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ENGLISH LEGAL MANUSCRIPTS IN THE UNITED STATES OF AMERICA

PART I: MEDIEVAL AND RENAISSANCE (TO 1558)

PART II: EARLY MODERN AND MODERN PERIODS (1558-1902)

Compiled by: J.H. Baker

Part I: Medieval and Renaissance Period (to 1558)

On a visit to the United States, J.H. Baker, an English legal historian, came across a number of English legal manuscripts which were not included in the Census of Medieval and Renaissance Manuscripts in the United States and Canada, or in any other printed work, and some of which were inaccurately described in print.

This first installment is confined to medieval and renaissance manuscripts, which Baker has arbitrarily defined as those written before the accession of Elizabeth I in 1558. It is also confined to English law and manuscripts of the kind found in law libraries.

This work is a list of volumes and is not a full catalog of their contents. This is an important distinction in the case of medieval collections of statutes and tracts, which often contain many short items. Baker has provided a generic description of such titles and makes note of the more important tracts.

The following are the principal categories within Part I:

- Statuta Vetera (i.e. before 1327)
- Register of Writs
- Statuta Nova (i.e. after 1327)
- Year Books and Reports
- Abridgements or Indexes of Statutes



Part II: Early Modern and Modern Periods (1558-1902)

There are two obvious differences between Parts I and Part II. One is that it is much longer - this part contains six times the number of entries, a reflection of the greater volume of surviving post-medieval manuscripts. The second difference is that the range of the material is much wider. Most of the medieval manuscripts fit into certain well-defined categories, with few of them being unique. This part includes more private notes and also several new kinds of legal material. The variety made more difficult the choice of what to include. Most of the books that have been included may be regarded as being produced for professional purposes, but there are some which were not aimed at lawyers.



There are two categories of manuscript, well represented in this list, that have been greatly neglected by legal historians. One category is the notebook recording evidence at trials or arguments in banc. The second neglected category of source-material is the opinion. Writers' opinions in the modern sense seem not to be found prior to the sixteenth century, and the earliest specimens are often in abstract form, with names omitted.

The main purpose of Part II has been to enable scholars to locate anything which may be relevant to their studies, with minimum difficulty. As Baker kept bibliographic details to a minimum, these should not be regarded as very precise. To assist the user are, at the end: a chronological table of reports and cases, to show at a glance the temporal coverage of all the reports listed within, alphabetical tables of reporters and cases, a list of titles and incipits of treatises, and indexes of subjects and names. These tables extend to Part I as well as this present volume.

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