Bibliography of *The Pennsylvania Constitution: A Treatise on Rights and Liberties*

by

Ken Gormley, Principal Editor;
Joy G. McNally, Associate Editor. 2d ed. 2020

by

Joel Fishman, Ph.D., M.L.S.

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This bibliography is an updated bibliography of the second edition with page references to the 2020 bound volume. It does not include sources cited only in the first edition. A bibliographical essay on the primary sources is then followed by secondary books and articles cited in the book. It does not index the primary sources: constitutional articles and sections, statutes and their legislative histories, court cases, and rules; nor does it contain a table of cases.

TABLE OF CONTENTS

I. Primary Sources ........................................................................................................................ 2
   A. Pennsylvania ......................................................................................................................... 2
      1. Constitutional Sources ....................................................................................................... 2
      2. Other Constitutional Sources .......................................................................................... 6
      3. Legislation .......................................................................................................................... 7
         3a. Journals of the General Assembly .................................................................................. 7
         3b. Chronological Laws ...................................................................................................... 7
         3c. Topical Laws .................................................................................................................. 11
      4. Court Cases ..................................................................................................................... 11
      5. Judicial Biography ........................................................................................................... 13
      6. Attorneys-General Opinions ............................................................................................ 14
      7. Other Sources ................................................................................................................... 14
   B. Federal Primary Sources .................................................................................................... 15
      1. Constitutional Documents ............................................................................................... 15
      2. Congressional Documents ............................................................................................... 16
   C. English Primary Sources ................................................................................................... 16

II. Secondary Sources ................................................................................................................. 17
   A. Bibliographical Sources ...................................................................................................... 17
   B. Secondary Works Specifically on the Pennsylvania General Assembly ................................ 17
   C. Digests ................................................................................................................................. 18
   D. Citators ............................................................................................................................... 18
   E. Treatises and Articles ......................................................................................................... 18
      1. Pennsylvania Books .......................................................................................................... 19
      2. Books and Articles ............................................................................................................ 19

Joel Fishman, Ph.D., M.L.S., Associate Director for Lawyer Services, Emeritus, Duquesne University Center for Legal Information/Allegheny County Law Library. He is also the Co-Director of the Pennsylvania Constitution Website at Duquesne University School of Law, www.paconstitution.org.
I. Primary Sources

A. Pennsylvania

1. Constitutional Sources

The proceedings of the constitutional conventions have been published as journals and debates and are the following list is drawn from Congressional Information Service:


STATISTICAL AND OTHER INFORMATION FOR THE CONSTITUTIONAL CONVENTION OF PENNSYLVANIA. PREPARED BY FRANCIS JORDAN, SECRETARY OF THE COMMONWEALTH. Harrisburg: 1872.


...[REPORT] TO THE PEOPLE OF PENNSYLVANIA. [Philadelphia: 1873?]


NEW CONSTITUTION. PRINTED BY ORDER OF THE CONVENTION. TO BE SUBMITTED TO A VOTE OF THE PEOPLE, TUESDAY, DECEMBER 16, 1873. [Philadelphia: 1873]


CONSTITUTION OF PENNSYLVANIA ANALYTICALLY INDEXED AND WITH INDEX OF PROHIBITED LEGISLATION. By James McKirdy. Harrisburg: 1912. [Legislative Reference Bureau; bulletin no. 1]


#1–THE CONVENTION.
#2–CONSTITUTION OF PENNSYLVANIA AND [THE] CONSTITUTION OF THE UNITED STATES.
#4–LOCAL GOVERNMENT.
#5–THE JUDICIARY. P.783
#6–LEGISLATIVE APPORTIONMENT.
#7–TAXATION AND STATE FINANCE.
#8–BIBLIOGRAPHY.
#9–INDEX.


