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## Publications of Joseph W. McKnight

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# PUBLICATIONS OF JOSEPH W. M<sup>c</sup>KNIGHT

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## BOOKS

CREDITORS' RIGHTS IN TEXAS (Joseph W. M<sup>c</sup>Knight ed., 1963).

SUPPLEMENTAL CASES AND MATERIALS ON TEXAS MATRIMONIAL PROPERTY LAW (1964).

PROBLEMS IN PROFESSIONAL RESPONSIBILITY (1968).

THE SPANISH ELEMENTS IN MODERN TEXAS LAW (1979).

With WILLIAM A. REPPY, JR., TEXAS MATRIMONIAL PROPERTY LAW (1983).

With WILLIAM A. REPPY, JR., TEXAS MATRIMONIAL PROPERTY LAW (2d ed. 1998).

LEGAL PERSISTENCE AND CHANGE: THE LAW OF SUCCESSION ON THE ANGLO-SPANISH FRONTIER (forthcoming 2002).

## CHAPTERS AND OTHER CONTRIBUTIONS

*The Spanish Watercourses of Texas*, in *ESSAYS IN LEGAL HISTORY IN HONOR OF FELIX FRANKFURTER 373* (MORRIS D. FORKOSCH ed., 1966).

*Community Property—What Is and What Isn't*, in *PROCEEDINGS [OF TEXAS TECH TAX INSTITUTE]* 166 (H. Taylor, ed. 1967).

*Texas Community Property Law—Its Course of Development and Reform*, in *ESSAYS IN THE LAW OF PROPERTY PRESENTED TO CLYDE EMERY 30* (1975).

*Minority and Parental Rights in the United Family: The Relationship of Parent and Child with Particular Reference to the Law of the United States*, in 1 *THE CHILD AND THE LAW* (Frank Bates ed., 1976).

*Interest Laws*, in 3 *DICTIONARY OF AMERICAN HISTORY* 443 (Rev. ed. 1976).

*Community Property Law of Texas*, in *THE HANDBOOK OF TEXAS* 190 (Eldon Stephen Branda ed., Supp. 1976); *Criminal Law*, *id.* 208; *English Law in Texas*, *id.* 280; *Grand Jury in Texas*, *id.* 351; *Homestead Law*, *id.* 403; *Journal of Air Law and Commerce*, *id.* 459; *Jury Trial in Texas*, *id.* 462; *Joseph Banning M<sup>c</sup>Knight*, *id.* 558; *Samuel Ewell M<sup>c</sup>Knight*, *id.* 559; *Anthony Banning Norton*, *id.* 659; *Charles Shirley Potts*, *id.* 750; *Separate Property Law*, *id.* 869; *Southwestern Law Journal*, *id.* 909; *Spanish Law in*

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*Texas*, *id.* 910; *Texas Old Missions and Forts Restoration Association*, *id.* 988.

*Tracings of Texas Legal History: Breaking Ties and Borrowing Traditions*, in CENTENNIAL HISTORY OF THE TEXAS BAR 256 (1981).

GIRLHOODS IN TEXAS IN THE 1850s AND '60s (Joseph W. McKnight ed., 1982).

*How to Deal with Texas Matrimonial Property on Divorce*, in MARJORIE A. O'CONNELL, DIVORCE TAXATION 601 (1983).

*Herbert Pickens Gambrell 1898-1982*, in 1982 PROCEEDINGS OF THE ANNUAL MEETING [OF THE PHILOSOPHICAL SOCIETY OF TEXAS] 66 (1983).

*Creditors' Rights in the Distribution of Marital Property*, in VALUATION AND DISTRIBUTION OF MARITAL PROPERTY 13-1 (1984).

*Legitimation and Adoption on the Anglo-Hispanic Frontier of the United States*, 53 TIJDSCHRIFT VOOR RECHTSGESCHIEDENIS 135 (1985).

