

Legal History Reference Reading List

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This list began as an additional reading list for use by students on the University of Bristol Law School undergraduate Legal History unit, which centres on English legal history 1066-1900, but is included here as a general resource for beginning research in law and history or legal history. It is a perpetual work in progress, and suggestions for additions are very welcome. Separate lists will be created for particular areas, including medieval legal history and 20th century legal history.

Abbreviations

<i>AJLH</i>	<i>American Journal of Legal History</i>
<i>JLH</i>	<i>Journal of Legal History</i>
<i>JMH</i>	<i>Journal of Medieval History</i>
<i>LHR</i>	<i>Law and History Review</i>
<i>LQR</i>	<i>Law Quarterly Review</i>
<i>OHLE</i>	<i>Oxford History of the Laws of England</i>
SS	Selden Society volumes

Overview/Introduction/General

What is (the point of) Legal History?

R. Auchmuty 'Legal History', in R Auchmuty (ed.), *Great Debates in Gender and Law* (London, 2018) 173-184.

M. Lobban, 'The Tools and Tasks of the Legal Historian', in A. Lewis and M. Lobban (eds), *Law and History: Current Legal Issues* 6 (2003), 1-32.

I. Stramignoni, 'At the margins of the history of English law: the institutional, the socio-political and the 'blotted out'', *Legal Studies* 22 (2002) 420.

J. Rose, 'Studying the past: the nature and development of legal history as an academic discipline', *JLH* 31 (2010), 101-128.

Smith and McLaren, 'History's living legacy: an outline of 'modern' historiography of the common law', 21 *Legal Studies* (2001), 251-324.

S.E. Hamill, 'Review of Legal History' *Social and Legal Studies* 28 (2019) 538-559

General works

J.H. Baker, *Introduction to English Legal History* (5th edn., Oxford, 2019).

S.F.C. Milsom *Historical Foundations of the Common Law* (2nd edn., London, 1981).

A.H. Manchester, *A Modern Legal History of England and Wales 1750-1950* (London, 1980)

J.H. Baker & S.F.C. Milsom, *Sources of English Legal History: private law to 1750* (second edn, London, 2010).

A. Harding, *A Social History of English Law* (Harmondsworth, 1966) .

J.H. Baker, 'English Law and the Renaissance', 94 *SS* 23-51.

B. Shapiro, 'Law reform in seventeenth century England', *AJLH*. 19 (1975) 280.

D. Veall, *The Popular Movement for Law Reform 1640-1660* (Oxford, 1970).

W.S. Holdsworth, *A History of English Law* (16 volumes, 1922-66).

M. Mulholland, B and A Pullan and R Melikan (eds) *The trial in history* 2 volumes, (Manchester, 2003).

G.R. Rubin and D. Sugarman (eds), *Law, Economy and Society, 1750-1914: essays in the history of English Law* (Abingdon, 1984).

P. Brand et al. (eds) *Adventures of the Law* (Dublin, 2005).

J. Oldham, *English Common Law in the Age of Mansfield* (Chapel Hill, 2004).
J.A. Guy and H.G. Beale, *Law and Social Change in British History* (London, 1984).
Oxford History of the Laws of England - series, with various authors and editors, projected to cover Legal history from Anglo Saxon times to the twentieth century, including:
W. Cornish, M. Lobban, K. Smith, S. Anderson, P. Polden, *Oxford History of the Laws of England* vol. XI 1820-1914 English Legal System (Oxford, 2010).
W. Cornish, S. Anderson, R. Cocks, M. Lobban. P. Polden, K. Smith, OHLE vol XII and vol XIII, 1820-1914

Beyond England

J.M. Kelly, *A Short History of Western Legal Theory* (Oxford, 1992)
O.F. Robinson, T.D. Fergus and W.M. Gordon, *European Legal History* (third edition, London, 2000)

A. Institutional Development 1066-1875

I: Courts

Non-common law tribunals

OHLE XI, part III c.5.

Centralisation of justice in medieval England

Milsom, *Historical Foundations of the Common Law* c.1.

Baker, *IELH* c.1-3.

