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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.


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.


*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 (KD313 .S925 2006; earlier editions in Superseded Ref.)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 Certaine 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.


C. Languages of the Law


**D. Bibliographies**


The electronic version of the *Short-Title Catalogue (ESTC)* ([http://estc.bl.uk](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](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).


### III. STATUTES

**A. Collections of Statutes**

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.

**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.


**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).

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**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.

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


Modern Collections


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.


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 Promtuarie (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 dvyers cases...] (KD200 .P56 1816) covers cases from 1550-1579. Also available in 75 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

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):

- Law Journal Reports (1822-1949; the 1822-1831 volumes are known as the Old Series (L.J.O.S.)) (KD288 .A22).


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: 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.


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

H. Guides to Cases


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.


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


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).


*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 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).


*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.


**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) 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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