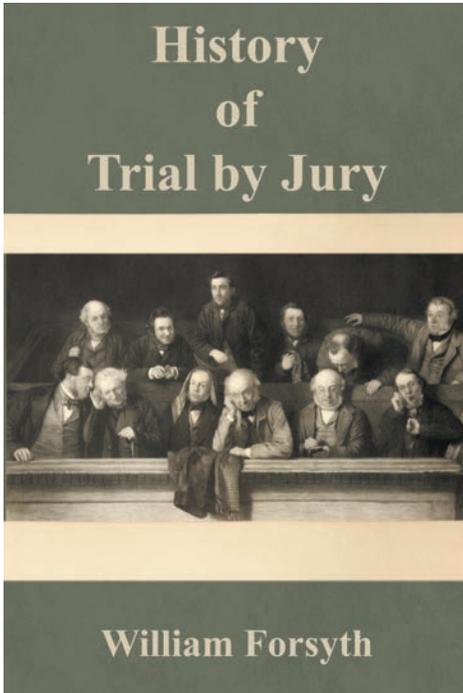


HISTORY OF TRIALS, LAWYERS AND JUDGES

May 27, 2020



Selected Titles



William Forsyth

History of Trial by Jury

Originally published: Jersey City: Frederick D. Linn, [1875]
x, 388 pp.

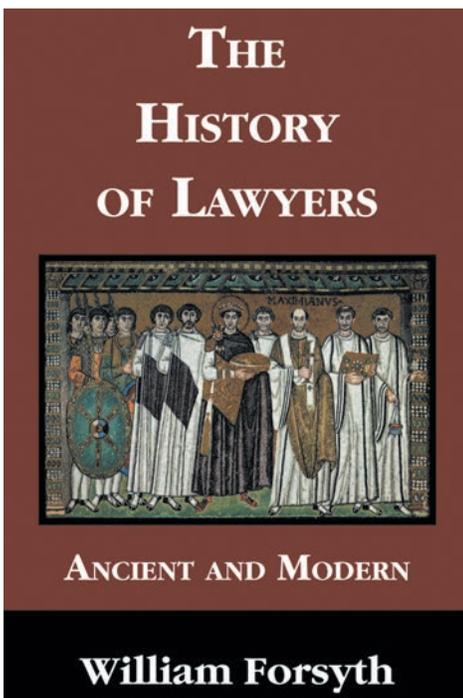
Hardcover 1996, 2015
ISBN 978-0-963010-68-1
\$34.95

Paperback 2012
ISBN 978-1-61619-262-4
\$21.95

First published in England in 1852, Forsyth's *Trial by Jury* is the first full-scale historical account of the rise and growth of the jury system in England. Highly regarded, this book went through 37 editions. The first American edition, the source of this reprint, adds a number of notes and corrections to American references in previous editions.

"An excellent summary of the opinions of leading legal writers as well as conventional historians regarding the origins of trial by jury was set forth by an Englishman, William Forsyth, in his excellent book entitled *History of Trial by Jury*. (. . .) Various writers, according to Forsyth, attribute the origin of the English jury to a recognition of the principle that no man ought to be condemned except by the voice of his fellow citizens. Forsyth committed himself to the belief that trial by jury did not owe its existence to any positive law, that it was not created by any Act of Parliament, but grew out of usages and customs of society that eventually passed away. Forsyth concluded his observations by saying that 'the jury does not owe its existence to any preconceived theory of jurisprudence, but that it gradually grew out of forms previously in use and was composed of elements long familiar to the people in general.'"

Robert H. White, 29 *Tennessee Law Review* 29 (1961-1962) 14



William Forsyth

The History of Lawyers

Ancient and Modern

Originally published: Boston: Estes & Lauriat, 1875
Illustrated. xvii, 404 pp.

