



The Unsigned Essays of Supreme Court Justice Joseph Story: Early American Views of Law

Joseph Story, Morris L. Cohen (New Introduction)

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xxx, 387 pp. Written anonymously for the Encyclopedia Americana and now gathered in one volume, this work presents eighteen articles about major legal subjects by Joseph Story, Associate Justice of the Supreme Court of the United States and the first Dane professor of law at Harvard Law School. The articles are virtually unknown today because they were unsigned and never republished in any other form. Ranging from "Law, Legislation and Codes," "Common Law" and "Congress of the United States," to "Law of Nations," "Natural Law" and "Prize," these extended essays are fascinating distillations of Story's jurisprudence. The Encyclopedia Americana was edited by Story's friend Francis Lieber [1798-1872], who wrote the "Lieber Code" and was a distinguished professor at Columbia Law School who helped establish the field of political science in the United States. The book includes an introduction by Morris L. Cohen that describes the genesis of Story's involvement in writing the pieces and some of their main ideas. The appendix offers texts of rare related materials. With an index.

"After the American Revolution, the United States caught fire as a commercial republic. But adaptation of the common law to the needs of a trading nation required a broad erudition and a long view of America's role in the world. That combination was supplied by Supreme Court Justice Joseph Story, who was the faithful partner of Chief Justice Marshall and a New Englander who understood America's commercial future. Now - in a literary event that should excite every lawyer - these extraordinary essays, published anonymously in the serial volumes of the 19th century Encyclopedia Americana, are again available. The detective work of historian Valerie Horowitz in identifying the essays and the preface by Yale's celebrated law librarian the late Morris Cohen goes to show that antebellum legal history is still rich soil.

Talbot Publishing has done a signal service in ensuring continued attention to Justice Story's foundational essays - which were the precursor to the modern law reform work of the American Law Institute and the Conference of Uniform State Law Commissioners."--RUTH WEDGWOOD, Edward Burling Professor of International Law, Johns Hopkins University

"In this handsome volume, we have for the first time a reader-friendly edition of Joseph Story's little-known essays on American law published anonymously in Francis Lieber's Encyclopedia Americana. With the late Morris L. Cohen's learned introduction to guide us, we can detect, even more clearly than in his judicial opinions, the intellectual foundations of Story's jurisprudence. Written in plain English for laymen and professionals alike, the essays attest to Story's almost religious belief that only scientific law could save the republic from impending chaos."-- R. KENT NEWMYER, University of Connecticut School of Law, author of Supreme Court Justice Joseph Story: Statesman of the Old Republic (1985)

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