

Recently Acquired Rare Books *and* Manuscripts *in Law and Related Fields*

America, Great Britain *and*
Europe, 15th to 20th Centuries



1929
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It follows
I saw the Justice
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Wey Belknap,
M. Benjamin,
Biddle,

SECRETARIES
Curtis, Fosdick
Parker, Finley &
(45 East 82nd St.

Hollister Bundy,
Clarke,
Corcoran,
Ed.,
Jr.,

Choate, Hall & Ste
Engelhard, Pollak, F
74 Trinity Place, N
3238 R Street, Washi
5E Exchange Building
191E Packard Building
N.Y.U. Law School, Wash
74 Trinity Place, N.Y.
84 State Street, Boston

Correspondence File - J.E.L. - Re:

JUSTICE HOLMES

1935.

HARVARD LAW REVIEW
PUBLISHED BY
THE HARVARD LAW REVIEW ASSOCIATION
CAMBRIDGE, MASS.

September 3,

School of Harvard University,
Cambridge, Mass.

January 4, 1929.

Mr. John E. Lockwood
c/o Rumsey & Morgan
44 Wall Street
New York, New York

Dear Mr. Lockwood:

Law School of Harvard University
Cambridge, Mass

You probably know that the Law Review editors each September a number of men from the third year classes. Your excellent standing in examination renders it practically certain that among those who are chosen this fall. Consequently free to approach you with a request for your cooperation as an editor.

For several years the custom has been to work on the November number at a date somewhat in advance of the opening of Law School. This is, of course, necessary when the school term begins so late as it year. I have, therefore, set Thursday, September 23, as the date for the beginning of work, and I would appreciate your reporting on the morning of that day to the Gannett House. Reading in the advance sheets will be assigned for the first case meeting, which will be the following day.

Would you kindly inform me whether I may count on your being in Cambridge at this time?

With heartiest congratulations,

Erwin N. Griswold
Erwin N. Griswold
Editor-in-Chief

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My dear John:

Many thanks for your ill-Justice at the beginning of t course, emphatically includ quick to discern.

The spiritual and is, indeed, extraordi decades his junior.

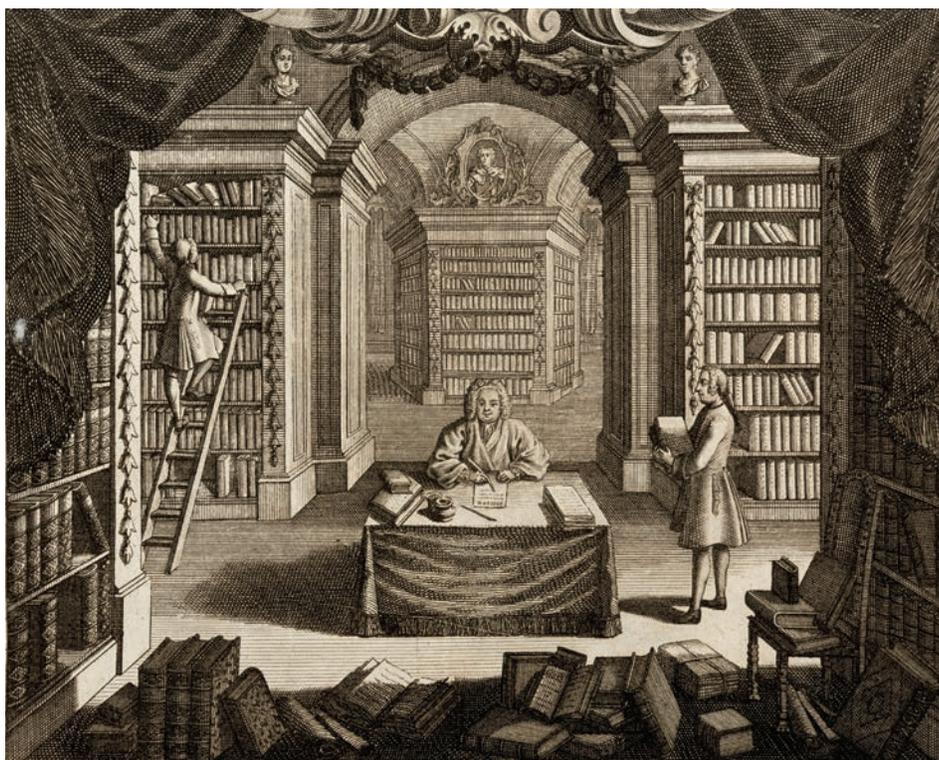


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Recently Acquired Rare Books *and Manuscripts in Law* *and Related Fields*

America, Great Britain *and* Europe,
15th to 20th Centuries

CATALOGUE 104



Detail from N° 10

Highlights include:

- 📖 a rare c.1474–77 issue of Andrea's *Super Arboribus Consanguinitatis* (Item 1)
- 📖 a variant first edition of Care's *English Liberties* (Item 24)
- 📖 an unpublished transcript from the "Fatty" Arbuckle trial (Item 98)
- 📖 a scarce 1564 Venetian imprint of the *Consolato del Mare* (Item 33)
- 📖 an album of 12 Chinese export watercolors depicting punishments (Item 79)

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Because of space limitations, we have not included all images that are available to describe each item. For additional images, please visit our website:

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Interior Rear Cover: Item 30

Exterior Rear Cover: Item 43

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SELECTED TOPICS

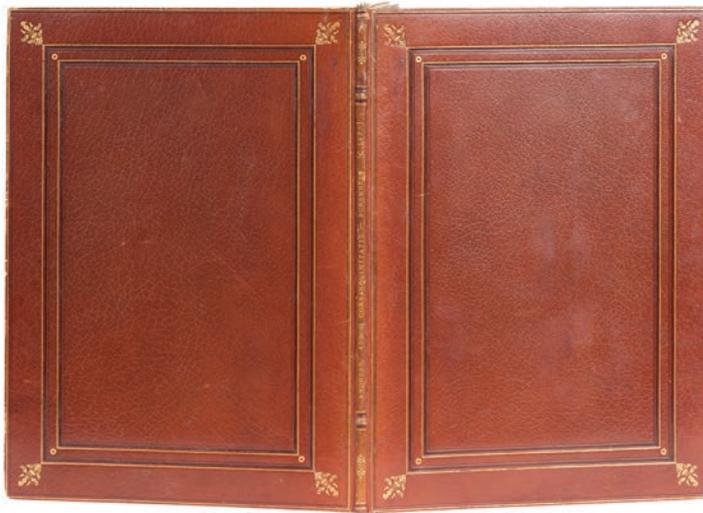
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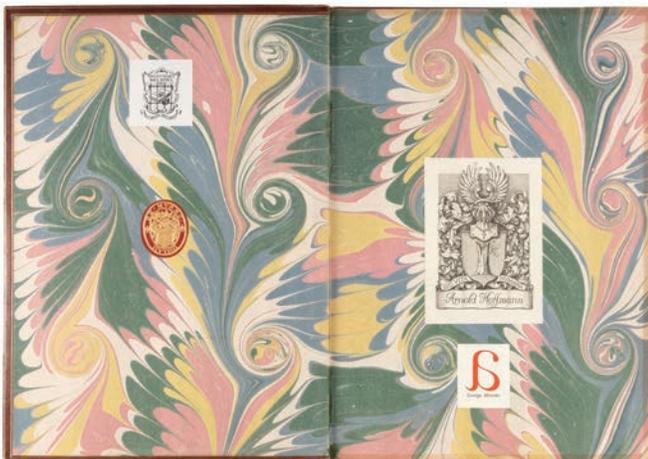
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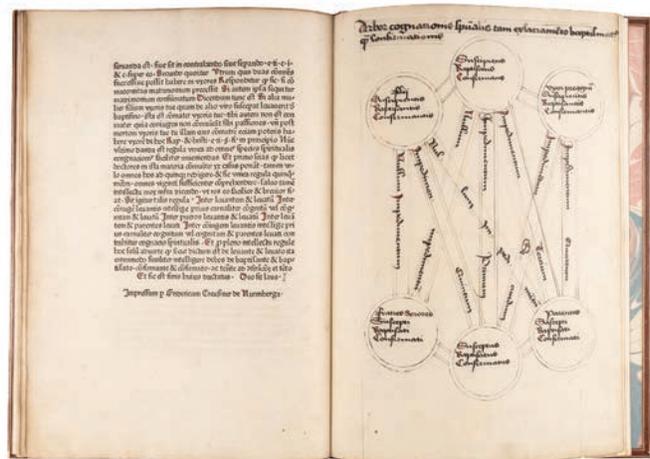
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Exterior detail from N° 1



Front endpaper detail from N° 1



Manuscript table detail from N° 1 (See next page)



NO COPIES LOCATED IN NORTH AMERICA

1. ANDREA, GIOVANNI D' [1275-1348].

[*Super Arboribus Consanguinitatis, Affinitatis et Cognationis Spiritualis*].



Signed binding detail

[Nuremberg: Friedrich Creussner, c.1474-1477]. [10] ff. Collation: [a10]. 2 full-page woodcut tables of descents to leaves [a4]v and [a8]r, additional contemporary full-page manuscript table of spiritual relationships bound after text. Folio (11-1/2" x 8"; 29 x 20.5 cm).

Later nineteenth-century paneled morocco signed binding by Riviere & Son, gilt frames and corner fleurons to boards, discreetly rebacked retaining existing spine with raised bands, gilt and blind fillets and gilt ornaments, title and date, gilt edges, gilt rules to inner board edges, marbled endpapers, endpapers added. Light rubbing and a few minor scratches to boards, moderate rubbing to board edges, corners lightly bumped, hinges cracked, faint offsetting to edges of free endpapers, four later bookplates, of Guy Bechtel, the Huth family library, Arnold Hoffmann and George Abrams, to front free endpaper, recent French bookseller description tipped-in to front endleaf. Text printed in 33/34-line gothic type, rubricated throughout (including tables) in red ink, large initials in red and silver ink to [a1]r and red ink to [a5]r, smaller initials in red ink to [a9]r and [a1]v. Light toning to interior, very faint dampstain to upper corner of ff. [7] and [9] just touching text of f. [9], both tables trimmed close with minor loss to bottom edge, negligible loss at gutter of first table and fore-edge of second. An attractive, wide-margined copy of a fundamental treatise. \$16,000.

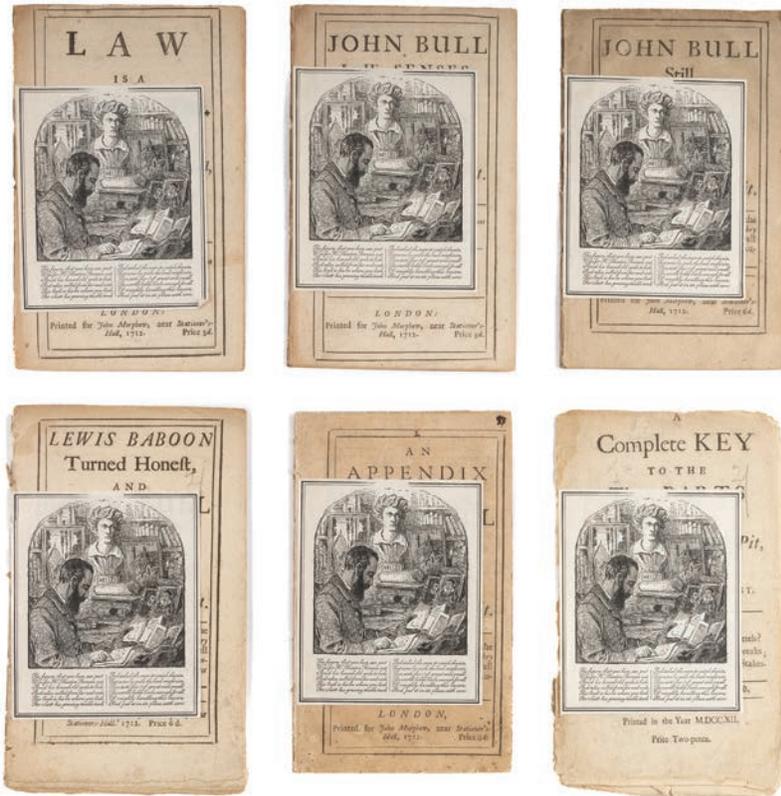
D'ANDREA was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure who received the highest tributes from Arithemius, Baldus, Forster and Bellarmin, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. Often included in editions of the *Corpus Juris Canonici*, the *Super Arboribus* is a fundamental treatise on degrees of consanguinity and affinity, also known as blood relations, and spiritual relationships created by godparents and their families. It was a work of vital importance in cases regarding estates, incest and conflicts of interest. It went through numerous manuscript and printed editions into the modern era.

Our undated edition is one of seventeen issued by Creussner. The provisional date range given by the *ISTC* is based on the bull's head watermark present in the contemporary endleaves. The woodcuts in the Creussner editions are so much larger than the type-pages that many, if not most, copies are trimmed to some degree. Our copy also includes an attractive hand-drawn table of spiritual relationships ("Arbor cognationis spliritualis tam ex sacramento baptismat[i]s confirmationis"). It was owned by several important collectors of rare books, among them George Abrams [1919 or 1920-2001], the distinguished graphic artist and typeface designer, and, most recently, Guy Bechtel [b.1931], a notable scholar and antiquarian. The *ISTC* locates 11 complete copies of this edition worldwide, none in North America. ☞ *ISTC* ia00605500.



Colophon detail

OWNED BY AN IMPORTANT VICTORIAN BOOKSELLER



2. [ARBUTHNOT, JOHN (1667-1735)].
[SWIFT, JONATHAN (1667-1745)].

Law is a Bottomless-Pit. Exemplify'd in the Case of the Lord Strutt, John Bull, Nicholas Frog, And Lewis Baboon. Who Spent All They Had in a Law-Suit. Printed from a Manuscript Found in the Cabinet of the Famous Sir Humphry Polesworth.

London: Printed for John Morphew, Near Stationer's-Hall, 1712. Price 3d. 24 pp.

[WITH]

John Bull in His Senses: Being the Second Part of Law is a Bottomless-Pit. [...]

London: Printed for John Morphew, Near Stationer's-Hall, 1712. Price 3d. 24, [2] pp. Final leaf (added?) blank. Publisher advertisement at foot of p. 24.

[AND]

John Bull Still in His Senses: Being the Third Part of Law is a Bottomless-Pit. [...]

London: Printed for John Morphew, Near Stationer's-Hall, 1712. Price 6d. 47, [1] pp. Final page is a publisher advertisement.

[AND]

Lewis Baboon Turned Honest, And John Bull Politician. Being The Fourth Part of Law is a Bottomless-Pit. [...]

London: Printed for John Morphew, Near Stationer's-Hall, 1712. Price 6d. 45, [3] pp. Publisher advertisement to 2 of final 3 pp.

[AND]

An Appendix to John Bull Still in His Senses: Or, Law is a Bottomless-Pit. [...]

London: Printed for John Morphew, Near Stationer's-Hall, 1712. Price 3d. 22, [2] pp. Publisher advertisement to last 2 pp.

[AND]

A Complete Key to the Three Parts of Law is a Bottomless-Pit, And the Story of the St. Alban's Ghost. The Second Edition Corrected.

[London: S.n., 1712]. 8 pp.

Disbound stab-stitched pamphlets, approximately 7" x 4-1/4", later bookplates of Harry Buxton Forman tipped onto title pages not affecting text. Moderate toning, light foxing, soiling, edgewear and faint dampstains in a few places, Forman's brief shelfmarks in pencil to first pages of titles I, II and IV. I: First and final leaves detached, trimming to foot of second leaf just touching catchword.

II: Embossed seller stamps (John H.W. Cadby) to final blank, brief note in pencil dated 1841 to its verso. III: Final leaf starting at foot but secure, a few early ink annotations affected by trimming along with page numbers in places, small hole to text block of title page and following few leaves, no loss to legibility. IV: Bookplate torn at upper left corner and held to title page by lower left corner only, bottom-edge untrimmed, last two leaves unopened. V: Brief early notes to title page and final leaf in ink, later note ("Arbuthnot") in pencil to title page. VI: First leaf detached, other leaves separating, bottom-edge untrimmed. A complete collection of an important work. \$1,750.

I-III, V: Presumed first editions (among several issues, no edition statements given). IV and VI: Second editions. One of the most successful political satires of the period, this work is attributed to Arbuthnot in some sources, Swift in others. It is an attack on the Whig Party and its foreign policy grounded in a lengthy "law suit" (war with France) involving "Lord Strutt," "John Bull," "Nicholas Frog" and "Lewis Babboon." It is notable as one of the first uses of "John Bull" and for its sardonic view of contemporary legal practice. Issued independently with several editions of each in 1712, the works were compiled and published in 1727 as *Law is a Bottom-less Pit; or, The History of John Bull*. The *Complete Key* is a separate title from a different publisher, possibly Edmund Curll, who sought to capitalize on the popularity of the John Bull series. H. Buxton Forman [1842-1917], the former owner of our copies, was an important Victorian antiquarian bookseller known for his bibliographies of Shelley and Keats. ♡ ESTC T114789 (?), N10231, T29119 (variant), N3650, T22316, T31052.

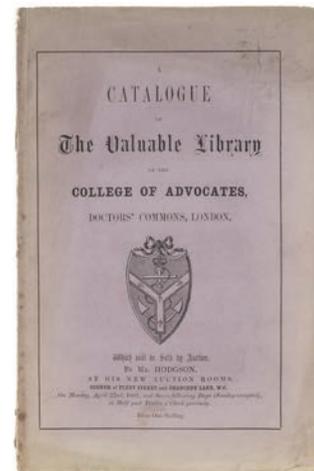
1861 AUCTION CATALOGUE OF AN IMPORTANT LEGAL LIBRARY

3. [AUCTION CATALOGUE].

A Catalogue of the Very Valuable and Extensive Library of the College of Advocates, Doctors' Commons, London. Containing the Works of the Most Celebrated English and Foreign Writers on Civil, Canon and Ecclesiastical Law, From the Earliest Times [...] Which Will be Sold at Auction, By Mr. Hodgson, At His New Auction Rooms, Corner of Fleet Street and Chancery Lane, W.C., On Monday, April 22nd, 1861, And Seven Following Days (Sunday Excepted), At Half past Twelve o'Clock Precisely.

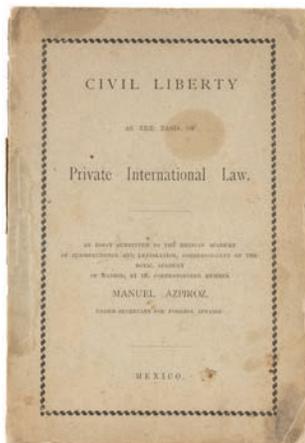
[London: Printed by Rayner & Hodges, 1861]. 96 pp. Octavo (9-1/2" x 6-1/4").

Stab-stitched pamphlet in printed wrappers. Light toning, soiling and very light edgewear to wrappers, chipping to spine ends, wrappers starting slightly at foot but secure. Light toning to interior, light foxing in a few places. \$750.



A CATALOGUE of the extensive and important legal library of the College of Advocates, listing 2456 lots with titles ranging in date from 1476-1859. It features a section of "Important Manuscripts" (lots 2418-2449) which includes an abstract of the Laws of Oleron and the earliest account of the Society of Doctors' Commons. OCLC locates 4 copies of this catalogue in North America, one in a law library (Yale). ♡

RARE PAMPHLET BY A NOTABLE NINETEENTH-CENTURY MEXICAN AUTHORITY ON INTERNATIONAL LAW



4. AZPIROZ, MANUEL [1836-1905].

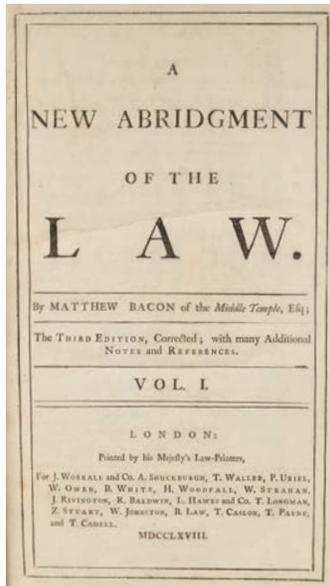
Civil Liberty as the Basis of Private International Law.