*Stephen F. Austin*, in TEXAS ALMANAC AND STATE INDUSTRIAL GUIDE, 1986-1987 137 (1985).

*Spanish Law for the Protection of Surviving Spouses in North America*, in 57 ANUARIO DE HISTORIA DEL DERECHO ESPAÑOL 365 (1987).

*Prefiling Exemption Planning: A National Perspective*, in 2 REPRESENTING DEBTORS IN BANKRUPTCY 3-1 (Joseph J. Norton, Michael J. Rochelle & Peter Franklin III eds., 1988).

*Mexican Roots of the Homestead Law*, in ESTUDIOS JURIDICOS EN HOMENAJE AL MAESTRO GUILLERMO FLORIS MARGADANT 291 (1988).

*Agessilus Wilson Walker, Jr. 1901-1987*, in 198 PROCEEDINGS OF THE ANNUAL MEETING [OF THE PHILOSOPHICAL SOCIETY OF TEXAS] 103 (1989).

*Family Law*, in ENCYCLOPEDIA OF SOUTHERN CULTURE 806 (Charles Reagan Wilson & William Ferris eds., 1989).

*Survival and Decline of the Spanish Law of Descendent Succession on the Anglo-Hispanic Frontier of North America*, in 3 HOMENAJE AL PROFESOR ALFONSO GARCÍA-GALLO 331 (1996).

*Law*, in 4 THE NEW HANDBOOK OF TEXAS 114 (Ron Tyler ed., 1996); *Community Property Law*, in 2 *id.* 252; *Grand Jury*, in 3 *id.* 276; *Homestead Law*, in 3 *id.* 680; *Jury Trial*, in 3 *id.* 1022; *Law Schools*, in 4 *id.* 122; *Joseph Banning McKnight*, in 4 *id.* 423; *Charles Shirley Potts*, in 5 *id.* 302; *Separate Property Law*, in 5 *id.* 976; *Southwestern Law Journal*, in 5 *id.* 1170; *Spanish Law*, in 6 *id.* 6; *Texas Old Missions and Forts Restoration Association*, in 6 *id.* 383.

*Justicia Sin Abogados en la Frontera Hispano-Mexicana del Norte*, in ANUARIO MEXICANO DE HISTORIA DEL DERECHO MEXICANO (Guillermo Floris Margadant ed., 1998).

*The Persistence of the Spanish Law of Succession on the North American Frontier*, in THE COMMUNITY HERITAGE IN THE SPANISH AMERICAS 60 (Harold Benoist ed., 1999).

*The Shifting Focus of Adoption*, in *CRITICAL STUDIES IN ANCIENT LAW, COMPARATIVE LAW AND LEGAL HISTORY* 297 (John W. Cairns & Olivia F. Robinson eds., 2001).

## ARTICLES

*The Spanish Legacy to Texas Law*, 3 *Am. J. Leg. Hist.* 222 (1959).

*The Spanish Influence on the Texas Law of Civil Procedure*, 38 *TEX. L. REV.* 24 (1959).

*Blackstone, Quasi-Jurisprudent*, 13 *Sw. L.J.* 399 (1959).

*Origins of the Cuckoo Law*, *TEXAS OBSERVER*, APR. 2, 1965, AT 5.

*Recodification of Matrimonial Property Law*, 29 *TEX. B.J.* 1000 (1966).

*Matrimonial Property*, *Annual Survey of Texas Law*, 21 *Sw. L.J.* 39 (1967).

*Matrimonial Property*, *Annual Survey of Texas Law*, 22 *Sw. L.J.* 129 (1968).

*Personal Injury as Separate Property—A Legislative History and Analysis of New Article 4615*, *TRIAL LAW. F.*, Sept.-Oct. 1968, at 7.

*Matrimonial Property*, *Annual Survey of Texas Law*, 23 *Sw. L.J.* 44 (1969).

