



# Osgoode Hall Law School Library Balfour Halévy Special Collections Collection Development Policy March 2017

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## Introduction

The Osgoode Hall Law Library is the largest single collection of books on and related to Canadian law. The Library’s Balfour Halévy Special Collections form the historical core of the collection. As such, the Osgoode Special Collections are not just a research resource for Osgoode Hall Law School and the wider Canadian legal community, but a national treasure.

The Balfour Halévy Special Collections, housed in the John R. Cartwright Rare Book Room, support the curriculum and teaching and learning activities of Osgoode Hall Law School, as well as research in law, legal history and related fields by students and faculty of Osgoode Hall Law School and York University. The collections are also intended as a resource to be used by students and researchers from the Canadian legal academy and the scholarly community worldwide. The collections support an exhibition program, other outreach activities, and digital initiatives.

The Rare Book Room houses materials that require special handling because of their age, rarity, condition, monetary value, or special research value. The Special Collections include not only early but also modern printed books as well as manuscripts. Indeed, the preservation role of the Osgoode Special Collections is as important as its role in supporting research.

# 1. General Criteria for Inclusion in the Special Collections

- All materials from the Osgoode Hall Law School Library published prior to 1901 (ie, all materials published in 1900 or earlier) will be kept in the Library's Balfour Halévy Special Collections in the John R. Cartwright Rare Book Room.
  - i. Allowance is already being made to change this date to publications prior to 1921. This change will be made when staffing and budget permit.
  
- Additionally, any materials published post-1901 but meeting the following criteria will be considered for inclusion in Special Collections:
  - i. Publications of exceptionally high cost or value;
  - ii. Rare publications, of which few documented copies remain in circulation;
  - iii. Publications emanating from a private press or produced in a limited edition;
  - iv. Publications with fine bindings or other exceptional bibliographical characteristics of inherent value or meriting special handling and consideration;
  - v. Publications with especially significant illustrations, where there's a chance the illustrations might be removed or damaged;
  - vi. Publications with a strong association value or significant provenance; examples of this type of collection are:
    - The Bibliothèque du Parlement Collection;
    - The Jarvis-Irving Collection;
    - The set of law reports from the law office of Sir John A MacDonald;
  - vii. Works with significant or meaningful autograph annotations;
  - viii. Works with significant dedications or inscriptions by or to a prominent Canadian legal figure.
    - As a rule, simple inscriptions "with the author's regards" will not qualify a book for such consideration. The dedication or inscription, or the dedicatee or inscriber, must be of some significance.

## 2. Special Criteria

- **Legal Classics:** The Library actively collects publications of special significance in the history of the Anglo-American common law tradition, such as:
  - i. Year books;
  - ii. Early English law reports and digests;
  - iii. First and early editions of important or significant legal works from the Anglo-American legal tradition, and of works on topics relating to areas of

research relevant to Osgoode faculty, as enumerated in the Library's general Collection Development Policy.

iv. Civil law texts, in French or English

- Acquisition is automatic if published in Canada (Quebec)
- Texts from the outside Canada are considered for inclusion on the grounds of provenance, association or other special relevance.

- **Named Collections:** The Library develops and maintains the following named Special Collections. [Note: The designation "active" means the collection is being actively developed and we continue to look for and acquire materials to add to it. The designation "static" means that the collection is fixed and not being added to, though items relevant items would be acquired if they were to become available.]

i. **Bibliothèque du Parlement** (static)

- A collection of 19th-century French civil law texts, published in France and Belgium, donated to Osgoode by the Library of Parliament of Canada; the collection played a major role in researching and drafting federal civil law policy and legislation in Canada until the late 20th Century.
- All volumes have the tradition French law binding, with the distinctive binding beaver stamp of the Library of Parliament.

ii. **Broadsides** (active)

- A collection of single-sheet publications, often oversize, such as but not restricted to:
  - a. Wanted posters;
  - b. Court registers and calendars;
  - c. Public legal advertisements and notices;
  - d. Single-sheet newspapers (special editions).

iii. **Canada Law Book Collection** (active)

- A collection documenting the publishing history of Canada Law Book, Canada's oldest law publisher, 1855-2010; the aim of the collection is to acquire and archive at least one copy of every book (exclusive of serial publications) published by Canada Law Book from its founding in 1855 until its sale to Thomson Reuters in 2010.

iv. **Canadian Legal Fiction Collection** (active)

- A collection of works of popular fiction by members of the Canadian legal profession or documenting the legal system or trial process in Canada, including popular crime works.

