



# ENGLISH LEGAL HISTORY

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## I. INTRODUCTION

This research guide is an introduction to the basic legal materials, in print and electronic formats, for historical research of English law. If you are researching modern English law, see the **English Law Research Guide** (<http://www.law.duke.edu/lib/researchguides/english.html>).

## II. RESEARCH AIDS

### A. Research Guides

*Guide to Law Reports and Statutes*, 4th ed. (Ref. Desk KD54 .S98 1962) includes tables of regnal years, lists of law reports (alphabetical & chronological), abbreviations, etc.

Holborn, Guy, *Butterworths Legal Research Guide*, 2d ed. (Ref. KD392 .H64 2001).

*Manual of Law Librarianship: The Use and Organization of Legal Literature* (Elizabeth M. Moys ed.), 2d ed. (Ref. KD392 .M33 1987).

Williams, Glanville, *Learning the Law*, 13th ed. (KD442 .W54 2006).

### B. Reference Works

*The Cardiff Index to Legal Abbreviations* (<http://www.legalabbrevs.cardiff.ac.uk>).

French, Derek, *How to Cite Legal Authorities* (Ref. KD400 .F73 1996) includes lists of regnal years and abbreviations of law reports.

*Oxford International Encyclopedia of Legal History* (Stanley N. Katz, ed.) (Ref. K48 .O965 2009 & online at <http://search.library.duke.edu/search?id=DUKE004804535>) includes entries on England.

Prince, Mary Miles, *Prince's Bieber Dictionary of Legal Abbreviations*, 6th ed. (Ref. KF246 .B5 2009 & online in LexisNexis) lists virtually all of the nominate reporter abbreviations.

Raistrick, Donald, *Index to Legal Citations and Abbreviations*, 3d ed. (Ref. Desk KD400 .R35 2008).

*Stroud's Judicial Dictionary of Words and Phrases*, 7th ed. (KD313 .S925 2006; earlier editions in Superseded Ref.) and *Jowitt's Dictionary of English Law*, 3d ed. (Ref. KD313 .J69 2010) are two of the leading modern English legal dictionaries. The library owns many older dictionaries as well (such as John Rastell's *An Exposition of Certain Difficult and Obscure Wordes and Termes of the Lawes of this Realme* (2003 reprint of the 1579 ed.) (KD313 .R37 2003); to find them in the online catalog, search under *law england dictionaries* as a subject.

University of London, Institute of Advanced Legal Studies, *Manual of Legal Citations* (part 1, *The British Isles*) (Ref. KD400 .M36 1960).

### C. Languages of the Law

Baker, J.H., *Manual of Law French*, 2d ed. (Ref. PC2942.B3 1990).

—, “The Three Languages of the Common Law,” in *The Common Law Tradition: Lawyers, Books and the Law* (2000) (KD671.B35 2000).

Berger, Adolf, *Encyclopedic Dictionary of Roman Law* (reprint of the 1953 ed., originally published by the American Philosophical Society) (Ref. KJA56 .B47 2002) includes an English-Latin law glossary.

*Black's Law Dictionary*, 9th ed. (Ref. KF156.B53 2009) includes lists of Latin maxims.

Cantlie, Ronald, *The French Language and the Common Law*, 18 Manitoba Law Journal 341 (1989) (Periodicals).

Jackson, E. Hilton, *Law-Latin: A Treatise in Latin, with Legal Maxims and Phrases as a Basis of Instruction*, 3rd ed. (KF385 .J33 1910).

*Language and the Law: Proceedings of a Conference, December 6-8, 2001, Tarlton Law Library, The University of Texas School of Law* (Marlyn Robinson, ed.) (K213 .L353 2003).

*Latin for Lawyers* (Ref. K52.L3 L38 1960).

*Latin Words & Phrases for Lawyers* (R.S. Vasan, ed.) (Ref. K52.L3 L39 1980).

*The Law-French Dictionary Alphabetically Digested, to Which Is Added the Law-Latin Dictionary: Very Useful for All Young Students in the Common Laws of England: Collected out of the Best Authors by F.O.* (2003 reprint, originally published in 1701 by Isaac Cleave & John Hartley in London) (Ref. KD313 .F126 2004 and Eighteenth Century Collections Online) gives English definitions for Norman-French and Latin terms.

