

Oliver Wendell Holmes

The American poet, doctor, teacher, hymn writer, lecturer and novelist Oliver Wendell Holmes was one of the illustrious East Coast Brahmins - the Fireside Poets who included Longfellow, Whittier and Bryant. He was immensely popular in his own time, and his poems and hymns were recited and sung throughout the land. His patriotic ballads, his meditations on love and life, and his satirical and humane observations on the home and society have given us a robust panoply of America in the late nineteenth century.

The extraordinary story of the U.S. Supreme Court's most influential justice.

Known as the "Great Dissenter," Oliver Wendell Holmes, Jr. wrote some of the most eloquent opinions in the history of the United States Supreme Court. A brilliant legal mind who served on the high court into his nineties, Holmes was responsible for some of the most important judicial opinions of the twentieth century. Now, in this superb short biography, G. Edward White offers readers a lively, informative portrait of this singular individual.

The book first sketches Holmes's early years--his childhood in Boston, his undergraduate years at Harvard (which his father and both grandfathers also attended), and his valiant service in the Civil War, during which he was severely wounded three times. After the war, Holmes went into private law practice, wrote his landmark treatise *The Common Law* in 1881, had a short tenure on the Harvard Law School faculty, and spent 20 years as a justice on the Supreme Judicial Court of

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Massachusetts before being named to the U.S. Supreme Court. The author focuses on his remarkable 30-year service as a Supreme Court Justice, beginning in 1902, and details Holmes's most significant cases--*Abrams v. United States*, *Northern Securities Co. v. United States*, *Lochner v. New York*, *Schenck v. United States*, and others--which limited working hours, set a mandatory minimum wage, protected women's rights, legalized labor unions, and defined freedom of speech. These decisions--as well as *The Common Law*--are highly regarded to this day. A new volume in the *Lives and Legacy* series, this marvelous short biography offers an ideal introduction to a towering figure in American law. Discusses Holmes' early life, Civil War experiences, legal career, and thirty years on the U.S. Supreme Court, and presents new information regarding his relationship with Clare Castletown

Oliver Wendell Holmes Jr.'s dissents are influential because of their literary qualities of superfluity and energy he inherited from Emerson. The aesthetic style of his dissents reflects his theory of the common law that rejected depictions of fixed and unchanging rules in favor of an evolutionary view. An innovative study that links the themes of Holmes's best-known literary works to his medical training in nineteenth-century Paris.

Peter Gibian explores the key role played by Oliver Wendell Holmes in what was known as America's 'Age of Conversation'. He was both a model and an analyst of the dynamic conversational form, which

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became central to many areas of mid-nineteenth-century life. Holmes' multivoiced writings can serve as a key to open up the closed interiors of Victorian America, whether in saloons or salons, parlours or clubs, hotels or boarding-houses, schoolrooms or doctors' offices. Combining social, intellectual, medical, legal and literary history with close textual analysis, and setting Holmes in dialogue with Emerson, Hawthorne, Melville, Fuller, Alcott and finally with his son, Justice Oliver Wendell Holmes Junior, Gibian radically redefines the context for our understanding of the major literary works of the American Renaissance.

Only paperback edition of great legal classic. Lucid, accessible coverage of liability, criminal law, torts, contracts, more, from historical perspective. New introduction by Sheldon M. Novick. Table of Cases. Many of the earliest books, particularly those dating back to the 1900s and before, are now extremely scarce and increasingly expensive. We are republishing these classic works in affordable, high quality, modern editions, using the original text and artwork.

The Pragmatism and Prejudice of Oliver Wendell Holmes, Jr. examines the varied categories scholars have used to describe the philosophy of Oliver Wendell Holmes, Jr. These include, "Jobbist," Nihilist, Realist, Social Darwinist, Utilitarian, Positivist, Natural Law Theorist, and Pragmatist.

"On his retirement from the Supreme Court at the age of 90 in 1932, Oliver Wendell Holmes, Jr. was celebrated

