



Sir William Blackstone  
and the

# COMMON LAW

*Blackstone's Legacy to America*



ROBERT D. STACEY, PH.D.,  
JERRY J. VICKREY, GENERAL EDITOR



# Sir William Blackstone And The Common Law Blackstones Legacy To America

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## **Sir William Blackstone And The Common Law Blackstones Legacy To America:**

**Sir William Blackstone and the Common Law** Robert D. Stacey, 2003-11 An introduction for many to this legal scholar law professor attorney member of Parliament and judge who shaped the thinking of our founding fathers 'A **Difference of Customs**' Ellen Holmes Pearson, 2000 **Blackstone and his Commentaries** Wilfrid Prest, 2009-07-06 One of the most celebrated works in the Anglo American legal tradition William Blackstone's Commentaries on the Laws of England 1765 9 has recently begun to attract renewed interest from legal and other scholars The Commentaries no longer dominate legal education as they once did especially in North America during the century after their first publication But they continue to be regularly cited in the judgments of superior courts of review on both sides of the Atlantic and elsewhere throughout the common law world They also provide constitutional cultural intellectual and legal historians with a remarkably comprehensive account of the role of law lawyers and the courts in the imperial superpower that was England on the cusp of the industrial revolution The life and character of Blackstone himself the nature and sources of his jurisprudence as expounded in the Commentaries and the impact of his great book both within and beyond his native shores are the main themes of this collection Individual essays treat Blackstone's early architectural treatises and their relationship to the Commentaries his idiosyncratic book collecting his views of the role of judges interpretation of statutes the law of marriage the status of wives natural law property law and the legalities of colonisation and the varied reception of the Commentaries in America and continental Europe Blackstone's bibliography and iconography also receive attention Combining the work of both eminent and emerging scholars this interdisciplinary venture sheds welcome new light on a legal classic and its continued influence I Life 1 Blackstone and Biography Wilfrid Prest 2 A Model of the Old House Architecture in Blackstone's Life and Commentaries Carol Matthews 3 A Mighty Consumption of Ale Blackstone Buckler and All Souls College Oxford Norma Aubertin Potter 4 William Blackstone and William Prynne an Unlikely Association Ian Doolittle II Thought 5 Blackstone on Judging John H Langbein 6 Blackstone's Rules for the Construction of Statutes John V Orth 7 Blackstone and Bentham on the Law of Marriage Mary Sokol 8 Coverture and Unity of Person in Blackstone's Commentaries Tim Stretton 9 Blackstone's Commentaries on Colonialism Australian Judicial Interpretations Thalia Anthony 10 Restoring the Real to Real Property Law A Return to Blackstone Nicole Graham III Influence 11 American Blackstones Michael Heflich 12 Did Blackstone get the Gallic Shrug John Emerson 13 Blackstone in Germany Horst Dippel IV Sources 14 Bibliography Morris Cohen 15 Iconography J H Baker and Wilfrid Prest Contributors Thalia Anthony lectures in law at the University of Sydney Norma Aubertin Potter is Librarian in Charge of the Codrington Library All Souls College Oxford J H Baker Downing Professor of the Laws of England at the University of Cambridge is Literary Director of the Selden Society Morris Cohen Professor Emeritus and Professorial Lecturer in Law is the former Librarian of Yale Law School Horst Dippel is Professor of British and American Studies at the University of Kassel Ian Doolittle formerly a Junior Research Fellow at Christ Church

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*Blackstone and His Commentaries* Wilfrid R. Prest, 2009 One of the most celebrated works in the Anglo American legal tradition William Blackstone's *Commentaries on the Laws of England* 1765 9 has recently begun to attract renewed interest from legal and other scholars The *Commentaries* no longer dominate legal education as they once did especially in North America during the century after their first publication But they continue to be regularly cited in the judgments of superior courts of review on both sides of the Atlantic and elsewhere throughout the common law world They also provide constitutional cultural intellectual and legal history

**Blackstone and His Critics** Anthony Page, Wilfrid Prest, 2018-04-19 William Blackstone's *Commentaries on the Laws of England* 1765 69 is perhaps the most elegant and influential legal text in the history of the common law By one estimate Blackstone has been cited well over 10 000 times in American judicial opinions alone Prominent in recent reassessment of Blackstone and his works Wilfrid Prest also convened the Adelaide symposia which have now generated two collections of essays *Blackstone and his Commentaries Biography Law History* 2009 and *Re Interpreting Blackstone's Commentaries A Seminal Text in National and International Contexts* 2014 This third collection focuses on Blackstone's critics and detractors Leading scholars examine the initial reception of the *Commentaries* in the context of debates over law religion and politics in eighteenth century Britain and Ireland Having shown Blackstone's volumes to be a contested work of the Enlightenment the remaining chapters assess critical responses to Blackstone on family law the status of women and legal education in Britain and America While Blackstone and his *Commentaries* have been widely lauded and memorialised in marble this volume highlights the extent to which they have also attracted censure controversy and disparagement