*Family Law*, *Annual Survey of Texas Law*, 24 *Sw. L.J.* 49 (1970).

*Recodification and Reform of the Law of Husband and Wife*, 33 *TEX. B.J.* 34 (1970).

With Louise B. Raggio, *Family Law*, *Annual Survey of Texas Law*, 25 *Sw. L.J.* 34 (1971).

*Matrimonial Property*, *Annual Survey of Texas Law*, 26 *Sw. L.J.* 31 (1972).

*Texas Community Property Law—Its Course of Development and Reform*, 8 *CAL. W.L. REV.* 117 (1971), reprinted in 59 *American Oxonian* 5 (1972) (without notes).

*Modernization of Texas Debtor-Exemption Statutes Short of Constitutional Reform*, 35 *TEX. B.J.* 1137 (1972).

*Matrimonial Property*, *Annual Survey of Texas Law*, 27 *Sw. L.J.* 27 (1973).

*A Century of Development in Texas Law*, 36 *TEX. B.J.* 1051 (1973).

*Family Law*, *Annual Survey of Texas Law*, 28 *Sw. L.J.* 66 (1974).

*Commentary to the Texas Family Code, Title 1*, 5 *TEX. TECH L. REV.* 281 (1974).

*Family Law*, *Annual Survey of Texas Law*, 29 *Sw. L.J.* 67 (1975).

*Family Law*, *Annual Survey of Texas Law*, 30 *Sw. L.J.* 68 (1976).

*Supplementary Commentary on the Texas Family Code, Title 1*, 8 *TEX. TECH L. REV.* 1 (1976).

*Division of Texas Marital Property on Divorce*, 8 *ST. MARY'S L.J.* 413 (1976).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 31 Sw. L.J. 105 (1977).

*The Will of May 19, 1800 of Antonio Gil Ybarbo (1729-1809)*, 8 EL CAMPANARIO 5 (1977).

*Some Historical Observations on Mixed Systems of Law*, 22 JURID. REV. 177 (1977).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 32 Sw. L.J. 109 (1978).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 33 Sw. L.J. 99 (1979).

*The Spanish Symbol for American Dollars*, 10 EL CAMPANARIO 19 (1979).

*The Chapel of Mission San Antonio de Valero—How It Has Looked Over the Years*, 11 EL CAMPANARIO 1 (1980).

With Richard Johnson, *Family Law Column*, TRIAL LAW. F., Oct.-Dec. 1980, at 31.

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 34 Sw. L.J. 115 (1980).

With Robert Edwin Davis, *For Amendment No. 9*, 43 TEX. B.J. 921 (1980).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 35 Sw. L.J. 93 (1981).

*Real Presidio de San Sabá*, 12 EL CAMPANARIO 53 (1981).

*The Constitutional Redefinition of Texas Matrimonial Property as It Affects Antenuptial and Interspousal Transactions*, 13 ST. MARY'S L.J. 449 (1982).

*Commentary to the Texas Family Code, Title 1, as amended*, 13 TEX. TECH L. REV. 611 (1982).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 36 Sw. L.J. 97 (1982).

*Another Early Drawing of the Alamo*, 13 EL CAMPANARIO 1 (Joseph W. McKnight ed., 1982).

*A Journal of Travels Out West* [by] D.R. Woods (editor), 13 EL CAMPANARIO 11 (1982).

*Protection of the Family Home from Seizure by Creditors: The Sources and Evolution of a Legal Principle*, 86 Sw. HIST. Q. 369 (1983).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 37 Sw. L.J. 65-109 (1983).

*Texas Judicial Institutions 1800-1840*, 14 EL CAMPANARIO 1 (1983).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 38 Sw. L.J. 131 (1984).

*A Friendly Contract*, FAM. ADVOC., Winter 1984, at 4.

*Reimbursement for Uncompensated Labor Rendered for a Closely-Held Corporation and Some Other Comments on Jensen v. Jensen*, THE ADVOCATE, Dec. 1984, at 8 (State Bar of Texas Litigation Section).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 39 SW. L.J. 1 (1985).