Maitland, F. W. "Of the Anglo-French Language in the Early Year Books" in *The Year Books of Edward II* (v. 1 / *Publications of the Selden Society*; v. 17) (KD456 .S4 & online at <http://search.library.duke.edu/search?id=DUKE005066709>).

Mellinkoff, David, *The Language of the Law* (1963) (K94.M45).

VerSteeg, Russ, *Essential Latin for Lawyers* (1990) (Ref. K52.L3V47 1990).

## D. Bibliographies

Adams, J.N. & G. Averley, *A Bibliography of Eighteenth Century Legal Literature: A Subject and Author Catalogue of Law Treatises and All Law Related Literature Held in the Main Legal Collections in England* (Ref. KD56 .A33 1982).

Beale, Joseph H., *A Bibliography of Early English Law Books*; supplemented by Robert B. Anderson's *Supplement to Beale's Bibliography of Early English Law Books* (bound together) (Ref. KD51 .B52 1926 & online in HeinOnline's Legal Classics Library). Beale includes short biographies of early printers and lists of their law books.

The *Cambrian Law Review* (1970- ) (Periodicals) regularly publishes a "Bibliography on British and Irish Legal History."

Cowley, John D., *A Bibliography of Abridgments, Digests, Dictionaries and Indexes of English Law to the Year 1800* (1979, reprint of the 1932 Selden Society ed.) (Ref. KD51 .C684 1932 and KD51 .C6 1979).

Hines, W.D., *English Legal History: A Bibliography and Guide to the Literature* (Ref. KD532.A1 H56 1990).

*Legal Bibliography of the British Commonwealth of Nations* (compiled by W. Harold Maxwell & Leslie F. Maxwell), 2d ed. Vol. 1: English Law to 1800. Vol. 2: English Law 1801 to 1954 (KD51 .L44 1955).

Raistrick, Donald, *Lawyers' Law Books: A Practical Index to Legal Literature*, 3d ed. (Ref. KD59 .R34 1997) includes an alphabetical list of law reports.

*A Short-Title Catalogue of Books Printed in England, Scotland and Ireland and of English Books Printed Abroad, 1475-1640*. First compiled by Alfred W. Pollard & Gilbert R. Redgrave. , 2d ed., rev. and enl., begun by W.A. Jackson & F.S. Ferguson, completed by Katharine F. Pantzer with a chronological index by Philip R. Rider, 1976-1991. (Perkins Ref. Z2002 .P77 1976).

*Short-Title Catalogue of Books Printed in England, Scotland, Ireland, Wales, and British America, and of English Books Printed in Other Countries, 1641-1700*, 2d ed., rev. and enl. Compiled by Donald Wing. (Perkins Ref. Z2002 .W52 1972).

*Short-Title Catalogue of Books Printed in England, Scotland, Ireland, Wales, and British America, and of English Books Printed in Other Countries, 1641-1700*, 2d ed., newly rev. and enl. Compiled by Donald Wing; revised and edited by John J. Morrison et al. (Perkins Ref. Z2002 .W52 1994).

The electronic version of the *Short-Title Catalogue (ESTC)* (<http://estc.bl.uk>) covers monographs printed between 1475 and 1800. Facsimiles of many titles listed in the *STC* (1475-1700) can be found in *Early English Books Online* (<http://search.library.duke.edu/search?id=DUKE002785879>); all titles listed in the *STC* (1475-1640) are available in *Early English Books, 1475-1640* (Perkins Microforms).

Soule, Charles C., *Year-Book Bibliography*, 14 Harvard Law Review 73 (1901).

### III. STATUTES

#### A. Collections of Statutes

*Ancient Laws and Institutes of England* (Benjamin Thorpe, ed.), reprint of the 1840 ed. (Oversize KD530 .G74 2003 and HeinOnline's Legal Classics Library), *The Laws of the Kings of England from Edmund to Henry I* (A.J. Robertson, ed. & trans.), reprint of the 1925 ed.) (KD542. G73 2000), and *The Laws of the Earliest English Kings* (F. L. Attenborough, ed.) (DA135.A88) are collections of very early laws.

*Statutes of the Realm: Printed by Command of His Majesty King George the Third...From Original Records and Authentic Manuscripts* (1810-1828) (KD130 .S77 & online in HeinOnline, linked under *English Reports Full Reprint*). This 11 volume set covering the period from 1235 to 1713 also includes the Magna Carta and other important early documents.

The library has two editions of *Statutes at Large* (KD125 .S72 and .S73), covering the period from the Magna Carta until 1868. Several editions are also available in Eighteenth Century Collections Online (<http://search.library.duke.edu/search?id=DUKE003265267>).

