accomplished in a library or information service, it is clear that there are a lot of different skills in use. This is not even to say that there are degrees of skill involved (though there may be). Purely as matters of scale and complexity, in fact, the stage is reached where it is impossible for any individual to have developed all of the skills required by only one organisation.

The conclusion I have reached is that it is not the intrinsic nature of the task which is professional or otherwise but the attitude which the person undertaking the work brings to it - irrespective of the level of skill they might have achieved. Thus, the person holding a formal qualification may well be better placed to undertake work which is held to be

more demanding in nature but it does not, of itself, make that person a professional. It seems to me that there is an element of judgement here which is about assigning priorities, in the light of the needs of those for whom the service is designed, and assessing what is most likely to serve those users.

Lawyers have come to realise that clients actually take their competence to undertake legal work for granted. Aside from anything else, unless they happen to be lawyers themselves, clients have little basis on which to make any appraisal on grounds of competence and little option but to accept it on trust. It is only when things go horribly wrong that questions are likely to be asked. What clients appreciate can be best summed up in one word: commerciality. By this is meant an awareness by the lawyer of the wider needs of the client - the strengths, weaknesses, opportunities and threats in the client's own market place.

We can extend this logic to ourselves. What we do should not be bounded by an appeal to a body of

ideology absorbed in library school but by reference to the needs of our client community. We are likely to find that our capacity to undertake the things we do will be accepted without question. What will be questioned is whether such activities are relevant to the organisations which employ us.

The problem then is ours, and the solution blindingly obvious.

It is striking that lawyers thrive less upon knowing what is set down in the text books than by being able to take a view on what is in the best interests of their clients. This is what we should do. Maybe this is learned as well in the Corps of Guides as in the library schools.

Wallace Breem, late Librarian and Keeper of Manuscripts in the Honourable Society of the Inner Temple - I salute you.

The Viner Collection at the Bodleian Law Library

Robert Logan LL.B., F.L.A.
Acquisitions Librarian, Bodleian Law Library

INTRODUCTION

The personal libraries of notable figures from long ago can provide fascination for historians and bibliographers alike. Few such collections remain extant or traceable in the field of English law but two examples are the legal libraries of Sir Charles Viner (Bodleian Law Library, Oxford) and Sir Edward Coke (deposited on loan at Inner Temple Library from Holkham Hall, Norfolk). This article is concerned with the Viner library but first it is necessary to state the connection which suggested it.

Those who attended the early BIALL conferences will not need reminding that highlights of these occasions were the soirees given by Wallace and Rikki Breem. Wallace as host was generally dressed in something resplendent in the robe line, although on one occasion he affected the natty light suit and dark glasses of an Italian film star. At some point in the evening, or at least the early hours, he would regale the company with his tales. Often these concerned his recent summer holidays in Greece or the background to writing his novels, although on the more risqué occasions the antics of neighbours nicknamed

bangers-and-mash played a prominent part.

One of Wallace's best stories concerned the transfer of the law books from the library of Sir Edward Coke (1552-1634) from Holkham Hall to Inner Temple Library, where they were deposited on long loan. Visitors to Wallace's office, where the 136 volumes were safely housed in a case, could never have guessed at the tribulations behind the transfer. The collection had been catalogued by Bill Hassall (1950:30), a Bodleian man who was also Librarian at Holkham, the seat of the Earls of Leicester. They are direct descendants of Coke. The negotiations leading to the transfer of the books were conducted between Hassall, Wallace Breem and the 5th Earl. The latter was a military man of the old school and prone to many changes of mind. The negotiations did not go smoothly and the accomplishment of the transfer remained in doubt even beyond the point where the books were loaded on to the van.

Coke was a much more distinguished lawyer than Viner and his library has received appropriately more consideration from commentators. Nevertheless in terms of the quality of stock Viner's law library is a