Mexico City: [S.n., 1896]. 65, [1] pp. Octavo (7-1/2" x 5-1/4").

Stab-stitched pamphlet in printed wrappers. Light soiling, moderate edgewear and a few minor stains to wrappers, which are just beginning to detach at ends, spine abraded, moderate toning to interior. \$650.

FIRST EDITION, also issued in Spanish. Azpiroz was a Mexican diplomat, statesman and author of two important books on international law. He was Mexico's ambassador to the United States from 1899 to 1905. OCLC locates 7 copies, 2 of the English edition (Harvard Law School, University of Pennsylvania Law School). ♡

A COMPLETE SET OF BACON'S ABRIDGMENT



Title page detail

5. BACON, MATTHEW [FL. 1730].
 [GILBERT, SIR JEFFREY (1674-1726)].
 [SAYER, JOSEPH (FL. 1750)].
 [RUFFHEAD, OWEN (1723-1769)].

A New Abridgment of the Law. Corrected; With Many Additional Notes and References.

London: Printed by His Majesty's Law Printers, 1768-1770. Five volumes. Complete set. Folio (13-1/2" x 9).

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands, lettering pieces and small fragments of paper shelf labels to spines. Worn, boards detached, early owner bookplate of Dudley Atkins Tyng, later bookplate of John H. Phelps and recent library bookplate to front pastedowns. Moderate toning to interiors, light foxing in places, early and later markings to a few leaves in each volume. A good candidate for rebinding. \$1,500.



Bookplate details

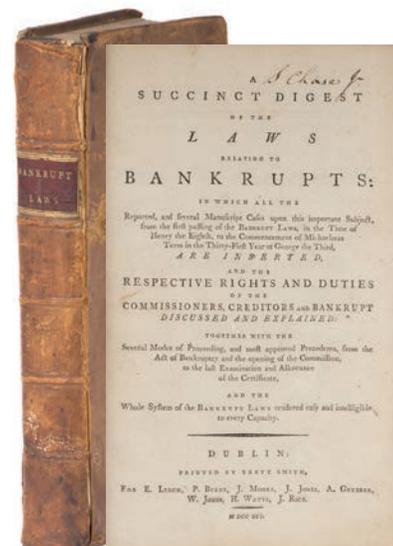
THIRD EDITION. Bacon's *Abridgment* is a digest of cases and treatises written by Sir Jeffrey Gilbert. In frequent use by practitioners in Great Britain and the United States into the early nineteenth century, it went through several editions. Its comprehensiveness and, still more, the logical system of subdivisions employed within each title, were a significant improvement over previous compendia of its kind. This made it, according to Marvin's *Legal Bibliography*, "quite a law library in itself" (85). The *Abridgment* was compiled and edited by Bacon. However, he died after he completed the entry for "Sheriff" and the rest of the work was produced by editors Sayer and Ruffhead. Tyng [1760-1829], a Newburyport, Massachusetts, lawyer, was, for most of his professional life, the reporter of the Massachusetts Supreme Court. Phelps [1817-1893], a West Townshend, Vermont, lawyer, was a county judge and a Vermont state representative and senator. ☞ ESTC T145688, N5624.

A SUMMARY OF BANKRUPTCY LAW FOR "MERCHANTS AND TRADERS"

6. [BANKRUPTCY].
 [GREAT BRITAIN].

A Succinct Digest of the Laws Relating to Bankrupts: In Which All the Reported, And Several Manuscript Cases Upon this Important Subject, From the First Passing of the Bankrupt Laws, In the Time of Henry the Eighth, To the Commencement of Michaelmas Term in the Thirty-First Year of George the Third, Are Inserted, And the Respective Rights and Duties of the Commissioners, Creditors and Bankrupt Discussed and Explained: Together with the Several Modes of Proceeding, And Most Approved Precedents, From the Act of Bankruptcy and the Opening of the Commission, To the Last Examination and Allowance of the Certificate, And the Whole System of the Bankrupt Laws Rendered Easy and Intelligible to Every Capacity.

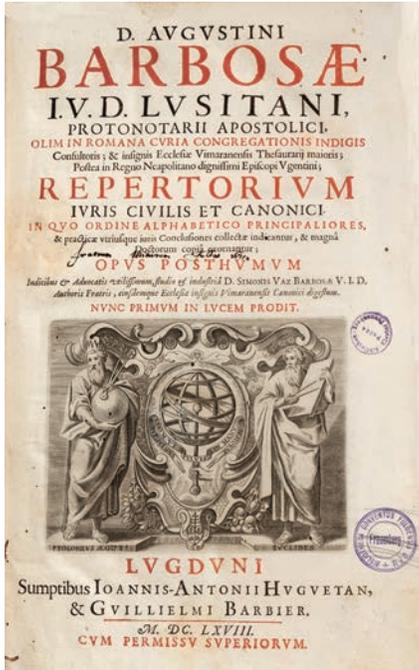
Dublin: Printed by Brett Smith, 1791. [xvi], 192, [xxii], [26] pp. Octavo (8" x 5").



Contemporary calf, raised bands and lettering piece to spine. Moderate rubbing and a few small scuffs, wear to spine ends and corners, which are bumped, front board just beginning to separate, rear joint cracked. Moderate toning to interior, light soiling to endleaves, light foxing to a few leaves, early owner signature of Edward Pendleton to front free endpaper, signature of Samuel Chase, Jr. to head of title page, his stamp to head of following leaf. \$750.

REISSUE of the first edition, London, 1791. As indicated in the preface, this book was intended for “merchants and traders” rather than “professors of the law.” The contents are accordingly “divested, as much as it is possible, of technical expressions and profession idioms, and arranged in such order, that the several parts may become perspicuous and familiar to every capacity” ((xiv)–[xvii]). Edward Pendleton was likely a member of the prominent Virginia-based Pendleton family. Samuel Chase, Jr. [1773–1841] was likely the son of Supreme Court Justice Samuel Chase [1741–1811]. ESTC N24533.

BARBOSA’S “SEARCH ENGINE” FOR ROMAN AND CANON LAW



7. BARBOSA, AGOSTINO [1589–1649], COMPILER. VAZ BARBOSA, SIMAO [1591–1681], EDITOR.

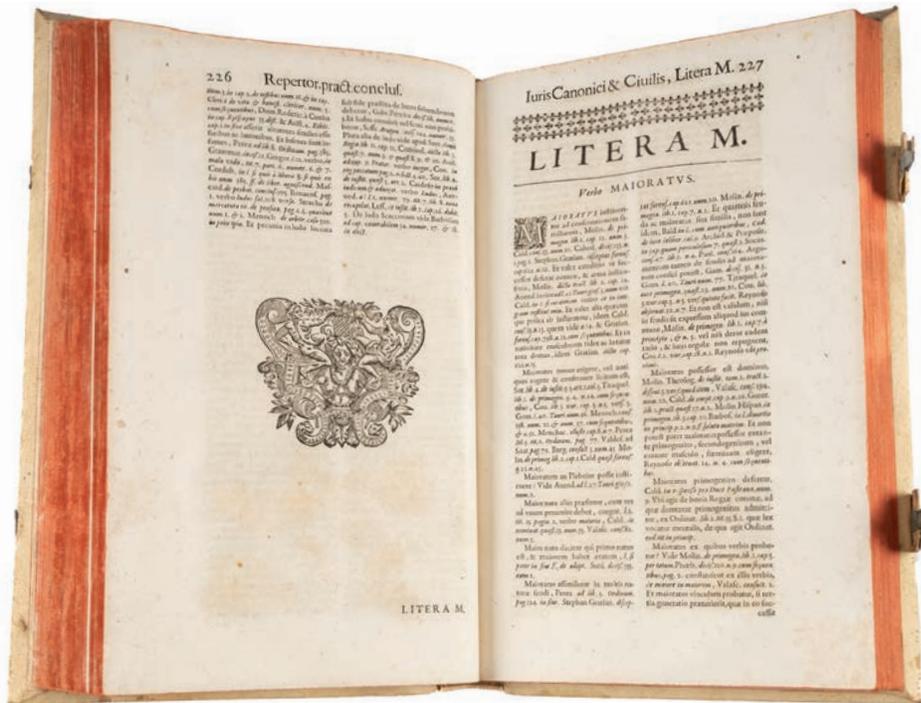
Repertorium Iuris Civilis et Canonici, In Quo Ordine Alphabetico Principales, & Practicae Utriusque Iuris Conclusiones Collectae Indicantur, & Magna Doctorum Copia Exornantur; Opus Posthumum Iudicibus & Advocatis Utilissimum, Studio & Industria D. Simonis Vaz Barbosa U.I.D. Authoris Fratris, Eiusdemque Ecclesiae Insignis Vimaransenis Canonici Digestum.

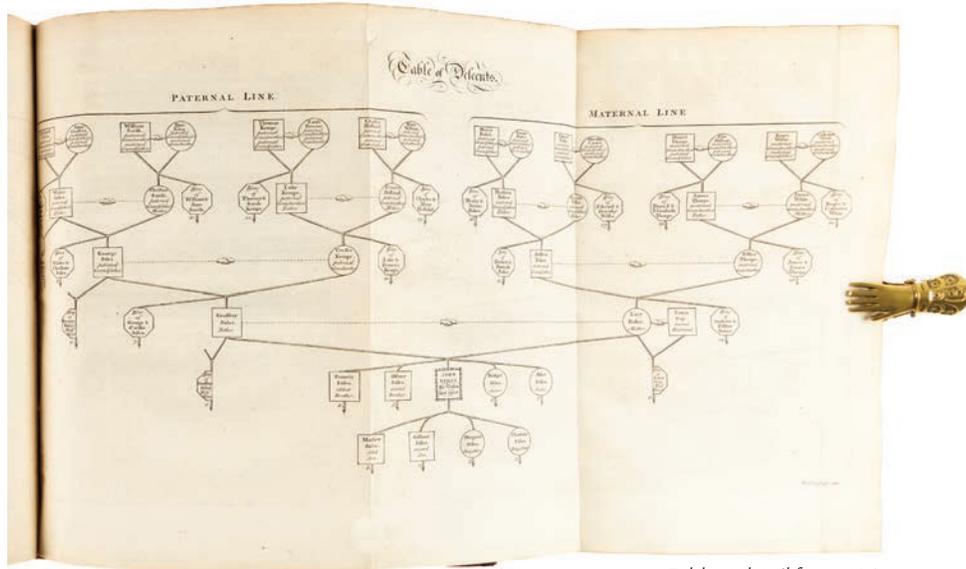
Lyon: Sumptibus Ioannis-Antonii Huguetan, & Guillelmi Barbier, 1668. [vi], 408 (i.e. 406). [82] pp. Folio (14" x 8-3/4").

Contemporary paneled pigskin, raised bands and later paper hand-lettered title label and shelf label to spine, brass clasps, edges rouged. Light rubbing, soiling and minor worming to boards, faint stain to fore-edge of front board, spine ends lightly bumped, minor wear to corners, small later library markings to front pastedown and title page, which is printed in red and black and has a large copperplate vignette. Moderate toning to interior, minor worming and light foxing in places, illegible owner inscription in tiny hand to half-title. \$1,850.

SECOND EDITION. First published in 1649, this is an index of topics, from “abbas” to “uxor,” in the most authoritative works in the literature of

Roman and canon law. It is, in effect, a “search engine” to a vast library of legal literature. It is also a record of the topics and books that were considered important by a leading scholar. Barbosa was a notable Portuguese canonist, later Bishop of Ugento, who spent his professional career in Rome and Madrid. A prolific author, his work is distinguished by a close reading of sources and a taste for controverted questions. Well-received, the *Repertorium* went through 8 editions, the last in 1713. All editions are scarce. OCLC locates 6 copies of the second edition in North America, 2 in law libraries (Harvard, UC-Berkeley). Not in Baudrier.





Foldout detail from N° 8

HANDSOME EARLY EDITION OF BLACKSTONE'S COMMENTARIES

8. BLACKSTONE, SIR WILLIAM [1723–1780].

Commentaries on the Laws of England, In Four Books.

Oxford: Printed at the Clarendon Press, 1766, 1767, 1768, 1769. Four volumes. Volume II has copperplate "Table of Consanguinity" and fold-out "Table of Descents." Quarto (11" x 8").

Contemporary speckled calf, rebacked with gilt spines and red and black lettering pieces, gilt tooling to board edges, endpapers renewed. Light rubbing and a few scuffs, nicks, scratches and stains to boards, spine ends bumped, small nick to lettering piece of Volume IV, moderate rubbing to board edges, corners bumped, varnished and somewhat worn, rear hinge of Volume IV just starting in middle, brief recent pencil annotations to rear pastedowns of Volumes I and IV, recent ownership signature to front free endpaper of Volume IV. Moderate toning to interiors, occasional light foxing, light soiling in a few places, light creasing to title page of Volume I, occasional faint dampstaining to Volumes II–IV affecting text in places without loss to legibility. A nice set. \$1,750.

FIRST EDITION of Volumes III and IV, second edition of Volumes I and II. The most influential publication in the history of modern Anglo-American law, the *Commentaries on the Laws of England* is based on a course of lectures delivered at Oxford University. Because they were not intended for aspiring practitioners, they described general principles rather than practical specifics. Sensitive to the systematizing trends of the day and the prestige of the natural sciences, Blackstone described the common law as an intricate, well-designed system akin to Newton's mechanistic universe. The first edition of Volume I was published in 1765. By the time Volume II was published,

Volume I had been re-published in its second edition; both were issued in 1766. (A revised Volume II was published in 1767.) Due to this publication history, there are many so-called "mixed" editions today. Volumes III and IV were later revised, along with the first two volumes, for the fourth edition, 1770. ☞ Eller 1, 2. Laeuchli 1, 3.

FROM THE LIBRARY OF LOUIS D. BRANDEIS

9. [BRANDEIS, LOUIS D. (1856–1941)]. UNITED STATES RAILROAD ADMINISTRATION.

Proclamations by the President Relating to the United States Railroad Administration and General Orders and Circulars Issued by the Director General of Railroads. At head of title page: United States Railroad Administration Director General of Railroads Supplement to Bulletin No. 4 Revised.

Washington, DC: Government Printing Office, 1920. 154 pp. Five folding tables.

Stiff printed wrappers. Light toning and soiling to wrappers, chipping to spine ends, diagonal fold line to lower outside wrapper, small hole along crease, small note in pencil and ownership signature of Louis D. Brandeis in ink to head of front wrapper. Moderate toning to interior. \$650.

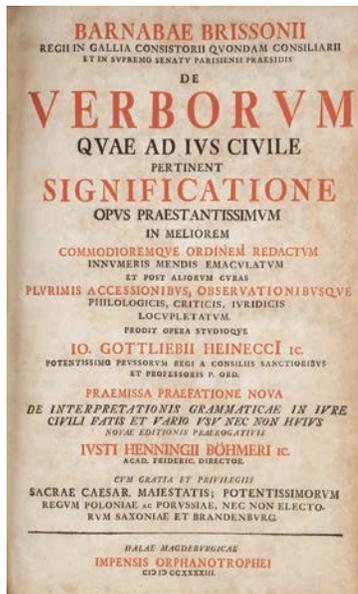
ONLY EDITION. Brandeis's ownership of this title, a list of internal and external acts relating to railroad administration from 1917–1918, points to the deep and broad research that informed his legal opinions. Railroad administration was a hot-button issue of the early twentieth century, touching on various aspects of the federal government's commercial and military authority. It was also a topic close to Brandeis's heart after his successful actions against J.P. Morgan's New Haven railroad monopoly in 1914. ☞

**FINAL AND BEST EDITION OF BRISSON'S LEGAL
DICTIONARY IN A HANDSOME CONTEMPORARY PRIZE BINDING**

10. BRISSON, BARNABAE [1531-1591].
[HEINECCIUS, JOHANN GOTTLIEB (1681-1741), EDITOR].
[BOHMER, JUSTUS HENNING (1674-1749)].

De Verborum Quae ad Ius Civile Pertinent Significatione Opus Praestantissimum in Meliorem Commodioremque Ordinem Redactum Innumeris Mendis Emaculatum et Post Aliorum Curas Plurimis Accessionibus, Observationibusque Philologicis, Criticis, Iuridicis Locupletatum. Prodit Opera Studioque Io. Gottliebii Heinecci IC. Praemissa Praefatione Nova de Interpretationis Grammaticae in Iure Civili Fatis et Vario usu Nec Huius Novae Editionis Praerogativis Iusti Henningii Bohmeri.

Halle: Impensis Orphanotropei, 1743. [x], 48, 760; 761-1436 pp. 2 parts in one volume. Initial presentation leaf dated September 20, 1811 from the Amsterdam Latin School to Theodoro Lamberto Kock, followed by engraved pictorial title page depicting a library designed by G. Grundler and engraved by Sysang and general title page depicting a library designed by G. Grundler and engraved by Sysang and general title page. Second part preceded by half-title. Folio (13-3/4" x 8-1/2").



Contemporary paneled vellum prize binding, central gilt coat of arms of Amsterdam with rolled gilt border and corner pieces, gilt-edged raised bands to spine with gilt coats of arms to compartments, fragments of silk ties to outer boards, edges speckled. Light rubbing and soiling to boards, which are slightly bowed, light creasing to spine ends, small pencil mark to front pastedown and fragment of paper label to front free endpaper. General title page printed in red and black, occasional attractive engraved copperplate and woodcut head-pieces, tail-pieces and initials. Moderate toning to interior, slightly lighter or heavier in places, light foxing, light soiling in a few places, trimming to head of leaf A1 (pp. 1-2) just catching copperplate head-piece, text not affected. A handsome and impressive volume. \$1,500.



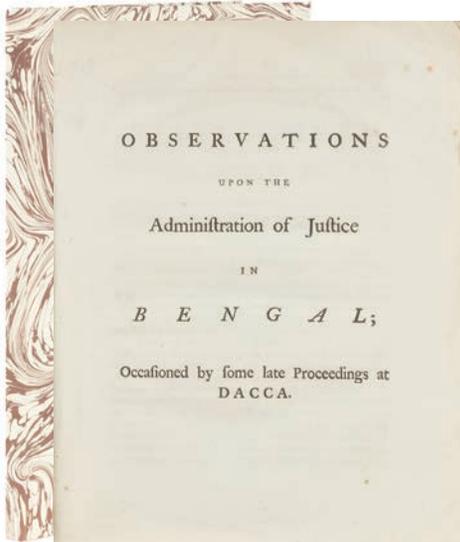
FINAL AND BEST EDITION. Brisson was a renowned French jurist and philologist. Widely respected, he was appointed president of the Parliament of Paris in 1588. In 1591, however, he was hanged by The Sixteen, a group of insurgents who captured Paris in a bizarre coup. First published in 1557, Brisson's *Verborum* was the standard legal dictionary of its day and remained an authoritative source for hundreds of years. In this edition, the definitions are preceded by a useful digest of Roman and French laws and interesting sections on marriage, adultery and the feudal system. Edited and corrected by Johann Gottlieb Heineccius, an important German jurist and scholar at Halle, this edition is much larger than its predecessors. It includes more notes and entries and a section on the interpretation of Latin grammar by Bohmer, the director of the Halle Royal Academy.



Engraved title page detail

Our copy was presented as a school prize from the Amsterdam Latin School in 1811 to Theodoro Lamberto Kock. The initial presentation leaf is signed by the school's rector ("Hirm. Bosscha"). 📄 Walker 153. Brunet I:1262.

BRITISH RULE, NOT BRITISH RIGHTS



11. [BRITISH EMPIRE].

Observations Upon the Administration of Justice in Bengal; Occasioned by Some Late Proceedings at Dacca.