38. Pennsylvania. Constitution. CONSTITUTIONS OF PENNSYLVANIA; CONSTITUTION OF THE UNITED STATES. Harrisburg: Legislative Reference Bureau, 1986. This volume updates no. 18 Provides text of all of the Pennsylvania constitutions along with the U. S. Constitution.
2. Other Constitutional Sources


Pennsylvania documents can be found in volume 5. This material is also available through the Avalon Project at Yale Law School Library at: www.yale.edu/lawweb/avalon. For the constitutional documents of the seventeenth century, one is advised to see instead the Statutes at Large of Pennsylvania, Volume I Appendixes (2001) that is available at www.plrb.us.

The following colonial proceedings related to the coming of independence.2


3. Legislation

3a. Journals of the General Assembly

The primary source for legislation is the journals of the General Assembly:

VOTES AND PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES OF PENNSYLVANIA, 1682-1760. 6 vols. Philadelphia: 1752-1776. Reprinted in PENNSYLVANIA ARCHIVES. 8th ser. This is a collection of the daily activities of the Assembly from 1682 to 1760.

Pennsylvania. General Assembly. LEGISLATIVE RECORD. Harrisburg: Published by authority of the Legislature, 1776(?–1909.


Pennsylvania. General Assembly. Senate. LEGISLATIVE JOURNAL. [Harrisburg, Pa.]: The Assembly, 1963–.

History of the House and Senate Bills. Biennial. This is the official index to the legislative history of all bills introduced into the legislature. One has to locate the year, house, and bill number to locate the legislative history. Information provided is usually found by looking for “Remarks, see House [Senate] Journal, pages or date.” There are problems in looking up the legislative history using this source because the pagination provided is not always complete. The page numbers may not give the final page of the voting record. Sometimes a point of order or other parliamentary procedure may interrupt the debates and may continue several pages later without any reference in the index. There also is an Index at the end of some of the annual volumes that provides specific page references to debates by bill number. In at least one or two instances, the editor has found debates listed that were not referenced in the older History volumes.

3b. Chronological Laws

During the colonial period the laws were published chronologically in order. The laws of many of the legislative sessions were published after each session. Since there are too many to publish in this paper, see Charlemagne Tower, The Charlemagne Tower Collection of American Colonial Laws. Philadelphia: Historical Society of Pennsylvania, 1890. Reprint. Littleton, Colo.: F. B. Rothman, 1990.

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3 This list is drawn from Joel Fishman, The History of Statutory Compilations in Pennsylvania, 86 LAW LIBR. J. 559, 585-596 (1994).
There were cumulative sets published during the eighteenth century and several major sets published in the nineteenth century. *Smith’s Laws* and the *Statutes at Large of Pennsylvania* are today the major sources for research purposes. Some of the following information is drawn from Joel Fishman, *The History of Statutory Publications in Pennsylvania*, 84 Law Lib. J. 559-596 (1994).


____. *Laws of the Commonwealth of Pennsylvania from the Second Day of October, One Thousand Seven Hundred and Eighty-One, to the Second Day of October, One Thousand Seven Hundred and Ninety*. Republished under the authority of the legislature, by Alexander James Dallas. Vol. II. Philadelphia: Hall & Sellers, 1793. Thomas Mifflin's seal states that he appointed Dallas on May 8, 1793. Dallas's preface note also has the same date for the publication.

____. *Laws of the Commonwealth of Pennsylvania from the Seventh Day of December, One Thousand Seven Hundred and Ninety, to the Twentieth Day of April, One Thousand Seven Hundred and Ninety-Five*. Published, under the authority of the legislature, by Alexander James Dallas. Vol. III. Philadelphia: Hall & Sellers, 1795. P.383

____. *Laws of the Commonwealth of Pennsylvania from the First Day of December, One Thousand Seven Hundred and Ninety-Five, to the Twenty-Seventh Day of February, One Thousand Eight Hundred and One*. Published, under the authority of the legislature, by Alexander James Dallas. Vol. IV. Lancaster: Francis Bailey, 1801.

Carey, Mathew, and John Bioren, comps. *Laws of the Commonwealth of Pennsylvania, from the Fourteenth Day of October One Thousand Seven Hundred, to the Sixth Day of April, One Thousand Eight Hundred and Two*. Republished under the authority of the legislature, by M. Carey and J. Bioren. Philadelphia: John Bioren, for Mathew Carey and Self, 1803. 6 vols.