*Acts and Ordinances of the Interregnum, 1642-1660*, reprint of the 1911 ed. (KD130 .S75) contains statutes passed during the Interregnum (the rule of Oliver Cromwell).

*Select Statutes, Cases, and Documents to Illustrate English Constitutional History, 1660-1832: With a Supplement from 1832-1894* (C. Grant Robertson, ed.) (KD3934 .R6 1904 & online in Making of Modern Law (<http://search.library.duke.edu/search?id=DUKE003408743>), which also contains the 1913, 1919, & 1923 editions).

Since 1831, Her Majesty's Stationery Office (H.M.S.O.) has published the official version of the statutes as *Public General Acts and General Synod Measures* (known as *The Public General Statutes*, 1831-1870) (KD124 .P83). The law library began receiving these in 1952. These are the equivalent of U.S. session laws. They are compiled every year; before that they are available in slip law form. Access is through the *Index to the Statutes in Force. The Public General Statutes* and *The Public General Acts* (KD124 .P82), published by the Incorporated Council of Law Reporting, contain acts passed between 1866 and 1951 (both sets are marked *Law Reports: Statutes* on the spine).

The official publication *Statutes in Force* (1972-) (KD132.S72 and Microforms Room) contains all acts from 1235 to the 1990's still in force in subject order along with their amendments. There is an index for each subject as well as a general index. It supersedes *Statutes Revised*, three editions of which were published between 1870 and 1950, containing statutes in force through 1948; the Library has the third edition of *Statutes Revised* (KD130 .S72).

*Chitty's Statutes of Practical Utility* (also known as *Chitty's Annual Statutes*), 6th ed. (KD129 .C44 1911) contains selected statutes from 1235 to 1948 for the use of the practicing lawyer; it includes a table of short and popular titles.

Butterworth's *Twentieth Century Statutes [Annotated]* (KD129 .C45), which absorbed *Chitty's Annual Statutes*, includes statutes from 1900-1956; until 1909 they are arranged by subject.

*The Statutes: From the Twentieth Year of King Henry the Third to the Tenth Chapter of the Twelfth, Thirteenth, and Fourteenth Years of King George the Sixth A.D. 1235-1948* (Robert Drayton, ed.), 3rd rev. ed. (KD130 .S72 1950) contains statutes in force from 1235 to 1948. Each volume has a table of statutes and an index.

*Halsbury's Statutes of England and Wales*, 4th ed. (KD135 .H3 4th) contains amended texts of statutes in force with annotations. The earliest statute listed in the chronological table is the Statute of Marlborough (1267).

## **B. Indexes/Tables**

*Index to the Statutes* (KD142.4 .I52), which covered the period 1235-1990 (when publication ceased), and *Chronological Table of the Statutes* (KD142.3 .C47), which covers the years 1235-to the present, are meant to be used with *Public General Acts and General Synod Measures* and *Statutes in Force*. The *Chronological Table of the Statutes* indicates repeals and amendments.

## **C. Guides to Statutes**

Volume 16 of *Chitty's Annual Statutes*, 6th ed., 1911-1948 (KD129 .C44 1911) includes a "Table of Short and Popular Titles."

Appendix A of *Craies on Statute Law*, 7th ed. by S. G. G. Edgar (KD691 .C73 1971) is a list of popular names of statutes.

*Guide to Law Reports and Statutes*, 4th ed. (Ref. Desk KD54 .S98 1962) includes tables of regnal years, lists of law reports (alphabetical & chronological), abbreviations, etc.

Holborn, Guy, *Butterworths Legal Research Guide*, 2d ed. (Ref. KD392 .H64 2001).

*Manual of Law Librarianship: The Use and Organization of Legal Literature* (Elizabeth M. Moys ed.), 2d ed. (Ref. KD392 .M33 1987).

Winfield, Percy H., *The Chief Sources of English Legal History* (Ref. KD530 .W55 1925 & online in HeinOnline's Legal Classics Library).

## **D. LexisNexis/Westlaw**

The text of all public general Acts that are currently in force are available on LexisNexis (UK;STAT); statutes in force from 1267 to the present are in Westlaw (UK-LIF and UK-ST).

