Perry (ed.): Sources of Our Liberties

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The span of thought, time and space between Runnymede on the Thames, in the reign of King John, and Philadelphia in the time of George Washington, may be measured by twenty-three documents, beginning with the Magna Carta and ending with the Constitution of the United States. The American Bar Foundation, the research affiliate of the American Bar Association, has presented in a chronological and climactic fashion the texts of the twenty-three drafts in one volume, Sources of Our Liberties. The editor of this important collection, Attorney Richard L. Perry of the District of Columbia Bar, has placed each document into its own historical perspective with a neat and well annotated introduction. A partial list of these major landmarks in our nation’s organic law is as follows: The Mayflower Compact, 1620; The Abolition of the Star Chamber, 1614; The Habeas Corpus Act, 1679; The Bill of Rights, 1689; The Resolutions of the Stamp Act Congress, 1765; The Declaration of Independence, 1776; and The Northwest Ordinance, 1787. Though all of the drafts are united by the common theme of individual liberty, they represent a wide variety of forms: royal charters, parliamentary acts and petitions, private compacts, colonial ordinances and corporate charters.

The Committee on American Citizenship of the American Bar Association recommended to the American Bar Foundation the re-examination of the more significant documents which foreshadowed the Constitution; the subject of this review is the result of that recommendation. Through this volume, the American Bar Association has exemplified its professional maturity, by looking beyond the welfare of its own members to the common good of the community at large.

It is recommended that this volume be made widely accessible to all citizens, particularly to students, through school libraries and other institutions. It would serve as an excellent textbook for a course in American legal history, because its selected bibliography and footnotes provide ample collateral reference material. To the lawyer, who is entrusted in a special fiduciary capacity with the custody of our individual liberties, this work is particularly recommended.

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The first item in this volume is a letter written by Mr. Justice Joseph Story of Massachusetts in which he tells the story of his life up to the time of his appointment as an Associate Justice of the United States Supreme Court in 1811. The last item is his last will and testament. In between is an edited collection of source materials in the form of letters, articles and reprints intended to present the Justice’s role in the unfolding of the country’s political and legal history. The compilers of this source material attempt to present all facets in the life of this versatile man. In attempting to present all they present too little.

A succession of letters and articles by the jurist, his contemporaries, and modern legal scholars illustrates his career as student, lawyer, state legislator, member of Congress, poet, law professor, author, drafter of legislation, jurist, and correspondent. He corresponded with important legal figures throughout