William Blackstone Wilfrid Prest, 2008-10-16 Lawyer judge politician poet teacher and architect William Blackstone was a major figure in eighteenth century public life Over his varied and brilliant career he made profound contributions to English politics law education and culture through involvements in legal practice Parliament and the University of Oxford Throughout he also remained engaged in his society's literary and spiritual life Despite the breadth and influence of his work Blackstone the man remains little known and poorly understood the lack of engagement with his public and private life standing in stark contrast to the scale of his influence particularly on the development and teaching of the

law Blackstone's Commentaries on the Laws of England remains the most celebrated and influential text in the Anglo American common law tradition This great book has inevitably overshadowed its author while the dispersal of his personal and professional papers further complicates the task of understanding the man behind the work The lack of a thorough account of Blackstone's life has fuelled controversy surrounding his intellectual background and political views Was he the deeply reactionary conservative painted by Bentham or rather a committed reformer and early champion of human rights The present biography makes full use of a considerable body of new evidence that has emerged in recent years to shed light on the life work and times of this neglected figure in English and American history Exploring Blackstone's family upbringing and private life his political activities and ideology his religious outlook and championing of the enlightenment this book weaves together the threads of an extraordinary mind and career *Critical Commentaries on Blackstone* Charles E. Harman, 2002

**William Blackstone's Commentaries Systematically Abridged And Adapted To The Existing State Of The Law And Constitution With Great Additions By Samuel Warren** William Blackstone, 2019-04-04 This work has been selected by scholars as being culturally important and is part of the knowledge base of civilization as we know it This work was reproduced from the original artifact and remains as true to the original work as possible Therefore you will see the original copyright references library stamps as most of these works have been housed in our most important libraries around the world and other notations in the work This work is in the public domain in the United States of America and possibly other nations Within the United States you may freely copy and distribute this work as no entity individual or corporate has a copyright on the body of the work As a reproduction of a historical artifact this work may contain missing or blurred pages poor pictures errant marks etc Scholars believe and we concur that this work is important enough to be preserved reproduced and made generally available to the public We appreciate your support of the preservation process and thank you for being an important part of keeping this knowledge alive and relevant *The Commentaries of Sir William Blackstone, Knight, on the Laws and Constitution of England* William Blackstone, 2009 This handsome book is part of the new ABA Classics Series These authoritative affordable and beautifully designed editions of the world's greatest law books are perfect for any law library or office or as a gift for anyone involved or interested in the law This volume of the ABA Classics Series is Blackstone's Commentaries This legal classic from famed eighteenth century judge jurist and professor Sir William Blackstone

**Re-Interpreting Blackstone's Commentaries** Wilfrid Prest, 2014-12-01 This collection explores the remarkable impact and continuing influence of William Blackstone's Commentaries on the Laws of England from the work's original publication in the 1760s down to the present Contributions by cultural and literary scholars and intellectual and legal historians trace the manner in which this truly seminal text has established its authority well beyond the author's native shores or his own limited lifespan In the first section Words and Visions Kathryn Temple Simon Stern Cristina S Martinez and Michael Meehan discuss the Commentaries aesthetic and literary qualities as factors contributing to the work's unique status

in Anglo American legal culture The second group of essays traces the nature and dimensions of Blackstone's impact in various jurisdictions outside England namely Quebec Michel Morin Louisiana and the United States more generally John W Cairns and Stephen M Sheppard North Carolina John V Orth and Australasia Wilfrid Prest Finally Horst Dippel Paul Halliday and Ruth Paley examine aspects of Blackstone's influential constitutional and political ideas while Jessie Allen concludes the volume with a personal account of Reading Blackstone in the Twenty First Century and the Twenty First Century through Blackstone This volume is a sequel to the well received collection Blackstone and his Commentaries Biography Law History Hart Publishing 2009 *Blackstone's Commentaries* Blackstone, 1855 **Sir William Blackstone** David Alexander Lockmill, 1938 *Blackstone's Commentaries* William Blackstone, Henry Winthrop Ballantine, 1926 **Blackstone's Commentaries** William Blackstone, St. George Tucker, 1997 The classic exposition of English Common Law at the time of the founding of the American Republic was Commentaries on the Laws of England by William Blackstone This work was used as a standard reference and law book by lawyers judges and the founding fathers who incorporated the applicable provisions of it into the U S Constitution especially for the definitions of its terms However Blackstone's Commentaries were written for a monarchical system of government and needed to be adapted to the needs of the new republic This was first done by St George Tucker who taught law and who had Blackstone's Commentaries republished together with his own lecture notes in 1803 in a five volume set familiarly known as Tucker's Blackstone The Commentaries of Sir William Blackstone, Knt William Blackstone, 1796 This Elibron Classics title is a reprint of the original edition published in London 1796

**Blackstone's Commentaries** William Blackstone, 1803 William Blackstone Wilfrid R. Prest, 2008 Lawyer politician poet teacher and architect William Blackstone was a major figure in 18th century public life and pivotal in the history of law Despite the influence of his work Blackstone the man remains little known This book sheds light on the life work and society of a neglected figure *The Commentaries of Sir William Blackstone on the Laws and Constitution of England* William Curry, 2014-03-29 This Is A New Release Of The Original 1796 Edition Carefully Abridged In A New Manner And Continued Down To The Present Time With Notes Corrective And Explanatory **An Interesting Appendix to Sir William Blackstone's Commentaries on the Laws of England. Containing, I. Priestley's Remarks on Some Paragraphs in the Fourth Volume of Blackstone's Commentaries, Relating to the Dissenters** Multiple Contributors, 2018-04-25 The 18th century was a wealth of knowledge exploration and rapidly growing technology and expanding record keeping made possible by advances in the printing press In its determination to preserve the century of revolution Gale initiated a revolution of its own digitization of epic proportions to preserve these invaluable works in the largest archive of its kind Now for the first time these high quality digital copies of original 18th century manuscripts are available in print making them highly accessible to libraries undergraduate students and independent scholars This collection reveals the history of English common law and Empire law in a vastly changing world of British expansion Dominating the legal field is the Commentaries

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