as few judges have ever been, beloved and revered as a national treasure. Holmes's influence, magnified into legend by the attention he has continued to receive, has helped to constitute the identity of the legal profession, the conception of the judicial function, and the role of the public intellectual in modern American culture." "The present collection of seven essays attempts to view Holmes's work apart from the restricted framework supplied by traditional jurisprudence by reassessing Holmes as an intellectual, a legal theorist, and an iconic public figure and culture hero. Each essay adds something new and distinctive to the scholarly controversies that have surrounded Holmes for over a century." "J. W. Burrow begins the volume by looking at Holmes's relations to various strands of Victorian social thought. she next three essays approach, each from a different angle, the problem of Holmes's relationship to formalism or classical orthodoxy in legal thought. Morton Horwitz provides a sweeping reassessment of the development of Holmes's legal thinking between the early period of the 1870's and 1880's and "The Path of the Law" in 1897. Mathias Reimann presents the first thorough exploration of Holmes's use - misuse, more often - of German philosophy, notably his discrediting, in *The Common Law*, of the legacy of Kant and Hegel. Stephen Diamond approaches Holmes's jurisprudence and his broader social and personal views by another original pathway, his legal opinions in taxation cases and his private views on taxation." "The final three essays consider Holmes as a man of letters and "representative" man of the American scene, both as he created himself

and as he was created by others. Robert Ferguson shows how Holmes deliberately went about the work of fashioning the public persona of a judge. Peter Gibian shows how Holmes's construction of his public style was formed as a deliberate reaction against that of his famous father, Dr. Oliver Wendell Holmes, Sr. The final essay by David Hollinger has a dual purpose: to ask what Holmes meant by the "scientific way of looking at the world" and to discover how Holmes came to be such a hero to liberal Jewish intellectuals like Felix Frankfurter and Harold J. Laski."--BOOK JACKET.Title Summary field provided by Blackwell North America, Inc. All Rights Reserved

Discussion of the views, decisions and influence of Supreme Court justice Oliver Wendell Holmes, Jr. In this unique book, Alexander Lian, a practicing commercial litigator, advances the thesis that the most famous article in American jurisprudence, Oliver Wendell Holmes's "The Path of the Law," presents Holmes's leading ideas on legal education. Through meticulous analysis, Lian explores Holmes's fundamental ideas on law and its study. He puts "The Path of the Law" within the trajectory of Holmes's jurisprudence, from earliest scholarship to The Common Law to the occasional pieces Holmes wrote or delivered after joining the U.S. Supreme Court. Lian takes a close look at the reactions "The Path of the Law" has evoked, both positive and negative, and restates the essay's core teachings for today's legal educators. Lian convincingly shows that

Holmes's "theory of legal study" broke down artificial barriers between theory and practice. For contemporary legal educators, *Stereoscopic Law* reformulates Holmes's fundamental message that the law must be seen and taught three-dimensionally.

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With Oliver Wendell Holmes, Jr. and *Legal Logic*,

Frederic R. Kellogg examines the early diaries, reading, and writings of Justice Oliver Wendell Holmes, Jr. (1841–1935) to assess his contribution to both legal logic and general logical theory. Through discussions with his mentor Chauncey Wright and others, Holmes derived his theory from Francis Bacon's empiricism, influenced by recent English debates over logic and scientific method, and Holmes's critical response to John Stuart Mill's 1843 *A System of Logic*. Conventional legal logic tends to focus on the role of judges in deciding cases. Holmes recognized input from outside the law—the importance of the social dimension of legal and logical induction: how opposing views of “many minds” may converge. Drawing on analogies from the natural sciences, Holmes came to understand law as an extended process of inquiry into recurring problems. Rather than vagueness or contradiction in the meaning or application of rules, Holmes focused on the relation of novel or unanticipated facts to an underlying and emergent social problem. Where the meaning and extension of legal terms are disputed by opposing views and practices, it is not strictly a legal uncertainty, and it is a mistake to expect that judges alone can immediately resolve the larger issue.

Oliver Wendell Holmes Jr. Oxford University Press
Oliver Wendell Holmes, Jr., has been called the greatest jurist and legal scholar in the history of the English-speaking world.

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In this collection of his speeches, opinions, and letters, Richard Posner reveals the fullness of Holmes' achievements as judge, historian, philosopher, and master of English style. Thematically arranged, the volume covers a rich variety of subjects from aging and death to themes in politics, personalities, and law. Posner's substantial introduction firmly places this wealth of material in its proper biographical and historical context. "A first-rate prose stylist, [Holmes] was perhaps the most quotable of all judges, as this ably edited volume shows."—Washington Post Book World "Brilliantly edited, lucidly organized, and equipped with a compelling introduction by Judge Posner, [this book] is one of the finest single-volume samplers of any author's work I have seen. . . . Posner has fully captured the acrid tang of him in this masterly anthology."—Terry Teachout, National Review "Excellent. . . . A worthwhile contribution to current American political/legal discussions."—Library Journal "The best source for the reader who wants a first serious acquaintance with Holmes."—Thomas C. Grey, New York Review of Books
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