



The Forms of Action at Common Law: A Course of Lectures

Frederic William Maitland, A. H. Chaytor, W. J. Whittaker

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The forms of action are a part of the structure upon which rests the whole common law of England and, though we may have buried them, they still, as Maitland says, rule us from their graves. The following extract is taken from the editors' preface: 'The evasion of the burden of archaic procedure and of such barbaric tests of truth as battle, ordeal and wager of law, by the development of new forms and new law out of criminal or quasi criminal procedure and the inquest of neighbour-witnesses has never been described with this truth and clearness. He makes plain a great chapter of legal history which the learners and even the lawyers of today have almost abandoned in despair. The text of the chief writs is given after the lectures ...'

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