# **IV. CASES**

## **A. The Earliest Cases**

*Bracton's Note Book: A Collection of Cases Decided in the King's Courts During the Reign of Henry the Third* (F.W. Maitland, ed., 1983 reprint of 1887 ed.) (KD190 1217 .B72 and HeinOnline's Legal Classics Library) includes about 2,000 cases from the years 1217-1240.

*The Earliest English Law Reports. (Publications of the Selden Society; v. 111-112)* (Paul A. Brand, ed.) (KD456.S4 v.111, 112) contains 142 Common Bench cases prior to 1290.

*Placita Anglo-Normannica: Law Cases from William I to Richard I Preserved in Historical Records* (Melville Madison Bigelow, ed.) (KD270 1066 .B55 1879 and HeinOnline's Legal Classics Library) contains cases from 1066 to 1195 in Latin with English notes.

## B. Year Books

The Year Books contain reports of English cases from 1270 to 1535. They are mostly in French; modern reprint sets include English translations along with the original text.

### *Older Editions*

The "standard" (or "Vulgate" or "Maynard") edition, printed by George Sawbridge, William Rawlins and Samuel Roycroft in 1679-80, reprinted the medieval yearbooks in 11 tall folio volumes. Available in *Early English Books Online* (<http://search.library.duke.edu/search?id=DUKE002785879>) & HeinOnline's **Selden Society library** (<http://search.library.duke.edu/search?id=DUKE005066709>).

### *Modern Collections*

The Selden Society *Year Books Series* (KD456 .S4 & in HeinOnline's Selden Society library, <http://search.library.duke.edu/search?id=DUKE005066709>) began in 1903 as volume 17 of *Publications of the Selden Society* with *Year Books of 1 and 2 Edward II* (F.W. Maitland, ed.). The most recent volumes are *Reports of Cases from the Time of King Henry VIII* (J.H. Baker, ed., 2003) (*Publications of the Selden Society*; v. 120-122 /*Year Books Series*).

The Ames Foundation has been publishing Year Books since 1914 (KD194 & in HeinOnline's Selden Society library, <http://search.library.duke.edu/search?id=DUKE005066709>). The most recent is *Year Books of Richard II: 6 Richard II, 1382-1383* (1996).

*Roll Series* (part of *Rerum Britannicarum Medii Aevi Scriptores, Or, Chronicles and Memorials of Great Britain and Ireland During the Middle Ages*) (1858-1911) (Perkins DA25 .B5) includes 20 volumes of Year Books from Edward I and Edward III published between 1863-1911.

Other collections of cases from the Year Books and early nominate reports include J.H. Baker & S.F.C. Milsom, *Sources of English Legal History: Private Law to 1750*, 2d ed. (KD720.S68 2010) and A.K.R. Kiralfy, *A Source Book of English Law* (KD532 .K47 1957).

Seipp, David J., *Year Books: Medieval English Legal History* (or *Seipp's Abridgement*) (<http://www.bu.edu/law/seipp>). This searchable database indexes and paraphrases year book reports from 1268 to 1535 and includes helpful information such as lists of manuscript and printed editions and a bibliography of works about the yearbooks.

Statham, Nicholas, *Statham's Abridgement of the Law* (reprint of 1917 ed., translated by Margaret Center Klingelsmith) (KD196 .S73 2007). First printed around 1490, this is the earliest abridgment of cases from manuscripts of the Yearbooks.

*Early English Books, 1475-1640* (Perkins Microforms) and *Early English Books Online* (<http://search.library.duke.edu/search?id=DUKE002785879>) include many printed Year Book editions before 1700 as well as Ashe's *Promptuarie* (1614), an index to the Year Books and early nominate reports (*Short-Title Catalogue* numbers for early Year Books are 9551 through 9967, and for the Vulgate are R1088A through R1088F).

If a case from the Year Books has been re-published, you should provide a parallel cite to the modern reprint series if possible (*Bluebook*, T.2). *Butterworths Legal Research Guide* (Ref. KD392 .H64 2001) has a good explanation of citations to Year Book cases.

### C. Nominate (or Nominative) Reports

The Goodson Law Library has a large collection of nominate reports (KD187 - KD247 and *Great Britain Law Reports, pre-1865* (Microforms); *Guide to Law Reports and Statutes* (Ref. Desk KD54 .S98 1962) provides a complete list. Among the series held by the Library are:

Edmund Plowden, *Commentaries [Les commentaires, ou les reports de dyuers cases...]* (KD200 .P56 1816) covers cases from 1550-1579. Also available in 75 *English Reports [Full Reprint]* (see next section).

