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Joseph W. McKnight: Antiquarian Law Book Collector *Extraordinaire*

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JOSEPH W. McKNIGHT:
ANTIQUARIAN LAW BOOK COLLECTOR
EXTRAORDINAIRE

*Gregory Ivy**

HERE in the Underwood Law Library's Charles O. Galvin Rare Book Room sit I surrounded by more than 6,000 antiquarian law books collected by Professor McKnight.¹ Several predate Columbus's voyages to the Americas. Almost all are leather-bound, making the room a decidedly romantic space. This, naturally, is a paradise for historians and librarians, but who possibly could be uninspired in such a setting?

At Professor McKnight's death, his was the largest collection of antiquarian law books owned by an individual anywhere. English barrister Anthony Taussig's collection was larger, but Yale University had purchased it in 2013.

What motivated Professor McKnight to acquire and preserve so many antiquarian law books? Primarily, it was his need to consult them constantly for his research, writing, and teaching. This point deserves emphasis: Professor McKnight and his students *used* his books. But there were additional motives, including the thrill of the hunt and the gratification of acquiring long-sought items that filled important gaps. Professor McKnight delighted in poring over catalogs of bookdealers and auction houses, and relished the steady stream of shipping boxes that arrived, usually from Europe. And of course Professor McKnight received tremendous satisfaction from building a collection that would survive him and benefit future scholars, just as he had benefitted from libraries throughout his life.

Most volumes in what we now formally call the McKnight Antiquarian Book Collection pre-date the year 1800, and a very large proportion of those are in Latin. Knowledgeable visitors to the Galvin Rare Book Room frequently comment on the books' generally excellent condition, which is unusual for books that are centuries old. In addition to collecting books, Professor McKnight devoted countless time and talent to repairing and conserving them.

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1. Despite having known Professor McKnight for 26 years, I could never bring myself to address him as "Joe," even though he invited me to do so. I refrain from doing so here therefor.

Professor McKnight was by nature an antiquarian, which fed his desire to surround himself with old objects at home and at work. This at least partially explained his old-fashioned elegant manners and why he always wore a suit and tie—*always*.

During the last twenty or so years Professor McKnight taught at SMU, the Galvin Rare Book Room became his de facto office. He visited his very large office in Storey Hall only rarely; why leave paradise? He taught his legal history courses in the Galvin Rare Book Room, which surely heightened his students' appreciation of the subject. He probably would have taught other courses there, but the room's limited seating was a constraint.

Virtually all English-language antiquarian books are available electronically today, but most of Professor McKnight's books are not. At the time of this writing, a major legal publisher has expressed interest in digitizing Professor McKnight's collection. Professor McKnight never participated in the digital world and would not have fully appreciated its ramifications. But he would have been delighted to think of others worldwide consulting his books, since scholarship is the sharing of information. Professor McKnight always generously shared both his books and his thoughts.

With an eye to the future, Professor McKnight left two brief accounts of his book collecting, written when he was in his eighties. An amalgamation is reproduced below; I add a few explanatory footnotes.

I miss Professor McKnight every day. His absence diminishes the joy of my work.

THE MCKNIGHT HISTORICAL COLLECTION

Professor Joseph W. McKnight

My collection of books on legal history and its bibliographic sources (as distinguished from a more mundane collection housed in my office in Storey Hall) was generated by my interest in legal history as a law student. My first acquisition was the third and last edition of *Coke on Littleton* (1633), which I found on the floor of a bookshop on The Turl² in Oxford in the spring of 1948. I paid £ 3/10³ for it at a time that the pound was pegged at \$4. The floors of bookshops have continued to be sources of my acquisitions. Sometime in the early '80s I spotted a very fine 1604 edition of the Roman *Corpus Juris* on the floor of Francis Edwards' bookshop in London, and after brief bargaining with John Rees, it was mine for £200.