Vol. 5 covers from December 6, 1810, to March 31, 1812 (1812). An appendix contains some notes and resolutions, including a list of 105 resolutions passed since 1790 but now obsolete. A second appendix contains Charles II's charter to William Penn, concessions of 1681, charter of privileges (1683), Declaration of Independence, and Constitution of 1776 (pp. 406-35). Appendix III contains a summary of Pennsylvania Supreme Court cases since June 1808 (pp. 436-45). Bound in this volume is a cumulative index, "General Index to the Laws of Pennsylvania in Five Volumes. From the Year 1700, to the Thirty-first of March 1812, Inclusive." The index is more than just a listing of references, since it also provided some of the text from the acts according to volume and page number. An index to the notes can also be found in pages 350-59, followed by citations to court cases, pp. 390-93. P.156

[Reed, Joseph, ed.] LAWS OF THE COMMONWEALTH OF PENNSYLVANIA, FROM THE FOURTEENTH DAY OF OCTOBER, ONE THOUSAND SEVEN HUNDRED. REPUBLISHED UNDER THE AUTHORITY OF THE LEGISLATURE, WITH NOTES AND REFERENCES. Philadelphia: John Bioren, 1822. Vol. 6 covers from December 21, 1812, to March 25, 1817. This is the sixth volume of Smith's Laws, but the first volume edited by Reed. There are four pages of resolutions (pp. 507-10), followed by "Pensions and Pecuniary Gratuities, for Revolutionary and Military Services, from 1st December 1812 to the 25th March 1817" (pp. 511-13), appendix of notes (pp. 516-19), and index to the sixth volume (pp. 521-43).

Vol. 7 (1822) covers from December 21, 1812 to March 25, 1817. In the front of the book is a list of Pennsylvania laws that have been repealed, obsolete, and expired (pp. iii-xiii), followed by "Pensions and Pecuniary Gratuities, for Revolutionary and Other Military Services, from 2d December 1818 to 2d April 1822" (pp. xiv-xix). Bound with General Index to the Sixth and Seventh Volumes of the Laws of Pennsylvania, from December 1812, to April 1822, Inclusive. Philadelphia: J. Bioren, 1823. The first section contains the index to the two volumes; the second part contains an index to the resolutions, followed by a table of explanatory of sundry technical law terms (pp. 25-28).

Vol. 8 (1822) covers from December 3, 1822, to April 11, 1825. Vols. 8-10 are published by James Kay, Jr. & Brother.

Vol. 9 (1843) covers from December 6, 1825, to April 17, 1827. Appendix A contains the case of Prigg v. Com. of Pennsylvania (1841) (pp. 447-56); Appendix B contains the commissioners' report of the Internal Improvement Fund of 1842 (pp. 457-59); extracts from the report of J. W. Hammond, bookkeeper in the Treasury Dept. (pp. 459-63), and the legislative act for drawing up this volume (p. 463), followed by the index to the volume (pp. 465-78).

Vol. 10 (1844) covers from December 4, 1827, to April 23, 1829. Appendix A covers the act for the gradual abolition of slavery (March 1, 1780), with an extensive note of four pages (pp. 466-70); Appendix B is a note on the 1829 penal law revisions (pp. 471-82), followed by the index (pp. 483-502).

Commonly referred to as "Smith’s Laws," this set contains the chronological laws of the public laws passed by the General Assembly from 1700 to 1829. Private laws only have their title but no text. Charles Smith was a judge of the Court of Common Pleas of Third Judicial District, who provided extensive editorial notes to hundreds of statutes in the set, some very important for Pennsylvania legal history, e.g., creating a Land Office with a history of land law in Pennsylvania in vol. 2, pp. 102-261 reforming criminal law and a history of criminal law in vol. 2, pp. 531-602. He annotated the first five volumes. Joseph Reed continued volumes 6-10. This set of books is cited in Purdon’s Statutes for all pre-1829 statutory law. The first four volumes of the set are on
the Commonwealth of Pennsylvania’s Legislative Reference Bureau website, at www.palrb.gov/preservation. The complete set is available in HeinOnline.