Cases from 1513-1582 (overlapping some of the later Year Books) are found in *Dyer's Report* (also called *Reports from the Lost Notebooks of Sir James Dyer*) (KD200 1541.D94 A33 1994) (J.H. Baker, ed., 1994, 1st ed., 1585) (*Publications of the Selden Society; v. 109-110*) and *Dyer's English King's Bench Reports* (John Vaillant, ed., 1794) (KD200.D93 1794). The latter is available in 73 *English Reports [Full Reprint]* (see next section).

Sir Edward Coke published a series of reports between 1600 and 1615 (posthumous volumes came out in 1655 and 1658) which included cases from 1572-1616 (KD200.C64). Also available in 76-77 *English Reports [Full Reprint]* (see next section).

Sir James Burrow put out several series of reports; among the most important is *Reports of Cases Argued and Adjudged in the Court of King's Bench: During the Time Lord Mansfield Presided in That Court; from Michaelmas Term, 30 Geo. II. 1756, to Easter Term, 12 Geo. III. 1772*. Available in 97-98 *English Reports [Full Reprint]* (see next section).

Charles Durnford and Sir Edward Hyde East published *Term Reports* of King's Bench cases for the period 1785-1800 (KD200.D87 1817).

To find other reports of cases in the online catalog, use the subject search *law reports, digests, etc. – great britain*, or try keyword searches; for example, *reports and cases and exchequer* will find works such as *Reports of Cases in the Court of Exchequer in the Time of King Charles I (1625 to 1648)* (KD208 1625 .R47 A225).

### D. Retrospective Sets

The *English Reports [Full Reprint]* (1900-1930) (KD270 1220 .E53 & online in Westlaw (ENG-RPTS); HeinOnline, <http://search.library.duke.edu/search?id=DUKE003131760>; and CommonLII, <http://www.commonlii.org/uk/cases/EngR/>) reprints many of the nominate

reports published between 1220 and 1865, and is considered the main source for early English cases. The Index will lead you to the case in the *English Reports* if you have a nominate report citation. **The Index Chart Issued for the English Reports** (KD270 1220 .E531 & online in HeinOnline) lists each nominate report (along with its abbreviation) reprinted in the *English Reports* and indicates the volume where it appears. A chart of abbreviations for the nominate reports is also available at <http://www.justis.com/support/jlinktext-english-reports.html>.

The **Revised Reports** (Frederick Pollock, ed., 1891-1917) (KD270 1785 .R45) covers 1785-1865. Rather than reprinting the best version of a case, Pollock sometimes combined versions and edited them to get what he thought was the true opinion. While generally duplicative of the *English Reports*, *Revised Reports* does include some additional cases. You should cite cases to *English Reports* or *Revised Reports*, with a parallel cite to the nominate reporter (*Bluebook*, T.2).

The **All England Law Reports Reprints** (1957-1968) (KD288 .A6) contains approximately 5,000 cases decided from 1558-1935, chosen for their importance. The set includes a table of cases and a subject index. This series is available in LexisNexis (ENGGEN;CASES).

**HeinOnline's World Trial Collection** includes trial transcripts and court documents (<http://search.library.duke.edu/search?id=DUKE003131760>, click on "World Trials" to see the list).

## E. Law Reports

**Law Reports** (1865- ) began with 11 series of reports (for a list see *Learning the Law* (13th ed., KD442 .W54 2006). Currently, there are four: **Appeal Cases** (KD275.4 .L38), **Queen's Bench Division** (KD277.7 .L38), **Chancery Division** (KD276.3 .L38) and **Family Division** (KD279.3 .L38). If a case is included in the *Law Reports*, it should be cited there in preference to other sources (*Bluebook*, T.2). Citations to these series refer only to the series abbreviation, and do not indicate that they are part of the *Law Reports* (e.g., *Harbottle v. Terry*, 1882 Q.B.D. 131 is a citation to the *Queen's Bench Division* series of the *Law Reports*). *Law Reports* are available in Lexis (ENGGEN;ICLR) and Westlaw (ALL-RPTS).

Some of these reporters are available in Lexis (ENGGEN;CASES) and Westlaw (UK-RPTS-ALL):

- **Times Law Reports** (1884-1952) (KD288 .A5).
- **Law Times Reports** (1843-1947) (1843-1859: Level 4; 1860-1947: KD288 .A34).
- **Law Journal Reports** (1822-1949; the 1822-1831 volumes are known as the **Old Series** (L.J.O.S.)) (KD288 .A22).

