

DOS

MEMORANDUM

TO: Mr. Justice Powell  
FROM: David  
DATE: Jan. 29, 1980  
RE: No. 78-1779, Owen v. City of Independence

As you suggested on Saturday, the following is a proposed research request for the library for our dissent in this case:

"Could you prepare <sup>B // " A</sup> a bibliography of materials relating to immunity of municipal governments in this country in the nineteenth century, <sup>I am</sup> particularly ~~focused~~ <sup>interested in</sup> on materials between 1850 and 1870. The most relevant material would be case law from the leading jurisdictions (e.g., Massachusetts, New York, Pennsylvania, <sup>Virginia</sup>), but the view <sup>S</sup> of learned scholars of the period (e.g., Story) would also be helpful." <sup>End</sup>

*to*  
*from private damage claims*