

2-2006

## Museletter: February 2006

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# Museletter

**THIS ISSUE:**

<i>What's In an Old Lawyer's Attic</i>	1
<i>Pro se</i>	3
<i>Citation Questions</i>	4

**Spring Break Hours**

March 3  
8:00a.m. - 5:00 p.m.

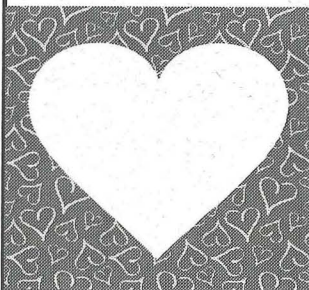
March 4  
Closed

March 5  
1:00 p.m.— 5:00 p.m.

March 6—10  
8:30 a.m. - 5:00 p.m.

March 11  
Closed

March 12  
2:00 p.m.— 1:00 a.m.



**WHAT'S IN AN OLD LAWYER'S ATTIC?**

**John R. Barden**



**JOHN T. WASSOM**  
WYTHEVILLE, VIRGINIA  
Bluefield College; Secretary-Treasurer,  
Intermediate Class; Student Bar  
Council, '40-41; Member, Virginia  
State Bar.

John Thurston “Sparky” Wassom, who studied at the University of Richmond School of Law from 1939 to 1941, died on January 15, 2006. After his admission to the Virginia State Bar in 1941, he served for 43 years as superintendent of claims for a large insurance company.

Several years ago, Mr. Wassom invited the Muse Law Library to send someone to visit him to examine the contents of his attic. Like many attorneys, he had a love for old law books and had accumulated stacks of volumes that he had transferred to storage when he retired. The Library’s collection manager and I went over to his Richmond home one day and clambered up the collapsible ladder into the low attic. Mr. Wassom climbed up after us and sat to one side, punctuating our

examination of the attic’s contents with reminiscences about life at the Law School under Dean Doubles in the last years before World War II made such a change in the lives of these young men.

That day we emptied Mr. Wassom’s attic of nearly three hundred volumes, ranging from the first published reports of the Virginia Court of Appeals (1798) to Mr. Wassom’s own class notes from his Law School days. As we examined the books, we looked for signatures of prior owners, a clue to the books’ own history. A few of these people have merited some mention in the history books: Thomas A. R. Nelson, for example, was a Tennessee Unionist congressman and state supreme court justice who served as counsel to President Andrew Johnson during his impeachment trial. George Kimbrough Anderson, later a member of the 1901-02 Virginia Convention and judge, acquired a volume of *Virginia Reports* early in his career, while serving as commonwealth’s attorney for Louisa County. Gustavus A. Wingfield served in the Constitutional Convention of 1850-51, later as President of the Special Court of Appeals, and for many more years as a state court judge.

*Continued on page 2*

*Continued from page 1*

However, many of the names are no longer traceable without digging very deep into the documentary record: who was R. C. Kent, who penned his name to a number of *Virginia Reports* volumes in 1853? J. L. Gleaves, 1888? J. H. Stuart? College of William and Mary Library? (How did *that* get in there!?)

The range of books reflects the working tools of prior generations of Virginia lawyers. Row after row of *Virginia Reports*; Virginia Acts of Assembly from the Civil War (both the Richmond legislature and the Unionist body sitting in Wheeling, on the Ohio River); some of the earliest codes of Virginia laws, including two copies of Pleasants' Collection of 1803; practice materials such as Hening's Virginia Justice (1825), Mayo's Guide (1850), Robinson's Practice of Equity (1832-35), and the very first edition of Shepard's Virginia Citations (1913).

Mr. Wassom's Law School notebooks look very strange to modern eyes. Protocol called for class notes to be taken in bound volumes of ruled paper, divided into wide columns for study notes and annotations. Nevertheless, there's something very familiar looking (and comforting) in the fact that certain passages are underlined in red and marked "Rule" and "IMPORTANT," suggesting that the techniques of mastering legal arcana have not changed all that much over time.

The Muse Law Library benefits from the generosity of people like Mr. Wassom. The volumes that he donated have found a home in the Law Library's special collections or have been passed on to other libraries in need of those materials. They serve to connect the Law Library and its users to a long tradition of Virginia legal history and legal education.