*Property Code Amendments*, 85-2 ST. B. TEX. FAM. L. SEC. REP. 52 (1985).

*Marion A. Habig 1901-1984*, 16 EL CAMPANARIO 33 (1985).

*Law on the Anglo-Hispanic Frontier*, 16 EL CAMPANARIO 37 (1985).

*The Mix of Anglo-American and Hispanic Legal Doctrine in the Legislation of the Republic of Texas*, 17 EL CAMPANARIO 13 (1986).

*Commentary to the Texas Family Code, Title 1: Husband and Wife*, 17 TEX. TECH L. REV. 1045 (1986).

*Memorandum for the Council of the Family Law Section: Final Discussion of Legislation for Submission to the 60th Legislature, 1967*, 17 TEX. TECH. L. REV. 1345 (1986).

*Commentary to the Texas Homestead Law*, 17 TEX. TECH L. REV. 1307 (1986).

*Commentary to the Matrimonial Property Act of 1967*, 17 TEX. TECH L. REV. 1319 (1986).

*Stephen Austin's Legalistic Concerns*, 89 SW. HIST. Q. 239 (1986).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 40 SW. L.J. 1 (1986).

*Sesquicentennial Observances at Southern Methodist University*, 17 EL CAMPANARIO 27 (1986).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 41 SW. L.J. 1 (1987).

*Legislation Affecting Marital Property Rights*, 87-4 ST. B. TEX. FAM. L. SEC. REP. 57 (1987).

*A Retrospective Assessment of Texas Family Property Law Reform*, 15 COMMUNITY PROP. J. 1 (1988).

*A Note on Henry O. Flipper*, 19 EL CAMPANARIO 2 (1988).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 42 SW. L.J. 1 (1988).

*San Saba Treasure Fever*, 19 EL CAMPANARIO 11 (1988).

*Law Books on the Hispanic Frontier*, 27 JOURNAL OF THE WEST, July 1988, at 74 (reprinted in *SPANISH AND MEXICAN LAND GRANTS AND THE LAW* 74 (Malcolm Ebright ed., 1989)).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 43 SW. L.J. 1 (1989).

*In Tribute: Guillermo Floris Margadant: An Appreciation*, 24 TEX. INT'L L.J. 499 (1989).

*Defining Property Subject to Division at Divorce*, 23 FAM. L.Q. 193 (1989).

*Law Without Lawyers on the Hispano-Mexican Frontier*, 66 W. TEX. HIST. ASS'N Y.B. 51 (1990).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 44 SW. L.J. 1 (1990).

*Commentary to Title 1 of the Texas Family Code*, 21 TEX. TECH L. REV. 911 (1990).

*Texas Family Exemption Laws*, 21 TEX. TECH L. REV. 1121 (1990).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 45 SW. L.J. 415 (1991).

*1991 Amendments to the Personal Property Exemptions*, 91-2 ST. B. TEX. FAM. L. SEC. REP. 41 (1991).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 45 SW. L.J. 1831 (1992).

*Litigating the Profits of Columbus*, 23 EL CAMPANARIO 3 (1992).

*Survival of Spanish Law in North America*, THE BRIEF, Fall 1992, at 2 (Southern Methodist University School of Law).

*Spanish Concepts in the Texas Law of the Family, Succession, and Civil Procedure*, 23 EL CAMPANARIO 9 (1992).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 46 SMU L. REV. 1475 (1993).

*Texas Community Property Law: Conservative Attitudes, Reluctant Change*, 56 LAW & CONTEMP. PROBS., Spring 1993, at 71.

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 47 SMU L. REV. 1161 (1994).

*The Mysteries of Spanish Surnames*, 25 EL CAMPANARIO 13 (1994).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 48 SMU L. REV. 1225 (1995).