R. Van Caenegem, *Birth of the English Common Law*, second edition (Cambridge, 1988).

J. Hudson, *The Formation of the English Common Law* (London, 1996).

F. Pollock and F.W. Maitland, *History of English Law before the time of Edward I* (2nd edn, Cambridge, 1968).

Courts of common law (development, specialisation, survival and eventual merger of the separate courts)

Baker, *IELH* cc. 1-3

Milsom, *HFCL*, cc.1-3

Manchester, *MLH*, cc. 4-8, 12.

G.O. Sayles, *The Court of King's Bench in Law and History* (Selden Society Lecture, 1959)

R.V. Turner, 'Origins of the Common Pleas and King's Bench' 21 *AJLH* 238-54.

C.W. Brooks, 'Litigants and attorneys in King's Bench and Common Pleas 1560 – 1640' in J.H. Baker (ed.), *Legal Records and the Historian* (London, 1978) 41-59.

M. Hastings, *The Court of Common Pleas* (1948), cc. 15-16, c. 3.

M. Blatcher, *The Court of King's Bench 1450-1550: a Study in Self-Help*,

J. Oldham, 'Law –making at nisi prius in the early 1800s' *JLH* 25 (2004) 221-247.

H. Wurzel, 'The origin and development of *Quominus*': 49 *Yale LJ* 39-64.

R.M. Ball, 'The Exchequer of Pleas, Bills & Writs' *JLH* 9 308-23

C.A.F. Meekings – King's Bench Bills (1977) *Legal Records and the Historian*, 97 - 139.

C.A.F. Meekings, 'A King's Bench formulary' *JLH* 6 (1985) 86-104.

74 SS xxvi-lxvi; 48 SS, introduction; 55 SS xi-xl (medieval KB); 57 SS xxiv-lxxxii (jurisdiction)

S. Jenks, 'Bills of custody in the reign of Henry VI' *JLH* 23 (2002) 197-222.
OHLE XI part III c. VI 'The Judicature Acts'.

Common law procedure

Baker, *IELH* cc. 4, 5, 9 (procedure, proof, appeals)

J. Cohen, 'The history of imprisonment for debt' *JLH* 3 (1982) 153-71.

F.W. Maitland, *Equity, also the forms of action at common law* ed. Chaytor and Whittaker, Cambridge, 1909

C. Hanly, 'The decline of civil jury trial in 19th century England', *JLH* 26 (2005) 253-78.

J. Cairns and G. McLeod (eds), *The Dearest Birthright of the People of England': the jury in the history of the common law* (Oxford, 2002)

The Chancellor's jurisdiction

Baker, *IELH*, cc. 6, 7.

Milsom, *HFCL*, c.4.

Manchester, *MLH*, 135-42.

P. Tucker, 'The early history of the Court of Chancery: a comparative study' *English Historical Review* (2000) 791.

M.E. Avery, 'History of the equitable jurisdiction of the chancery before 1460' *Bulletin of the Institute of Historical Research* 49 (1969) 129-44.

W. Jones, 'Chancery in the reign of Elizabeth I', 5 *AJLH*. 1

S. Prall, 'Chancery reform and the Puritan Revolution' - *AJLH* (1962) 28.

G. Behrens, 'An early Tudor debate on the relation between law and equity' *JLH* 19 (1998) 143-61.

G Behrens, 'Equity in the Commentaries of Edmund Plowden' *JLH* 20 (1999) 25-50.

D.R. Klinck, 'Lord Eldon on Equity' *JLH* 20 (1999) 51-74.

D.R. Klinck, 'Lord Nottingham's "certain measures"' *LHR* 28 (2010), 711-748.

S. Bottomley, 'Patent cases in the court of Chancery 1714-58' *JLH* 35(2014) 27-43.

C. Riley 'Jeremy Bentham and equity: the Court of Chancery, Lord Eldon, and the Dispatch Court plan', *JLH* 39 (2018), 29-57.

Conciliar courts

J.A. Guy, *The Cardinal's Court: the impact of Thomas Wolsey in Star Chamber* (Hassocks, 1977) 1-21; 119-39

T. Barnes, 'Star Chamber and the sophistication of the criminal Law' [1977] *Crim. L.R.* 316-26.

T. Barnes, 'Due process and slow process in the late Elizabethan and early Stuart Star Chamber', 6 *AJLH*. (1962) 222-49; 315-46.