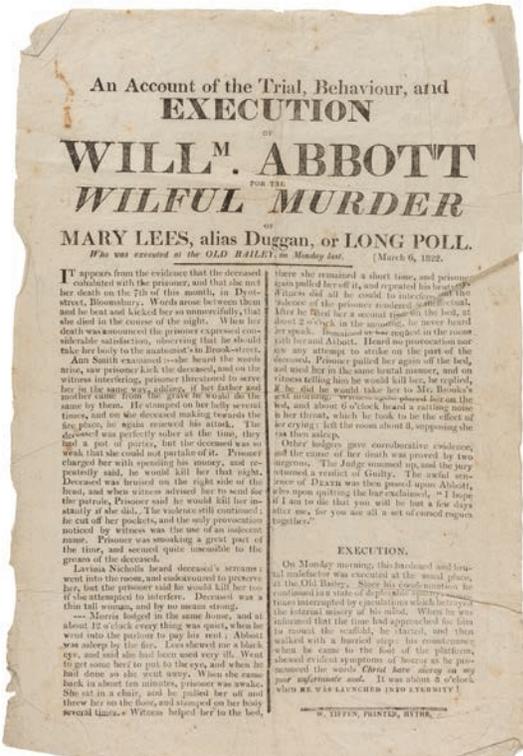
[London, 1778]. 52; 68 pp. Quarto (9-3/4" x 7-3/4").

Recent marbled boards, endpapers renewed. Light toning to interior, light creasing or faint fold lines in a few places, light foxing and soiling to several leaves. A nice copy of a scarce and interesting title. \$850.

ONLY EDITION. Published five years after the radical reorganization of the East India Company that elevated Warren Hastings to the position of Governor-General. This work reviews the new legal system in light of its stated goals: "To preserve the Commerce and Revenues of the Company from Depredation, ...to relieve the Subject from Oppression, by facilitating the Means of Redress; and... to establish a fixed, lasting, and regular Course of Justice" (4). It studies

examples of English justice in India, political philosophy and primary documents. These include correspondence to and from Hastings and petitions to the King from native inhabitants in translation.

The author concludes that English laws and customs suffer from a fundamental "Incongruity... with the religious Institutions and local Habits of the People of Bengal" and cannot be applied there without significant modification. At play in this conclusion are both nominal concern for the wishes of the locals and the desire to maintain a rigid social hierarchy. Any call to suspend the English justice system would also suspend the rights afforded to those it governs, making the native inhabitants easier to control. The author notes as a defect that the English system "introduces a Levelling Principle among People accustomed to the most rigid Subordination of Rank and Character." OCLC locates 6 copies of this title in North America, 2 in law libraries (Harvard, University of Minnesota). ESTC T99076.



UNRECORDED ACCOUNT OF A NOTABLY BRUTAL LONDON MURDER IN 1822

12. [BROADSIDE]. [EXECUTION]. ABBOTT, WILLIAM [D.1822].

An Account of the Trial, Behaviour, And Execution of Will.m Abbott for the Wilful Murder of Mary Lees, Alias Duggan, Or Long Poll. Who Was Executed at the Old Bailey, On Monday Last.

[Hythe, Kent]: W. Tiffen, March 6, 1822.

14-1/2" x 9-1/2" broadside on thin paper, text in two columns below headline, columns and headline separated by rules, untrimmed edges. Light browning, faint spotting, a few minor folds and creases. \$2,650.

ABBOTT AND LEES were an unmarried couple who lived together in a boarding house in Bloomsbury, London. After "words arose between them" on February 7, 1822, due to a dispute over money, he beat her several times over the course of the evening. A "thin tall woman, and by no means strong," she was punched, kicked, thrown and, when prone, stomped. She died the next morning. Abbott was sober and, when confronted by other lodgers, expressed no remorse for his actions. He even quipped that he would sell her body to an anatomist. As fate would have it, Abbott was anatomized after his execution. Our broadside account appears to be unrecorded. No copies listed on OCLC or Library Hub; no sale records listed on Rare Book Hub.

THE EXECUTION OF A TEENAGE MURDERER

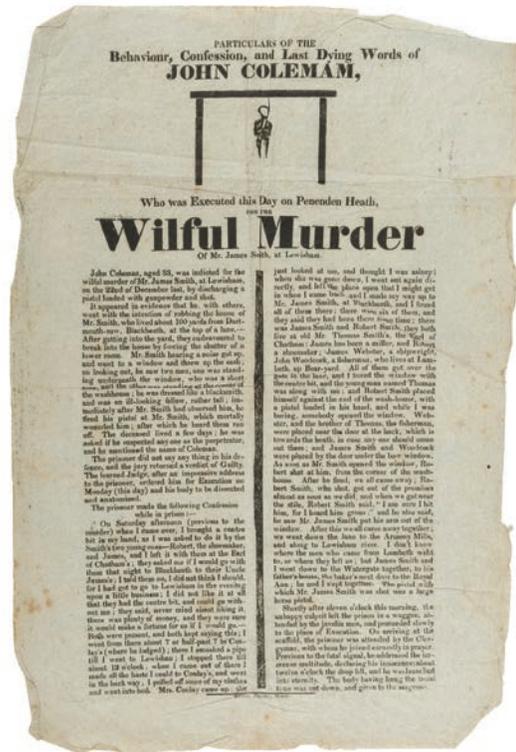
13. [BROADSIDE]. [EXECUTION]. BELL, JOHN ANY BIRD [D.1831].

Execution of James Any Bird Bell, At Maidstone, For Murder.

[London]: J. Catnach, Printer, [1831].

15" x 10" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in two columns separated by woodcut border under headline and two woodcut vignettes, two columns of verse on either side of third woodcut illustration at foot of text. Moderate toning, light soiling at edges, light creasing at head, upper right corner lacking without loss to text, clean tear to upper right corner affecting last letter of headline and border around right image with small hole to border. Rare. \$3,000.

FOURTEEN-YEAR-OLD John Any Bird Bell confessed to killing Richard Faulkner Taylor, thirteen, presumably for the small sum of money Taylor was carrying home. His younger brother, James (with whom John Any Bird is



No 14

often confused in contemporary accounts), apparently a witness to the crime, testified against him at trial, where he was convicted of murder. Bell was the youngest person executed in England in the nineteenth century. This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.

A ROBBERY TURNED TO "WILFUL MURDER"

14. [BROADSIDE]. [EXECUTION]. COLEMAN, JOHN [D.1823].

Particulars of the Behaviour, Confession, And Last Dying Words of John Coleman [sic], Who Was Executed This Day on Penenden Heath, For the Wilful Murder of Mr. James Smith, At Lewisham.

[Stroud]: Sweets, Printers, [1823].

14-3/4" x 9-3/4" broadside, text in two columns below headline and woodcut vignette of execution. Moderate toning, horizontal and vertical fold lines, light foxing, soiling and edgewear, minor creasing in places, upper right corner lacking without loss to text. Rare. \$2,350.

COLEMAN, a blacksmith, broke into the house of James Smith, apparently at the request of Smith's two nephews Robert and James. When Smith spotted the burglars, Coleman shot him; he died a few days later after identifying Coleman as the perpetrator. This broadside, mostly detailing Coleman's confession, is rare. OCLC and Library Hub locate 1 copy worldwide (Harvard Law School).



Nº 15

EXECUTED FOR THE MURDER OF HIS INFANT DAUGHTER

15. [BROADSIDE].
[EXECUTION].
FINNIGAN, FREDERICK PETER [D.1834].

A Full Account of the Interesting Trial and Awful Execution of Frederick Peter Finnigan, This Morning, At the County Goal, Horsemonger Lane, For the Murder of His Infant Daughter.

[London]: Smeeton, Printer, [1834].

15" x 10" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in three columns below headline and woodcut vignette of the execution. Light toning, light soiling at corners, small crease at lower right corner not affecting text. Rare. \$2,500.

FINNIGAN was accused of killing his daughter, Charlotte Matilda, by throwing her into a ditch. According to the testimony of his estranged wife's cousin, he confessed to his wife after the murder, consoling her by saying that "the child is happy in Heaven, and will want no more earthly provision." Though there was some question as to Finnigan's sanity at the time of the murder, he was found guilty and sentenced to death. OCLC locates 1 copy of this rare broadside (Harvard Law School). Library Hub adds 1 more (British Library).



Nº 16

"SHE WAS A PERFECT BORGIA, OR FEMALE PALMER"

16. [BROADSIDE].
[EXECUTION].
WILSON, CATHERINE [1822-1862].

Life, Trial, Confession & Execution of Catherine Wilson, The Female Poisoner, Who was Executed at Newgate, On Monday, Oct. 20th, For the Murder of Mrs. Soames.

[London]: Printed for the Vendors, [1862].

19-3/4" x 15" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in four columns below headline and large woodcut vignette of execution, smaller portrait woodcut of Wilson, surrounded by two columns of verse, at foot of text. Light toning, horizontal and vertical fold lines, faint offsetting, minor creasing along fold lines and at edges, small hole near top-edge affecting headline with minor loss to text but not legibility, brief penciled note near headline. \$3,250.

WILSON was an infamous English serial killer connected with at least seven murders. A live-in nurse, she poisoned her victims, primarily with colchicum or sulfuric acid disguised as medicine, after persuading them to include her in their wills. As indicated by this broadside produced for street vendors at her execution, which was attended by a crowd of almost 20,000

people, her case attracted a great deal of attention. Wilson was the last woman publicly hanged in London. OCLC and Library Hub locate 1 copy of this rare broadside (Harvard Law School). ☞

A TRIPLE EXECUTION AT STAFFORDSHIRE

17. [BROADSIDE].
[EXECUTIONS].
SHAW, CHARLES [D.1834].
TOMLINSON, RICHARD [D.1834].
SMITH, MARY [D.1834].

The Trials of Charles Shaw, Aged 16, For Murdering John Oldcroft, Aged 9. Richard Tomlinson, For Murdering Mary Evans, His Sweetheart. Mary Smith, For Drowning her Infant Child. Who All Three Received Sentence of Death, At the Late Staffordshire Spring Assizes, And were Ordered for Execution Last Wednesday, March 19, 1834.

[London]: G. Smeeton, Printer, [1834].

14-3/4" x 9-3/4" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in three columns enclosed by black rules, large woodcut vignette of execution scene flanked by excerpts from Genesis 9:6 and Matthew 19:18. Verses at the end of each account. Light toning, negligible light foxing and soiling to margins, slight creasing to corners and bottom portion of text block, no loss to legibility. Rare. \$1,850.

SHAW AND TOMLINSON appeared to have murdered in fits of rage sparked by disputes over money. In both cases witnesses were called to prove insanity. Smith, who may have been suffering from post-partum depression, threw her twelve-day-old baby into a canal. Nobody proposed an insanity defense for her. OCLC and Library Hub locate 2 copies of this rare item (Library of Congress, Harvard Law School). We located another copy at Cornell Law School. ☞

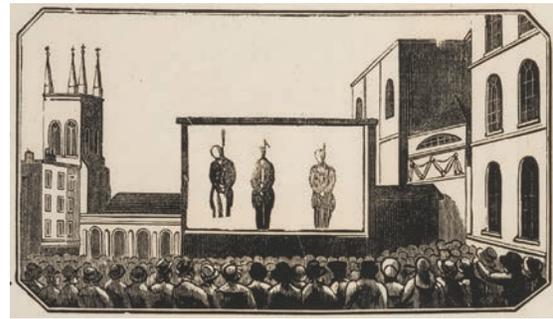
A FATAL SHOOTOUT WITH THE POLICE

18. [BROADSIDE].
[MURDER].
COOPER, THOMAS [D.1842].

Murder of a Policeman at Highbury.

[London]: Printed and Published by E. Lloyd, [1842].

19" x 14-1/2" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in five columns and woodcut vignette depicting the murder



Woodcut detail from N° 17



N° 18

below headline. Moderate toning, horizontal and vertical fold lines, creasing in places, particularly along fold lines, light soiling at edges, upper left corner lacking without loss to text, hole at center with loss to text and minor loss to bottom of image, small tear at foot of last column with minor loss to text but not legibility. Rare. \$2,750.

WHEN THOMAS COOPER, an unemployed bricklayer turned highwayman, was confronted by a group of policemen and concerned citizens, he shot two men and killed another, constable Timothy Daly. After being taken to the police station, Cooper took poison which he had apparently managed to smuggle in. He survived (though whether he would do so was unclear at the time this broadside was issued) and was tried, convicted and executed for murder. This broadside appears to be unrecorded. No copies located on OCLC or Library Hub. ☞



N° 19

MURDER AND MUTILATION IN BRIGHTON

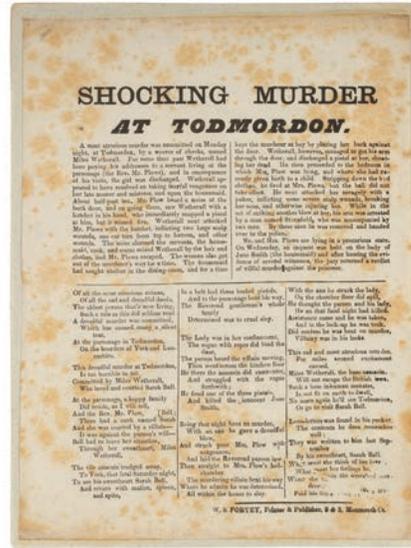
19. [BROADSIDE]. [MURDER]. HOLLOWAY, JOHN [D.1831].

A Most Horrible Murder, Committed by John Holloway Upon the Body of His Wife, by Cutting Off Her Head, Legs, and Arms.

[London]: J. Catnach, [1831].

15" x 10" broadside hinged (with two small circular stickers at top-edge) onto 24" x 17" board. Text in three columns below headline and large woodcut vignette, Holloway's confession and five stanzas of verse in third column. Moderate toning, two negligible horizontal fold lines, light soiling in places, creasing at lower left corner, very small hole to text block at head of third column, no loss to legibility. Rare. \$3,000.

HOLLOWAY and his wife Celia had been separated for a number of years, with Holloway required to pay her two shillings per week as maintenance. This proved difficult, and he was forced to rely on his mistress, Ann Kennett (sometimes given as Kennard) for the money. Tired of this arrangement, he lured Celia out of the house, strangled her and dismembered the corpse for burial. According to some accounts, she was pregnant at the time of the murder. Holloway confessed (contradicting himself several times on the point of whether Kennett was involved) and was convicted and hanged on December 16, 1831. Kennett was cleared of wrongdoing. This broadside appears to be unrecorded. No copies found on OCLC or Library Hub.



N° 20

A GRUESOME REVENGE MURDER IN LANCASHIRE

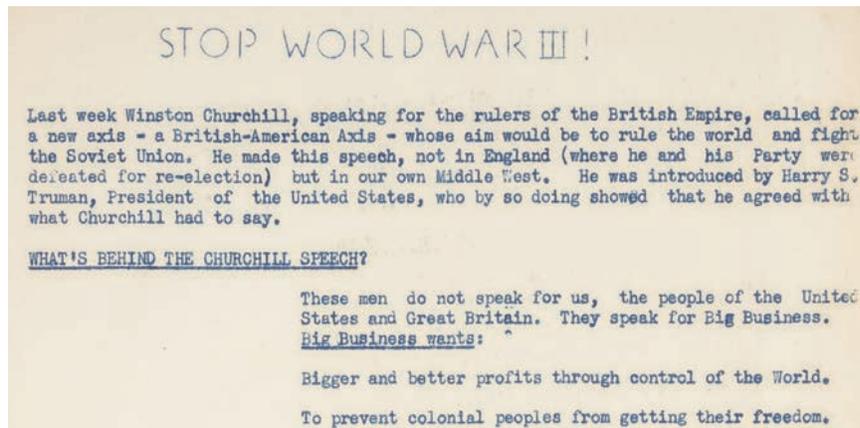
20. [BROADSIDE]. [MURDER]. WEATHERILL, MILES [D.1868].

Shocking Murder at Todmorden.

[London]: W.S. Fortey, Printer & Publisher, 2 & 3, Monmouth Ct., [1867].

10" x 7-1/2" broadside mounted on 10-1/2" x 8" sheet, summary of case in two columns and verse text in three columns below headline, columns and headline separated by rules. Light browning and foxing, minor loss to text at lower right-hand corner due to printer error. \$1,250.

WEATHERILL, sometimes spelled Wetherell or Wetherall, was a 22-year-old textile worker from Todmorden, Lancashire who began to date the 16-year-old Sarah Bell in 1867. She was the cook for the Reverend Mr. Anthony Plow, the vicar of Christ Church, Todmorden. Plow did not approve of the relationship due to Sarah's age and tried to end it, first by forbidding Weatherill to call on her at the vicarage and then by dismissing Sarah after she continued to see him. Infuriated, Weatherill broke into the vicarage and murdered Plow with an axe and a servant, who he thought was partially responsible for Sarah's dismissal, with a pistol. After attempting to shoot Mrs. Plow, he clubbed her with a fire poker; she died from her wounds a year later. Weatherill was arrested shortly afterwards, tried and sentenced to hang. This appears to be an unrecorded imprint. No copies listed on OCLC or Library Hub.



Detail from N° 21

**"THEY ARE READY TO SHED THE
BLOOD OF ALL OF US"**

21. [BROADSIDE].
NORTH BEACH COMMUNIST PARTY.

Stop World War III!

San Francisco: North Beach Communist Party, [1946].

11" x 8-1/2" mimeographed broadside. Moderate toning,
negligible light foxing and browning to upper margin.

\$450.

DISTRIBUTED as part of a letter-writing campaign reacting to Churchill's famous address "The Sinews of Peace," delivered in Fulton, Missouri on March 5, 1946. Also known as the "Iron Curtain" speech, it introduced the term "special relationship" to refer to the alliance between the U.K. and the U.S. and famously declared that "an iron curtain has descended across the Continent." Produced by a local Communist group, this broadside decried the address as "the 'solution' of the Monopolists for the economic depression which they are now preparing at home" and an attempt "to prevent colonial peoples from getting their freedom" and "preserve the forces of fascism." It appears to be unrecorded. No copies located on OCLC. ☞

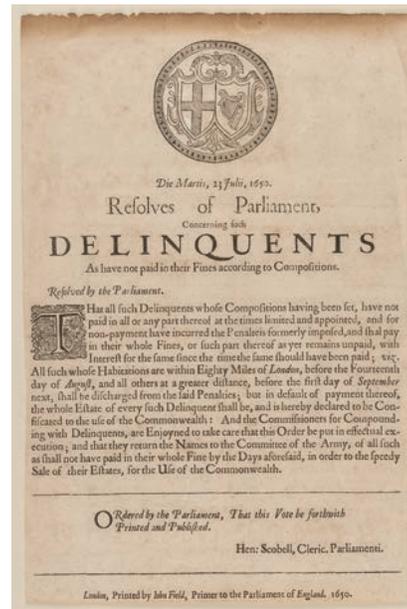
**ROYALIST ESTATES
"CONFISCATED TO THE USE
OF THE COMMONWEALTH"**

22. [BROADSIDE].
[PARLIAMENT].

Die Martis, 23 Julii, 1650. Resolves of Parliament,
Concerning Such Delinquents as Have Not Paid in
their Fines According to Compositions.

London: Printed by John Field, Printer to the Parliament of
England, 1650.

13-1/4" x 8-3/4" broadside mounted and matted on 20"
x 14-1/2" board, text in single column below headline and



Detail from N° 22

woodcut Parliamentary arms with a four-line woodcut
initial, signed in type by Henry Scobell. Moderate toning,
light soiling in places, light browning and wear to top-
edge not affecting text or image, fold line to upper right
corner. \$1,500.

NEAR THE BEGINNING of the first English
Civil War, Parliament established two committees to
confiscate the estates of Royalists and process the fines
owed by "delinquents" who could regain their land with
a monetary fee and a promise of future loyalty to the
Parliamentarian cause. The fines were then used to fund
the Parliamentarian army. This order threatens total
confiscation of land within eighty miles of London if the
delinquents did not pay. Our broadside is one of three
similar variants with the same date; the present variant
lists John Field as the sole printer. OCLC, Library Hub and
the ESTC locate 3 copies worldwide (British Library, Trinity
College Dublin, Yale University). ☞ ESTC R225774.

