Law and History Review

Volume 24, Number 3

Fall 2006

Published three times a year by the University of Illinois Press for the American Society for Legal History

Editor

David S. Tanenhaus University of Nevada, Las Vegas Department of History 4505 Maryland Parkway Las Vegas, NV 89154-5020 702.895.3549

FAX: 702.895.1782 E-Mail: david.tanenhaus@

unly.edu

Associate Editor (Book Reviews)

Alfred L. Brophy University of Alabama 101 Bryant Drive East, Box 870382 Tuscaloosa, AL 35487-0382

205.348.0841 FAX: 205.348.5829

E-Mail: abrophy@law.ua.edu

Editorial Board

Edward J. Balleisen Duke University

David A. Bell Johns Hopkins University

Girish Bhat SUNY, Cortland

Mary Sarah Bilder Boston College

Bettina Bradbury York University, Toronto

Peter C. Caldwell *Rice University*

Andrew Wender Cohen Syracuse University

Jane Dailey

Johns Hopkins University

Elizabeth R. Dale University of Florida

Adrienne Dale Davis University of North Carolina

Thomas J. Davis

Arizona State University

Christine A. Desan *Harvard University*

Charles R. Donahue *Harvard University*

Markus Dirk Dubber SUNY, Buffalo

Mary L. Dudziak University of Southern California

Laura F. Edwards Duke University

Daniel R. Ernst Georgetown University

William E. Forbath University of Texas, Austin Thomas P. Gallanis Washington and Lee University

Sarah Barringer Gordon University of Pennsylvania

Ariela J. Gross University of Southern California

Sally E. Hadden Florida State University

Daniel J. Hulsebosch New York University

Nancy Isenberg University of Tulsa

Bruce Kercher Macquarie University

Diane Kirkby La Trobe University

Daniel M. Klerman University of Southern California

Mindie Lazarus-Black University of Illinois, Chicago

Kenneth F. Ledford Case Western Reserve University

Sanford V. Levinson *University of Texas, Austin*

Thomas B. McAffee *University of Nevada*, *Las Vegas*

M. C. Mirow Florida International University

Mae M. Ngai University of Chicago

William J. Novak University of Chicago James C. Oldham Georgetown University

Ruth Paley History of Parliament, Wedgwood House, London

Pablo Piccato Columbia University

W. Wesley Pue University of British Columbia

Gerry R. Rubin University of Kent, Canterbury

Lucy E. Salyer
University of New Hampshire

Reva B. Siegel *Yale University*

Robin Chapman Stacey University of Washington

Robert J. Steinfeld SUNY, Buffalo

Emily Z. Tabuteau *Michigan State University*

Eric M. Tucker York University, Toronto

Michael Vorenberg
Brown University
Barbara Y. Welke
University of Minnesota

James Q. Whitman
Yale University

Martin J. Wiener Rice University Michael Willrich

Brandeis University
John Fabian Witt
Columbia University

Contents

Law and History Review	Vol. 24, No. 3, Fall 2006
Full text available at www.historycooperative.org/LHR home page at www.press.uillinois.edu/journa	
In This Issue	vii
Articles Context in History and Law: A Study of the Late I American Jurisprudence of Custom	
Kunal M. Parker	473
Manor Court Procedures, Debt Litigation Levels, a Provision in England, c.1290–c.1380 Chris Briggs	and Rural Credit 519
The Law and Mob Law in Attacks on Antislavery 1833–1860 Richard B. Kielbowicz	Newspapers, 559
Forum: Somerset's Case Revisited Somerset's Case and Its Antecedents in Imperial P George Van Cleve	Perspective 601
Comment Nothing But Liberty: <i>Somerset's Case</i> and the E Daniel J. Hulsebosch	British Empire 647
Imperial Politics and English Law: The Many C Ruth Paley	ontexts of <i>Somerset</i> 659
Response Mansfield's Decision: Toward Human Freedom George Van Cleve	665

Book Reviews Imperialism, Sovereignty and the Making of International Law— Antony Anghie	
reviewed by Carl Landauer	673
The Origins and Evolution of Islamic Law—Wael B. Hallaq reviewed by Christopher Melchert	675
"A Pernicious Sort of Woman": Quasi-Religious Women and Canon Lawyers in the Later Middle Ages—Elizabeth M. Makowski reviewed by R. H. Helmholz	676
Industrializing English Law: Entrepreneurship and Business Organization, 1720–1844—Ron Harris reviewed by Dan Bogert	677
A Life of H. L. A. Hart: The Nightmare and the Noble Dream— Nicola Lacey reviewed by John Henry Schlegel	679
Justice Imperiled: The Anti-Nazi Lawyer Max Hirschberg in Weimar Germany—Douglas C. Morris reviewed by Detlev F. Vagts	681
Early New England: A Covenanted Society—David A. Weir reviewed by Michael P. Winship	682
Fries's Rebellion: The Enduring Struggle for the American Revolution—Paul Douglas Newman reviewed by Carlton F. W. Larson	684
The Courthouses of Early Virginia: An Architectural History— Carl R. Lounsbury reviewed by A. G. Roeber	685
From Property to Person: Slavery and the Confiscation Acts, 1861–1862—Silvana R. Siddali reviewed by James W. Ely, Jr.	687
The Oxford Companion to the Supreme Court of the United States— Kermit L. Hall, James W. Ely, Jr., and Joel B. Grossman, editors reviewed by Calvin Massey	689
History of the Yale Law School: The Tercentennial Lectures— Anthony T. Kronman, editor reviewed by William P. LaPiana	690

Spreading America's Word: Stories of Its Lawyer-Missionaries—	
Paul D. Carrington	
reviewed by David Ray Papke	692
Justice of Shattered Dreams: Samuel Freeman Miller and the	
Supreme Court During the Civil War Era—Michael A. Ross	
reviewed by Linda Przybyszewski	693
Never Seen the Moon: The Trials of Edith Maxwell—Sharon Hatfield	
reviewed by Tracy A. Thomas	695
The Legalist Reformation: Law, Politics, and Ideology in New York,	
1920–1980—William E. Nelson	
reviewed by Daniel W. Hamilton	697