P. Vinogradoff (ed.), *Essays in Legal History*, (Oxford, 1913): H.D. Hazeltine, c.XIII 'The early history of English equity' (on equity in courts other than the Chancery); F. Pollock, c. XIV 'The transformation of equity'.

Chancery procedure

Yale, 'Lord Nottingham and precedent in equity' *SS* 73, xxxvii.

C. Croft, 'Lord Hardwicke's use of precedent in equity', in *Legal Record & Historical Reality* ed. T.G. Watkin (1989) 121.

Conflict with the common law

J.H. Baker, 'The common lawyers and the chancery: 1616' (1969) 4 *Irish Jurist* 368.
L. Knafla, *Law and Politics in Jacobean England*,. 155-81.

Accommodation and eventual merger of jurisdictions

M. Lobban, J. Getzler and J. Oldham, Discussion of nineteenth century chancery reform: *Law and History Review* 22 (2004) 389-428 and 565-618

II: The Legal Profession(s)

Baker, *IELH* cc. 10 and 11.

Cornish & Clark, *Law & Society in England* , 45-53; 98-110

Manchester, *MLH* c.3, 50-83.

P. Polden, *OHLE XI*, Part IV: The Legal Professions

R.A. Houston, 'The composition and distribution of the legal profession, and the use of law in Britain and Ireland, c.1500-c.1850', *Legal History Review* 86 (2018) 123-56.

OHLE II cc. [7], 16, 27 (up to 13th C - c.7 is pre-Conquest).

OHLE VI part V (15th-16th century)

OHLE XI part IV (19th century)

The judiciary

R.V. Turner, 'The reputation of royal judges under the Angevin kings' *Albion* 11 (1979) 301-16.

J.R. Maddicott, 'Law and Lordship: royal Justices as Retainers in Thirteenth- and Fourteenth-Century England Past and Present Supplement 4.

S.B. Chrimes, 'Richard II's Questions to the judges, 1387' *LQR* lxxii (1956) 365-90

Black, 'The courts and judges of Westminster Hall during the Great Rebellion, 1640-1660.' *JLH* 7 (1986), 23.

Musson, 'The role of amateur and professional judges in the royal courts of late medieval England', in M. Mulholland and B. Pullan (eds) *Judicial tribunals in England and Europe, 1200-1700* (Manchester, 2003) 37-57.

Advocates, attorneys and solicitors, the rise of professional lawyers

R. Palmer, 'Origins of the legal profession', II *Irish Jurist* (1976) 126-46.

S. Reynolds, 'The emergence of professional law' *LHR* 21 (2003) 347-66.

P. Brand, 'The English difference' *LHR* 21 (2003) 383-88.

P. Brand, *The Origins of the English Legal Profession* (Oxford, 1992).

A. Musson, 'Rehabilitation and reconstruction? Legal professionals in the 1290s' in M. Prestwich et al. (eds), *Thirteenth Century England IX* (Woodbridge, 2003), 71-87.

C.W. Brooks, *Pettyfoggers and Vipers of the Commonwealth: the lower branches of the legal profession in early modern England* (Cambridge, 1986 - online via Library).

Legal education and scholarship

M. Birks, *Gentlemen of the Law*, 87-112.

W. Prest, *The Inns of Court*, 115-73.

P. Goodrich, 'Eating law, commons, common land, common law' *JLH* 12 (1991) 246-7.

R. Auchmuty, 'Early women law students at Cambridge and Oxford' *JLH* 29 (2008) 63-97.

- A.W.B. Simpson, 'The circulation of yearbooks in the fifteenth century' 73 *LQR* (1957) 492
- A.W.B. Simpson, 'The source and function of the later Year Books' 87 *LQR* (1971) 94
- Ives, 'The purpose and making of the later Year Books' 89 *LQR* (1972) 64.
- D. Powell, 'Coke in context: early modern legal observation and Sir Edward Coke's Reports', *JLH* 21 (2000) 33-53.
- I. Williams, '"He credited more the printed book": common lawyers' receptivity to print c. 1550-1640' *LHR* 28 (2010) 39-70.
- G. Garnett, 'The ould fields: law and history in the prefaces to Sir Edward Coke's Law reports', *JLH* 34 (2013) 245-84.