“THE WHOLE CONTEXTURE OF THE DESIGN IS REGULAR AND UNIFORM”



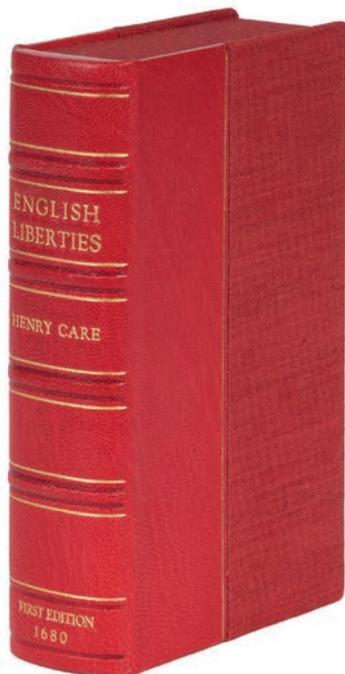
23. BROWN, WILLIAM [FL. C.1680].

Astræe Abdicatæ Restauratio. Or Advice to Justices of the Peace, Containing a Compendious, And Perfect Abstract of All the Statute Laws Now in Force and Use Relating to the Administration of the Office of Justices of the Peace; As Likewise Touching the Office and Duty of Constables, Churchwardens, Overseers of the Poor, And Other Parochial Substituted Executors of Justice, Their Subordinate Officers. Also Correct Forms of Warrants, Mittimus, And Other Precepts, And Instruments Upon the Said Statutes; (For the Ease of the Said Justices and Instruction of Their Clerks) Being Wholly New, And Different from Any of that Nature Hitherto Extant; Including All the Statutes upon this Subject to the End of the Last Parliament Holden at Westminster, Which was Dissolved October the 11th 1695. With Notes Summarily Comprehending the Substance of the Said Statutes; And References to Several Law Cases in the Books of Reports Concerning the Same.

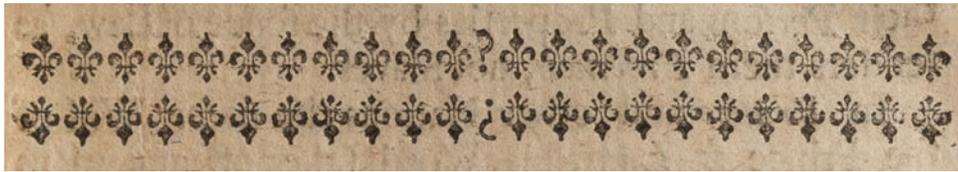
[London]: Printed for H. Newman in the Poultry, 1695. [viii], 377 [i.e. 397], [27] pp. 12mo. (6" x 3-3/4").

Contemporary calf, blind rules to boards, raised bands and blind fillets to spine, which is lightly varnished. A few minor nicks, scuffs and stains to boards, moderate rubbing to extremities with wear to head of spine, corners bumped, hinges cracked, rear endleaves reinforced and rehinged. Moderate toning to interior, spark burns and tiny inkspots in a few places, doodles and signatures (of G. Barnes, Henry Axford and a few illegible) to endleaves. \$750.

ONLY EDITION. In the preface, Brown says this book was written to replace the many error-riddled manuals published since Lambard and Dalton. He ends with the following promise: "I do Avow, and am able to justifie to the World against all opposers, that the Presidents are not only so, but that the whole Contexture of the Design is Regular and Uniform, One part of it depending Methodically upon another without Chasm or Saltus; And that the Abstracts of the Statutes, Notes and Observations thereupon, are proper for the illustrating and Explaining the Meaning of the Whole" [viii]. Brown was clerk of the Court of Common Pleas and the author of several manuals and treatises. This is a scarce title. OCLC locates 3 copies in North American law libraries (Harvard, Library of Congress, University of Cincinnati).  ESTC R2058.

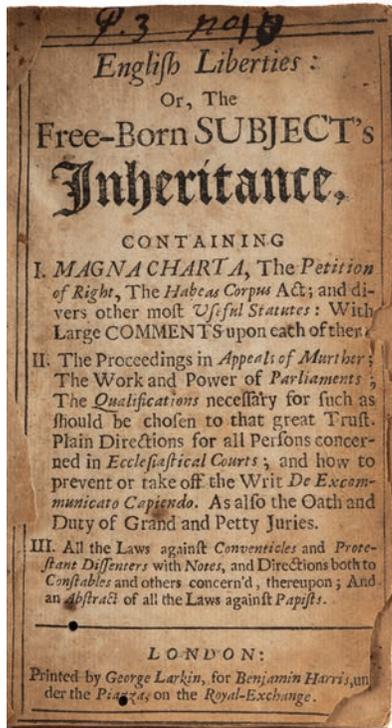


Details from N° 24 (See next page) 



Headpiece detail from N° 24

FIRST EDITION OF A CLASSIC GUIDE TO
ENGLISH LAW AND GOVERNMENT THAT INSPIRED THE
AMERICAN FOUNDING FATHERS, A VARIANT IMPRINT
OVERLOOKED BY THE ESTC



24. [CARE, HENRY (1646-1688)].

English Liberties: Or, The Free-Born Subject's Inheritance, Containing I. Magna Charta, The Petition of Right, The Habeas Corpus Act; And Divers Other Most Useful Statutes: With Large Comments Upon Each of Them. II. The Proceedings in Appeals of Murther; The Work and Power of Parliaments; The Qualifications Necessary for Such as Should be Chosen to that Great Trust. Plain Directions for All Persons Concerned in Ecclesiastical Courts; And How to Prevent or Take Off the Writ De Excommunicato Capiendo. As Also the Oath and Duty of Grand and Petty Juries. III. All the Laws Against Conventicles and Protestant Dissenters with Notes, And Directions both to Constables and Others concern'd, Thereupon; And an Abstract of All the Laws Against Papists.

London: Printed by George Larkin, for Benjamin Harris, Under the Piazza, On the Royal-Exchange, [1682]. [x], 228 pp. Lacking first leaf, a blank. 12mo. (5-1/2" x 3").

Contemporary sheep, blind rules to boards, blind fillets to spine. Light rubbing and a few minor worm holes to boards, which are slightly bowed, corners bumped and somewhat worn, spine ends worn, joints rubbed and starting at ends, front endleaves lacking, rear pastedown loose, brief early annotation to head of title page. Moderate toning to interior, light foxing in

places, offsetting to margins of a few leaves at beginning and end of text, moderate edgewear, mostly to corners, to title page and final few leaves, loss to catchwords at foot of pp. 223 and 225 and imprint statement at foot of title page. Housed in a handsome red quarter morocco clam shell box. An appealing unrestored copy. \$7,500.

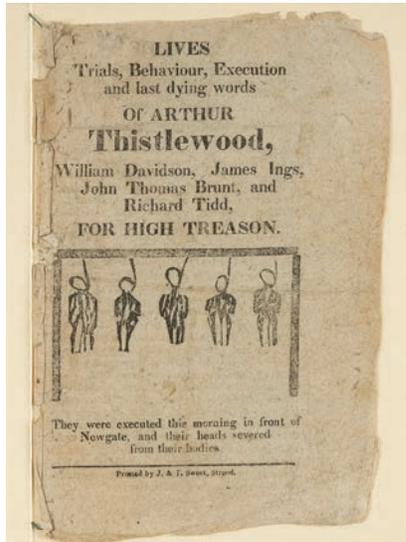


Enlarged woodcut initial detail

FIRST EDITION, an unrecorded variant of one of the two undated imprints listed in the ESTC with a conjectured publication date of 1682; a third imprint in the ESTC is dated 1682. This classic layman's guide reviews, from a Whig perspective, the principles of English law and government. It emphasizes the role of Magna Carta, Parliament and juries in the preservation of civil rights and prevention of tyranny. First published in America in 1721, it had a profound influence on several colonial readers, including the founding fathers. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). Jefferson, who owned two copies, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights. With the exception of the imprint statement, our copy is identical to ESTC entry R31286. Its title page states: "Printed by G. Larkin, for Benjamin Harris, at the Stationers Arms and Anchor in the Piazza under the Royal-Exchange." Ours reads: "London: Printed by George Larkin, for Benjamin Harris, under the Piazza, on the Royal-Exchange." Not in the ESTC. ☞ Sowerby 2702, 2703 (citing different editions).

the Stationers Arms and Anchor in the Piazza under the Royal-Exchange." Ours reads: "London: Printed by George Larkin, for Benjamin Harris, under the Piazza, on the Royal-Exchange." Not in the ESTC. ☞ Sowerby 2702, 2703 (citing different editions).

UNRECORDED ACCOUNT OF THE
EXECUTION OF THE CATO STREET CONSPIRATORS



25. [CATO STREET CONSPIRACY].
THISTLEWOOD, ARTHUR [1774-1820],
PRIMARY DEFENDANT.

Lives Trials, Behaviour, Execution and Last Dying Words of Arthur Thistlewood, William Davidson, James Ings, John Thomas Brunt, And Richard Tidd, For High Treason. They Were Executed This Morning in Front of Newgate, And Their Heads Severed from Their Bodies.

Strood: Printed by J. & T. Sweet, [1820]. 8 pp. Octavo (6-1/2" x 4-1/4").

Stab-stitched pamphlet in self-wrappers, thread perished, edges untrimmed, loosely re sewn into recent 7" x 5" card folder with typed title to front. Woodcut vignettes to title page and foot of last page. Light toning, slight soiling in a few places, creasing along spine, a few small holes to each leaf with minor loss to legibility on pp. 5-6. Rare. \$950.

LED BY ARTHUR THISTLEWOOD, the event known as the Cato Street Conspiracy was an attempt to murder all of the ministers, including the Prime Minister, of King George IV in 1820. Motivated in part by the economic depression of the period, the conspirators wished to avenge earlier protests suppressed by the state, such as the Paterloo Massacre. The conspirators' goal was to overthrow the government and initiate a revolution similar to the French Revolution. Betrayed by one of the co-conspirators, Thistlewood and four others were captured, tried and executed. There are many accounts of this trial, nearly all published in London. Our account, published in Strood, appears to be unrecorded. No copies located on OCLC or Library Hub. ☞

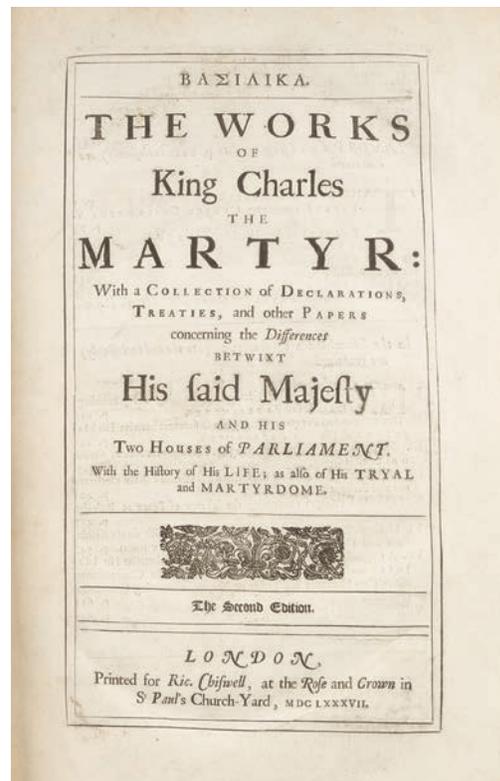
THE LIFE AND MARTYRDOM OF CHARLES I

26. CHARLES I [1600-1649],
KING OF ENGLAND.

Basilika. The Works of King Charles the Martyr: With a Collection of Declarations, Treaties and Other Papers Concerning the Differences Betwixt His Said Majesty and His Two Houses of Parliament. With the History of His Life; As Also of His Tryal and Martyrdome.

London: Printed for Ric. Chiswell, 1687. [viii], 720, [4] pp. With an armorial frontispiece, engraved title page and two folding plates. Folio (15-1/4" x 9-1/2").

Later paneled calf with corner fleurons and gilt fillets to boards, gilt-edged raised bands and lettering piece to spine, gilt ornaments to compartments, gilt tooling to board edges, edges rouged, marbled endpapers, blind inside dentelles. Moderate rubbing and a few small scuffs and stains to boards, which are detached (along with rear free endpaper and final leaf of text), somewhat heavier rubbing to extremities, spine varnished, chipping to spine ends, light wear to board edges and corners, which are bumped, armorial bookplate (of Sir Gilbert Greenall) and small shelf label to front pastedown. Page 207 (the execution warrant for Charles I) printed in red and black. Light toning to interior, light foxing and soiling to a few pages, a few (mostly partial) cracks to text block. \$650.



SECOND EDITION. In addition to other letters, treatises and historical accounts published during the English Civil Wars and their aftermath, the core of this work is the *Eikon Basilike*, the spiritual autobiography attributed to Charles I. First published



Engraving detail from N° 26

ten days after his execution by Parliament in 1649, the *Eikon* combined religious and political styles of writing to portray Charles as a martyr paying for his political sins with his life. Wildly popular, the work went through many official and unofficial editions. The first edition of the present title appeared in 1662 after the Restoration of Charles II and was the first printing of the *Eikon* with royal approval. 📖 ESTC R6734.

“NOT THE NAME OF A LAWYER ONELY, BUT OF THE LAW IT SELFE”

27. COKE, SIR EDWARD [1552–1634].

The First Part of the Institutes of the Lawes of England. Or, A Commentarie upon Littleton, Not the Name of a Lawyer Onely, But of the Law It Selfe.

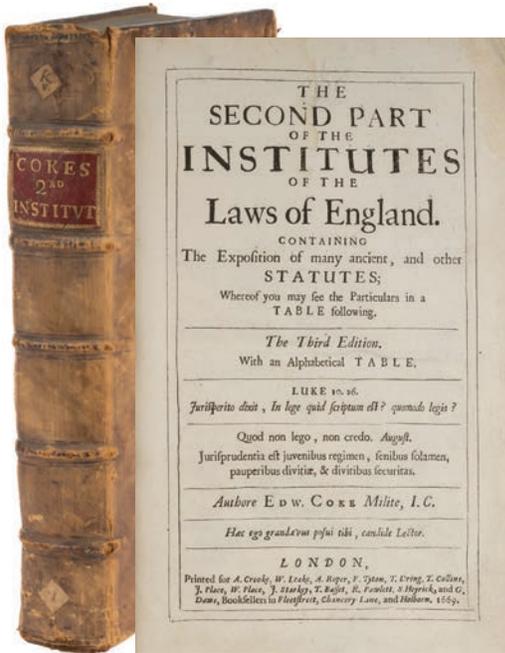
London: Printed for the Societie of Stationers, 1628. [viii], 395, [1] ff. Folding woodcut table of consanguinity. Lacking first blank, else complete. Folio (10-3/4" x 7-3/4").

Later cloth, gilt title and blind fillets to spine, endpapers renewed. Light chipping to head of spine, corners bumped and lightly worn, hinges cracked, repairs to edges of title page, following leaf and final two leaves of text. Title printed within woodcut architectural border. Light toning to interior, faint dampstaining in places, some soiling and edgewear to preliminaries and final few leaves. Illegible owner inscription dated 1774 to fol. [iii], numerous brief earlier annotations in different, and legible, hand to first half of text and after fol. 364. \$4,500.

FIRST EDITION. Coke's *Institutes*, which eventually comprised four volumes, are thought to be the first textbooks on the modern common law. Taken together, they form a virtual encyclopedia of the law as it stood in Coke's lifetime. Moreover, it "firmly established itself as the basis of the constitution of the realm" (*PMM*). The first *Institutes*, better known as *Coke on Littleton*, contains the text of Sir Thomas Littleton's *Tenures* with extensive commentary. It was a standard work for decades and was often used as a textbook. The hand and syntax date the annotations in our copy to the late 1600s. Most are glosses on the text. The others are references to cases and authorities. 📖 *PMM* 126. ESTC S113366.



THE MACCLESFIELD COPY OF
COKE'S LANDMARK COMMENTARY ON MAGNA CARTA



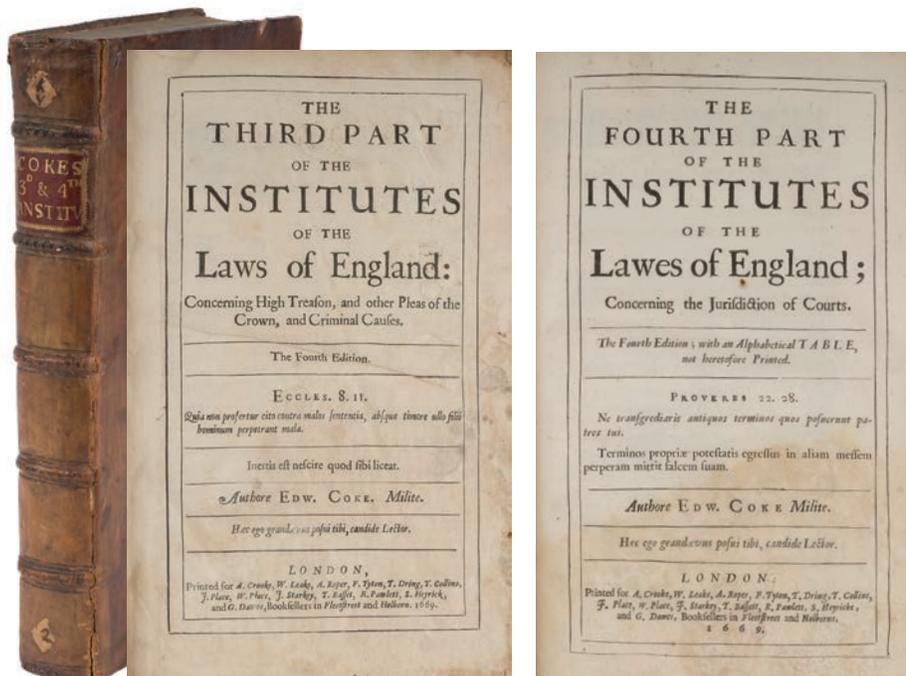
28. COKE, SIR EDWARD.

The Second Part of the Institutes of the Lawes of England. Containing the Exposition of Many Ancient, And Other Statutes; Whereof You May See the Particulars in a Table Following.

London: Printed for A. Crooke, W. Leake, A. Roper, [et al.], 1669. [x], 745, [41] pp. With the copperplate portrait frontispiece, bound with some copies, which is not noted in the *ESTC* record. Folio (11-3/4" x 7-1/4").

Contemporary paneled calf, raised bands, blind fillets, lettering piece and two tiny early shelf labels to spine, gilt rules to board edges, early hand-lettered title to fore-edge of text block. Moderate rubbing to boards and extremities, a few small chips to spine ends, corners bumped and somewhat worn, hinges cracked, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamps to preliminaries. Moderate toning, light browning and foxing in places, light soiling, minor stains and corner folds to preliminaries and final leaves of text. \$650.

THIRD EDITION. *The Second Part of the Institutes*, an exposition of "many ancient and other statutes" including those of Magna Carta, was published by order of the House of Commons after the author's death. It is a landmark work because it offered a novel interpretation of Magna Carta. Reflecting contemporary struggles between the king and Parliament, Coke presented the charter as the ancient constitution of England, one that established the fundamental rights of Englishmen and placed royal power under the laws of the land. Perhaps the most famous section is Coke's commentary on the 29th chapter, in which he traced the origins of trial by jury and the right of habeas corpus. Housed in Shirburn Castle, near Watlington, Oxfordshire, the library of the Macclesfields was one of the finest private libraries in Great Britain. 📖 *ESTC*R30266.



Details from N° 29 (See next page) 📖

THE MACCLESFIELD COPY OF
COKE'S THIRD AND FOURTH INSTITUTES

29. COKE, SIR EDWARD.

The Third Part of the Institutes of the Laws of England: Concerning High Treason, And Other Pleas of the Crown, And Criminal Causes.

London: Printed for A. Crooke, W. Leake [et al.], 1669. [viii], 243, [19] pp. Copperplate portrait frontispiece.

[BOUND WITH]

COKE, SIR EDWARD.

The Fourth Part of the Institutes of the Lawes of England; Concerning the Jurisdiction of Courts. With an Alphabetical Table, Not Heretofore Printed.

