



FROM THE BAG

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Charles C. Soule

*Notes, 1 Legal Bibliography 1 (Jan. 1890)*



# LEGAL BIBLIOGRAPHY

VOLUME 1, NUMBER 12 (JANUARY 1890)

*Charles C. Soule*

A few years ago, we published a little article about the relationship between *Legal Bibliography* (a newsletter started by the bookselling firm of Soule & Bugbee in 1881), and the original *Green Bag* (a law magazine started by Charles Soule on his own) in 1889.<sup>1</sup> The article ended with volume 1, number 11 of *Legal Bibliography*, which was published at about the same time as volume 1, number 1 of the *Green Bag*, in January 1889. The *Green Bag* appeared monthly thereafter, until it folded in 1914. At first it appeared that Legal Bibliography had met its own end with the arrival of the *Green Bag*. But after a one-year hiatus, *Legal Bibliography* was back. Volume 1, number 12 appeared in January 1890, and new issues would appear occasionally thereafter until Soule's death in 1913. He never lost the charming combination of good humor and love of books that showed up on nearly every page of his publications. Consider, for example, that January 1890 issue of *Legal Bibliography*, which is reproduced in its entirety on the next eight pages. You might start in the first column on page 1, with the paragraph headed "Subscription to Leg. Bib."

— *The Editors*

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*Charles Carroll Soule (1842-1913) was a truly bookish person, writing, editing, publishing, buying, selling, and generally living with and in the world of books. He was not a lawyer, but he was deeply involved in the world of law books. And he founded the original Green Bag, bless him!*

<sup>1</sup> Ross E. Davies, *Legal-Bibliographical Roots: Fragments of a Green Bag Origin Story*, 24 *Green Bag* 2d 253 (2021).

# 12 LEG. BIB.

[This is the citation recommended for this periodical, *LEGAL BIBLIOGRAPHY*, which is issued, at very irregular intervals, by The Boston Book Company, successors to Charles C. Soule, 15 1-2 Beacon St., Boston, Mass.]

No. 12.

{ All kinds of law books bought and sold by The Boston }  
Book Company, Boston, Mass. }

January, 1890.

## Notes.

**A Change in Name.**—Since the last issue of *LEGAL BIBLIOGRAPHY*, THE BOSTON BOOK COMPANY has been incorporated, with Charles C. Soule as President; and has acquired Mr. Soule's law-book business. As he will give his whole time to the management of the new corporation, there will be no practical change in the business, except in the direction of greater stability and permanence.

**A Versified Pun.**—This change somewhat qualifies the pertinency of the following verses, received some time since from a correspondent who signs himself "Peter Cloyne." To understand the pun, it is necessary to recall that "Freeman Place Chapel" was formerly a church, occupied at various times by nearly the whole range of religious denominations, from Unitarian to Roman Catholic.

### TO THE VICAR OF FREEMAN PLACE.

The changes and chances of Freeman Place  
Chapel

Have been as diverse as the Poles!  
Of old Emersonian,—so very Socialian,  
Then owing allegiance to Papal Dominion;  
And now, legal authors, from Coke to Quintilian,  
Have changed its "All Saints" to "All Soules."

**Subscription to Leg. Bib.**—The only pay we ask for sending this paper is that the recipient shall send in return to THE BOSTON BOOK CO., 15½ BEACON ST., BOSTON, MASS., an order for books, a subscription to THE GREEN BAG, a request for catalogues of new or second-hand books, or a good new or old legal story to enliven our next number.

**Noteworthy Points.**—In this paper the chief novelties are an advertisement of FOSTER'S FEDERAL PRACTICE, a book to be published Feb. 1, covering especially and thoroughly the Equity Practice of United States Courts; a description of the popular new magazine, THE GREEN BAG, perhaps the most immediately and satisfactorily successful legal periodical ever published in this country; an announcement of the second edition of WIGMORE'S AUSTRALIAN BALLOT SYSTEM, the only book describing this latest of political reforms; and a positively final statement that Chitty's Equity Digest is completed by the issue of the ninth volume.

**Second-Hand Law Books at Low Prices.**—We have just issued (January, 1890) LIST NO. 20: LAST EDITIONS OF TEXT-BOOKS, SECOND-HAND; and LIST NO. 21: SECOND-HAND TEXT-BOOKS NOT OF LAST EDITIONS. These will be mailed without charge to any address on application.

**Legal Portraits.**—If you could get in one volume excellent portraits of nearly a hundred of the leading judges and lawyers of America, would you not jump at the chance? But you *can* get them in Vol. I of THE GREEN BAG (described on another page). Future volumes will contain illustrated articles on the Supreme Courts of the several States. Such a series, if it ever gets "out of print and scarce," would bring twenty-five dollars a volume, or some such fabulous price.