EXTRA CREDIT:

*Mr. Wassom's class notes included a copy of Professor Doubles's Contracts I exam for the Fall 1939 semester (notice that fall exams were taken in January back then). How would you have done on the second question?*

330

UNIVERSITY OF RICHMOND LAW SCHOOL

CONTRACTS I Examination

January 27, 1940.

Professor Doubles

II. Under a city ordinance, any property owner on Elm Street who wished to object to the laying of street car tracks on Elm Street, must file his objection on or before June 1, 1939. X, the only property owner who was preparing to object, contracted with Y that he would not do so. X then wrote to Z, a property owner on Elm Street, on March 1, 1939: "If you pay me \$50, I promise not to object to the laying of street car tracks on Elm Street." Z replied immediately: "Replying to yours of March 1, 1939, I promise to pay you the \$50 on June 2, 1939, if you refrain from objecting." X did not file an objection. Z refuses to pay. Can X recover \$50 from Z? Discuss.

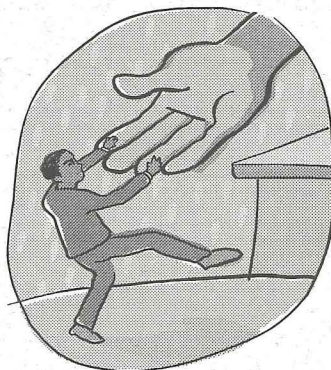
**Pro Se/ praw siy, pro say/  
A non-lawyer representing oneself in court without retaining a lawyer.**

The Library has two significant groups of public patrons: (1) students from high schools or other colleges and universities and (2) pro se patrons. While we are a private institution, we also have the only significant non-court law collection in the Richmond area and we are a Government Depository. Recognizing the University's desire to serve the community as well as the responsibilities conferred by the Depository status, this Library has chosen to provide public access to our collection; however, with that decision also comes a responsibility.

Pro se patrons are patrons with no legal training attempting to represent themselves in a legal action. They have a particular and generally pressing need for the type of materials in our collection. They have real legal matters for which they need answers. They are welcome to use any aspect of our collection within the Library. However, the level of assistance we, as librarians, may provide such patrons is restricted by the concept of the unauthorized practice of law and the inappropriateness of establishing an attorney-client relationship in a library setting.

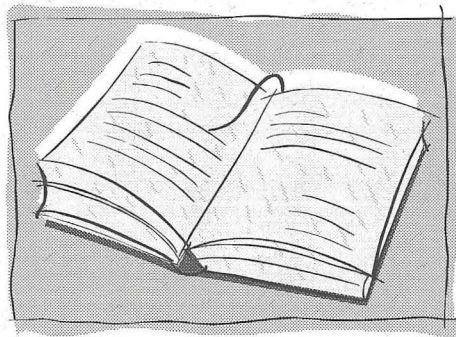
The Virginia State Bar has issued an unauthorized practice of law opinion on the provisions of legal research services which takes an extremely restrictive view of the level of assistance a non-lawyer may give to another non-lawyer. While many may sympathize with the plight of the non-law educated patrons, you must reflect upon the need to use caution and to consider the legal implications of your actions. You must also recognize that to our public and pro se patrons our students and librarians are an authority. As such, they may and do rely upon what is told them, even if you do not know enough about their situation to provide full and accurate advice.

Good intentions are not sufficient. Please remember that no help is better than wrong or incomplete help. If you are approached by a patron, please refer them to a reference librarian. The reference librarians have the training to help them within the limitations of the law.



## Citation Questions?

So what happens when the *Bluebook* lets you down? It is that elusive reference that requires a citation, yet no help is found in the *Bluebook*. No example of a way to cite the source, no analogous example? Do not fret. There is an alternative to the *Bluebook*. *Bieber's Dictionary of Legal Citations* by Mary Miles Prince acts as a companion to the *Bluebook* augmenting it and offering a wider variety of examples of citations to legal authorities. Hundreds of examples are arranged in alphabetical order by the full title of the work to be cited offering a quick method of access. One caveat; however, the 6th edition of *Bieber's* references the older 17th edition of the *Bluebook* rather than the newly released 18th edition.



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