Contents

Introduction by G. Edward White vii

Note on the Text xxxv

Chronology of Oliver Wendell Holmes’s Life xxxvii

THE COMMON LAW

Preface 1

Lecture I. Early Forms of Liability 3

Lecture II. The Criminal Law 37

Lecture III. Torts: Trespass and Negligence 71

Lecture IV. Fraud, Malice, and Intent: The Theory of Torts 118
LECTURE V. The Bailee at Common Law  148

LECTURE VI. Possession  186

LECTURE VII. Contract: I. History  223

LECTURE VIII. Contract: II. Elements  261

LECTURE IX. Contract: III. Void and Voidable  278

LECTURE X. Successions: I. After Death II. Inter Vivos  306

LECTURE XI. Successions: II. Inter Vivos  334

SELECTED BIBLIOGRAPHY  369

GLOSSARY OF LEGAL TERMS  373

TABLE OF CASES  375

YEAR BOOKS AND EARLY CASES  380

INDEX  383