**Graduates of Law Schools.**—All law-school graduates will be interested in the valuable series of articles on the leading American law schools, which has been running through the numbers of THE GREEN BAG for the year 1889. The schools thus described have been Harvard, Boston, Pennsylvania, Columbia (N. Y.), Michigan, Yale, St. Louis, Union (Chicago), Iowa, Buffalo,

Cornell, and San Francisco. A few other schools, the University of Virginia, for instance, and Lebanon (Tenn.), will be treated in some of the numbers of the year 1890. These articles are all illustrated by excellent pictures of buildings and professors, interesting not only to graduates, but to all lawyers familiar with our American system of legal education.

## Bargains.

THE sets named below are offered at the very reasonable prices quoted. In only one or two cases have we more than one set, and we cannot duplicate prices after the sets now in stock are sold.

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SIMON GREENLEAF.

[FROM THE GREEN BAG FOR JANUARY, 1889.]

Address The Boston Book Co. (Charles C. Soule, President), Boston, Mass.



# Legal Bibliography (January 1890)

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THE great practical question in nearly every State, this winter, is on the adoption of the Australian Ballot System. The very satisfactory results which attended its operation in Massachusetts at the fall elections, have renewed public interest elsewhere; and no man who takes a conscientious citizen's interest in politics can afford to remain ignorant of the nature and effect of this latest political reform. Fortunately, there is an inexpensive but thorough little treatise, which traces from its birth the history of the "Australian Ballot," and follows its operation through different countries, down to the laws proposed and adopted in the States of our Union. This treatise is WIGMORE'S AUSTRALIAN BALLOT SYSTEM. It was first printed early in the year 1889, but the reform has since then been the subject of so much discussion and legislation that a new edition was required, and was published in October, 1889. In this new and enlarged edition, the INTRODUCTION gives a history of the origin and growth of the method of secret balloting which has come to be known as "The Australian System." The body of the book includes the Secret Ballot laws adopted as proposed in Massachusetts, Rhode Island, Connecticut, New York, Indiana, Wisconsin, Minnesota, Montana, Missouri, Kentucky, Tennessee, and in other American States. Also in Great Britain, Canada, Quebec, Ontario, Nova Scotia, Manitoba, British Columbia, Northwest Territories, New Zealand, Tasmania, South Australia, Victoria, New South Wales, West Australia, Queensland, and in Belgium, Luxembourg, Norway, Italy, Austria, and other European Countries.

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To the laws thus given in full or summarized, are added Comparative Notes, explaining their accord or difference. The Second Edition also contains additional matter as follows: A Summary of the Legislation and Attempts at Legislation of the Year 1889 on this Subject; A Collection of Judicial Decisions Interpreting the System in Countries where it has been already adopted; Estimates of the Speed and Expense of Voting; Suggestions as to Ballot Leagues; Summary of Party Votes on Ballot Reform, etc.

Every citizen who takes an intelligent interest in politics ought to own and read this treatise, THE ONLY BOOK which covers the subject.

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## Notes.

**Mr. Justice Brewer.**—The January number of THE GREEN BAG will contain an excellent portrait of Hon. David J. Brewer, of Kansas, recently appointed to fill the vacancy in the Supreme Court of the United States.

**Hon. S. D. Thompson.**—The portrait of this eminent legal author and editor—whose features are not so familiar to the profession as his works—will appear as frontispiece in the February number of THE GREEN BAG.

**Jeremiah Mason.**—Have you ever seen a portrait of this famous advocate? So far as we know, none has ever come into print, until the editor of THE GREEN BAG had the oil painting in the State Library, at Concord, N.H., photographed and reproduced in his number for November, 1889. The result is a very attractive picture,—with the combined qualities of an oil painting and a photograph.

**Published when ready.**—In answer to inquiries of some impatient subscribers, we would say that THE GREEN BAG has no regular date of publication. As it eschews everything "useful," it does not need to be brought up to any particular date. When the contributors, and the editor, and the Photogravure Company, and the printer, get things all amicably arranged, each successive number appears, and is mailed,—usually somewhere between the tenth and fifteenth of the month. It is natural for subscribers to feel eager to get hold of their G. B., but we beg them to wait with what patience they can command until it gets along.

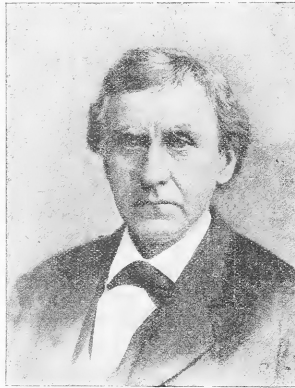
**Good Solid Magazine Reading.**—To thoughtful lawyers who wish to keep informed as to the advanced opinion of their profession, we commend THE LAW QUARTERLY REVIEW of London, England, and THE JUDICIAL REVIEW (also quarterly) of Edinburgh, Scotland. Subscriptions, \$2.75 and \$3.50 respectively; received by THE BOSTON BOOK COMPANY.