Hardcover 1996, 2010
ISBN 978-1-886363-14-4
\$35.95

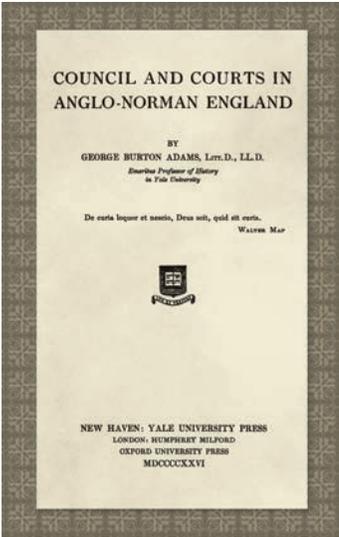
Paperback 2010
ISBN 978-1-61619-053-8
\$25.95

First published in 1849 in London under the title *Hortensius: or, The Advocate*, Forsyth's *History of Lawyers* is a spirited account of advocacy in ancient Greece, Rome, and England and of the bar in France. Acknowledging that "[w]e are too apt to cloth the ancients in buckram, and view them, as it were, through a magnifying glass, so that they loom before us in the dim distance in almost colossal proportions," Forsyth presents in familiar terms the language of the law and how advocates behaved. Frequently citing classical sources with his own translations, he describes in impressive detail such things as curious trials and the rights and obligations of counsel.

Chapter headings include: The Athenian Courts; Advocacy in Ancient Rome; The Bar under the Empire and in the Middle Ages; The Noblesse de la Robe; The Honorarium; ad, Forensic Casuistry.

William Forsyth [1812-1899] was an English lawyer and author of many works on law and literature.

Selected Titles



George Burton Adams Council and Courts in Anglo-Norman England

Originally published: New Haven:
Yale University Press, 1926
xxv, 403 pp.

Hardcover 2004
ISBN 978-1-58477-449-5
\$45.

Reprint of a title from the Yale Historical Publication Studies. The judicial system constructed by the Normans after 1066 rested on a broad foundation of Anglo-Saxon institutions. Adams traces the evolution of this construction with an emphasis on the ways Anglo-Saxon and Norman practices influenced one another. He proceeds to demonstrate how the resulting judicial hybrid contributed to the development of the English constitution.



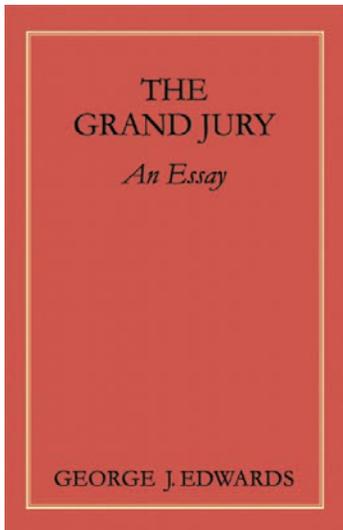
F. Elrington Ball The Judges in Ireland, 1221-1921

Originally published: London: John Murray. [1926]
2 Vols., each with frontispiece. xxiii, 366; vii, 408 pp.

Hardcover 2005
ISBN 978-1-58477-428-0
\$150.

“These interesting volumes serve a double purpose; they supply condensed biographies (in the style of the *Dictionary of National Biography*) of all who held judicial office in Ireland from the earliest days down to the new constitution, with references to sources and chronological tables. In short, they are the Irish counterpart to Foss’s book, *The Judges of England*. And secondly, the general chapters are a careful history of the Irish judiciary, its members, their politics and connections, and the legal profession in general, with some remarks upon the history of the courts in Ireland.”

T.F.T. Plucknett, *Harvard Law Review* 41:275

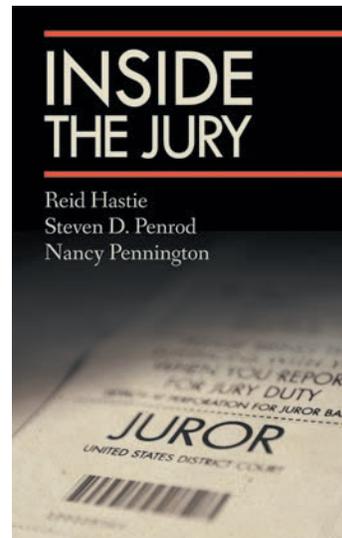


George J. Edwards The Grand Jury An Essay Awarded the Peter Stephen Duponceau Prize by the Law Academy of Philadelphia

Originally published: Philadelphia:
George T. Bisel Company, 1906
lxxix, 219 pp.

Hardcover 2004
ISBN 978-1-58477-432-7
\$29.95

This important book traces the history and development of the grand jury from its origins in Saxon England to the author’s time. Edwards [1875-1946] was a prominent Philadelphia lawyer who specialized in insurance law. His book won the prestigious Peter Stephen DuPonceau Prize of the Law Academy of Philadelphia in 1904. The Prize Committee praised the book’s “vast amount and valuable information” and observed “not only is [the subject] extremely interesting, (...) it is of great practical importance.” Nearly a century later, the book remains an indispensable authority.