Professional privileges, regulation, reputation

- J.H. Baker, 'Solicitors and the law of maintenance 1590-1640' 32 *CLJ* (1973), 56-80.
- J.H. Baker, 'Counsellors and barristers, an historical study', *CLJ* 27, 205-29.
- A. Musson, 'Legal culture: medieval lawyers' aspirations and pretensions' in W.M. Ormrod (ed.), *Fourteenth Century England III* (Woodbridge, 2003) 17-30.
- J.H. Baker, *The Order of Serjeants at Law SS Supplementary Series*, 1984, 108-29.
- E.W. Ives and Manchester (eds), *Law, Litigants and the Legal Profession* (London, 1983).
- J. Lyes, *A Strong Smell of Brimstone: the Solicitors and Attorneys of Bristol, 1740-1840* (Bristol, 1999).
- B.L. Anderson, 'The attorney and the early capital market in Lancashire' in Liverpool and Merseyside: essays in the Economic and Social History of the Port and its Hinterland, ed. J.R. Harris (London, 1969) 50-77.
- M. Miles, 'The Money-Market in the Early Industrial Revolution: the evidence from West Riding attorneys c. 1750-1800', *Business History* 23.2 (1981) 127-46.
- P. Mathias, 'The Lawyer as businessman in eighteenth century England' in *Enterprise and History: Essays in honour of Charles Wilson*, ed D.C. Coleman and P. Mathias (Cambridge, 1984) 151-67.
- SS* vol. 105 (1989) pp.xv-xxiii; xxv-xxxiii.
- W. Wesley Pue and D. Sugarman (eds), *Lawyers and Vampires cultural histories of legal professions* (Oxford, 2002).
- J.M. Schramm, '"The anatomy of a barrister's tongue': rhetoric, satire and the Victorian Bar in England', *Victorian Literature and Culture* 32 (2004) 285-303.

e) Women and the legal profession

- R. Auchmuty, 'Early women law students at Cambridge and Oxford' *JLH* 29 (2008) 63-97.
- R. Auchmuty, 'Whatever happened to Miss Bebb? *Bebb v. The Law Society* and women's legal history', *Legal Studies* 31 (2011) 199-230.
- M.J. Mossman, 'Precedents, patterns and puzzles: feminist reflections on the first women lawyers' *Laws* 5 (2016) 39.
- P. Polden, 'Portia's progress: women at the Bar in England 1919-1939', *International Journal of the Legal Profession* 12 (2005) 293-338.

III: Procedure and Proof

- Baker, *IELH*, cc. 4, 5, 9.
- Milsom, *HFCL*, cc. 2 and 3.

- M.S. Arnold, 'Law and fact in the medieval jury trial: out of sight, out of mind?' *AJLH* 18 (1974) 267-80.
- S.F.C. Milsom, 'Law and Fact in Legal development' *U of Toronto LJ* 17 (1967) 1-19.
- I MacLean, 'Fictional entities and legal fictions in Renaissance jurisprudence' *JLH* 20 (1999) 1-24.
- D. M. Dwyer, 'Expert evidence in the English civil courts 1550-1800' *JLH* (2007) 93-118.

Criminal trials

- J.G. Bellamy, *The Criminal Trial in Later Medieval England: felony before the courts from Edward I to the sixteenth century* (Toronto, 1998)
- J. Langbein, *The Origins of Adversary Criminal Trial* (Oxford, 2003).
- OHLE* XIII part I c. III The trial: adversarial characteristics and responsibilities.; pre-trial and trial procedures. (changes in prosecution and defence),
- J. Oldham and others, Forum: 'From the twelve judges to the Court for Crown Cases Reserved' *LHR* 29 (2011), 181-302/