London: Printed by A. Crooke, W. Leake [et al.], 1669. [x], 364, [36] pp.

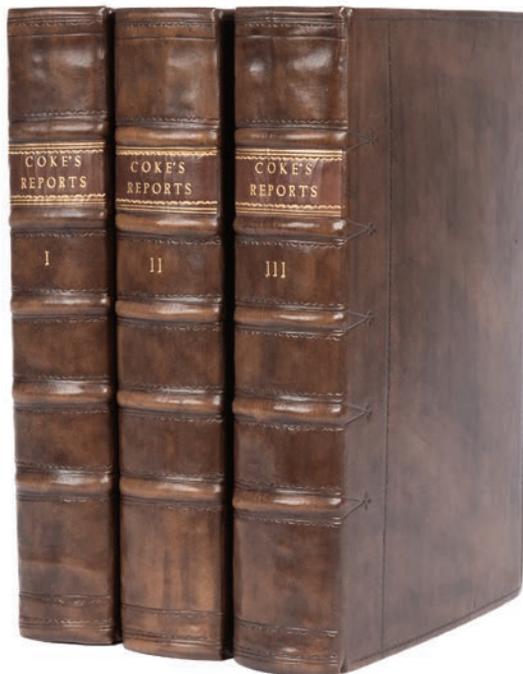
Folio (11-1/2" x 7-1/2"). Contemporary paneled calf, raised bands, blind ornaments, lettering piece and two tiny early shelf labels to spine, gilt rules to board edges. Minor nicks and scuffs to boards, moderate rubbing to extremities, joints just starting, a few minor chips to spine ends, corners bumped and worn, hinges cracked, front free endpaper neatly removed, armorial bookplate of the Earls of Macclesfield to front pastedown, small embossed Macclesfield stamps to preliminaries. Moderate toning, faint dampstaining and dampspotting to lower half of text block, some edgewear and worming to margins of preliminaries of *The Third Part*, 1/4" strip removed from bottom edge of frontispiece.



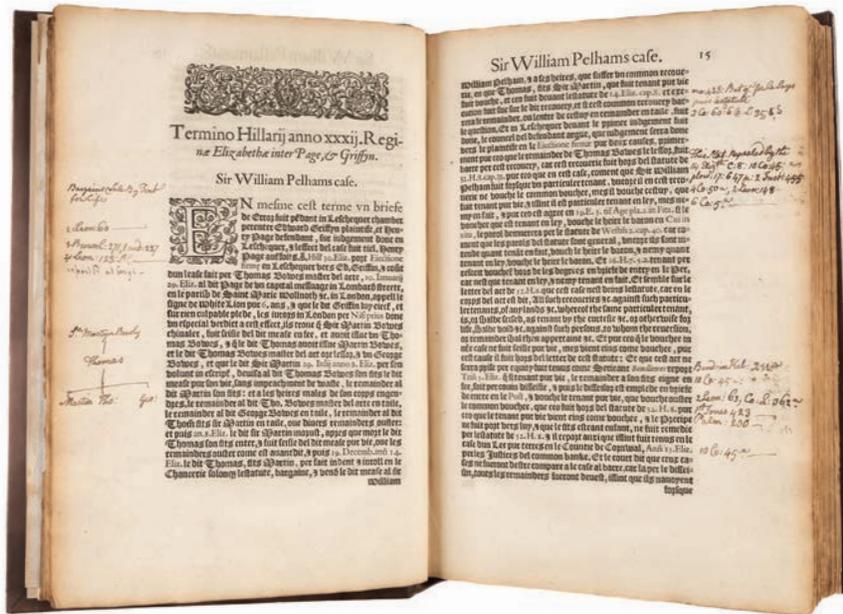
Frontispiece detail

\$850.

FOURTH EDITIONS. The *Third Institutes* is devoted to criminal law, with important sections that address how far the Crown can act alone and where it requires the assistance and joint power of Parliament. The *Fourth Institutes* outlines the authority and jurisdictions of several courts, among them the Court of Star-Chamber, Kings Court, Chancery, the Court of Common Pleas and Arches Court. ESTC R26617, R35651.



Details from N° 30 (See next page)



Detail from N° 30

EARLY PRINTINGS OF COKE'S REPORTS WITH EXTENSIVE, INTERESTING ANNOTATIONS

30. COKE, SIR EDWARD.

[Les Reports de Edward Coke].

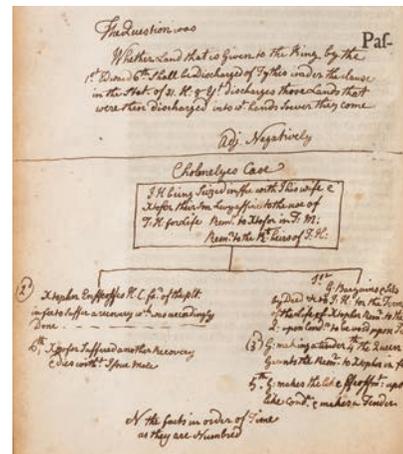
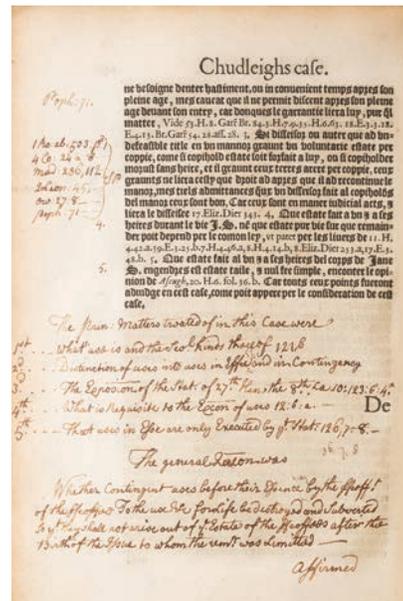
Various dates and editions (see below), London, 1600-1615. Nine parts (of 11) in three volumes. Folio (all approximately 11" x 7-1/2").

Recent period-style calf, blind fillets, raised bands, lettering pieces and gilt volume numbers to spines, endpapers renewed, retained early armorial bookplates (of William Brimage) to front pastedowns, early hand-lettered part numbers to fore-edges. Moderate toning, light foxing and faint dampstaining in places, light soiling to title pages, spark burns to a few leaves in each volume, light browning to sections of Part 6, title page of Part 1 and final two leaves of Part 2 supplied in facsimile, Part 3 lacking final blank leaf, Part 5 lacking blank leaf before its second section, minor worming to sections of Part 8, which lacks its first and final blank leaves, first blank leaf lacking from Part 9. Extensive annotations in an eighteenth-century hand throughout Parts 1-5, some annotations in same hand to Part 6, annotations in a seventeenth-century hand to some leaves in Part 9.

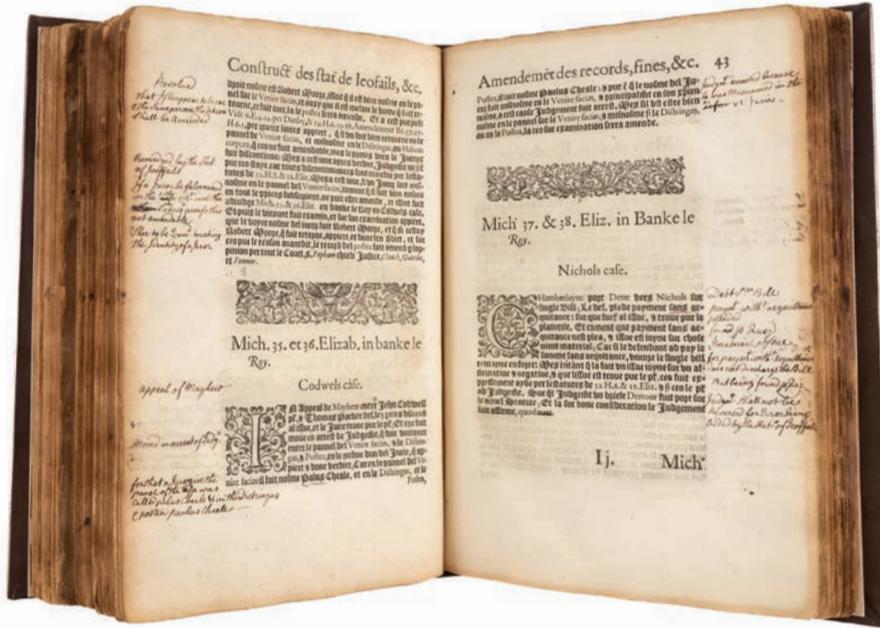
\$7,500.

Contents of this set (all parts printed in London):

- 1: Thomas Wight, 1600. [iv], 177, [1] ff. ESTC S107222.
- 2: Thomas Wight, [c.1604]. [vi], 94 ff. ESTC S116287.
- 3: Thomas Wight, 1602. [xviii], 91, [1] ff. ESTC S107227.
- 4: Thomas Wight, 1604. [x], 128 ff. ESTC S107228.
- 5: Companie of Stationers, 1606. [1], 41, [6]; 127, [1] ff. ESTC S107229.
- 6: Societie of Stationers, 1607. [x], 80, [2] ff. ESTC S124668.
- 7: Societie of Stationers, 1608. [vi], 28, 34 ff., 35-36 pp., 37-45, [1] ff. ESTC S107233.
- 8: Societe of Stationers, 1611. [xvi], 171 [i.e. 173], [1] ff. ESTC S107236.
- 9: Societie of Stationers, 1615. [xviii], 143, [1] ff. ESTC S107237.



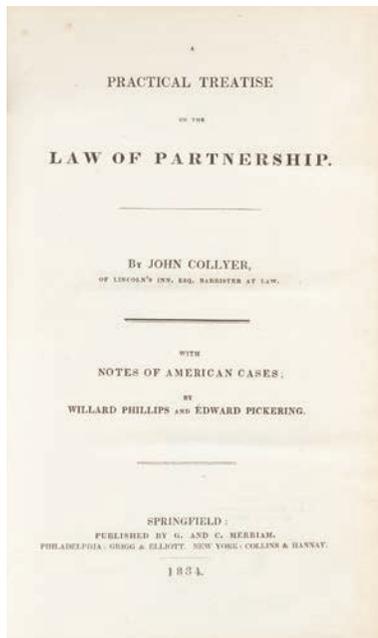
Annotation details



Detail from N° 30

A WORK OF IMMENSE AUTHORITY for generations, Coke's *Reports* are not reports in the conventional sense; they are highly detailed anthologies of precedents organized by topic. Taken together, the *Reports* forms the most extensive and detailed treatment of common law pleading that had yet appeared. The first editions, all in Law-French, were first published in 1600, 1602, 1602, 1604, 1605, 1607, 1608, 1611, 1613, 1614, 1615. After Coke's death editors compiled a "General Table" to Parts 1-11, which was first published in 1652, and two more parts, which were first published in 1656 and 1659. The first edition in English, which did not include pleadings, was published in 1658.

Our set contains copies of the first nine parts, six of them in first editions. The first five, and parts of the sixth, have extensive eighteenth-century annotations, most likely by a law student (William Brimage?). Most of these are point-by-point case summaries followed by a statement of the main legal principles. Others are cross-references to such books as *Coke on Littleton* and *Croke, Popham* and other reporters. Some of the notes are enhanced with diagrams. The annotations in Part 9, in a miniscule seventeenth-century hand, are brief glosses. Overall, these volumes are interesting as documents of the reception of Coke's great work in the seventeenth and eighteenth centuries. 📖



THE "BEST ENGLISH TREATISE ON THE SUBJECT"

31. COLLYER, JOHN [1801-1870].
 PHILLIPS, WILLARD [1784-1873], NOTES.
 PICKERING, EDWARD [D.1876], NOTES.

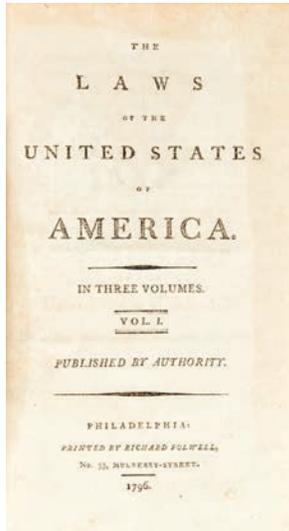
A Practical Treatise on the Law of Partnership. With Notes of American Cases; By Willard Phillips and Edward Pickering.

Springfield, MA: Published by G. and C. Merriam, 1834. xxxii, 728 [i.e. 544] pp. Octavo (9-1/4" x 6").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine. A few minor spots and scuffs to boards, early owner bookplate to front free endpaper, light toning to interior, offsetting to margins of endleaves. A well-preserved copy. \$950.

FIRST AMERICAN EDITION, from the first London edition (1832), to which it is star-paged. According to Warren's *Popular and Practical Introduction to Law Studies*, this is the "best English treatise" on the subject. It provides "a full statement of the principal decisions of Lord Eldon, whose subtle and powerful legal intellect pre-eminently distinguished itself in cases of Partnership and Bankruptcy." The final American edition, the fourth, was published in 1853. 📖 Warren cited in Marvin 215. Cohen 9306.

COMPLETE FIRST FOLWELL EDITION WITH SWIFT'S INDEX



32. [CONGRESS, UNITED STATES].
[FOLWELL, RICHARD (1768?-1814), PRINTER].
[SWIFT, ZEPHANIAH (1759-1823), COMPILER OF INDEX].

The Laws of the United States of America. Published by Authority.

Philadelphia: Printed by Richard Folwell, 1796-1797. Three volumes. [iv], [5]-494, [iv], [5]-576; [iv], [5]-477, [131] pp. Octavo (7-3/4" x 4-1/2").

Contemporary sheep, blind fillets to boards, lettering pieces, blind fillets and volume numbers to spines, blind tooling to board edges. Moderate rubbing and some shallow scuffing to boards, some rubbing to extremities, chipping to spine ends, spine ends of Volume I abraded, rear board of Volume II detached, its front board and front and rear boards of Volume I starting, rear joint of Volume III starting, corners bumped and lightly worn, hinges of all volumes cracked or starting. Moderate toning to interior, somewhat lighter or heavier in places, occasional light foxing, a few folded corners, ownership signature (of J? McCullum) to head of Volume II title page, last few leaves of Volume I starting very slightly at foot but secure. An appealing set in its original binding. \$1,500.

COMPLETE FIRST EDITION. Volume III, though dated 1796, contains the acts of the 2nd session of the 4th Congress, in session until March of 1797. Includes texts of the Constitution, the Bill of Rights and the Treaty of Paris. A compilation of all acts passed by the first four Congresses, including the acts that established the War, Postal and Treasury departments, the judicial circuits, the Bank of the United States, the military academy at West Point, the city of Washington, D.C., the Copyright law and those that created the states of Kentucky, Vermont and Tennessee. Other interesting legislation includes the act to build six frigates to combat the Algerian corsairs and acts concerning the Whiskey Rebellion.

"This set is also important as a collection of early American treaties, with the appendices including the treaties of the United States with foreign powers and Indian tribes" (Reese). Indian affairs are treated at length. Relevant legislation includes several Indian treaties, an act establishing the President's right to create "trading houses" with Indian tribes, acts appointing Indian Agents and an act providing for a boundary line between settlers and Indians running west of the new Ohio territories (which settlers were not allowed to cross). Evans observes that this edition enjoys "many peculiar advantages," such as the cumulative 130-page index in Volume III compiled by Zephaniah Swift. This "copious, luminous index [comprises] in itself a complete digest of all the Laws of the United States." Evans notes also that Folwell's Volume I is frequently and erroneously replaced with the 1795 edition by Childs and Swaine. 🍷 Evans 31356, 32973. Sabin 39424. Reese 63.

SCARCE 1564 VENETIAN IMPRINT OF THE CONSOLATO DEL MARE

33. [CONSOLATO DEL MARE].
[PEDREZZANO, GIOVANNI BATTISTA, EDITOR
AND TRANSLATOR].

Libro del Consolato de' Marinari, Nelquale si Comprendono Tutti gli Statuti & Ordini Disposti da gli Antichi per Ogni Caso di Mercantia ò di Navigare, Così à Beneficio de' Marinari, Come de' Mercanti, & Patron de' Navilij. Con l'Aggiunta delle Ordinationi Sopra l'Armate di Mare, Sicurtà, Entrate, & Uscite.

Venice: Per Francesco Lorenzini, 1564. [vii], 117, [2] ff. Quarto (8" x 6").

Contemporary quarter vellum over thick paper-covered boards, early hand-lettered title to spine. Light soiling, faint vertical crease and two small stains to front board, spine slightly darkened, corners bumped, minor worming to front hinge, paper just beginning to crack through pastedowns. Moderate toning to interior, light browning and foxing in places. Illegible early owner signature and small later owner stamp (of Giovanni Brunetti) to title page, brief early annotations and marks to a few leaves. \$2,500.



A LANDMARK in the development of maritime law, the *Consolato del Mare* is a digest of the law and practice commonly followed by the commercial judges in the chief ports around the Mediterranean. It became a maritime common law of the Mediterranean and a foundation for subsequent European maritime laws and customs. In addition to legal topics, it contains a great deal of information about commerce, the day-to-day operations of a ship and practical advice on seafaring. It was first published in Barcelona in 1484 (in Catalan). As suggested by the present edition, its circulation was widest in Italy, especially among the Venetians, but it was also influential in Western Europe. OCLC locates 8 copies of this edition in North America, 2 in law libraries (Harvard, Yale).
 ☞ EDIT16 CNCE 13101.

A RARE ACCOUNT OF A CAREER-ENDING DIVORCE CASE

**34. [DIVORCE].
 CRAWFORD V. CRAWFORD
 AND DILKE.**

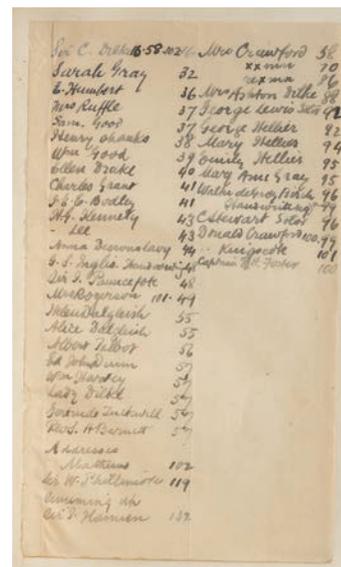
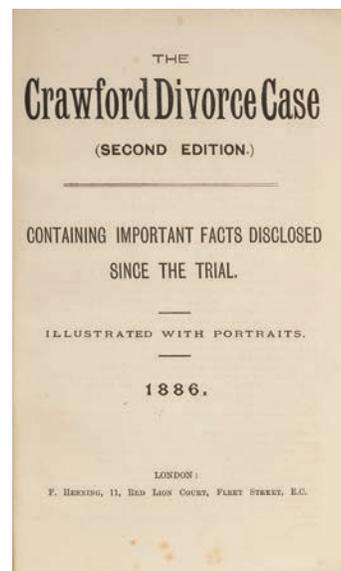
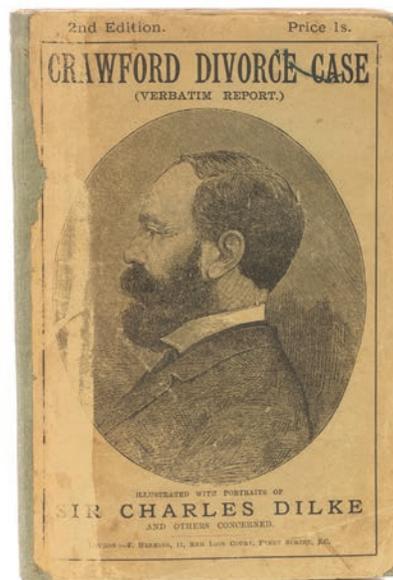
The Crawford Divorce Case (Second Edition.) Containing Important Facts Disclosed Since the Trial. Illustrated with Portraits.

London: F. Henning, 1886. [146] pp. Woodcut portrait frontispiece and a few small portrait vignettes. Octavo (7-1/4" x 4-3/4").