Reid Hastie, Steven D. Penrod and Nancy Pennington

Inside the Jury

Originally published: Cambridge:
Harvard University Press, 1983
viii, 277 pp.

Hardcover 2002, 2013
ISBN 978-1-58477-269-9
\$65.

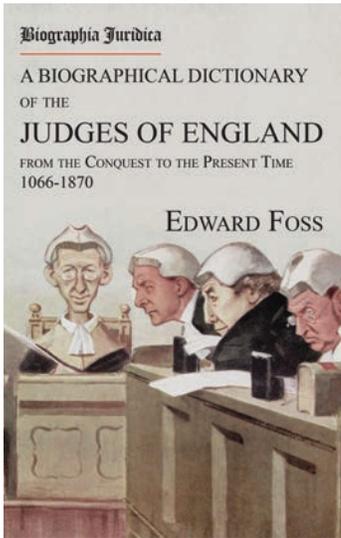
An important statistical study of the dynamics of jury selection and deliberation that offers a realistic jury simulation model, a statistical analysis of the personal characteristics of jurors and a general assessment of jury performance based on research findings by reputed scholars in the behavioral sciences.

“A landmark jury study.” *Contemporary Sociology*.

“The book will stand as the third great product of social research into jury operations, ranking with Kalven and Zeisel’s *The American Jury* and Van Dyke’s *Jury Selection Procedures*.” *American Bar Association Journal*.

Selected Titles

Edward Foss [1787-1870], an English jurist, was a founder and later president of the Incorporated Law Society. In 1843 he published *The Grandeur of the Law* and then went on to write *The Judges* over a sixteen year period. A prolific magazine contributor during his professional practice, he dedicated himself during his retirement to a study of the history of the legal profession, and lent various materials from his collection to Lord Campbell for *Lives of the Chancellors*.



Edward Foss

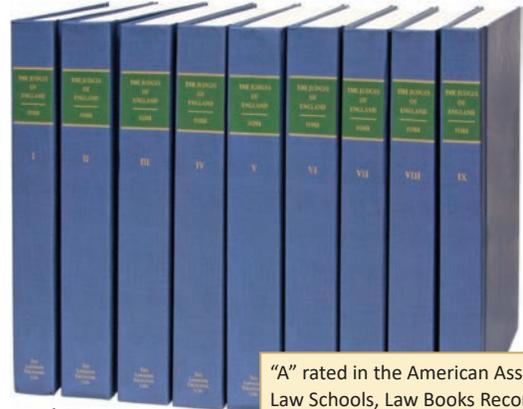
Biographia Juridica A Biographical Dictionary of the Judges of England From the Conquest to the Present Time 1066-1870

Originally published: London: John
Murray, 1870
xv, 792 pp.

Hardcover 2000, 2011
ISBN 978-1-886363-86-1
\$59.95

Paperback 2011
ISBN 978-1-61619-177-1
\$39.95

A biographical dictionary that provides authoritative factual data about every judge in England who served from the reign of William the Conqueror to 1870. Based on original sources, it is an important and handy reference for legal historians.



"A" rated in the American Association of
Law Schools, Law Books Recommended
for Librarians.

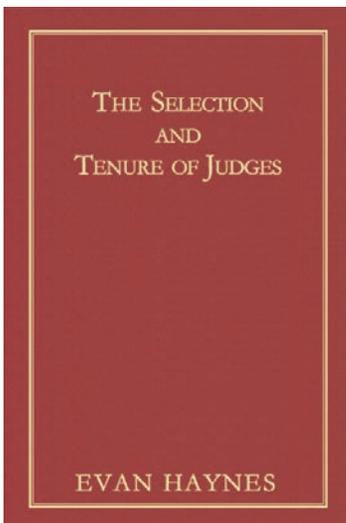
Edward Foss

The Judges of England With Sketches of Their Lives, and Miscellaneous Notices Connected with the Courts of Westminster, from the Time of the Conquest

Originally published: London: Longman, Brown, Green, and Longmans, 1848-1864
9 Vols. xxiv, 432; vi, 540; viii, 552; vi, 502; vi, 556; vi, 528; viii, 416; vi, 424; vi, 330 pp.

