CONTENTS

PAGE

Preface – – – – – – – – – – – – – – – v
Table of Mediaeval Cases – – – – – – – – – – xi
Table of Modern Cases – – – – – – – – – – xvii
Table of Laws and Statutes – – – – – – – – – – xix

BOOK ONE

A GENERAL SURVEY OF LEGAL HISTORY

PART I

THE CROWN AND THE STATE

Chapter

1. The Anglo-Saxon Period: Races and Religion – – – – – 6
2. The Conquest to Henry II: The Beginnings of Administration – 11
3. The Great Charters: Law Separates from Administration – – 20
4. Edward I to Richard II: Statutes and Social Revolution – – 27
5. The Fifteenth Century: The Problem of Enforcement – – – 35
6. The Tudors: Renaissance, Reformation and Reception – – – 39
7. The Stuarts: Struggle for the Supremacy of Law – – – – 48
8. The Eighteenth Century: Industrial Revolution – – – – 65
9. The Nineteenth Century: Liberalism and Reform – – – – 73

PART II

THE COURTS AND THE PROFESSION

1. The Communal Courts – – – – – – – – – – 83
2. Seignorial Jurisdiction – – – – – – – – – – 95
3. The Crown and Local Courts – – – – – – – – 101
4. The Jury – – – – – – – – – – – – 106
5. The Origins of the Central Courts – – – – – – – 139
6. The Elaboration of the Judicial System: 1307–1509 – – – 157
7. The Tudors and the Common Law Courts – – – – – – 170
8. The Rise of the Prerogative Courts – – – – – – – 176
9. Prerogative, Equity and Law under the Stuarts – – – – 191
10. Parliament and the Privy Council – – – – – – – – 199
11. The Courts in the Nineteenth Century – – – – – – – 207
12. The Legal Profession – – – – – – – – – – 215
13. The Growth of the Judiciary – – – – – – – – 231
14. Professional Literature – – – – – – – – – 252

PART III

SOME FACTORS IN LEGAL HISTORY

Chapter		Page
1.	The Civil Law of Rome	294
2.	The Canon Law of the Church	301
3.	Custom	307
4.	Legislation	315
5.	The Principle of Precedent	342

BOOK TWO

SPECIAL PART

PART I

PROCEDURE

1.	The Forms of Action	353
2.	Civil Procedure	379
3.	Pleading	399

PART II

CRIME AND TORT

1.	Criminal Procedure	424
2.	The Felonies	442
3.	Misdemeanours, Trespass and Tort	455
4.	Liability, Civil and Criminal	463
5.	Defamation	483

PART III

REAL PROPERTY

1.	Feudalism	506
2.	Feudalism in England	516
3.	Inheritance and Alienability	521
4.	Tenures and Incidents	531
5.	The Rise of the Entail	546
6.	The Common Law Estates down to 1540	558
7.	Uses and the Statute	575
8.	The Later Law of Real Property	588
9.	The Mortgage	603
10.	Conveyances	610

PART IV

CONTRACT

1.	Origins	628
2.	The Fourteenth Century	633
3.	Assumpsit to Slade's Case	637
4.	Contract after Slade's Case	647
5.	Law Merchant and Admiralty	657

PART V

EQUITY

Chapter		Page
1.	The Early History of Equity	675
2.	The Formative Period	685
3.	The Work of the Chancellors	695

PART VI

SUCCESSION

1.	Inheritance	712
2.	Intestacy	725
3.	Wills	732

INDEX