George, Staunford, Benjamin Nead, and Thomas McCamant, eds., **CHARTER TO WILLIAM PENN, AND LAWS OF PENNSYLVANIA, PASSED BETWEEN THE YEARS 1682 AND 1700. PRECEDED BY THE DUKE OF YORK’S LAWS IN FORCE FROM THE YEAR 1676 TO THE YEAR 1682, WITH AN APPENDIX CONTAINING LAWS RELATING TO THE ORGANIZATION OF THE PROVINCIAL COURTS AND HISTORICAL MATTER.** Harrisburg: Lane S. Hart, State Printer, 1879. P.170, 383, 397, 433

Includes a reproduction of the King Charles II’s charter to William Penn. The volume was authorized by the statute of June 12, 1878. This volume is sometimes cited as *The Duke of York’s Laws.*

This book contains the Duke of York’s Laws as found in the records of the town clerk of Hempstead, Long Island and reproduced by the New York Historical Society in 1809. It also contains the Royal Charter, Frames of Government, and individual session laws complete except for 1697, which is only a synopsis. The first appendix contains the laws establishing a court of judicature from 1682 to 1722 with an explanatory introduction. The cover page is APPENDIX A. **COMPILATION OF THE LAWS AND ORDINANCES ESTABLISHING THE SEVERAL COURTS OF JUDICATURE OF THE PROVINCE OF PENNSYLVANIA, WITH AN INTRODUCTION, BY STAUGHTON GEORGE.** George’s introduction deals with the statutory history of the courts since the Assembly would pass an act and have five years in which to submit the act to the English government. The English government would then repeal the act, and the Assembly would have to start over again. Sometimes the governor issued ordinances to continue the court system. The act of 1722, therefore, is the cumulation of the controversy between the crown and colony.

**APPENDIX B. HISTORICAL NOTES ON THE EARLY GOVERNMENT AND LEGISLATIVE COUNCILS AND ASSEMBLIES OF PENNSYLVANIA, BY BENJAMIN M. NEAD.** Part I, FROM THE EUROPEAN SETTLEMENT ON THE DELAWARE TO THE ACQUISITION OF THE COUNTRY BY PENN, 1623-1681. Part II. FROM THE ACQUISITION OF THE COUNTRY BY PENN TO THE CLOSE OF THE CENTURY, 1681-1700. Part I contains four chapters dealing with Swedish rule from 1638 to 1655, Dutch rule from 1664 to 1664, English rule from 1664 to 1681, and Penn’s rule from 1681 to 1700. There is an index to the laws, and indexes to Appendices A and B.

http://books.google.com/books?id=IdWgAAAAMAAJ&printsec=frontcover&q=charter+to+william+penn#v=onepage&q=&f=false


This set contains the official chronological laws, both public and private, passed by the General Assembly from 1700 to 1809. The set was authorized by the General Assembly in 1887 and compiled by a commission including the Chief Justice of the Supreme Court of Pennsylvania and other noted lawyers and historians. It does not include notes like *Smith’s Laws.*

The original sixteen volumes covered from 1700 to 1801 and were published between 1896 and 1911. Two additional volumes compiled by James T. Mitchell, J. Willis Martin, and Hampton L. Carson, were printed in 1915. Volume 17 covers from 1802 to 1805 and volume 18 covers from 1806 to 1809.
Volume 1 has been recently published by Robert L. Cable. *The Statutes at Large of Pennsylvania from 1682 to 1700. Volume I: 1682 to 1700.* Harrisburg: Legislative Reference Bureau, 2001. This book is now considered the official version of volume 1 of the Statutes at Large. Available at the Pennsylvania Legislative Reference Bureau website, at www.palrb.gov/preservation. It is also available in HeinOnline.