B: Topics in Substantive Development

I: Criminal Law and Criminal Justice

- Baker, *IELH* cc. 29, 30.
- Milsom, *HFCL*, c.14.
- Manchester, *MLH*, c. 9, 180-187, c. 10, c.11.
- Cornish & Clark, *Law and Society in England* c. 8, 543 - 613.
- Baker, 'Pleas of the Crown' (1978) 94 *SS* 299-350.
- C. Herrup, *The Common Peace*
- P. King, *Crime, Justice and Discretion in England, 1740-1820* (Oxford, 2000).
- B.P. Smith, 'English criminal justice administration 1650-1850', *LHR* 25 (2007) 593-634.
- L. Radzinowicz and Hood, *A History of English Criminal Law and its Administration from 1750* (1948-86).
- R. Ireland, *Land of White Gloves? A History of Crime and Punishment in Wales* (2015).
- J. Wallas, *The Bloody Code in England and Wales 1760-1830* (2018),

Procedure

- R.W. Ireland, 'The presumption of guilt in the history of English criminal procedure' *JLH* 7 (1986) 243-55.
- Hunter, 'The development of the rule against double jeopardy' *JLH* 5 (1984) 15.
- Post, 'The admissibility of defence counsel in English criminal procedure', *JLH* 5 (1984) 23-30.
- T. Gallanis, 'The mystery of Old Bailey counsel' *Cambridge Law Journal* 65 (2006) 159-73.
- D. Lemmings, 'Criminal trial procedure in eighteenth century England: the impact of lawyers' *JLH* 26 (2005) 63-70.
- A. May, 'Advocates and truth-seeking in the Old Bailey courtroom' *JLH* 26 (2005) 71-7.
- Cockburn, 'Trial by the book' in *Legal Records and the Historian* (ed. Baker) 60-79.

Cockburn and Green (eds), *Twelve Good Men and True: The Criminal Trial Jury in England 1200-1800* (1988).

J.H. Langbein, *The Origins of Adversary Criminal Trial* (Oxford, 2003).

M.J. Russell, 'Trial by battle and the appeals of felony' *JLH* 1 (1980) 135-58.

J. Martindale, 'Between law and politics: the judicial duel under Angevin kings', in P. Stafford (ed.), *Law, laity and solidarities* (Manchester, 2001) 116-49.

M.H. Kerr et al., 'Cold water and hot iron: trial by ordeal in England' *Journal of Interdisciplinary History* 22 (1992) 573-95.

R. Bartlett, *Trial by Fire and Water: the medieval judicial ordeal* (Oxford, 1986).

P.R. Hyams, 'Trial by ordeal: the key to proof in the early common law' in M.S. Arnold et al. (eds) *On the Laws and Customs of England* (Chapel Hill, 1981), 90-126.

M. Wiener, 'Judges and jurors: courtroom tensions in murder trials and the law of criminal responsibility in nineteenth-century England' *LHR* 17 (1999) 467-506.

N. Landau, 'Indictment for fun and profit: a prosecutor's reward at eighteenth-century quarter sessions' *LHR* 17 (1999) 507-536

A. McKenzie, "'This death some strong and stout-hearted man doth choose": the practice of *peine forte et dure* in seventeenth and eighteenth-century England' *LHR* 23 (2005) 279-314.

B.P. Smith and N. Landau, 'The presumption of guilt and the English law of theft 1750-1850', *LHR* 23 (2005) 133-200.

Documents: 'The Procedure for the trial of a pirate' *AJLH* 1 (1957) 251-6.

Unsworth, 'Witchcraft beliefs and criminal procedure in early modern England', in Watkin (ed.), *Legal Record and Historical Reality* (1989); c.5.

P. King, 'The summary courts and social relations in eighteenth century England' *Past and Present* 183 (2004) 125.

W. E Schneider, 'Perjurious Albion: perjury prosecutions and the Victorian trial' in A. Lewis and M. Lobban (eds), *Law and History: Current Legal Issues* 6 (2003), 343.

S. McSheffrey, 'Sanctuary and the legal topography of pre-Reformation London' *LHR* (2009) 483-514.

K.J. Kesselring, 'Felony forfeiture in England c. 1170-1870' *JLH* 30 (2009), 201-226.

D. Klerman, 'Was the jury ever self-informing?', in M. Mulholland and B. Pullan (eds) *Judicial tribunals in England and Europe, 1200-1700* (Manchester, 2003), 58-80.

T.R. Ford, 'A jury of matrons', *Medical History* 32 (1988) 23-33.

S.M. Butler, 'More than mothers: juries of matrons and pleas of the belly in medieval England', *LHR* 37 (2019), 353-96.

