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


**B. Reference Books**

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


**C. Languages of the Law**


D. Bibliographies


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://library.duke.edu/metasearch/db/id/DUK01055); 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 and 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.

Acts and Ordinances of the Interregnum, 1642-1660 (1972, 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 and Making of Modern Law 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 our 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., 1911-1948) (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] (1910-1957) (KD129 .C45), which absorbed Chitty's Annual Statutes, includes statutes from 1900-1956; until 1909 they are arranged by subject.


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,1971) (KD691 .C73 1971) is a list of
popular names of statutes.


**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., 1963 reprint of 1887 ed.) (KD190 1217 .B72 and HeinOnline’s Legal Classics Library) includes about 2,000 cases from the years 1217-1240.


**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_

The Selden Society _Year Books Series_ (KD456.S4) 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

The Ames Foundation has been publishing Year Books since 1914 (KD194). 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.


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 Online (http://library.duke.edu/metasearch/db/id/DUK01055) and Early English Books, 1475-1640 (Perkins Microforms) 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 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] (KD270 1220 .E53 and HeinOnline).

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] (KD270 1220 .E53 and HeinOnline).

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] (KD270 1220 .E53 and HeinOnline).

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, HeinOnline, Westlaw (ENG-RPTS) and CommonLII, http://www.commonlii.org/int/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 and 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, Pollack 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 few 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 (ENNGEN;CASES).

HeinOnline’s World Trial Collection (http://library.duke.edu/metasearch/db/id/DUK00693) includes trial transcripts and court documents (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 (11th ed., 1982) (KD442 .W54 1982)); currently there are four (Appeal Cases (KD275.4 .L38), Queen’s Bench Division
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).


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


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

**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.) and 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 and 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).


H. Guides to Cases


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://library.duke.edu/metasearch/db/id/DUK00613](http://library.duke.edu/metasearch/db/id/DUK00613)) 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://library.duke.edu/metasearch/db/id/DUK01055), Eighteenth Century Collections Online (http://library.duke.edu/metasearch/db/id/DUK00959) and HeinOnline (http://library.duke.edu/metasearch/db/id/DUK00693) (click on “Legal Classics” to see the list).

Blackstone, William, Commentaries on the Laws of England (2002 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://library.duke.edu/metasearch/db/id/DUK00693).


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://library.duke.edu/metasearch/db/id/DUK01055) includes many titles listed in bibliographies such as the Short Title Catalogue (1475-1700).

Eighteenth Century Collections Online (http://library.duke.edu/metasearch/db/id/DUK00959) 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://library.duke.edu/metasearch/db/id/DUK00693) 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://library.duke.edu/metasearch/db/id/DUK01277) contains the texts of about 20,000 British and American treatises published from 1800-1926.

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

Parliament Rolls of Medieval England (http://library.duke.edu/metasearch/db/id/DUK01731) contains the
texts (with English translation) of the rolls of parliament sessions from 1272-1509.

*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.


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