Hardcover 2003
ISBN 978-1-58477-304-7
\$295.

Reprint of the only edition. Authoritative biographies of 1,589 chancellors, masters of the rolls, and judges of the courts are provided for each reign, from the time of the Norman Conquest through the reign of Queen Victoria, 1066-1864. Based on original sources, it is an important reference work for legal historians. Considered "the standard authority" in its field by J.C. Robertson in the *Law Times* of Sept. 24, 1870, (see *Dictionary of National Biography* VII:491-492), it is frequently cited by Holdsworth in *A History of English Law*.



Evan Haynes

The Selection and Tenure of Judges

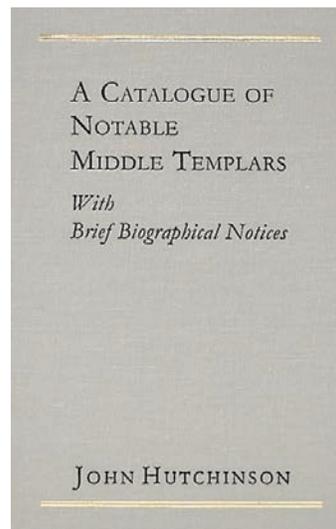
With an introduction by
Roscoe Pound.

Originally published: [Newark]:
The National Conference of Judicial
Councils, 1944
xix, 308 pp.

Hardcover 2005
ISBN 978-1-58477-483-9
\$39.95

Warmly received when it was first published, it is recommended by Willard Hurst in *The Growth of American Law: The Lawmakers* (454).

Haynes offers a comprehensive overview of the factors that determine judicial selection in the United States. It is also a useful history of the subject from the colonial era to 1943. Written with input from Pound, Haynes offers a sociological analysis enriched with an impressive body of statistical data. He examines such factors as class and region affiliation, and whether elected judges are more liberal than their tenured colleagues. He also compares American practices to those in Great Britain, Canada, France, Italy, Germany, Scandinavia and Latin America.



John Hutchinson

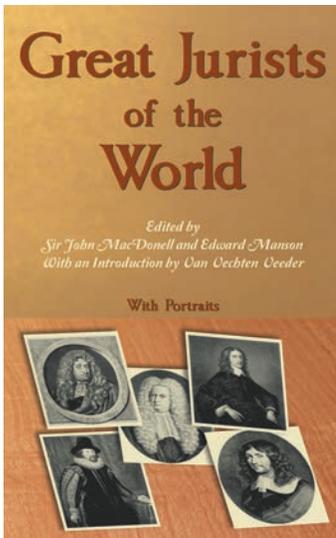
A Catalogue of Notable Middle Templars, with Brief Biographical Notices

Originally published: [London]:
The Honourable Society of the
Middle Temple, 1902
xiv, 284 pp.

Hardcover 2003
ISBN 978-1-58477-323-8
\$34.95

Brief biographies of nearly one thousand distinguished Templars admitted between 1501 to 1901, such as Sir William Blackstone, Joseph Chitty, Henry Fielding, Sir William Jones, Lord Kenyon and Sir John Skene. A handy volume for the scholar of English law.

Selected Titles



[Sir John MacDonell and Edward Manson, editors]

Great Jurists of the World

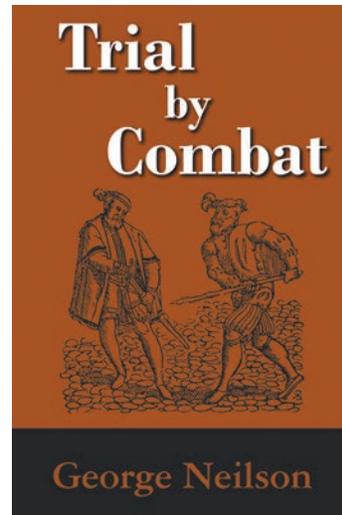
With an Introduction by Van Vechten Veeder.

Originally published: Boston: Little, Brown, and Company, 1914
Illustrated. xxxii, 607 pp.