I.A. Burney, 'A poisoning of no substance: the trials of medico-legal proof in mid Victorian England' *J Br St* 38:1 (1999) 59-92.

OHLE VI part V c. 28 (criminal procedure, 15th and 16th centuries)

OHLE XIII part I c. III The trial: adversarial characteristics and responsibilities; pre-trial and trial procedures. (changes in prosecution and defence)

D. Hay, 'The class composition of the palladium of liberty: trial jurors in the eighteenth century', in T.A Green and J Cockburn, *Twelve Good Men and True: the criminal trial jury in England 1200-1800* (Princeton, 1988), 305-357.

OHLE II cc. [7], 16, 27

<http://www.oldbaileyonline.org/> (London criminal trials)

Punishment

R. McGowen, 'Managing the gallows: the Bank of England and the death penalty 1797-1821' *LHR* (2007) 241-82.

- S. Devereux, 'Imposing the royal pardon: execution, transportation and convict resistance, London, 1789' *LHR* (2007) 101-138.
- S. Devereaux, 'Execution and pardon at the Old Bailey 1730-1837', *AJLH* 57 (2017), 447-94.
- R. Gavigan, 'The criminal sanction as it relates to human reproduction' *JLH* 5 (1984) 20- 37.
- Campbell, 'Sentence of death by burning for women', *JLH* 5 (1984) 44-56.
- Zaller, 'The debate on capital punishment during the English Revolution' *AJLH* 31 (1987) 126-44.
- K.J. Kesselring, 'Felons' effects and the effects of felony in nineteenth century England' *LHR* 28 (2010), 111-139.
- G. Geltner, 'Coping in medieval prisons' *Continuity and Change*, 23, 151-172.
- P. Harling, 'The trouble with convicts: from transportation to penal servitude, 1840-67' *Journal of British Studies* 53 (2014), 80–110.
- K. Reid 'The horrors of convict life', *Cultural and Social History* 5 (2008), 5, 481-495
- A. McKenzie, 'God's tribunal: guilt, innocence, and execution in England, 1675–1775', *Cultural and Social History*, 3 ((2006), 121-44.
- P. Low, 'The changing presentation of execution in Newcastle upon Tyne 1844-63', *Law, Crime and History* 8 (2018), 38-52.

Policing

- OHLE vol XIII Part I Criminal Law, K Smith, c. II (pp 21-57)
- D. Taylor 'Cass, Coverdale and consent', *Cultural and Social History*, 12 (2015), 113-136
- B. Howell, *The police in late Victorian Bristol*, (Bristol,1989).
- C. Steedman, *Policing the Victorian community: the formation of provincial police forces 1856-80* (London, 1984).
- H. Shpayer-Makov. "Journalists and police detectives in Victorian and Edwardian England: an uneasy reciprocal relationship.", *Journal of Social History* 42, 'Rethinking work and leisure in late Victorian and Edwardian England: the emergence of a police subculture'. *International Review of Social History* 47 (2002), 213-41.
- S. Petrow, *Policing morals: the Metropolitan Police and the Home Office 1870-1914* (Oxford, 1994).
- N. Pemberton, 'The bloodhound's nose knows? dogs and detection in Anglo-American culture' *Endeavour*, Vol.37 (2013), 196-208.
- M. Ogborn, 'Ordering the city: public space and the reform of urban policing in England 1835-56', *Political Geography*, 12 (1993), 505-521.
- C.D. Robinson, "Ideology as history: A look at the way some English historians look at the police" *Police Studies* 2 (1979) 35-49.

Mitigating the harshness of the criminal law

- Edwards, 'Criminal equity in Restoration London and Middlesex', 5 *JLH* (1984)79-96.
- D. Hay, 'Property, authority and the criminal law' in *Albion's Fatal Tree*, 17-63.
- J. Langbein, 'Albion's Fatal Flaws' *Past and Present* 98 (1983) 96-120.
- P. Linebaugh, '(Marxist) Social History and (Conservative) Legal History: a reply to Professor Langbein' *NYU Law Review* 60 (1985) 212-43.