Beckman, Gail McKnight, ed. *Statutes at Large of Pennsylvania During the Age of William Penn, Volume 1, 1680-1700.* N.Y.: Vantage Pr., 1976. This is the first volume of Pennsylvania constitution and statutory law from pre-colony to 1700, with an historical introduction. It includes the Duke of York’s Laws, Charter of King Charles II to William Penn, the Great Law of 1682, three Frames of Government, and session laws. It was prepared on the bicentennial to replace the earlier edition of Staunford George et al., eds., *Charter to William Penn, and Laws of Pennsylvania...* (1879). Beckman provides a useful introduction to the early Pennsylvania laws. This volume is not considered official by the Pennsylvania Legislative Bureau. P.155, 383

*Laws of Pennsylvania.* Harrisburg: 1776–. The is the official collection of the chronological laws passed by the General Assembly. Constitutional amendments are published as Joint Resolutions after the general laws. Gubernatorial proclamations officially declare when the amendments have been approved or disapproved by the electorate.

3c. Topical Laws

*Pennsylvania Consolidated Statutes.* Harrisburg: Legislative Reference Bureau, 1970–. 8 vols. The is the official, unannotated set of the codified statutes passed by the General Assembly under statutory law of 1970. Approximately 50% of the titles in the original Purdon’s have been converted to the Consolidated Statutes. For a recent study of the codification, see Peter Egler, *Pennsylvania Statutory Codification Project—A Long and Winding Road,* LXXXIV Pa. B. Assn. Q. 87 (2013).

*Purdon’s Pennsylvania Statutes Annotated/Purdon’s Pennsylvania Consolidated Statutes Annotated.* Eagen, Minn: Thomson/West 1930–. West’s statutory compilation of Pennsylvania statutes under 77 titles and the incorporation of the revised Pennsylvania Consolidated Statutes into the set.

4. Court Cases

The appellate courts of Pennsylvania include the Supreme Court, Superior Court, and Commonwealth Court; the trial courts before 1968 included the courts of common pleas, quarter sessions, oyer and terminer, orphans’ courts, mayors courts, juvenile court and family court. The creation of a unified judicial system under Article V of the Constitution of 1968 provided for constitutional courts of Supreme, Superior, Commonwealth and courts of common pleas.

The Supreme Court reports are divided into three sets of reports: early state reports consisting of 60 volumes of reports reporting cases from 1754 to 1845. In 1845, the General
Assembly passed a law creating an official court reporter for the Supreme Court and a new set of official court reports entitled Pennsylvania State Reports. These reports currently consist of over 570 volumes. Since 1974, the reports have been published by West Publishing Co. (now Thomson/West) and are the same as the Atlantic Reporter 2d and 3d series.

The 1845 act further provided that there should be only two volumes a year published of Supreme Court cases. This led to the creation of five more nominative reports of twenty-three volumes that contain mostly late-nineteenth century cases not published in the official reports.

Pennsylvania Supreme Court opinions appear in the following reporters:

<table>
<thead>
<tr>
<th>Name</th>
<th>Years</th>
<th>Abbreviation</th>
<th>Volumes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania State Reports</td>
<td>1845- date</td>
<td>Pa.</td>
<td>573</td>
</tr>
<tr>
<td>Atlantic Reporter</td>
<td>1885-1938</td>
<td>A.</td>
<td>200</td>
</tr>
<tr>
<td>Atlantic Reporter Second</td>
<td>1938-</td>
<td>A.2d</td>
<td>999</td>
</tr>
<tr>
<td>Atlantic Reporter Third</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Nominative Reporters:

- Dallas: 1754-1806, Dall., 4 vols.
- Addison: 1791-1799, Add., 1 vol.
- Yeates: 1791-1808, Yeates, 4 vols.
- Rawle: 1828-1835, Rawle, 5 vols.
- Watts: 1832-1840, Watts, 10 vols.
- Wharton: 1835-1841, Whart, 6 vols.
- Grant: 1814-1863, Grant, 3 vols.
- Sadler: 1885-1888, Sadler, 10 vols.