*Spanish Legitim in the United States—Its Survival and Decline*, 44 AM. J. COMP. L. 75 (1996).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 49 SMU L. REV. 1015 (1996).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 50 SMU L. REV. 1189 (1997).

*Eugene L. Smith 1933-1997, An Appreciation of His Achievements in 1997-4 ST. B. TEX. FAM. L. SEC. REP. 1 (1997).*

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 51 SMU L. REV. 1047 (1998).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 52 SMU L. REV. 1143 (1999).

*Family Law: Husband and Wife, Annual Survey of Texas Law*, 53 SMU L. REV. 995 (2000).

#### LEGISLATION

Principal Drafter: *Tex. Matrimonial Prop. Act*, 60th Leg., R.S., ch. 309, 1967 Tex. Gen. Laws 735.

Principal Drafter: *TEX. ANTIQUITIES CODE*, 61st Leg., 2d C.S., ch. 2, 1969 Tex. Gen. Laws 98.

Principal Drafter: *TEX. FAM. CODE*, Title 1, 61st Leg., R.S., ch. 888, 1969 Tex. Gen. Laws 2707.

Principal Drafter: *Tex. Debtor-Exemption Reform Act*, 63d Leg., R.S., ch. 588, 1973 *Tex. Gen. Laws* 1627.

Principal Drafter: *TEX. FAM. CODE*, Title 1, Amendments Act, 64th Leg., R.S., ch. 254, 1975 *Tex. Gen. Laws* 619.

Principal Drafter: *TEX. FAM. CODE*, Title 1, Amendments Act, 66th Leg., R.S., ch. 193, 1979 *Tex. Gen. Laws* 421.

Principal Drafter: *TEX. CONST.*, art. XVI, § 15, *Tex. H.J. Res.* 54, 66th Leg., R.S., 1979 *Tex. Gen. Laws* 3227.

Principal Drafter: *Tex. Fam. Code Property Amendments Act*, 67th Leg., R.S., ch. 782, 1981 *Tex. Gen. Laws* 2964.

Drafter: Amendment to *TEXAS ANTIQUITIES CODE*, 67th Leg., R.S., 1981 *Tex. Gen. Laws* 959.

Principal Drafter: *TEX. CONST.*, art. XVI, § 51, *Tex. H.J. Res.* 105, 68th Leg., R.S., 1983 *Tex. Gen. Laws* 6724.

Principal Drafter: *TEX. PROP. CODE*, Ch. 41, 69th Leg., R.S., ch. 840, 1981 *Tex. Gen. Laws* 2906.

Principal Drafter: Amendment to *TEX. CONST.*, art. XVI, § 15, *Tex. S.J. Res.* 35, 70th Leg., R.S., 1987 *Tex. Gen. Laws* 4114.

Initial Drafter: *Abandoned Shipwreck Act of 1987*, *Pub. L. No.* 100-298, 102 *Stat.* 432 (1988).

Principal Drafter: Amendments to *TEXAS PROP. CODE*, § 42, 72nd Leg., R.S., ch. 175, 1991 *Tex. Gen. Laws* 789.

#### BOOK REVIEWS

Review of Four Books on Matrimonial Property Law, 11 *Sw. L.J.* 272 (1957).

Review of Two Volumes of English Medieval Writs and Charters, 2 *AM. J. LEGAL HIST.* 360 (1958).

Review of EHRlich's *BLACKSTONE*, 13 *Sw. L.J.* 392 (1959).

Review of BETTY EAKLE DOBKINS, *THE SPANISH ELEMENT IN TEXAS WATER LAW*, 46 *MISS. VAL. HIST. REV.* 710 (1960).

Review of G.O. SAYLES, *SELECT CASES IN THE COURT OF KING'S BENCH: EDWARD III (VOL. V)*, 108 *U. PA. L. REV.* 934 (1960).