**Browne Dom. Rel. New Edition.**—We are just passing through the press THE SECOND REVISED EDITION OF BROWNE'S ELEMENTS OF THE LAW OF DOMESTIC RELATIONS, AND EMPLOYER AND EMPLOYED. As is already well known, this excellent little treatise contains the substance of a course of lectures delivered before the Albany Law School, by Irving Browne (see portrait frontispiece in THE GREEN BAG for December, 1889),—editor of the Albany Law Journal and The American Reports. The price of this edition will be, for leatherette binding, \$2.00 net; for sheep binding, \$2.50 net.

**Executors and Administrators.**—The Second Edition of SCHOULER ON EXECUTORS AND ADMINISTRATORS, called for by the popularity and extensive sale of this purely American treatise on an important topic, was published in 1889. Generally used by lawyers, cited as authority in the courts, characterized by all the well-known accuracy and perspicuity of the learned author, this treatise should stand by the side of his work on WILLS, on the shelves of every lawyer's library.

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HON. GEORGE SHARSWOOD.

[From THE GREEN BAG for March, 1889.]

(FINALLY COMPLETED.)

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The successive English Common-law Digests—Harrison, Fisher, Mews, and the American reprint known as Jacob's Fisher's Digest—contain no equity cases, except a few selected decisions between 1870 and 1880. Whoever has either of these digests, therefore, covers only half the English Reports,—the less important half,—and needs besides, to command the whole range of English law, a good equity digest.

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Every lawyer who has Fisher's Digest, or Jacob's Fisher's Digest, or Mears's Digest, needs Chitty's "Equity Digest" to complete the set.

Every lawyer enlarging his library will do well to buy Chitty's "Equity Digest," as a storehouse of excellent law.

Each volume of CHITTY'S EQUITY DIGEST contains over two thousand large and closely printed columns, equal in all to three or more volumes of our own reports. Although the set contains so much matter, and is so expensive to print, it is offered in America (in sheep or in half calf binding, as the purchaser may elect) for *only Eight Dollars per Volume*,—lower, in proportion to its size and contents, than most of our State and national digests.

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*Price, 7 vols., half law calf, \$56.00 net.*

Supplement to Mews and Chitty, 1883-88.

Just received (December), the volume known in England as **MEWSS CONSOLIDATED DIGEST**, which is a supplement both to CHITTY'S EQUITY DIGEST and MEWSS'S COMMON-LAW DIGEST, bringing them both down from 1883 to 1888.

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*Address The Boston Book Co. (Charles C. Soule, President), Boston, Mass.*

# THE GREEN BAG.

An Illustrated Legal Magazine.  
Refreshing—Entertaining—Stimulating.<sup>1</sup>

*The Green Bag* is a monthly magazine intended to amuse and entertain lawyers.<sup>2</sup> It was started in January, 1889. In finishing the first year of its existence, the Editor and publishers return thanks to the subscribers for their generous praise<sup>3</sup> and support,<sup>4</sup> and are glad to be able to announce that the magazine has been so successful that it is now established on a permanent footing.

*Useless.*—It will be continued on the same plan<sup>5</sup> which has commended it to the legal profession, and will bear upon its cover the same phrase regarding its scope,—"useless, but entertaining." The word "useless" in this connection has aroused critical comment and even indignant protest from friends, who are kind enough to say that *THE GREEN BAG* is eminently useful<sup>6</sup> in the best sense of the term. But "useless" was originally used by the publishers to suggest a protest and reaction against the prevailing avalanche of periodical reports, digests, etc., each of which claims to be more "useful" than its rivals. It was thought that there was room<sup>7</sup> for a magazine which not only did not profess so much,<sup>8</sup> but even confessed itself to be "useless," from the technical case-law point of view. And "useless" in this sense it will continue to be.<sup>9</sup>

*Entertaining.*—As to the word "entertaining,"<sup>10</sup> there seems to be no difference of opinion; and to merit this description in the future as well as in the past, *THE GREEN BAG* will contain original and selected articles in legal history and antiquities, biography, news, gossip, poetry, anecdote, humor, and everything else which might amuse or entertain a lawyer in his hours of relaxation.<sup>11</sup>

*Contributors.*—Among the well-known writers<sup>12</sup> who have contributed original articles during the year 1889 are: Prof. J. B. AMES, M. M. BIGELOW, Hon. L. E. BLACKLEY, IRVING BROWNE, J. W. DONOVAN, Prof. T. W. DWIGHT, C. K. FAY, RUSSELL GRAY, Prof. W. G. HAMMOND, A. A. MARTIN, C. STUART PATTERSON, Prof. H. W. ROGERS, Hon. S. D. THOMPSON, G. M. TOWLE, G. F. TUCKER.