The official Pennsylvania Superior Court Reports stopped in 1997 (with volume 456) and Pennsylvania Commonwealth Court Reports stopped in 1995 (with volume 168). Both courts use the Atlantic Reporter 2d & 3d series as their recognized reporter. For purposes of this book, we have cited only to the Atlantic Reporter when available.

County court reports have a long history in Pennsylvania legal literature. Although Dallas’s Reports contained cases from the Philadelphia courts, it was Alexander Addison’s Reports, published in 1800, that was the first county report. In antebellum Pennsylvania, the Legal Intelligencer (1842–) in Philadelphia and the Pittsburgh Legal Journal (1853–) started as legal newspapers publishing Supreme Court and county court cases. In later nineteenth century other counties began publishing their own reports, many of which continue down to today with more than forty county reports published by the county bar associations.
In late nineteenth century, the Pennsylvania District Court Reports and the Pennsylvania County Court Reports were published. These two sets were combined into the Pennsylvania District & County Reports in 1918 that continue down to the present in a fifth series. In addition, all of the Pennsylvania cases published in the weekly Legal Intelligencer were republished in a set called Weekly Notes of Cases (1875-1899) 44 vols. Sometimes Supreme Court cases can be found in this set and not in any of the other Supreme Court reports.

All three appellate courts and the Pennsylvania District & County Court Reports can be found in the Pennsylvania databases in both Westlaw and Lexis.

For a more detailed history of Supreme Court, see Joel Fishman, The Reports of the Supreme Court of Pennsylvania, 87 LAW LIBR. J. 643 (1995).

The court reports are available in the State Historical Cases Library from 1789 to 1963 in HeinOnline.


5. Judicial Biography

Biographical information on the judiciary can be found in several sources. The PENNSYLVANIA MANUAL beginning from volume 83 (1937) contains biographical information on the appellate and county judges. It is published every two years in the odd year in December. Judges appointed for under two years or who do not win re-election may be missing from the volumes. The set is currently up to volume 124 (2019) available on the Department of General Services website, at www.dgs.pa.gov. Another biographical dictionary is THE AMERICAN BENCH (Minneapolis: Reginald Bishop Foster & Associates, 1977). The appellate justices/judges have biographical information available at www.pacourts.us. Joel Fishman has compiled a Biographical Dictionary of the Justices of the Supreme Court of Pennsylvania 1684-2022 that contains 176 justices posted as individual justices on the Supreme Court website. Many of the colonial members of the Pro vincial Court or justices of the peace were also legislators whose biographies can be found in Craig Horle, Gen. Ed. LAWMAKING AND LEGISLATORS IN PENNSYLVANIA: A BIOGRAPHICAL DIRECTORY, see below P.919. Older biographical information can be found in the TWENTIETH CENTURY BENCH AND BAR OF PENNSYLVANIA. (Chicago: H.C. Cooper, Jr., Bro. & Co., 1903) and Frank M. Eastman, COURTS AND LAWYERS OF PENNSYLVANIA: A HISTORY (New York: The American Historical Society, 1922). Older county histories usually contain a chapter on the bench and bar. For Philadelphia, see John Hill Martin, MARTIN’S BENCH AND BAR OF PHILADELPHIA . . . (Philadelphia: R. Welsh & Co. 1883) and J. Thomas Scharf and Thompson Westcott, HISTORY OF PHILADELPHIA, 1609–1884 (Philadelphia: L. H. Everts, 1884). Volume 2 has the chapter on the bench and bar. For Allegheny County, see Joel Fishman, JUDGES OF ALLEGHENY COUNTY, FIFTH JUDICIAL DISTRICT, PENNSYLVANIA (1788-2022) (3d ed. 2022).

6. Attorneys-General Opinions

As the chief law enforcement officer of the Commonwealth, the Attorney General is responsible to provide legal advice to the departments and agencies of the state government. Since 1887, the Attorneys-General of Pennsylvania have published annual reports (under different titles) of their opinions. For some years there were both formal and informal opinions and at times, memorandum opinions (see 1957 volume). Numbers of opinions ran also numerically over a period of time; in the 1970s, the numbers started with number one each year. There were annual volumes from 1971 to 1978 and then volumes for 1981 to 1984, 1984-1988, and 1989 to 1992. Since 1992, single opinions issued are published in the Pennsylvania Bulletin.