- Works are collection in all available editions.
- v. **Falconbridge Collection** (static)
- A collection of law books that belonged to John Delatre Falconbridge (1875-1968), Dean of Osgoode from 1923 to 1948 – Osgoode’s longest-serving dean. Many of the books contain his personal notes and annotations relating to his teaching and research activities.
- vi. **Jarvis-Irving Collection** (static)
- This is a collection of law books that belonged to Samuel Peters Jarvis (1792-1857) and subsequently to Sir Aemilius Irving (1823-1913), providing rare insight into the law books available to a practising lawyer in Upper Canada.
  - Similar collections may be added in the future if they become available.
- vii. **Justice of the Peace Manuals** (active)
- A collection of JP manuals, primarily 18th- and 19th century, English and Canadian, reflective of the importance of justices of the peace in the early administration of justice in Canada.
- viii. **Legal Ephemera** (active)
- Objects and memorabilia, not restricted to print, often of a short-term and popular nature, relating to Osgoode or to legal education in Ontario.
- ix. **Manuscripts** (active)
- A collection of manuscript materials of all types, including but not restricted only to the following examples:
    - a. Student notebooks (eg, of Cecil Wright);
    - b. Course notes (eg. from Cecil Wright and Charles Smalley-Baker);
    - c. Commonplace books;
    - d. Autograph albums;
    - e. Correspondence.
- x. **Osgoode Hall Law School Archives** (active)
- A collection of archival materials relating to student life and administration at the School, both before and after its association with York University, including but not restricted to the following examples:
    - a. Faculty and student publications, eg *Obiter Dicta*, *Osgoode Hall Law Journal*, etc;
    - b. Minutes of committees and societies at the school;

- c. Course syllabi;
  - d. Student yearbooks;
  - e. Alumni publications.
- xi. **Osgoode Society** (active)
  - A collection of all books and other materials published by or on behalf of the Osgoode Society for Canadian Legal History, in all available formats and editions.
- xii. **Osgoodiana** (active)
  - The Library will collect and keep one copy of each publication authored, co-authored, edited or co-edited by a member of Osgoode faculty.
  - The collection does not include copies of works to which an Osgoode faculty member or members have contributed a chapter.
- xiii. **Pamphlets** (active)
  - Legal and law-related publications in small format, often only a few pages, requiring special storage and handling.
- xiv. **Trials** (active)
  - This is a collection of published accounts of trials, whether court transcripts, verbatim reports or observer-reported accounts, whether professional or prepared for the popular press. These accounts provide invaluable insights into historical legal and social issues of the times in which the trials occurred.
  - Our collection of trials is large and important, ranging from the 17th to the 20th Centuries. It is especially strong in 18th- and 19th-century British trials, especially but not limited to criminal trials, and we continue to acquire these materials, with lesser emphasis on American trials from the same period. However, our first priority, as with all our collections, is to have a copy of every Canadian trial account published prior to 1920.

### **3. Access to the Special Collections**

- **Physical Access to the Collections**
  - i. Because of their age, rarity, condition and value, it is necessary that the Balfour Halévy Special Collections be housed in a secure facility with environmental controls separate from the main library. These preservation,

environmental and security requirements are provided by the custom-built John R. Cartwright Rare Book Room, a separate library within the Osgoode Hall Law School Library.

- ii. All items in the Balfour Halévy Special Collections are fully catalogued and can be discovered through the York University Libraries online public access catalogue.
- iii. Access to the stacks area of the Cartwright Rare Book Room is restricted to members of the Osgoode Library staff. Readers wishing to access any of the materials in the Special Collections must apply online. Access to the Reading Room is by appointment only, and all readers must be supervised by a member of the Osgoode Library staff while in the Room. Rules regarding use of the Special Collections and the Reading Room are posted on the Osgoode Library's website.

- **Alternative (Virtual) Access to the Collections**

- i. Given the value of the Special Collections as both a research resource and a national asset, and in view of the necessary restrictions on physical access, the Library will make every effort to provide alternative and specifically digital means of access to items in the collections, when available, through the online public access catalogue (OPAC).
  - If existing digital copies of any materials can be identified, a link will be provided to the digital copy from the record for the print item in the OPAC.
  - While many commercial collections of digitized historical legal publications are available (eg, *Legal Classics Library* on HeinOnline, ProQuest's *The Making of Modern Law*) and are subscribed to by the Library, open access sources such as the Internet Archive and Hathi Trust are preferred in all cases and for all materials.
  - The Osgoode Library and the Chief Law Librarian will actively pursue opportunities for funding and partners to digitize items in the Osgoode Special Collections that are otherwise not available in digital format.

Last revised: 11 March 2017 by Louis Miranda