Legal History: Research & Resources

March 5, 2014 11:30 a.m.

Toni Aiello, Reference Librarian

Handouts:

* Sample student Note: Kelly Elizabeth Phillips, Marriage and Redemption: Mormon Polygamy in the Congressional Imagination, 1862-1867, 95 Va. L. Rev. 435 (2009). This Note discusses a historical topic with a limited focus, anti-polygamy legislation during the Civil War Period, and includes social and political factors that may have influenced this legislation as well as primary source legislative documents. Footnotes for Congressional debates, bills, reports and Acts; other document collections; archived papers; books; journal articles; and newspaper articles may be helpful for research or citation purposes.
* Legal History: Research & Resources (selected key sources and sample searches)

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* **Research Guide** and **Law Library web site**
* [Research Guide: Legal History & Historical Research](http://libguides.law.hofstra.edu/legalhistory)—Getting Started section and tabs
* Law Library website: Online Resources by Subject: [History/Legal History](http://law.hofstra.edu/academics/library/research/online/index.cfm?conf=22)
* In Research Guide, under “Selected Books” tab, select: *Cambridge History of Law in America* (2008); Link to Library catalog record. CONTENTS: … v. 2 (The Long Nineteenth Century)—Slavery, Antislavery, and the coming of the Civil War/Ariela Gross; …v. 3 (The Twentieth Century and After (1920-))—Making Law Making War, Making America/Mary L. Dudziak
* [Online catalog (LEXICAT)](http://libweb.hofstra.edu/search/Y)—finding a good background, a good book on your specific topic, and more (Congressional reports, hearings, videos)
  + Search: film censorship
  + 102 results (sorted by relevance)
  + Select: *The Miracle Case: Film Censorship and the Supreme Court*/Laura Wittern-Keller
  + Note: CONTENTS; SUMMARY
  + Select: *Freedom of the Screen [electronic resource]: Legal Challenges to State Film Censorship, 1915-1981.* (eBook)
  + SUBJECT: Motion pictures -- Law and legislation -- United States
* **Finding Other Primary and Secondary Sources for a Research Paper**
* Congressional documents: ProQuest Congressional (legislative histories; specific documents)
  + Helpful features: Sessions of Congress; glossary; explanation of terms
  + Individual documents back to 1790; legislative histories from 1970 –
  + If you need help using it, ask a reference librarian
* Congressional documents: HeinOnline (U.S. Federal Congressional Documents and U.S. Federal Legislative History libraries)
* Congressional documents (1875 and earlier): A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1875 (Library of Congress digital collection)
* Supreme Court case records and briefs: Making of Modern Law: Supreme Court Records and Briefs, 1832-1978
  + Joseph Burstyn, Inc. v. Wilson (1952 movie censorship case involving the showing (in New York) of The Miracle, a Roberto Rossellini film)
  + Basic Search: Burstyn [case name]
  + Result—9 documents, including amicus briefs
* Historical American law treatises: Making of Modern Law: Legal Treatises 1800 – 1926.
* Example: American treatises on the law of slavery, antebellum period
* Limit to: Treatises on American Law; Search: slavery
* Default: results sorted by “date, ascending” (oldest first)
* 9th title: Wheeler, Jacob D. *A Practical Treatise on the Law of Slavery: being a compilation of all the decisions made on that subject, in the several courts of the United States and State Courts...* New York, 1837.
* Multidisciplinary scholarly articles on historical topics: JSTOR
* Select: Advanced search
* Check disciplines: African American Studies, American Studies, History, Law
* Search: “slave law” AND jurisprudence [full text]
* Results: 257
* Select: #23—*The Federal “Posse Comitatus” Doctrine: Slavery, Compulsion, and Statecraft in Mid-Nineteenth-Century* America/Gautham Rao, Law and History Review (2008)
* Papers and forthcoming journal articles—new and recent scholarship: SSRN
* Search: Hirabayashi
* Select: #1—*Hirabayashi: The Biggest Lie of the Greatest Generation, UNC Legal Studies Research Paper* (2008)
* History web sites: Famous Trials, History Matters (primary documents, sources and links)
  + Sample: Famous Trials—Celia: A Slave Trial (main page) Dred Scott Trial (“Other Famous Trials” link at bottom of main page)
* Constitutional jurisprudence topics (additional recommended source): ***The Jurisprudence of United States Constitutional Interpretation: an annotated bibliography /* Shelley L. Dowling. (2d ed., 2010)** [KF4546.A1 D69 2010](http://libweb.hofstra.edu/search%7ES3?/cKF4546.A1+D69+2010/ckf+4546+a1+d69+2010/-3,-1,,E/browse)

WANT TO DISCUSS YOUR TOPIC OR SPECIFIC REOURCES?

Meetings with Toni Aiello can be arranged by appointment, Tuesday – Friday, 9-5

Contact Toni: email: [toni.aiello@hofstra.edu](mailto:toni.aiello@hofstra.edu) (Law Library, Room 100G); 516-463-7808