*Attractive Features.*—There have been so many bright and readable articles<sup>13</sup> published during the first year, that it is difficult to select any for especial mention; but perhaps the most interesting features have been the humorous "LEADING CASES IN VERSE," by Irving Browne and Austin A. Martin; the series of intensely interesting "CAUSES CÉLÈBRES," translated or adapted from the French by the Editor; the "LEGAL ANTIQUITIES" and "FACTETTES";<sup>14</sup> and the twelve valuable articles on the LEADING LAW SCHOOLS of the United States, written by instructors or graduates, and handsomely illustrated with portraits of the more prominent professors in each school. The twelve Law Schools thus described are Harvard, Boston, Pennsylvania, Columbia, Michigan, Yale, St. Louis, Union (Chicago), Iowa, Buffalo, Cornell, and San Francisco.

*Illustrations.*—The illustrations form, indeed, the most novel and attractive feature of the new magazine, and the one which has most commended it to popular favor.<sup>15</sup> They are done by the "half-tone process," which gives the softness and lifelike expression of photographs.

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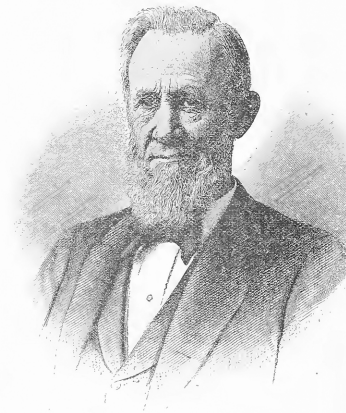
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## THE BALLOON AND THE GARDEN-SAUCE.

GUILLE v. SWAN. (19 Johnson, 381.)

By IRVING BROWNE.

[From THE GREEN BAG for July, 1889.]

[A balloonist, accidentally descending into a vegetable garden, called aloud for help, and a crowd rushed in and trampled and destroyed the growing vegetables. The balloon itself did some damage. Held, that he was liable for the entire damage.]

GUILLE was a man of high ambition,  
He looked down on the grovelling crowds;  
Men seemed to him of low condition,  
His head was mainly in the clouds;  
Above the sordid earth high flying  
On wings of fancy and of thought,  
He sought the cloud-land up there lying;  
In fact, he was an aeronaut.  
Swan was a different sort of fellow,

He rarely looked above the ground;

In products red or green or yellow,

About twelve inches high, he found

An interesting occupation.

With more of profit than of loss;

A very commonplace vocation,—

He cultivated "garden-sauce."

Guille one fine summer day ascended

In Mr. Swan's vicinity,

But long before his course was ended

He fell, like bad divinity;

Like Phaëton, quite madly banging,

Sheer from the sky his car came down,

And o'er the side his body banging

Threatened destruction to his crown.

He landed plump in Swan's smart garden,

The car bumped round with awful din,

He shrieked for help; not begging pardon,

Two hundred rescuers rushed in.

The peckers stamped upon the onions

And turned upside down forlorn;

The mob mixed their unsavory bunsions

With Swan's best article of corn;

They stubbed their toes in his tomatoes,

Disturbed his peas, tossed beans around;

They disinterred his new potatoes,

And deep cumbered all the ground;

His succulent and tender squashes

They squashed with coarse, unfeeling boots,

And with their clumsy, huge galoches

They trampled all his savory roots.

They caught the car, and Guille delivered,

Almost defunct and deadly pale;

But Swan's poor garden-patch was shivered

Like Eden by the serpent's trail.

The plaintiff for this strange infraction

Demanded—which Guille disallowed—

Some fifteen dollars for Guille's action

And seventy dollars for the crowd.

Guille pleaded an aversion rooted

To paying such a bill for roots,

And claimed that Swan should be nonsuited

For joining inconsistent suits.

The judges held the consequences

Might naturally have been inferred,

Should it appear the evidence is

That no request had been preferred;

It was as if he'd sharply beckoned

Unto that curious, gaping throng.

Although of course he had not reckoned

On such a vegetable wrong;

But here there was an invitation

Expressly given to the crowd

By Guille, when in his desperation

He shrieked for succor, long and loud.

So Guille departed sore in feeling,

Forced to "come down" he was once more;

And ne'er again was seen revealing

His favorite tendency to soar.

For para-chutes the courts care little,

Balloonatics no rights enjoy;

But they will not abate a tittle

'Gainst those who garden-shoots destroy.



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