Recent stiff wrappers, edgeworn and lightly rubbed original pictorial front and rear wrappers laid down, loss to text of rear wrapper, which has a publisher advertisement, at upper and lower left corners. Light toning to interior, light foxing to margins in a few places, slight creasing to a few leaves, occasional underlining, brief notes to margins and manuscript page numbers in pencil, manuscript table of contents tipped onto inner rear wrapper. Rare. \$650.

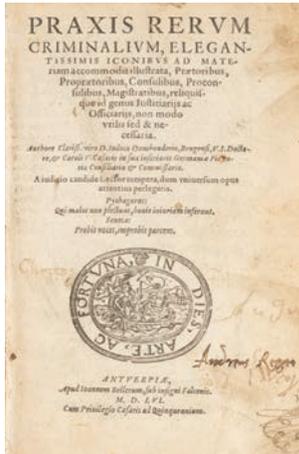
SECOND EDITION. The Crawford divorce case concerned a series of affairs carried on by Sir Charles Dilke [1843-1911], an MP and prominent member of the Liberal Party. In addition to an affair with Ellen Smith, wife of a Liberal politician and the mother-in-law of Dilke's brother, he was accused of seducing Smith's nineteen-year-old daughter Virginia and continuing the affair after she was married. Virginia's husband, Donald Crawford, sued for divorce with Dilke as a party to the suit. This trial resulted in a decree nisi for the Crawfords but an unclear verdict on Dilke's responsibility for the affair. Dilke sought to reopen the case in order to clear his name, with devastating consequences—he was humiliated in court and the flood of subsequent accusations of adultery ended his political career.

Our account, sympathetic to Dilke, appears to have gone through at least five editions with the fifth appearing in 1887. OCLC and Library Hub locate 5 physical copies of all editions worldwide and no physical copies of the second edition; we located 1 at the University of Minnesota Law School. ☞



Details from N° 34

CLASSIC SIXTEENTH-CENTURY TREATISE ON
CRIMINAL LAW ILLUSTRATED WITH 55 LARGE WOODCUTS

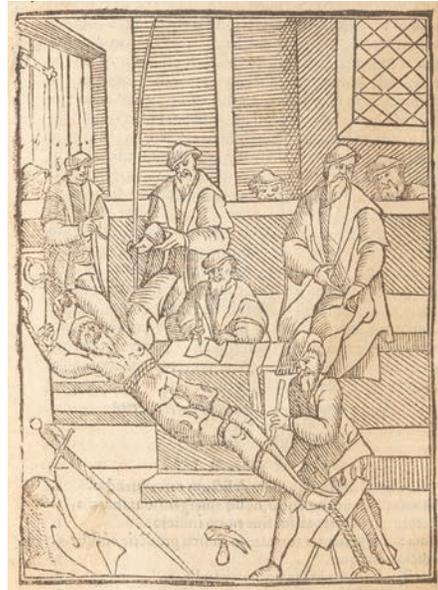


35. DAMHOUDER, JOSSE (JOOST) DE [1507-1581].

Praxis Rerum Criminalium, Elegantissimis Iconibus ad Materiam Accommodis Illustrata, Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officiariis, Non Modo Utilis Sed & Necessaria.

Antwerp: Apud Ioannem Bellerum, 1556. [x], 567, [98], [1] pp. 55 large woodcuts depicting crimes and punishments in text. Octavo (6-1/4" x 4").

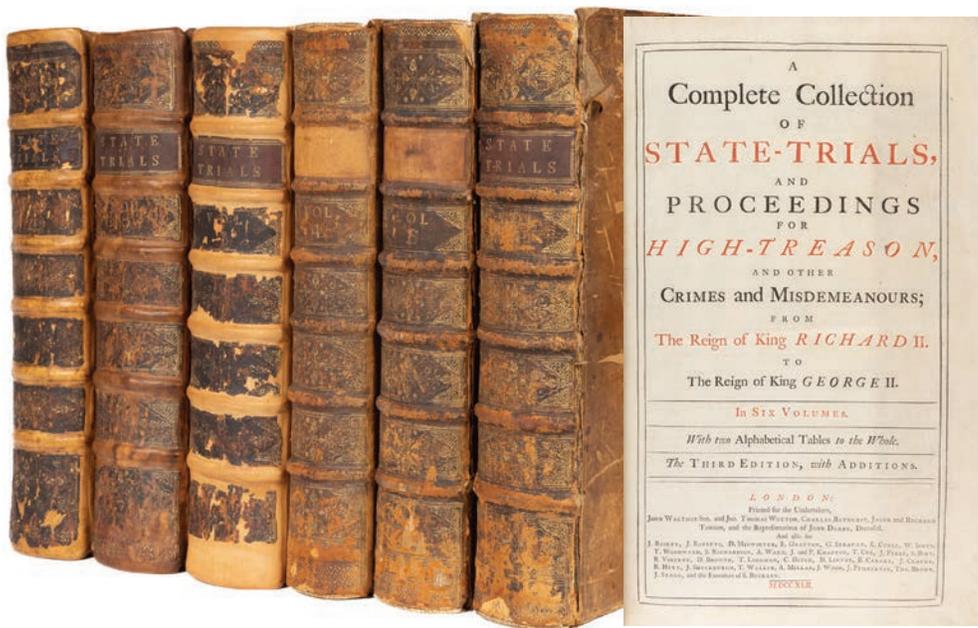
Recent speckled paper-covered boards, typed label to spine, edges rouged, endpapers renewed. Moderate rubbing to boards, somewhat heavier to extremities, spine varnished, spine ends and



Woodcut detail

corners bumped and worn, hinges cracked (rear hinge before final two leaves), a few recent pencil annotations to rear endpaper. Moderate toning to interior, light soiling in a few places, a few partial cracks to text block, all leaves secure, faint dampstaining to top-edge of last several leaves not affecting text, two (illegible) early ownership signatures to title page, occasional underlining and brief marginal annotations in an early hand, some affected by trimming. \$1,750.

SECOND (OR THIRD) EDITION. First published in Leuven and Antwerp in 1554, this was the first comprehensive study of criminal procedure published in northern Europe. A synthetic work drawn mostly from Roman-Dutch sources, it was based on Philip Wielant's *Practycke Crimineele* [editions from 1439 to 1519] and other earlier treatises. Published in Latin, Dutch and French, it was standard authority throughout the continent for many years. This edition is illustrated throughout with woodcuts depicting adultery, murder, theft and many other crimes. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. ☞ Dekkers 44.



Details from N° 36 (See next page) 📖

DARBY'S "INVALUABLE" COLLECTION OF ENGLISH STATE TRIALS

36. [DARBY, JOHN (D.1733), COMPILER].
[EMLYN, S[OLLEN] (1697-1754), EDITOR].

A Complete Collection of State-Trials, And Proceedings for High-Treason, And Other Crimes and Misdemeanours; From the Reign of King Richard II. To the Reign of King George II. In Six Volumes. With Two Alphabetical Tables to the Whole. With Additions.

London: Printed for the Undertakers, John Walthoe Sen. and Jun. Thomas Wotton, Charles Bathurst, Jacob and Richard Tonson, And the Representatives of John Darby, Deceased [et al.], 1742. Six volumes. Main text in double columns. Folio (14" x 8-1/2").

Contemporary calf, gilt frames to boards, gilt spines with raised bands, lettering pieces and gilt volume numbers, blind tooling to board edges, Volumes I-III rebacked in period style retaining pieces of existing spine, hinges of those volumes mended. Moderate rubbing and scuffing to boards, heavier rubbing to extremities, corners bumped and somewhat worn, spines abraded, wear to spine ends of Volumes IV-VI, boards of those volumes beginning to separate but secure. Title pages printed in red and black. Negligible light toning to interiors, heavier toning, light edgewear, light foxing and faint dampstaining to preliminaries and final leaves, light foxing to main texts in a few places, early owner signature (Vaughan) and recent owner signature (B.W. Palmer) to front pastedowns and free endpapers, front free endpaper lacking from Volume II. \$750.

THIRD EDITION. Considered "invaluable" by Holdsworth, this collection of the most important criminal trials, constitutional cases and civil cases with relevance to public law was originally published as a four-volume set in 1719. Editions beginning with the fourth were edited by Francis Hargrave. ☞ Holdsworth XII:130. ESTC T148933.

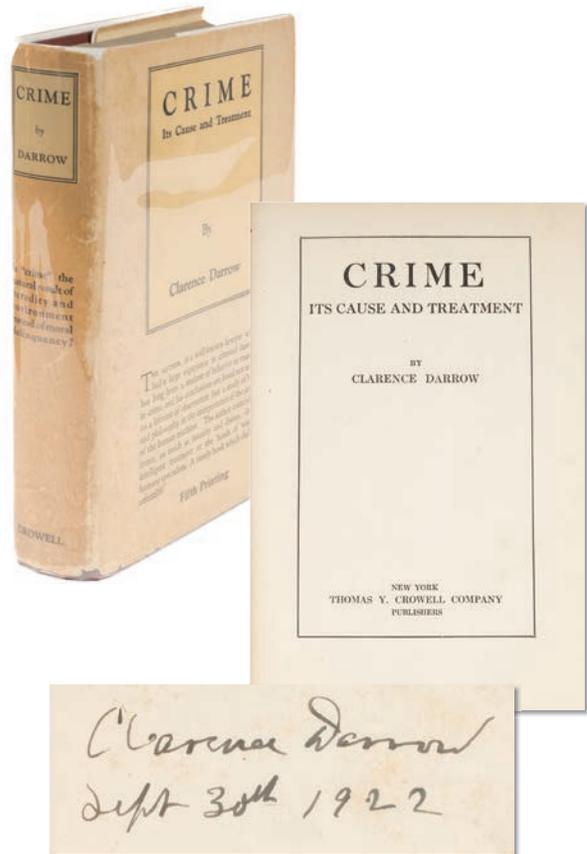
SIGNED BY DARROW

37. DARROW, CLARENCE [1857-1938].

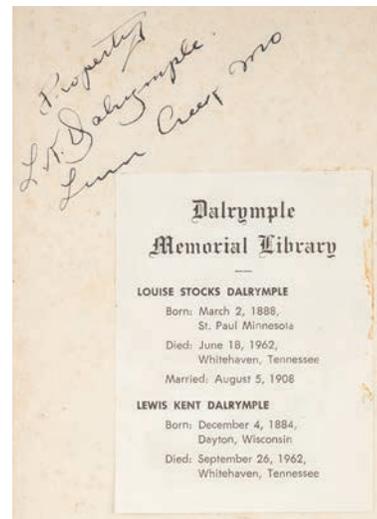
Crime: Its Cause and Treatment.

New York: Thomas Y. Crowell Company Publishers, 1922. x, 292 pp.

Original cloth in lightly edgeworn dust jacket, gilt title to spine and front board. Light rubbing to spine ends and corners, which are lightly bumped, front hinge cracked, light foxing to endpapers. Moderate toning to interior,



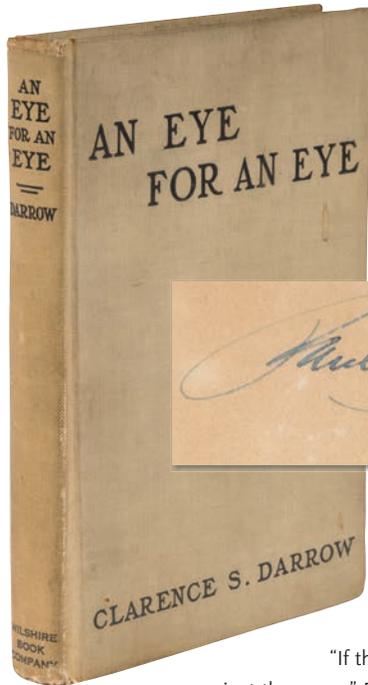
Details from N° 37



a few slight cracks to text block. Ownership signature of L.K. Dalrymple and bookplate of the Dalrymple Memorial Library to front pastedown, bold signature of Clarence Darrow dated September 30, 1922, to front free endpaper. \$1,500.

FIRST EDITION, FIFTH PRINTING. This sociological study of crime, punishment and humanity is the source of Darrow's famous statement: "You might as well hang a man because he is ill as because he is a criminal." ☞ Hunsberger 144.

PAUL DARROW'S COPY



38. DARROW, CLARENCE.

An Eye for an Eye.

New York: Fox, Duffield & Company, 1905. 213 pp.

Original cream publisher's cloth, black-stamped title and author name to front board and spine. Light rubbing and soiling to boards and extremities, light fading to spine, front hinge cracked, faint offsetting to pastedowns, ownership signature of Paul E. Darrow to front free endpaper. Light toning and occasional very light foxing to interior, otherwise clean. \$500.

Signature detail

FIRST EDITION, one of several 1905 issues for which priority has not been established. *An Eye for an Eye* was Darrow's only fictional work, aside from his autobiographical novel, *Farmington*, published in 1904. It tells the story of Jim Jackson, who struggles with poverty and harsh circumstances before finally murdering his wife in a fit of rage. Faced with the gallows, Jackson confesses:

"If ther'd been forty scaffolds right before my eyes, I'd have brought down the poker just the same." Darrow's novel is a sociological polemic which foreshadows such later works as

Theodore Dreiser's *An American Tragedy* and Upton Sinclair's *The Jungle*. Abe Ravitz in his *Clarence Darrow and the American Literary Tradition* (1962) observed that *An Eye for an Eye* was worthy of a trophy not only for sociological veracity but also for genuine literary achievement.

Our copy was owned by Darrow's son Paul [1883-1956], his only child. Paul was a businessman in Chicago for most of his adult life. ☞ Hunsberger 55.

INSCRIBED COPY OF DARROW'S
FARMINGTON WITH THREE ADDITIONAL PHOTOS

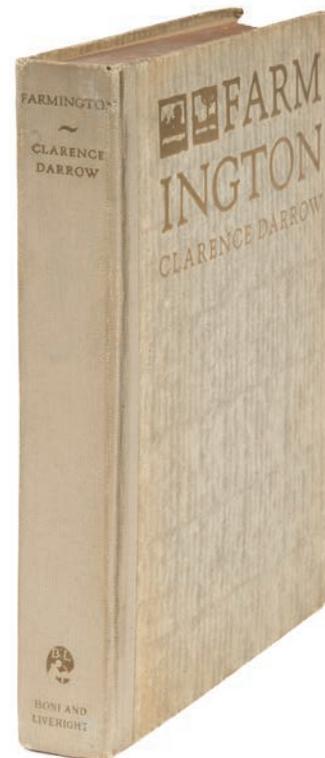
39. DARROW, CLARENCE.

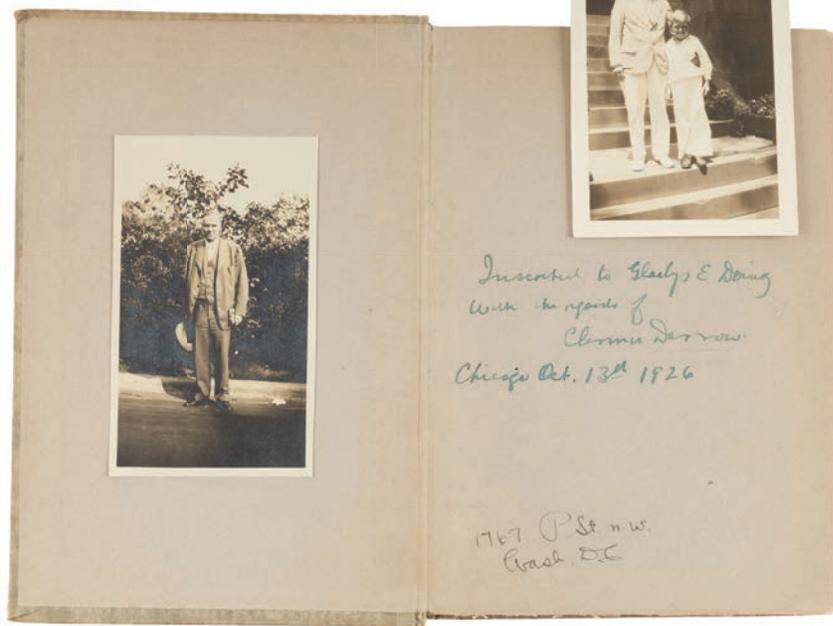
Farmington.

New York: Boni and Liveright, 1925. vi, [7]-255 pp.

Original quarter cloth over patterned paper boards, gilt title and author name to front board and spine, top-edge rouged, fore and bottom edges deckled. Light rubbing to boards and extremities, front hinge cracked (before title page), a few slight cracks to text block, internally clean. Darrow's inscription "Inscribed to Gladys E. Doing/ With the regards of/ Clarence Darrow/ Chicago Oct. 13th 1926" to front free endpaper along with a Washington, DC address in a different hand, photographs of Darrow tipped onto front pastedown and rear free endpaper, additional photograph laid in. \$1,750.

FIRST PUBLISHED in 1904, *Farmington* is a fictionalized account of the author's youth in Ohio. Though it went through seven editions, it was never a critical or commercial success. This pained Darrow, who considered it his finest book. In our copy, a portrait of Darrow standing in a yard with his hat in his hand is tipped onto the front pastedown and his author photo from the dust jacket onto the rear free endpaper. An additional photo of a man with his arms around a child is laid in; their identities are unclear, though the man bears a strong resemblance to Ammirus Darrow and the photo appears to have been taken in Chicago. ☞ Hunsberger 176.





Detail from N° 39

HANDSOME SIGNED PORTRAIT OF DARROW

40. DARROW, CLARENCE.

[12-1/2" x 10-1/2" Black-and-White Portrait Photograph of Darrow, Signed by Darrow].

Nickolas Muray, c.1928.

Minor soiling and light toning to margins, signature "Clarence Darrow" to lower right corner. \$750.

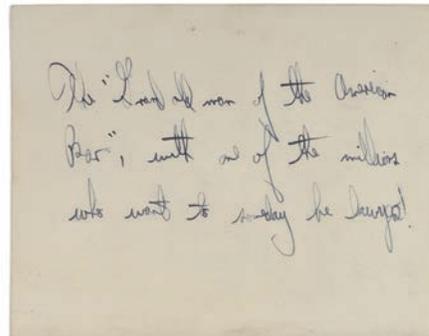
A PORTRAIT of Darrow frequently used as an author photo. ☞

THE "GRAND OLD MAN OF THE AMERICAN BAR"

**41. DARROW, CLARENCE.
GROS, ROBERT R. [1914-1997].**

[3-1/2" x 4-1/2" Signed Print of Clarence Darrow and Robert R. Gros].

[California?, before 1933].

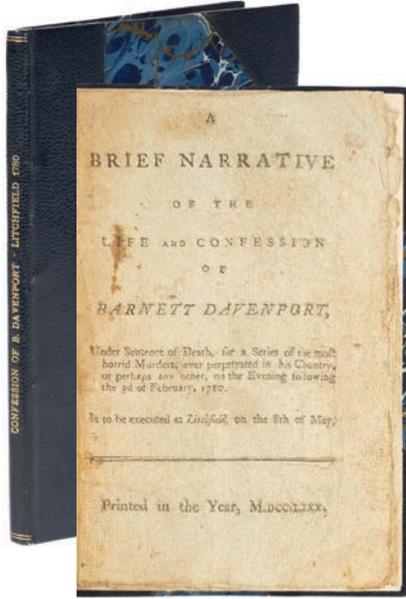


Details from N° 41

Light fading, two small pin holes to top of photo, signature "Clarence Darrow" in ink to lower right corner, minor soiling to verso, which has caption "The 'Grand old man of the American Bar,' with one of the millions who want to someday be lawyers!", probably in Gros's hand. \$750.

ROBERT R. GROS was a public relations director for Pacific Gas and Electric Company acquainted with many famous and influential people, Darrow among them. At the time of this photo, he was likely a student at Stanford University, where he graduated in 1935. Although he never became a lawyer, the possibility was clearly in his thoughts for a time, as evidenced by a 1933 letter he received from Darrow: "I assume you are intending to practise law when you finish your college-course. It is a bum profession, as generally practised...Of course, however, there is a lot of chance to do some good in this profession if you can get along without making money your ambition" (Darrow, Tietjen, ed.). The same letter references a prior visit to California, when this photo was likely taken. ☞ Darrow, Tietjen, ed. 451.