Hardcover 1997, 2011
ISBN 978-1-886363-28-1
\$39.95

Paperback 2010
ISBN 978-1-61619-076-7
\$29.95

Written by a team of eminent scholars under the auspices of the Association of American Law Schools, this highly readable book covers the lives and chief works of selected eminent Classical, Continental and English jurists including Gaius, Papinian, Ulpian, Bartolus, Alciati, Cujas, Gentili, Hugo Grotius, Selden, Hobbes, Zouche, Pufendorf, Vico, Bynkershoek, Montesquieu, Pothier, Vattel, Beccaria, Bentham, Mittermaier, Savigny and Jhering. Originally published in the Continental Legal History Series.



George Neilson

Trial by Combat

Originally published: Glasgow: William Hodge & Co., 1890
xiv, 348 pp.

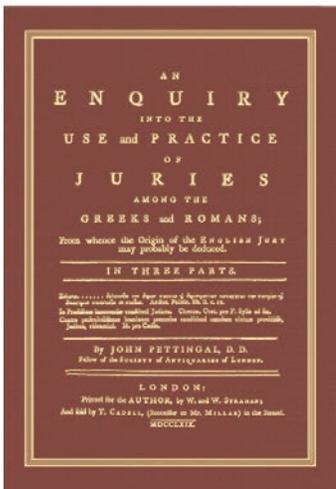
Hardcover 2000, 2013
ISBN 978-1-58477-075-6
\$25.95

Paperback 2009
ISBN 978-1-58477-985-8
\$18.95

“All the authorities on the subject, I believe, are collected in this excellent book.”

Sir Frederick Pollock
The Genius of the Common Law

Although it is not known exactly when trial by combat, battle, or duel began as a method of conflict resolution, its origin certainly goes back before the feudal era. Neilson focuses on Britain and Scotland and traces this tradition from before the Middle Ages to the Appeal of Murder Act of 1819.



John Pettingal

An Enquiry Into the Use and Practice of Juries among the Greeks and Romans

From whence the Origin of the English Jury May Probably be Deduced

Originally published: London: Printed for the Author, by W. and W. Strahan, 1769
xv, [1], 200 pp.

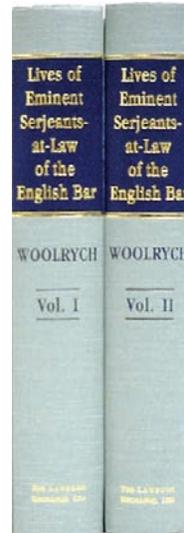
Hardcover 2007
ISBN 978-1-58477-749-6
\$35.95

Reprint of the scarce sole edition. This early history of juries is enriched with numerous citations from Greek and Latin authors.

“[T]he Reader (...) will be pleased to find the glorious Characteristic of this Nation, a Jury, to be originally founded in the Liberty of Greece, and handed down to us Through the Channel of the Commonwealth of Rome, and the Colonies Planted in their conquests.”

Preface, xiii

John Pettingal [1708-1781], a doctor of divinity and Fellow of the Society of Antiquaries, was a prebendary of Lincoln Cathedral.



Humphry William Woolrych

Lives of Eminent Serjeants-at-Law of the English Bar

Originally published: London: Wm. H. Allen & Co., 1869
2 Vols. xxviii, 452; [4], 453-900 pp.

Hardcover 2002
ISBN 978-1-58477-217-0
\$69.95

A useful collection of legal biographies from the 16th to the 19th centuries.

“The Serjeant at law was formerly a barrister of the highest order or rank belonging to the serjeant’s Inn of Court and taking social but not professional precedence of king’s counsel. Sergeants at law enjoyed, down to 1845, the exclusive right of audience as senior counsel in the Court of Common Pleas. The order has become extinct since 1877.”

Julius J. Marke, *A Catalogue of the Law Collection at New York University* 153

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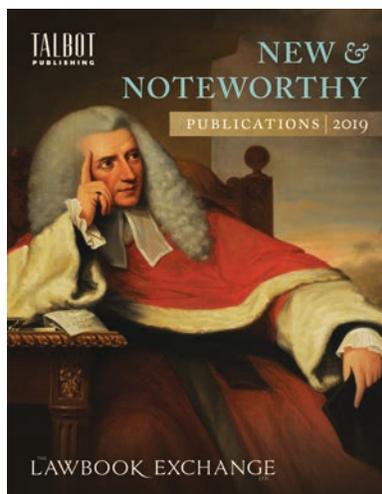
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