Review of RALPH A. GIESEY, *THE JURISTIC BASIS OF DYNASTIC RIGHT TO THE FRENCH THRONE*, 22 *LA. L. REV.* 896 (1962).

Review of WALTER F. MURPHY & C. HERMAN PRITCHETT EDs., *COURTS, JUDGES AND POLITICS: AN INTRODUCTION TO THE JUDICIAL PROCESS*, 43 *Sw. Soc. Q.* 72 (1962).

Review of JAMES R. CAMERON, *FREDERICK WILLIAM MAITLAND AND THE HISTORY OF ENGLISH LAW*, 16 *Sw. L.J.* 540 (1962).

Review of GLEN G. MORGAN, *SOVIET ADMINISTRATIVE LEGALITY*, 9 *VILL. L. REV.* 184 (1963).

Review of WILLIAM M. KUNSTLER, . . . AND JUSTICE FOR ALL, 44 *Sw. Soc. S.Q.* 416 (1964).



*Spain's Farthest Advance on Texas Frontier*, 50 SW. REV. 315 (1965) (book review).

"*He Will Plot Wherever He Is*," 50 SW. REV. 418 (1965) (book review).

*Normans for Lawyers*, 21 SW. L.J. 880 (1967) (book review).

Review of WILLIAM O. HUIE, TEXAS CASES AND MATERIALS ON THE LAW OF MARITAL PROPERTY RIGHTS, 46 TEX. L. REV. 297 (1967).

Review of VERN COUNTRYMAN & TED FINMAN, THE LAWYER IN MODERN SOCIETY, 41 S. CAL. L. REV. 215 (1967).

*English Law and Legislation in the Eleventh and Twelfth Centuries*, 22 SW. L.J. 704 (1968) (book review).

*Santa Anna's Texas Campaign*, 54 SW. REV. 98 (1969) (book review).

Review of LESLIE BETHELL, ABOLITION OF THE BRAZILIAN SLAVE TRADE: BRITAIN, BRAZIL AND THE SLAVE TRADE QUESTION: 1807-1869, 3 J. MAR. L. & COMM. 201 (1971).

Review of LESLIE BETHELL, THE ABOLITION OF THE BRAZILIAN SLAVE TRADE: BRITAIN, BRAZIL AND THE SLAVE TRADE QUESTION, 1807-1869, 65 AM. J. INT'L L. 663 (1971).

Review of FELIX D. ALMARAZ, JR., CROSSROAD OF EMPIRE, 10 EL CAMPANARIO 17 (1979).

Review of ALAN WATSON, THE MAKING OF THE CIVIL LAW, 28 AM. J. LEGAL HIST. 86 (1984).

Review of MORRIS S. ARNOLD, UNEQUAL LAWS UNTO A SAVAGE RACE: EUROPEAN LEGAL TRADITIONS IN ARKANSAS, 1686-1836, 4 LAW & HIST. REV. 480 (1986).

*Initial Exploration of the Gulf of Mexico*, review of ROBERT S. WEDDLE, SPANISH SEA, 18 EL CAMPANARIO 1 (1987).

Review of RICHARD KILBOURNE, JR., A HISTORY OF THE LOUISIANA CIVIL CODE: THE FORMATIVE YEARS, 1803-1839, 8 LAW & HIST. REV. 309 (1990).

Review of DAVID J. LANGUM, LAW AND COMMUNITY ON THE MEXICAN CALIFORNIA FRONTIER, 34 AM. J. LEGAL HIST. 71 (1990).

Review of ALEXANDRA PARMA COOK & NOBLE DAVID COOK, GOOD FAITH AND TRUTHFUL IGNORANCE, A CASE OF TRANSATLANTIC BIGAMY, 36 AM. J. LEGAL HIST. 385 (1992).

Review of CHARLES R. CUTTER, THE LEGAL CULTURE OF NORTHERN NEW SPAIN, 1700-1810, 9 W. LEGAL HIST. 255 (1996).

# Articles