"A SERIES OF THE MOST HORRID MURDERS": MCDADE 242



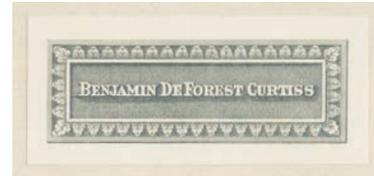
42. DAVENPORT, BARNETT [1760–1780].

A Brief Narrative of the Life and Confession of Barnett Davenport, Under Sentence of Death, For a Series of the Most Horrid Murders, Ever Perpetuated in This Country, Or Perhaps Any Other, On the Evening Following the 3d of February, 1780. Is to be Executed at Litchfield, On the 8th of May.

[Litchfield, CT?]: Printed in the Year, 1780. 15, [1] pp. Printed on pale blue-gray paper. Octavo (7-1/4" x 4-3/4").

Stab-stitched pamphlet with untrimmed edges bound into c.1900 three-quarter morocco over marbled boards by Stikeman & Co. New York. Gilt title to spine, endpapers added. Negligible light rubbing to extremities, bookplate of Benjamin DeForest Curtiss to front pastedown, library shelf label to rear pastedown, late nineteenth or early twentieth-century bookseller description tipped-in to front endleaf facing title page.

Moderate toning, light foxing in places, light soiling to title page and verso of final leaf,



faint early owner name "Betsey" to foot of preface (p.3). An appealing copy of a rare account in a handsome binding with an interesting provenance. \$6,500.

Bookplate detail

ONLY EDITION. According to the preface, this "narrative [was] penned from the criminal's mouth, though not always in his own words. Some moral reflections are interspersed." Davenport had indulged in criminal activity since he was a boy. His crimes became more elaborate when he became a soldier during the Revolutionary War. After deserting his regiment, Davenport became a household servant of Caleb Mallory. One night, he murdered Mallory, his wife and their grandchild while they were asleep, then robbed and burned their house. This is one of the earliest murders recorded by McDade. It is rare. OCLC locates 9 copies, 2 of them defective, none in law libraries. We located auction records for this title in 1900, 1905 and 1977. Benjamin DeForest Curtiss [1851-1922], the former owner of our copy, was a distinguished Americana collector who lived in Litchfield, Connecticut. ☞ Evans 16756. McDade 242.

"BROTHERS IN LAW"

43. DIGHTON, ROBERT [1752–1814].

John Doe & Rich.d Roe. Brothers in Law.

[London]: Robert Dighton, November 6, 1796.

10" x 8" hand-colored etching, image size, including caption, 8" x 6." Moderate toning light soiling, crease to lower-right corner, colors vivid. \$500.

"TWO MEN, wearing patched and ragged clothes, stand together. One (left) stands full-face, arms folded, shoulders hunched, staring to the right with fierce despair. From his pocket issues a bulky document: 'By Law I'm Ruin'd quite'. The other (right) stands in profile to the left, his left hand in his coat-pocket from which hang papers inscribed: 'Spent all my Money & Lost my Cause'; 'Mortgage'; 'Officer's Fees'. He looks down with an expression of angry melancholy." : *BM Satires*. ☞ *BM Satires* 8912.



Etching detail

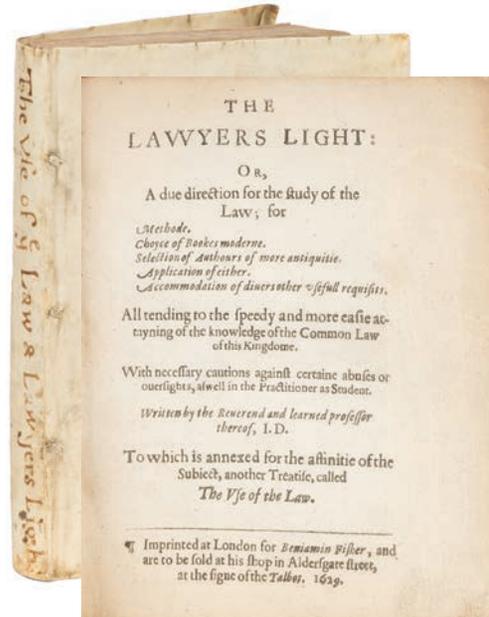
AN IMPORTANT MANUAL FOR STUDENTS OF THE LAW

44. DODDERIDGE (DODDRIDGE),
SIR JOHN [1555-1628].

The Lawyers Light: Or, A Due Direction For the Study of the Law; For Methode. Choyce of Books Moderne. Selection of Authours of More Antiquitie. Application of Either. Accommodation of Divers Other Useful Requisites. All Tending to the Speedy and More Easie Attayning of the Knowledge of the Common Law of this Kingdome. With Necessary Cautions Against Certaine Abuses or Oversights, Aswell in the Practitioner as Student. Written by the Reverend and Learned Professor Thereof, I.D. To Which is Annexed for the Affinitie of the Subject, Another Treatise, Called the Use of the Law.

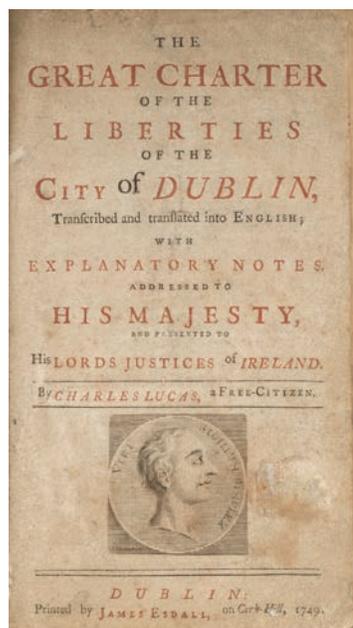
London: Imprinted for Benjamin Fisher, 1629. [xvii], 119, [1]; [viii], 93, [3] pp. Two parts, each with title page. Quarto (7" x 5-1/4").

Contemporary limp vellum, early hand-lettered title to spine. Light rubbing, very light soiling and a few small scratches to exterior, vellum lacing skillfully extended and reinforced, light edgewear to endleaves, which are discreetly reinforced along edges. Moderate toning, partial crack in text block between items, all leaves secure, small later note ("by Lord Bacon") to second title page, internally clean. An appealing copy. \$3,000.



ONLY EDITION. Sir John Dodderidge, or Doddridge, a judge during the reign of Charles I, was a formidably learned jurist who was both a common lawyer and a civilian who held a D.C.L. from Cambridge. Held in high esteem by Holdsworth, he is best known for his *English Lawyer: Describing a Method for the Managing of the Laws of this Land* (1631). He may also be the actual author of William Sheppard's *The Touch-Stone of Common Assurances* (1648), though this is still a matter of debate. *The Use of the Law*, an anonymous title, is attributed by some to Sir Francis Bacon. ESTC S109766.

RIGHTS, PRIVILEGES AND LIBERTIES OF DUBLIN

45. [DUBLIN].
LUCAS, CHARLES [1713-1771].

The Great Charter of the Liberties of the City of Dublin, Transcribed and Translated into English; With Explanatory Notes. Addressed to His Majesty, And Presented to His Lords Justices of Ireland. By Charles Lucas, A Free-Citizen.

Dublin: Printed by James Esdall, On Cork-Hill, 1749. vi, xlv, 31, [1], 36, [2] pp. With a final errata leaf and several woodcut vignettes. Octavo (8" x 4-3/4").

Recent quarter cloth over plain boards, ink title to spine, endpapers renewed. Light rubbing and minor light soiling to boards, moderate rubbing to spine ends, corners lightly worn. Title page printed in red and black; Latin text and English translation have separate title pages, also in red and black. Moderate toning to interior, occasional light foxing, light soiling in a few places, somewhat heavier to general title page, which is very lightly edgeworn, slight creasing to first several leaves not affecting text, crack in text block between pp. 28-29 of English translation, leaves O2-3 (pp. 31-34) loosening at foot but secure. Rare. \$1,850.

FIRST EDITION, first issue. The Latin text and English translation of the charter for the city of Dublin as granted by King Edward IV in 1483. Lucas, an Irish politician and Dublin native, published *The Great Charter* in the midst of his campaign for one of Dublin's parliamentary seats, along with two tracts on the political constitutions of Great Britain and Ireland. It was reissued in 1749 under the same imprint but without the errata leaf; another edition appeared in 1770. OCLC and the ESTC locate 2 copies of this issue in North America, both at the University of Illinois. ESTC T200365.

LIFE BEHIND BARS IN JOLIET, ILLINOIS

46. ELGAR, THOMAS [B.1842].

Convict Life, Or Penitentiary Citizenship, In the Illinois State Penitentiary, Joliet, Ill. Written in Prison by Thomas Elgar, 6197, 1885.

Rochester, NY: Published and Sold by Thomas Elgar, 1886. 48 pp. Octavo (9" x 5-3/4").

Stab-stitched pamphlet in self wrappers. Moderate toning to wrappers, which are detached and edgeworn with a few large chips, particularly to rear wrapper, no loss to text of front wrapper, which has a brief manuscript note in pencil to its title page. Moderate toning to interior, vertical crease to right margin, light edgewear and a few small tears to several leaves, text not affected. \$500.

ONLY EDITION. The state penitentiary in Joliet, Illinois, also known as the Joliet Correctional Center, opened in 1858 and quickly swelled to a population of 1,239 inmates by 1872. This rapid expansion, coupled with the prison's lack of modernization, led to crowded and unpleasant conditions for inmates. Elgar, one of these inmates in 1885, documents daily prison life and muses on the origins of crime and the failures of the prison system. An addendum to the table of contents notes: "Purchasers of a copy of this Pamphlet will assist the author, (1) to educate and train his family, (2) to make restitution, and (3) to labor for the amelioration and reform of convicts." OCLC locates 4 copies of this scarce title (Columbia University, University of Wisconsin, 2 at the Library of Congress). 📖

A COLLECTION OF EARLY PAMPHLETS
CONCERNING THE FIELD CODES IN A CONTEMPORARY BINDING47. [FIELD CODES].
[FIELD, DAVID DUDLEY (1805-1894)].

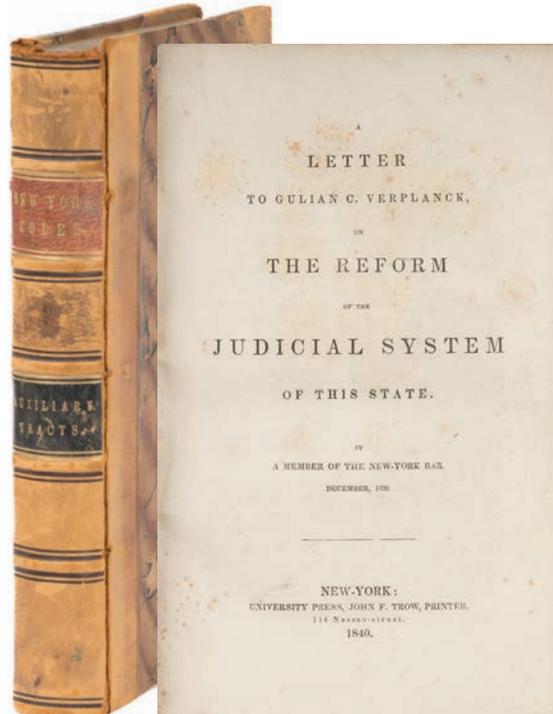
[Collection of Pamphlets Concerning the Field Codes].

New York, 1840-1856. 11 pamphlets (one of them in duplicate). Octavo (8-1/2" x 5-1/2").

Contemporary three-quarter calf over marbled boards, raised bands and red and black lettering piece reading "New York Codes" and "Auxiliary Tracts" to spine. Light rubbing to boards, front board partially detached but secure, small chip to head of spine, corners bumped and somewhat worn, rear hinge cracked, front free endpaper lacking. Moderate toning to interior, light foxing in a few places, offsetting to margins of endleaves. \$3,500.

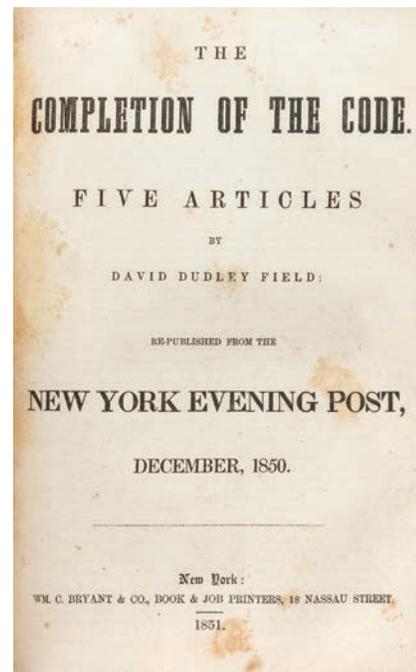
The pamphlets in this volume, all scarce, relate to codification and the New York codes. Contents (in short-titles):

1. [Field, David Dudley]. *A Letter to Gulian C. Verplanck, On the Reform of the Judicial System* (New York, 1840). 43 pp. 📖 Cohen 1143.
2. [New York]. *No. 81. In Assembly, March 2, 1842. Report in Part of the Committee on the Judiciary, In Relation to the Administration of Justice* (Albany, 1842). 72 pp. 📖 Cohen 1036.
3. [Field, David Dudley]. *Re-Organization of the Judiciary. Five Articles Originally Published in the Evening Post, On that Subject* (New York, January, 1846). 16 pp. 📖 Cohen 1453.
4. Field, David Dudley. *What Shall be Done with the Practice of the Courts? Shall it be Wholly Reformed? Questions Addressed to Lawyers* (New York, 1847). 38 pp. [There are two copies in this volume.] 📖 Cohen 1144.
5. Field, David Dudley. *Not Published. Some Suggestions Respecting the Rules to be Established by the Supreme Court* (New York, 1847). 4 pp. Not in Cohen. 📖
6. Field, David Dudley. *The Completion of the Code. Five Articles Re-Published from the New York Evening Post, December, 1850* (New York, 1851). 11 pp. 📖 Cohen 10353.

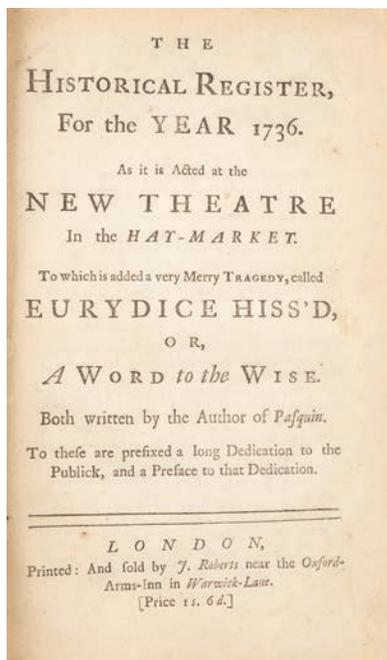


7. [Field, David Dudley]. *Law Reform Tracts. No. 1. The Administration of the Code* (New York, 1852). 46 pp. ☞ Cohen 10310.
8. [Field, David Dudley]. *Law Reform Tracts. No. 2. Evidence on the Operation of the Code* (New York, 1852). 61 pp. ☞ Cohen 10310.
9. [Field, David Dudley, Editor]. [Story, Joseph, Theron Metcalf, Simon Greenleaf, Charles E. Forbes, Luther S. Cushing]. *Law Reform Tracts. No. 3. Codification of the Common Law. Report of the Commissioners Appointed to Consider and Report upon the Practicability and Expediency of Reducing to a Written and Systematic Code, The Common Law of Massachusetts* (New York, 1852). 31 pp. ☞ Cohen 10310.
10. [Field, David Dudley]. *Law Reform Tracts. No. 4. Competency of Parties as Witnesses for Themselves* (New York, 1855). 21 pp. ☞ Cohen 10310.
11. [Field, David Dudley]. *Law Reform Tracts. No. 5. A Short Manual of Pleading Under the Code* (Albany, 1856). 30 pp. ☞ Cohen 10310.

FIELD, a distinguished member of the New York Bar, was the leading American proponent of codification during the nineteenth century. He was appointed one of the commissioners on practice and pleading in 1847, which resulted in New York's *Code of Civil Procedure* (1848-1850), mostly written by Field. He also served on the commissions that produced the *Code of Criminal Procedure of the State of New York* (1850), the *Civil Code of the State of New York* (1865), the *Penal Code of the State of New York* (1865) and the *Political Code of the State of New York* (1860), of which he was the primary author. Although these latter codes were not adopted by the state, they, along with the civil procedure code, were very influential elsewhere in the United States and in other countries. ☞



THE PLAY THAT ENDED FIELDING'S DRAMATIC CAREER



48. [FIELDING, HENRY (1704-1754)].

The Historical Register, For the Year 1736. As it is Acted at the New Theatre in the Hay-Market. To Which is Added a Very Merry Tragedy, Called Eurydice Hiss'd, Or, A Word to the Wise. Both Written by the Author of Pasquin. To These are Prefixed a Long Dedication to the Publick, And a Preface to that Dedication.

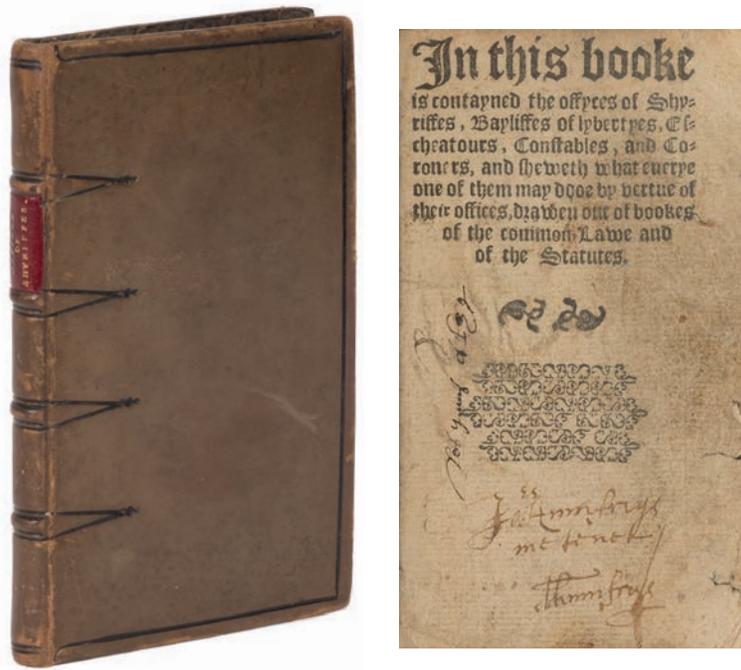
London: Printed: And sold by J. Roberts, [1737]. Price 1s. 6d. [xvii], 48 pp. Octavo (7-3/4" x 4-3/4").

Stab-stitched pamphlet in plain wrappers. Light toning and soiling to wrappers. Light toning to interior, occasional light foxing. A nice copy of an important title. \$950.

FIRST AUTHORIZED LONDON EDITION. Fielding was an important writer, London magistrate and keen satirist. One of his primary targets was Prime Minister Sir Robert Walpole, whom *The Historical Register* attacks along with other contemporary politicians and society figures. After the play was performed in April of 1737, Walpole introduced and passed the Licensing Act. Under the terms of the act, theaters were required to obtain an official license and submit the texts of prospective plays for censorship before performance. As intended, this effectively ended Fielding's career as

a dramatist, though he continued to lampoon Walpole in his other works.

Priority for early editions of this title is not definitively established. Another edition under a false Roberts imprint also appeared in 1737 with a different pagination and no price; it was printed in Edinburgh by W. Cheyne. Some sources say our undated Roberts imprint precedes the Edinburgh piracy, while others, such as Cross, disagree. ☞ Cross III:301. ESTC T89878.



RARE VARIANT PRINTING OF AN EARLY WORK ON SHERIFFS

49. [FITZHERBERT, SIR ANTHONY (1470-1538)].