Since the mid-'80s the price of antiquarian books has risen very significantly. Though this example is certainly not typical, it illustrates the point. In 1983 Mimi⁴ and I made our first visit to the shop of M. Magis in Paris. I told him of my interests, and he steered us through his impressive stock to Bourdout de Richebourg's 1724 edition of *Le Nouveaux Coutumier*

2. A reference to Turl Street in central Oxford.

3. Three British pounds and ten shillings.

4. Mildred Payne "Mimi" Aldredge McKnight, wife of Professor McKnight.

General (4 vols. in folio) and said that if I was “*really interested*” in having a set of books that would satisfy many of my described interests, I should buy this set. He asked 8000 FRF⁵ for it, and I silently calculated the equivalent in U.S. dollars and came up with roughly \$850. Mimi and I conferred briefly, and I said I would take it. It has been enormously useful. Although I have reviewed many book-catalogues that I have since received, I do not remember having seen that set for sale. Sometime in 2004, however, I noted that a French bookseller had the set for sale at 12,000 Euro, or nearly \$17,000. At that price I could not have been tempted even if our collection was without it, and I was immensely pleased that I had bought it when the price was seemingly affordable.

In its more or less completed condition, my collection has been built to provide sources for my research. As the great libraries that then and now hold most of the books I need are far away and reluctant to lend their books by mail, my response was to acquire the sources that I could find and afford. A number of volumes of the School’s library had been purchased at my recommendation in the preceding thirty years, and I had made several gifts to that collection as well as cleaning and restoring a great number of the library’s books that were on hand when I joined the faculty in 1955. But I could not satisfy my needs by relying on what was then at hand, and over the last twenty-five years or so, I have very consciously built a collection to supplement the holdings of the Law School’s library on which I generally rely for sources. As it now stands, my collection housed in the Law School’s library numbers about 6,000 volumes comprising about the same number of titles.

My efforts at serious acquisitions of legal sources began about 1984 when we had begun to make regular summer trips to England and the continent. It was a propitious time for book collecting as the market was large and the prices were reasonable. At that time I was doing a good deal of work on European law, especially Spanish law, and my acquisitions followed my scholarly needs.

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It occurred to me in the ’80s when I was doing a significant amount of legal consulting that I could buy books for my historical research with the projects of my law practice and thereby to feed my academic needs with the proceeds of legal practice. Now that the supply of antiquarian books on the market has dwindled, my needs are fortunately much reduced, as the prices have increased with the dwindling of supply.

As it has grown, my collection has developed two notable strengths in continental law: local customary law and the published opinions of lawyers. In the former category, books on French and Spanish customary law are the most notable, but our holding of customs of the Low Countries and Italian local ordinances are also significant. In making these acqui-

5. French francs.

tions, catalogues on these subjects published by the Library of Congress have been particularly helpful. Though our collection does not by any means duplicate the holdings of the Library of Congress in these subjects, we have a number of volumes that are not included in the collection of the national library.

The second area of my collection's particular strengths is my accumulation of *consilia*, the published opinions of European lawyers. This is a source of law that began to be published as manuscripts in thirteenth century: with names, dates, and other facts of substances just as they were rendered to clients and to courts and later published by lawyers and their heirs. These published opinions were often cited as authoritative by continental courts and by later lawyers in rendering later opinions. These works not only supply significant insights into the law as practiced on the continent from the thirteenth through the eighteenth century but also supply well-reasoned commentaries on legal principles as they were dealt with at the time. The Library of Congress's catalogue of its collection of these legal sources has also been tremendously helpful in assembling my collection.

Holes in my collection should also be mentioned. Because my own ability does not stretch to a reading knowledge of German and Dutch, works in those vernaculars are notably missing. But many legal works of German and Dutch scholars are in Latin as are many of the pre-nineteenth century works on French, Swiss, Spanish, and Portuguese law. Collections of *consilia* are almost always in Latin. I have also tried to acquire as much early Western European judicial case-law as has been available. My largest collection (and that most useful to me) is the decisions of the Papal courts, which tended to be far more concerned (in volumes, at least) with secular rather than canonical subject matter. The Papal high court was certainly the most respected court on the European continent as its bench was made up wholly of well-trained lawyers, a few of whom later became popes.

