

# Virginia Legal Classics

by Gregory Stoner

For more than two centuries, Virginia's attorneys have relied upon various legal resources to find, understand and interpret the law of the commonwealth. While many resources have come and gone, others have stood the test of time and remain authorities of note and relevance. While a number of today's attorneys may recognize the names and authors of these legal classics, the origins of these works and their past and present significance may be misunderstood or neglected. This column will hopefully introduce or reintroduce some of Virginia's noteworthy works to our legal community.

**St. George Tucker. *Blackstone's Commentaries with Notes of Reference to the Constitution and Laws of the Federal Government of the United States and of the Commonwealth of Virginia*. 5 volumes, 1803.**

St. George Tucker (1752-1827) was born in Bermuda and came to Virginia in 1772 to study at the College of William and Mary. He subsequently read the law under the direction of George Wythe. Following the American Revolution, Tucker commenced the practice of law. Within a few short years, he had become a leading lawyer in the Commonwealth and was appointed a judge on the General Court. For more than thirty years to follow, Tucker served as a judge in various courts and came to be recognized as one of the most well-regarded jurists of the day.

From 1790 to 1804, Tucker also served as a professor of law at the College of William and Mary. During this period, Tucker published his five volume compendium interpreting Blackstone's *Commentaries*. Blackstone's *Commentaries*, first published in

England during the 1760s, was the most extensive and authoritative text interpreting English law and became the most well-known and read legal text in America. While Tucker's *Blackstone* included the text of the original work, it also featured hundreds of footnotes and essays examining English common law in the context of the emerging American and Virginia law. In the decades following its publication, Tucker's *Blackstone* came to be known as "America's Blackstone" and found its way into the libraries of law students and practitioners in Virginia and beyond. Today, Tucker's *Blackstone* is still consulted by those studying constitutional and early American law.<sup>1</sup>

**John Barbee Minor. *Institutes of Common and Statute Law*. 4 volumes, 1875-1895.**

John Barbee Minor (1813-1895), much like Tucker, was one of the leading legal educators of his day. Following his graduation from the Law School of the University of Virginia in 1834, Minor commenced the practice of law. In 1845, Minor was appointed professor of law at his alma mater, a position he would hold for nearly five decades. Using outlines from his courses, Minor compiled a multi-volume work that would not only prove to be a textbook for those studying the law, but also the most well-regarded and leading text of its time summarizing and explaining Virginia law.<sup>2</sup>

***Michie's Jurisprudence of Virginia and West Virginia: A Complete Treatise of Virginia and West Virginia Law*. 1948-Present.**

First published in 1948 in twenty-four volumes, this vast work was

the first modern legal encyclopedia of Virginia law. Greatly expanding upon the prior benchmark work (Minor's *Institutes*), *Michie's Jurisprudence* was the product of The Michie Company, a Charlottesville based legal publishing company. *Michie's Jurisprudence* included commentary on Virginia and West Virginia statutory and case law for use by law students and practitioners. *Michie's Jurisprudence* remains an active publication and is updated annually. Now spanning nearly fifty print volumes, this established treatise set is also available to online researchers on Lexis Advance.

Endnotes:

- 1 For additional background, see Davison M. Douglas, "Foreward: The Legacy of St. George Tucker," 47 *Wm. & Mary L. Rev.*, 1111-1121 (2006).
- 2 For additional background, see E. Lee Shepard, Minor's "Institutes," 39 *Virginia Historical Society Occasional Bulletin*, 1-4 (1979).



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