**All England Law Reports** (1936- ) incorporates the *Law Journal Reports* and the *Law Times Reports* (KD288 .A64).

## F. State Trials

*A Complete Collection of State Trials and Proceedings for High Treason and Other Crimes and Misdemeanors from the Earliest Period to the Year 1783* (Thomas Bayly Howell (vol. 1-21) & Thomas Jones Howell (vol. 22-33), eds.) (KD370 .H69 2000 (reprint of the 1816-1828 ed. & HeinOnline). Also known as *Howell's State Trials*, this collection of important criminal and constitutional cases begins with an account of the treason proceedings against Thomas Becket in 1163. The son of the original editor continued the series through 1820.

*State Trials of the Reign of Edward the First, 1289-1293* (T. F. Tout and Hilda Johnstone, eds., for the Royal Historical Society) (KD370 .T68).

*State Trials: Or, A Collection of the Most Interesting Trials, Prior to the Revolution of 1688* (Samuel March Phillipps, ed.) (KD370 .P55 S7) covers the years 1554 to 1688.

*Modern State Trials: Revised and Illustrated with Essays and Notes* (William C. Townsend, ed.) (KD370 .T69 1989, reprint of the 1850 ed. & HeinOnline) covers the years 1820-1850.

*Reports of State Trials. New Series... 1820 to [1858]... Published under the Direction of the State Trials Committee* (KD370 .R46 & HeinOnline).

## G. Indexes/Digests

*British Trials 1660-1900: The Guide to the Microfiche Edition* (Perkins KD370 .B758 1990) indexes a microfiche set that republishes non-official accounts, the majority are verbatim transcripts, of civil and criminal trials (microfiche not held at Duke, but may be borrowed).

*The Digest* (1971- ) (formerly called *The English and Empire Digest*, 1919-1970) (KD296 .E52 1971) provides access to cases from the Year Books to the present by name and subject.

*Law Reports: Digests* (KD284.D4 1952) contain summaries of cases in the *Law Reports* in a subject arrangement with lists of cases by name; the Law Library has volumes for the years 1931-1950.

Fisher, Robert Alexander, *A Digest of the Reported Cases Determined in the House of Lords & Privy Council and in the Courts of Common Law, Divorce, Probate, Admiralty & Bankruptcy, from Michaelmas Term, 1756, to Hilary Term, 1870: With References to the Statutes and Rules of Court, Founded on the Analytical Digest by Harrison, and Adapted to the Present Practice of the Law* (KD296 .F58 1870).

Williams, Glanville, *Learning the Law*, 13th ed. (KD442 .W54 2006) includes a table of the *Law Reports*.

Mews, John, *A Digest of the Reported Decisions of the Courts of Common Law, Bankruptcy, Probate, Admiralty, and Divorce: Together with a Selection from Those of the Court of Chancery and Irish Courts, from 1756 to 1883 Inclusive: Founded on Fisher's Digest* (also known as *Fisher's Common Law Digest*) (KD296 .M44 1884) and *Mews' Digest of English Case Law: Containing the Reported Decisions of the Superior Courts and a Selection*

*from Those of the Scottish and Irish courts to the End of 1924*, 2d ed., supplemented through 1969 (KD 296 .M43).

## H. Guides to Cases

Bolland, William C., *A Manual of Year Book Studies* (KD660 .B6 1925 and Making of Modern Law).

*Guide to Law Reports and Statutes*, 4th ed. (Ref. Desk KD54 .S98 1962) includes tables of regnal years, lists of law reports (alphabetical & chronological), abbreviations, etc.

Holborn, Guy, *Butterworths Legal Research Guide*, 2d ed. (Ref. KD392 .H64 2001).

*Manual of Law Librarianship: The Use and Organization of Legal Literature* (Elizabeth M. Moys ed.), 2d ed. (Ref. KD392 .M33 1987).

Prince, Mary Miles, *Bieber's Dictionary of Legal Abbreviations* 6th ed. (Ref. KF 246 .B5 2009) lists virtually all of the nominate reporter abbreviations.

Wallace, John William, *The Reporters: Arranged and Characterized with Incidental Remarks*, 4th ed., rev. and enl. (KD392 .W35 1882 and HeinOnline's Legal Classics Library).

