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about common law in the United States,
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“Even a dog distinguishes between

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being stumbled over and being kicked.”

“Man's mind, once stretched by an idea,
never regains its original shape.”

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examination of liability, criminal law,
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Wendell Holmes, Jr. - The Common Law:
In 1880-81 Holmes was invited to
lecture on the common law at the Lowell
Institute in Boston, and from these

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addresses developed his book *The Common Law* (1881). Here the genius of Holmes was first clearly revealed and the consistent direction of his thought made evident.

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Common Law. To accomplish the task,

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other tools are needed Book besides logic. It is something to show that the consistency of a system requires a particular result, but it is not all. The life of the law has not been logic: it has been experience. The felt necessities of the time, the prevalent moral and political theories, intuitions

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Page 41 - If people would gratify the passion of revenge outside of the law, if the law did not help them, the law has no choice but to satisfy the craving...

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**THE COMMON LAW OLIVER
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The Common Law is a book about common law in the United states, including torts, property, contracts and crime, written by Supreme Court Justice Oliver Wendell Holmes, Jr. This classic is

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The Common Law “is filled with novel insights and vivid imagery. Holmes’s break with the a priori reasoning of the past is announced in the famous opening sentence: ‘The life of the law

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has not been logic, but experience.

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an historical examination of liability,
criminal law, torts, bail, possession and
ownership, and contracts, The
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The law talks about rights, and duties,
and malice, and intent, and negligence,

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and so forth, and nothing is easier, or, I may say, more common in legal reasoning, than to take these words in their moral sense, at some state of the argument, and so to drop into fallacy.

The Path of the Law

The object of this book is to present a general view of the Common Law. To

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accomplish the task, other tools are needed besides logic. It is something to show that the consistency of a system requires a particular result, but it is not all. The life of the law has not been logic: it has been experience.

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