Substantive development and law reform

Kaye & others, 'The making of the English criminal law' (1977-78) *Crim LR*.
 J.H. Baker, 'The refinement of English criminal jurisprudence' (1981), Baker (ed.), *The Legal Profession and the Common Law*, 303-24.
 T.G. Barnes, 'Star Chamber and the sophistication of the criminal law' [1977] *Crim. LR* 316 – 26.
 L. Farmer, 'Reconstructing the English codification debate: the Criminal Law Commissioners 1833-45' *LHR* 18 (2000) 397-425.
 Sayre, 'Mens rea' (1932) *Harvard Law Review* 974- 1026.
 J. Kaye, 'Early history of murder and manslaughter' (1967) 83 *LQR*, 365-95, 569-601
 A.E. Sampson, 'Popular perceptions of rape as a capital crime in eighteenth-century England', *L.H.R.* 22 (2004) 27-70.
 J.G. Bellamy, *The law of Treason in England in the later Middle Ages* (Cambridge, 1970).
 P. Handler, 'The law of felonious assault in England 1803-61' *JLH* (2007) 183-206.
 N. Lacey, 'From Moll Flanders to Tess of the D'Urbervilles: women, autonomy and criminal responsibility in eighteenth and nineteenth century England'
<http://www.lse.ac.uk/collections/law/wps/WPS05-2007Lacey.pdf>
 A. Kiralfy, 'Taking the will for the deed: the medieval criminal attempt' *JLH* 13 (1992) 95-100.
 A. Stein, 'From Blackstone to Woolmington, on the development of a legal doctrine' *JLH* 14 (1993) 14-27.
 E. Powell, *Kingship, Law and Society: Criminal Justice in the reign of Henry V* (Oxford, 1989).
 A. Field 'Coining offences in England and Wales, c. 1675–1750: the practical and the personal', *Cultural and Social History*, 15 (2018) 177-196.
OHLE II cc. 7, 16, 27 (up to 13th C.)
OHLE VI c. 29 (development of criminal law) and cc. 31 and 32.

Attitudes and reporting

P. King, 'Newspaper reporting and attitudes to crime and justice in late-eighteenth- and early-nineteenth-century London' *Continuity and Change*, 22 (2007), 73-112.
 E. Foyster, 'Introduction: Newspaper reporting of crime and justice'. *Continuity and Change*, 22(2007), 9-12.
 E. Snell, 'Discourses of criminality in the eighteenth-century press: The presentation of crime in The Kentish Post, 1717–1768', *Continuity and Change*, 22(2007), 13-47.
 D. Gray, 'Gang crime and the media in late nineteenth-century London', *Cultural and Social History*, 10 (2013), 559-75.

Crime: perpetrators and victims

M. Neale, 'Making crime pay in late eighteenth-century Bristol: stolen goods, the informal economy and the negotiation of risk', *Continuity and Change*, 26 (2011), 439-59.
 M. Feeley and D. Little, 'The vanishing female: the decline of women in the criminal process, 1687-1912', *Law and Society Review* 25 (1991), 719-57.
 D. M. Turner, 'Disability and crime in eighteenth-century England', *Cultural and Social History*, 9 (2012), 47-64
 K. Watson, 'Women, violent crime and criminal justice in Georgian Wales', *Continuity and Change*, 28 (2013), 245-72.
 S. Howard, 'Investigating responses to theft in early modern Wales: communities, thieves and the courts', *Continuity and Change*, 19 (2004), 409-430.

C. Sandford-Couch and H. Rutherford, 'From 'the death of a female unknown' to the life of Margaret Dockerty: rediscovering a nineteenth-century victim of crime', *Law, Crime and History* 8 (2018), 21-37.

Homicide

S.M. Butler, 'A case of indifference? Child murder in later medieval England' *Jnl of Women's History* 19 (2007) 59-82.

T.A. Green, 'The jury and the English law of homicide, 1200-1600' *Michigan Law Review* 74 (1976) 413-99

M. Weiner, 'Judges v. jurors: courtroom tensions in murder trials and the law of criminal responsibility in nineteenth century England' *Law and History Review* 17 (1999) 467-506.

J. Sharpe and J.R. Dickinson, 'Homicide in eighteenth century Cheshire', *Social History* 41 (2016), 192-209].

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