The latest cumulative indexes are for 1933-43 and 1943-53.


The full collection of Attorneys-General opinions from 1885 to present are available now at the Attorney-General Website (www.attorneygeneral.gov), under the Tab: The Office, at https://www.attorneygeneral.gov/The_Office/Official_Attorney_General_Opinions/.

7. Other Sources

Adams, Samuel. THE WRITINGS OF SAMUEL ADAMS (Henry Alonzo Cushing, ed. 1906). P.3, 743

Hamilton, Andrew. DEFENSE OF JOHN PETER ZENGER ON CHARGE OF SEDITIOUS LIBEL (1735), at http://www.uark.edu:80/depts/comminfo/cambridge/zenger.html P.298

THE LAWS AND LIBERTIES OF MASSACHUSETTS; REPRINTED FROM THE COPY OF THE 1648 EDITION IN THE HENRY E. HUNTINGTON LIBRARY, WITH AN INTRODUCTION BY MAX FARRAND (1929). P.386

Madison, James. WRITINGS (Library of America 1999). P.158


B. Federal Primary Sources

1. Constitutional Documents

THE CONSTITUTION OF THE UNITED STATES OF AMERICA : ANALYSIS AND INTERPRETATION. The annotated edition of the U.S. Constitution is now available online and updated annually. It is available at www.govinfo.gov, the website for the Government Printing Office and also at the Legal Information Institute, https://www.law.cornell.edu/constitution. P.756


There are many editions of this important work including Jacob Cooke in 1961, Edward Earle in 1976, Max Beloff in 1987, John C. Hamilton in 1998, and George W. Carey and James McClellan in 2001. New American Library ed. may be the one used throughout (listed on p.27)
It is available at the Library of Congress, A Century of Lawmaking for a New Nation, at http://memory.loc.gov/ammem/amla/llfr.html

Volume 2 deals with Pennsylvania.
Available at the University of Wisconsin, https://search.library.wisc.edu/digital/AQSNP4IU7S6X5W8E

2. Congressional Documents

Available at, http://memory.loc.gov/ammem/amla/lwjc.html. P.303

Available at, http://memory.loc.gov/ammem/amla/lwac.html
Covers from 1789-1824.

C. English Primary Sources

There are two major sets of English statutes published chronologically:


The *Statutes at Large*: Conteyning all such acts which at any time heretofore haue beeene extant in print from Magna Charta, Vntill the Sixteenth Yeere of the Raigne of Our Most Gratious Soueraigne Lord Iames, by the Grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c. Diuided into Two Volumes: with Marginall Notes, and Diuers Necessary Tables Newly Added Thereto. Together with Especiall Markes Whereby the Reader May Easily Know Which of the Same Acts Are Wholy Voyd, Either by Expiration, or Repeale. London : Printed Bonham Norton, and John Bill, deputie printers for the Kings most excellent Maiestie, M.DC.XVIII. P.440, 440.

The English nominative reports from the 1500s to the mid-1800s are too many to cite in this bibliography, but most of these cases have been reprinted in the comprehensive collection entitled *English Reports, Full Reprint* (1900-1932). 178 vols. Available in HeinOnline.
Besides the individual reports, there have been various sets published since the seventeenth century containing political trials and major criminal cases. The most comprehensive set published is:  

II. Secondary Sources

A. Bibliographical Sources.

The expansion of state constitutional law following Justice William Brennan’s seminal article in 1977 can be followed by the excellent biographies found in *Rutgers Law Journal*. Besides annual bibliographies, there are two cumulative bibliographies:


The other major source for bibliography is the treatise by Jennifer Friesen:


B. Secondary Works Specifically on the Pennsylvania General Assembly

Hoerle, Craig W., gen. ed. *Lawmaking and Lawmakers in Colonial Pennsylvania.* Philadelphia: University of Pennsylvania Press, 1991-2007. 4 vols. in 3. Standard biographical directory of the colonial Pennsylvania legislature. Volume 1 covers from 1680 to 1709; volume 2 from 1710 to 1756; volume 3 from 1757 to 1775. Introductions contain important summaries of the legislative activity during the period covered. The authors present a comprehensive review of the growth of the Assembly as an institution, discussing election of members, procedures developed, legislation enacted, role of Quakers and religion in the colony, the controversy over the oaths in early eighteenth century, and problems of defense. Available online


C. Digests

This is a useful older digest that covers all published court cases from Dallas’s Reports to the end of the nineteenth century, sometimes with more detailed digests than the current Vale Pennsylvania Digest.

The standard West digest covers all published court reports from 1754 to 1938. Coverage includes Pennsylvania federal, state and county cases (includes individual county cases, e.g., Legal Intelligencer or Pittsburgh Legal Journal and Pennsylvania District & County Reports).

This is the current digest for Pennsylvania cases from 1938 to present. It is kept up to date with pocket parts and recompiled volumes. Coverage includes Pennsylvania federal, state, and county cases (only those reported in the Pennsylvania District & County Reports).

D. Citators


The Statute Edition contains four volumes and a supplement. Volume 1 contains the Constitution of Pennsylvania for 1874 and 1968, but not the earlier versions. Therefore, one has to perform a Westlaw or Lexis search for cases dealing with earlier constitutional law. For statutory law, Smith’s Laws and Laws of Pennsylvania can be “shepardized” but not the Statutes at Large. Note: This is available only in the bound volumes not available electronically in Lexis. Both Purdon’s Statutes and the Pennsylvania Consolidated Statutes can also be found in the volumes.

E. Treatises and Articles

The titles listed here are books and articles taken from the footnotes of the second edition; it does not cite to periodical articles found only in the first edition that did not carry over to the new edition. Citations are to the pages that the works are cited on rather than the section numbers.
1. Pennsylvania Books

The four Pennsylvania treatises on constitutional law cited throughout the book are:

Branning, Rosalind L. PENNSYLVANIA CONSTITUTIONAL DEVELOPMENT (1960).

Buckalew, Charles R. AN EXAMINATION OF THE CONSTITUTION OF PENNSYLVANIA. EXHIBITING THE DERIVATION AND HISTORY OF ITS SEVERAL PROVISIONS, WITH OBSERVATIONS AND OCCASIONAL NOTES THEREON, REFERENCES TO JUDICIAL AND OTHER OPINIONS UPON THEIR CONSTRUCTION AND APPLICATION, TO STATUTES FOR THEIR ENFORCEMENT, AND TO PARALLEL PROVISIONS IN THE CONSTITUTIONS OF OTHER AMERICAN STATES. Philadelphia: Kay and Brother, 1883. P.92, 93, 150, 163, 235, 240, 249, 253, 270, 276, 402, 487, 534, 547, 634, 638, 707, 885

Buckalew was a delegate to the Constitutional Convention. Work is especially good for providing references to the debates in the constitutional convention which numbers over 7,000 pages.

White, Thomas Raeburn. COMMENTARIES ON THE CONSTITUTION OF PENNSYLVANIA (1907).
White was a law professor at the University of Pennsylvania Law School. It is the most scholarly work on the Constitution of 1874 but limited in coverage to the early years of the twentieth century. P.2, 3, 36, 37, 41, 43, 58, 60, 62, 65, 67, 93, 127, 146, 147, 157, 159, 189, 208, 224, 235-36, 239, 240, 249, 252, 276, 282, 283, 396, 401, 411, 413, 445, 481, 487, 488, 490, 528, 534, 537, 538, 539, 542, 547, 628, 638, 652, 656, 657, 660, 709, 724, 758, 885, 920, 987

Only book on the Constitution of 1968, but is limited in scope because it covers only certain Articles and Sections. P.65, 66, 73, 146, 251, 278, 384, 467, 481, 537, 547, 576, 627, 758, 783, 796, 805, 862, 890, 942, 971, 975.

2. Books and Articles


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