Winfield, Percy H., *The Chief Sources of English Legal History* (Ref. KD530 .W55 1925 and HeinOnline's Legal Classics Library).

## I. LexisNexis/Westlaw

Cases from 1558 to the present are available on LexisNexis (ENGGEN;CASES). Westlaw (UK-RPTS-ALL) contains cases from 1865-present.

## V. LEGAL HISTORY TREATISES & PERIODICALS

Baker, J. H., *An Introduction to English Legal History*, 4th ed. (KD532 .B34 2002).

—, *The Common Law Tradition: Lawyers, Books and the Law* (2000) (KD671 .B35 2000).

Brand, Paul, *The Making of the Common Law* (1992) (KD671 .B7 1992).

Coquillette, Daniel R., *The Anglo-American Legal Heritage: Introductory Materials* (2d. ed, 2004) (KD532 .C672 2004) reprints the texts of some primary sources and classic treatises.

Dawson, John P., *The Oracles of the Law* (KJ147 .D39 1968).

Holdsworth, William S., *A History of English Law* (7th ed., rev. under the general editorship of A. L. Goodhart and H. G. Hanbury; with an introductory essay and additions by S. B. Chrimes, 1956-66) (KD532 .H64).

Milsom, S.F.C., *Historical Foundations of the Common Law*, 2d ed. (KD671 .M54 1981).

— , *Studies in the History of the Common Law* (1985) (KD671.A75 M55 1985).

*The Oxford History of the Laws of England* (John Baker, ed.) (2003-) (KD532.O94).

Plucknett, T.F.T., *A Concise History of the Common Law*, 5th ed. (KD671 .P58 1956).

— , *Early English Legal Literature* (KD532 .P58 1958).

Pollock, Frederick & Frederic W. Maitland, *The History of English Law Before the Time of Edward I*, 2d ed. (KD608 .P6 & 1996 reprint KD608 .P6 1996). Various editions are also available in HeinOnline's Legal Classics Library and Making of Modern Law.

Simpson, A.W.B., *Biographical Dictionary of the Common Law* (Ref. KD606 .B56 1984).

— , *Leading Cases in the Common Law* (KD671.A7 S56 1995).

Walker, David M., *The Oxford Companion to Law* (Ref. K48 .W34).

Winfield, Percy H., *The Chief Sources of English Legal History* (1925) (KD530 .W55 1925 and HeinOnline's Legal Classics Library).

The *Journal of Legal History* (Periodicals), a British publication, and *Law and History Review* (Periodicals), the journal of the American Society for Legal History, are two of the leading journals that publish articles on English legal history topics.

The *19th Century Masterfile* (<http://search.library.duke.edu/search?id=DUKE002645648>) includes the *Index to Legal Periodical Literature* (1786-1922) and *Poole's Index to Periodical Literature*, 1802-1907 which provide access to articles in Anglo-American periodicals.

## VI. CLASSIC TREATISES

Many classic legal treatises are now available in online databases such as *Early English Books Online* (<http://search.library.duke.edu/search?id=DUKE002785879>), *Eighteenth Century Collections Online* (<http://search.library.duke.edu/search?id=DUKE003265267>) and *HeinOnline* (<http://search.library.duke.edu/search?id=DUKE003902157>).

Blackstone, William, *Commentaries on the Laws of England* (facsimile of the 1st ed., 1765-1769) (KD353 .B5 2002). Blackstone was the first to lecture on English law at a university; the *Commentaries* are based on his lectures. An electronic version is available on the *Avalon Project* website (<http://avalon.law.yale.edu/default.asp>) and HeinOnline's Legal Classics Library (<http://search.library.duke.edu/search?id=DUKE003902157>).

Bracton, Henry de, *On the Laws and Customs of England (De legibus et consuetudinibus Angliae)*. Written about 1250, this description of English law followed the format of Justinian's *Institutes*. The best modern edition is the translation by Samuel E. Thorne (KD600 .B72 1968 and KD600 .B72 1997). A searchable version created by the Ames Foundation based on George Woodbine's edition of the original and Samuel Thorne's translation is available at (<http://hls15.law.harvard.edu/bracton/>).

Coke, Edward, *Institutes of the Laws of England* (1628-1641) is a four part treatise on the common law (KD600.C64 and .C643 & in HeinOnline's Legal Classics Library <http://search.library.duke.edu/search?id=DUKE003902157>). *The First Part of the Institutes* (1628) (KD833.C63 S9 1986, reprint of 1836 ed.), Coke's commentary on Littleton, is also known as *Coke on Littleton*.