My collection of British and American works are somewhat smaller than those of Italy and France, mainly because the Law School's library is well stocked with most of the principal legal works in English. My collection of works in English has now reached the point that there are relatively few additional sources that I need for my research beyond those that I have and those in the University's libraries.

As for finding-aids, my holdings and some of those of the University libraries are searchable in twelve boxes of 3" by 5" cards of geographical regions arranged alphabetically by author or compiler, or subject matter in those instances when the identity of the author or compiler is not supplied. Over several years online catalogues of my collection have also been in course of preparation for eventual additions to that of the Law Library, and the catalogue of works in English are already there. The additions comprise the Italian, French, Spanish (including Spanish Amer-

ican), and Portuguese collections. Similar online catalogues for the German, Low Countries, and Miscellaneous works will be compiled.

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In 1985 during the Christmas holiday I was operated for cancer, quite a serious thing but one that I comfortably survived. While I was recuperating in the hospital, I somehow began thinking of making some repairs on books as I had continued to do over the years in a most amateurish way. I mentioned to Mimi that I would really like to know something about the anatomy of books and book restoration and wondered how I might learn. She suggested that I call the Craft Guild of Dallas of which I had never heard apart from some casual remarks of Helen DeGolyer. When I was up and around in early '86, I got in touch with the Craft Guild of Dallas then located on Midbury Road where I found a very active program in craft instruction including bookbinding classes in which a beginner could enroll along with others much more advanced. My teacher was Don Halsey for whom I developed a great deal of respect and a long friendship. Don taught me a great deal about the anatomy of a book and how to assemble its component parts professionally and artfully. After I had bound a blank book, I chose as my first real challenge in restoration a book of poetry my mother had used at boarding school. This job involved complete disbinding, repair of the great majority of leaves (1200 pp. or so), resewing the leaves, and then rebinding the whole. It was a tremendous job, and I gave the completed book to my son Adair as a Christmas present. I hope never to put in so much work on so small a book again though I have certainly put in as much time on restoring large books, which also present the added problems of size and weight in shifting them about during every phase of repair. Such a job was restoring *Guiliem De Testamentis Benoit* (1544), which I had bought from Christian Verbeke with a collapsed (and hence very concave) spine. We finally hit upon the device of sewing long metal screws on to the raised bands in order to keep them in a convex shape. By the time that the binding was put on I was immensely proud of it and still am.

Over the last twenty years I have studied with a number of teachers: Jan and Jarmila Swaboda, Sally Key, Catherine Burkhard, Catherine Levine, David Lawrence, and a number of others who have conducted one-day workshops. Over the period of over twenty years I have restored hundreds and perhaps thousands of books including many already in the law library before I began to do my larger accumulation of sources. Some of these restorations have merely involved thorough cleaning as well as minor repairs, but I now rarely undertake anything less than complete restoration unless cleaning is all that is called for.

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Though I have bought some books in dealers' shops, the great majority have been acquired from dealers' catalogues in England, Scotland,

Belgium, The Netherlands, Denmark, Germany, Italy, Austria, Spain, France, and the United States. During the last few years, one of my principal sources has been the auction market, by mail or on the internet, or there at a fixed price. At the Birmingham Law Society sale at Bonham's, Bryan Garner and I were represented by an agent, my old friend John Keffer who lives in London. That effort produced wonderful results, and I wish that I had had more money to spend at the time. Over the last few years I have also acquired a number of antique maps to be framed and hung in the library so that the places mentioned in the books can be easily located. Shelf space in the library's rare book room has been greatly expanded to provide adequate space for proper shelving. It is in this room that I now commonly work. Keeping the card catalogue current takes a good deal of my time, and in my daily work, I frequently find books in the collection which as a result of oversight still require cataloguing. This sort of work is now modestly less pressing, as acquisitions are relatively fewer. I have already bought most of what I need and fewer books are now on the market that I need for my research.