*Tractatus de legibus et consuetudinibus regni Anglie (Treatise of the Laws and Customs of England)*. This 12th century treatise on writs and the common law was traditionally attributed to Ranulf de Glanville (modern scholars suggest other authors such as Glanville's nephew Hubert Walter). A good modern version is G.D.G. Hall's translation, *The Treatise of the Laws and Customs of the Realm of England Commonly Called Glanvill* (1965) (KD660.G43 H3 1993).

Littleton's *Tenures* (1481). This treatise on English land law is said to be the first printed English law book. *Littleton's Tenures in English*, edited by Eugene Wambaugh (Washington, D.C., J. Byrne, 1903) is a well-known modern edition (KD833 .L57 1903).

## VII. LEGAL HISTORY ON THE WEB

*The Anglo-American Legal Tradition* (AALT) (<http://aalt.law.uh.edu>) contains digitized images of thousands of court records from c.1272-1650.

*The Avalon Project at the Yale Law School: Documents in Law, History and Diplomacy* (<http://avalon.law.yale.edu/default.asp>) includes texts of classics such as Blackstone's *Commentaries*.

*British Legal History: Selected Links on the Web* from Cambridge University provides links to legal history sources ([http://www.law.cam.ac.uk/resources\\_history.php](http://www.law.cam.ac.uk/resources_history.php)).

*The Constitution Society* (<http://www.constitution.org>) (click on "Liberty Library of Constitutional Classics") contains classic works including Bouvier's *Law Dictionary* (1856 edition).

*The Court of Chivalry* (<http://www.court-of-chivalry.bham.ac.uk/index.htm>) contains records of cases from 1634-1640 relating to social, political and cultural issues.

*Early English Books Online* (<http://search.library.duke.edu/search?id=DUKE002785879>) includes many titles listed in bibliographies such as the *Short Title Catalogue* (1475-1700).

*Eighteenth Century Collections Online* (<http://search.library.duke.edu/search?id=DUKE003265267>) includes treatises, trial records, broadsides, and other legal writings.

*English Medieval Legal Documents Ad 600 - Ad 1535: A Compilation of Published Sources* (<http://emld.usc.edu/tiki-index.php?page=HomePage>) lists published sources of English medieval legal documents, and provide links to online sources.

*English Short-Title Catalogue (ESTC)* (<http://estc.bl.uk>) covers monographs printed between 1475 and 1800.

**H-LAW** (<http://www.h-net.msu.edu/~law/index.html>), a site sponsored by the American Society for Legal History, includes links to English legal history materials.

**HeinOnline** (<http://search.library.duke.edu/search?id=DUKE003131760>) includes reprints of classic treatises, case reporters and other documents in PDF format.

***House of Commons Parliamentary Papers***

(<http://search.library.duke.edu/search?id=DUKE003500392>) contains digital versions of the 19th century House of Commons Sessional Papers. ***British Parliamentary Papers and Other UK Government Publications*** (<http://guides.library.duke.edu/parliamentary>) provides detailed information about accessing UK government documents from the 13<sup>th</sup> century to the present.

**Legal History Blog** (<http://legalhistoryblog.blogspot.com/>) hosts discussions on a variety of topics, including English legal history.

**Legal History on the Web** ([http://www.law.duke.edu/legal\\_history/portal/index.html](http://www.law.duke.edu/legal_history/portal/index.html)) provides an annotated overview of online legal history resources.

**The Making of Modern Law** (<http://search.library.duke.edu/search?id=DUKE003408743>) contains the texts of about 20,000 British and American treatises published from 1800-1926.

**Medieval Legal History** (<http://www.fordham.edu/halsall/sbook-law.html>) is part of the **Internet History Source Book Project** (<http://www.fordham.edu/halsall>).

**Parliament Rolls of Medieval England** contains the texts (with English translation) of the rolls of parliament sessions from 1272-1509 (<http://search.library.duke.edu/search?id=DUKE004805053>).

**The Proceedings of the Old Bailey** (<http://www.oldbaileyonline.org>) contains accounts of over 100,000 criminal trials held at London's central criminal court from 1674 to 1834.

**Selected Web Sources for Legal History** (<http://tarlton.law.utexas.edu/rare/legal-history.html>) from the Jamail Center for Legal Research, Tarlton Law Library emphasizes archives and rare book collections.

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