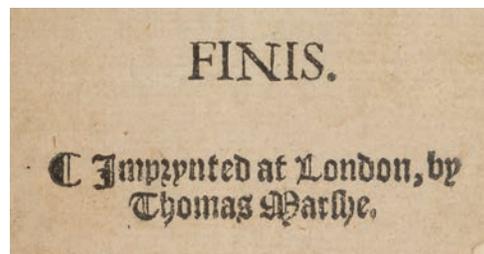
In This Booke is Contayned the Offyces of Shyriffes, Bayliffes of Lybertyes, Escheatours, Constables, And Coroners, And sheweth What Everye One of Them May Dooe by Vertue of Their Offices, Drawen Out of Bookes of the Common Lawe and of the Statutes.

[Imprynted at London: by Thomas Marshe, 1579?]. [112] pp. Octavo (5-1/4" x 3").

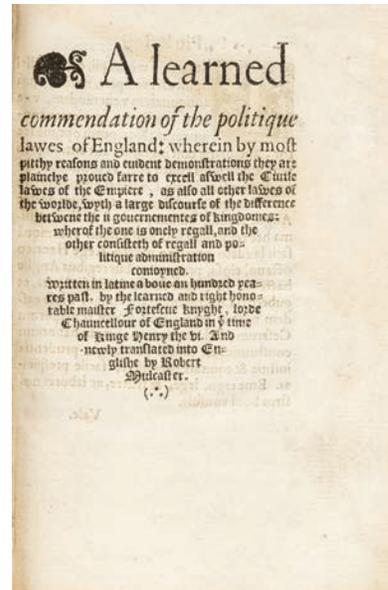
Later period-style calf, black-stamped rules to boards, black-stamped tooling across joints, raised bands and lettering piece to spine, blind inside dentelles, endleaves renewed, edges rouged. Light rubbing to boards, moderate rubbing to extremities, corners just bumped, front hinge cracked, faint offsetting to endleaves, later bookseller description and bookplate (of Donald C. Bain) tipped onto front pastedown, later notes laid in. Moderate toning to interior, light soiling to first and final few leaves, light edgewear and (illegible) early ownership signatures and notes to title page, clean tears to leaf C3 and C5 mended crudely with cellotape on verso, text affected without loss, faint dampstaining to margins of last several leaves, lower right corners of last 8 leaves lacking and worn, just touching a few catchwords without loss to main text, small hole to text block of last 4 leaves with minor loss to legibility on p. [109] only. Rare. \$5,500.

ONE OF AT LEAST FIVE ISSUES printed by Marshe. An extract from Fitzherbert's JP manual *Loffice et Auctoryte des Justyces de Peas* (first edition 1538) translated into English from the original Law French, this was one of the earliest treatises to discuss the offices of sheriff, coroner and other local officials. The provisional date is assigned by the ESTC based on a dated ownership signature in the extant copy; the later bookseller record tipped into our copy suggests a date of 1537 based on the date of the last ruling quoted.

Our copy has variant spellings in the title ("sheweth" for "shewed" and "dooe" for "doe") compared to the ESTC record, but an identical collation formula and colophon. All headlines in our copy are in black letter and not Roman type. OCLC and the ESTC locate 1 copy of this issue worldwide (Library of Congress) and no copies of our variant printing. Not in Beale, which lists four other printings of *The Offices of Sheriffs* from Marshe, three undated and one from 1562. ☞ See ESTC S4009.



Colophon detail



EARLY EDITION OF FORTESCUE'S *DE LAUDIBUS*

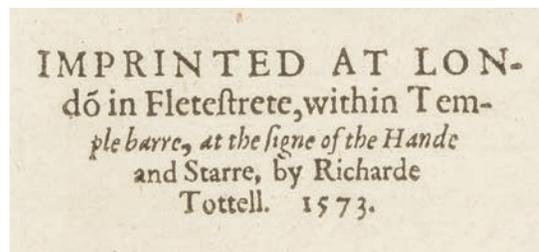
50. FORTESCUE, SIR JOHN [1394?-1476?].
MULCASTER, ROBERT [16TH. C.], TRANSLATOR.

A Learned Commendation of the Politique Lawes of England: Wherein by Most Pitty Reasons and Evident Demonstrations They are Plainelye Proved Farre to Excell as Well the Civile Lawes of the Emperie, As Also All Other Lawes of the Worlde, Wyth a Large Discourse of the Difference Betwene the ii Governementes of Kingdomes: Whereof the One is Onely Regall, And the Other Consisteth of Regall and Politique Administration Conjoynded. Written in Latine Above an Hundred Yeares Past, By the Learned and Right Honorable Maister Fortescue Knyght, Lorde Chauncellour of England in ye Time of Kinge Henry VI. And Newly Translated into Englishe by Robert Mulcaster.

[London: Imprinted...In Fleetestrete, Within Temple Barre, At the Signe of the Hande and Starre, by Richarde Tottell, 1573]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-3/4").

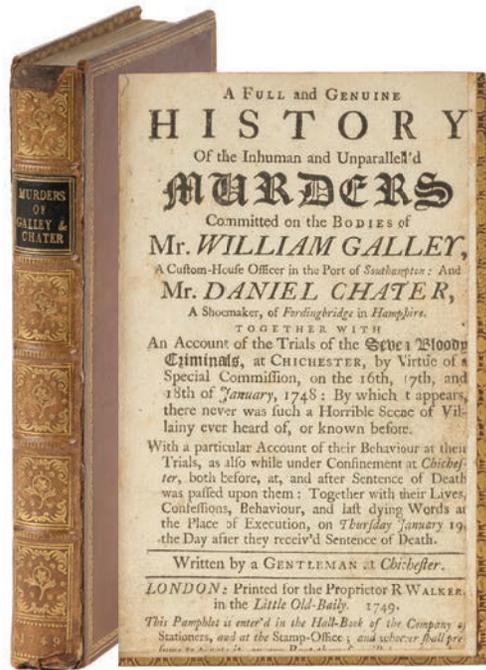
Contemporary paneled calf, rebacked retaining existing spine, fragments of thong ties to fore-edges of boards, faint early hand-lettered title to fore-edge of text block. A few minor scuffs to boards, some rubbing to spine and extremities, corners bumped, some loss to edges of pastedowns, hinges partially cracked. Moderate toning, non-obtrusive faint dampstaining to a few sections of text. An attractive copy. \$3,500.

SECOND EDITION in English. *De Laudibus Legum Angliae* (c.1470), a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in dialogue form, it compares the common and Roman systems and argues that the common law is the oldest and most reasonable legal system in Europe. The first work to examine



Colophon detail

trial by jury and the Inns of Court at length, it also extols the superiority of a constitutionally limited monarch to an absolute monarch. *De Laudibus* was written around 1470 and first printed in 1567. "Fortescue was a favorite among the old lawyers, and will be read with profit in modern times by those who are interested in the origin and progress of the Common Law" (Marvin). ♣ Marvin 321. ESTC S102542. Beale T358.



"THERE NEVER WAS SUCH A HORRIBLE SCENE OF VILLAINY"

51. A GENTLEMAN AT CHICHESTER.

A Full and Genuine History of the Inhuman and Unparalleld Murders Committed on the Bodies of Mr. William Galley, A Custom-House Officer in the Port of Southampton: And Mr. Daniel Chater, A Shoemaker, Of Fordingbridge in Hampshire. Together with an Account of the Trials of the Seven Bloody Criminals, At Chichester, By Virtue of a Special Commission, On the 16th, 17th, And 18th of January, 1748: By which it Appears, There Never Was Such a Horrible Scene of Villainy Ever Heard of, Or Known Before. With a Particular Account of Their Behaviour at Their Trials, As Also While Under Confinement at Chichester, Both Before, At, And After Sentence of Death was Passed Upon Them: Together with Their Lives, Confessions, Behaviour, And Last Dying Words at the Place of Execution, On Thursday January 19, The Day After They Receiv'd Sentence of Death.

London: Printed for the Proprietor R. Walker, 1749. vi, 267, [5] pp. With seven full page woodcut illustrations; without the red and black title page recorded in some copies. Octavo (6-1/4" x 4").

Contemporary or near-contemporary calf, gilt fillets and rules to boards, gilt spine with raised bands and lettering piece, gilt tooling to outer and inner board edges, marbled endpapers, gilt edges. Light rubbing to boards and extremities, front board nearly detached, light wear to spine ends, chip to head of spine, joints cracked, corners just bumped and very lightly worn, hinges starting, early

bookplate (of Walter Adams) to front pastedown and note in an early hand to front endleaf. Moderate toning to interior, light foxing in a few places, title page and two plates affected by trimming and carefully mended, minor loss to text and images, legibility affected on title page only, flaw to text block of leaves Ff1-2 (219-222), mended carefully on Ff1, with minor loss to text and no loss to legibility. An appealing copy of a rare title. \$2,500.

FIRST EDITION. The Hawkhurst Gang was a notorious group of smugglers based in southeast England. Galley, a customs officer, arrested Chater, a gang member, in 1748 and turned him into an informer. Both men were then captured by other members of the Hawkhurst gang and savagely murdered; Galley was beaten, tied to his horse and mutilated, while Chater was tortured and stoned to death. The murderers were subsequently tried and executed. Walter Adams, the owner of our copy, was a Framingham, Massachusetts resident who served on the board of selectmen from 1882-1889. The note to the front endleaf, likely his, reads: "This very scarce book of which I never saw another copy has all the plates as mentioned at end- to them who [relish?] this kind of reading, it is a strange record of barbarities of the most appalling nature which could hardly be credited had they not been verified by proof-."

This account went through several subsequent editions with slight variations in title and text. The eighth and final edition of these appeared c.1858. A similar title was issued in 1749 by B. Dickinson; it shares text with the R. Walker edition but is shorter and unillustrated. Our edition is rare. OCLC locates 5 copies, 3 in North America (UCLA, Louisiana State University, Trial Court Law Library of Worcester). ♡ ESTCN31819.

Walter Adams.

Bookplate detail



Woodcut detail

**FIRST ENGLISH EDITION OF THE STANDARD
AMERICAN EVIDENCE TREATISE BEFORE WIGMORE**

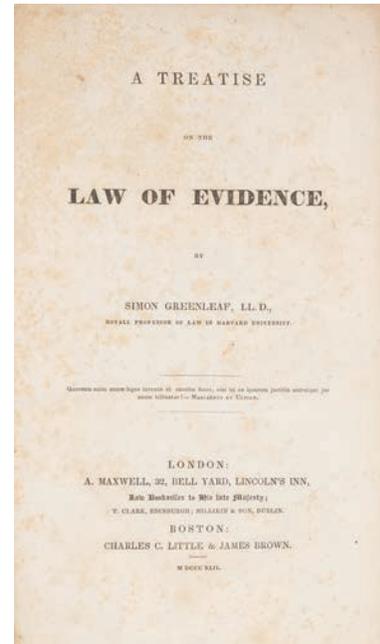
52. GREENLEAF, SIMON [1783-1853].

A Treatise on the Law of Evidence.

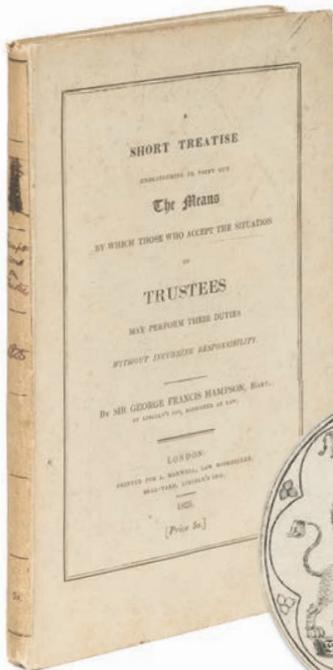
London: A. Maxwell/Boston: Charles C. Little & James Brown, 1842. xviii, 658 pp. Octavo (9" x 6").

Contemporary sheep, blind fillets to boards, lettering piece and raised bands to spine. Light rubbing and some shallow scuffing to boards, moderate rubbing to spine and extremities, minor chipping and wear to head of title page, corners bumped and somewhat worn. Light toning and foxing to interior, early owner signature (Jacob B. Schafer) to title page, "CKK" in early hand to front free endpaper. \$500.

FIRST ENGLISH EDITION, published simultaneously with the first American edition. Greenleaf succeeded Joseph Story as Dane Professor of Law at Harvard and played a leading role in the development of its law school. His seminal treatise on evidence was the first important American work on the topic. It was originally issued as a one-volume work devoted to general principles of evidence. Greenleaf published a second volume in 1846 on particular cases of evidence and a third volume on criminal evidence and pleading in 1853. These two books were given volume designations. All three were then re-issued with a revised Volume I in 1853 as the second edition. From that edition onward, *Greenleaf on Evidence* remained a three-volume work. As indicated on the versos of their title pages, the English and American editions were printed in Cambridge, Massachusetts by Torry and Ballou. Other than the order of the publishers on the title page, both editions are identical. Not in Sweet & Maxwell. 🍀



**THE FIRST MAJOR WORK ON VOLUNTARY
TRUSTEES, FROM THE LIBRARY OF LORD ELDON**



Armorial bookplate detail

53. HAMPSON, SIR GEORGE FRANCIS [1789-1833].

A Short Treatise Endeavouring to Point Out the Means by Which Those Who Accept the Situation of Trustees May Perform Their Duties Without Incurring Responsibility.

London: Printed for A. Maxwell, 1825. xx, 129, [3] pp. With a final advertisement leaf. Octavo (9" x 5-1/4").

Original printed publisher's boards, handwritten title and date to spine, edges untrimmed, most signatures unopened. Light rubbing and soiling to boards, a few tears to paper of rear board, moderate rubbing to extremities, spine ends and corners bumped and lightly worn. Light toning to interior, light foxing to a few leaves. Circular armorial bookplate of John Scott, 1st Earl of Eldon, with the motto "Sit Sine Labe Decus," and presentation inscription "With the Author's Compliments" to front pastedown. \$650.



FIRST EDITION. The first major work on voluntary trustees in English law, this treatise discusses their duties and liabilities and includes a table of cited cases. Our copy was presented to John Scott, 1st Earl of Eldon [1751-1838]. Lord Eldon was a British barrister, politician and eventual Lord High Chancellor known for his influence on partnership and bankruptcy law. A second edition appeared in 1830 under a

different title. OCLC locates 6 copies of the first edition in North American law libraries (Harvard, Yale, University of Notre Dame, University of Wisconsin, Los Angeles County, Library of Congress). 🍀 Sweet & Maxwell 2:154.

INFLUENTIAL COMPILATION OF BYZANTINE LAW

54. HARMENOPOULOS, KONSTANTINOS [D. C.1380]
 MERCIER, JEAN [1545-1600], TRANSLATOR AND EDITOR.
 GODEFROY, DENIS [1549-1621], EDITOR AND ANNOTATOR.

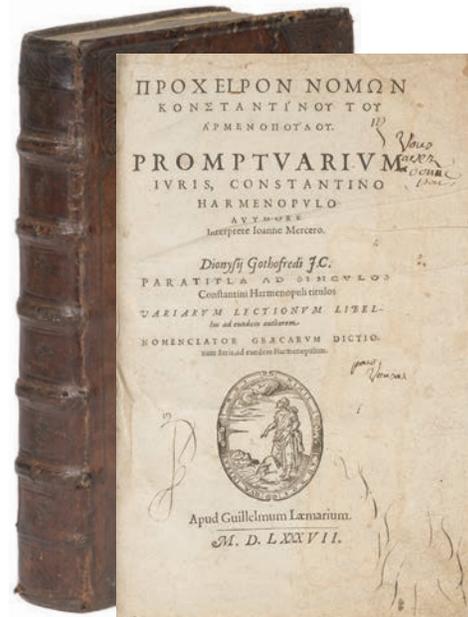
Procheiron Nomon Konstantinou tou Harmenopoulou/Promptuarium Iuris, Constantino Harmenopulo Authore. Interprete Ioanne Mercero. Dionysij Gothofredi J. C. Paratitla ad Singulos Constantini Harmenopuli Titulos. Variarum Lectionum Libellus ad Eundem Authorem, Nomenclator Graecarum Dictionum Iuris, Ad Eundem Harmenopulum. [First part of title, in Greek letters, Romanized.]

[Geneva]: Apud Guillelmum Laemarium, 1587. [viii], 495, [17], 413-453, [13] pp. Greek and Latin translation in parallel columns. Quarto (10" x 6-1/2").

Contemporary or near-contemporary calf, large central arabesque and corner fleurons to boards, raised bands and blind ornaments to spine. Light rubbing and some scuffs, nicks and stains to boards, which are slightly bowed, moderate rubbing to extremities, a few small chips to raised bands and board edges, front joint just starting at head, corners bumped and somewhat worn, hinges cracked, early annotations to front pastedown and title page, which is lightly creased and soiled without loss to legibility. Moderate toning to interior, faint dampstaining in several places, affecting text on first two leaves only, light foxing in a few places, small tear to text block of leaf KKiii (pp. 417-418 of dictionary) with minor loss to legibility, early annotations to pp. 99 and 390, 5 pp. manuscript index to (added?) endleaves in the same hand. An appealing copy. \$1,850.

FIRST EDITION with contributions by Godefroy. Also known as the *Hexabible*, this digest of Byzantine law was compiled around 1346. After the collapse of the Byzantine Empire, it became the code of laws for Orthodox Christians in the Ottoman Empire. It was the civil code of Greece from the time of its independence to 1947. As indicated by its title, the *Hexabible* has six sections: I. General Principles, II. Property Law, III. Law of Nations, IV. Law Obligations, V. Family Law and Inheritance and VI. Criminal Law. It circulated widely in manuscript and was first published in Paris in 1540. The first Latin translation followed in 1547. The first edition of Mercier's superior translation was published in Lyons in 1556.

The 1587 edition is edited by the great humanist jurist Godefroy, who added a series of digested notes (paratitla) and a Greek-Latin dictionary of legal terms. It went through several subsequent editions. OCLC locates 4 copies of the 1587 edition in North American law libraries (Columbia, University of Georgia, UC-Berkeley, Yale). ☞ Adams H68.



THE FIRST OFFICIAL CATALOGUE OF HARVARD'S LAW LIBRARY

55. [HARVARD LAW SCHOOL].
 [SUMNER, CHARLES (1811-1874), COMPILER].

A Catalogue of the Law Library of Harvard University in Cambridge, Massachusetts.

Cambridge: Charles Folson, Printer to the University, 1834. viii, 80 pp. Octavo (8-3/4" x 6")

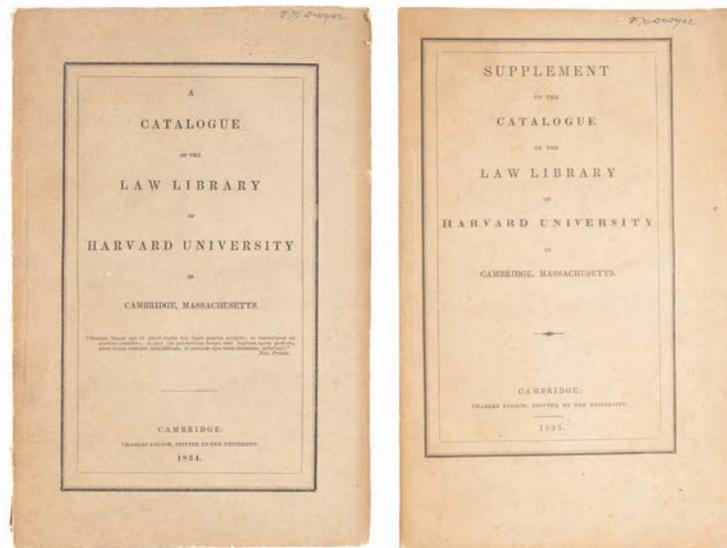
[WITH]

[SUMNER, CHARLES, COMPILER].

Supplement to the Catalogue of the Law Library of Harvard University in Cambridge, Massachusetts.

Cambridge: Charles Folson, Printer to the University, 1835. [ii], 16 pp. Octavo (9" x 5-3/4").

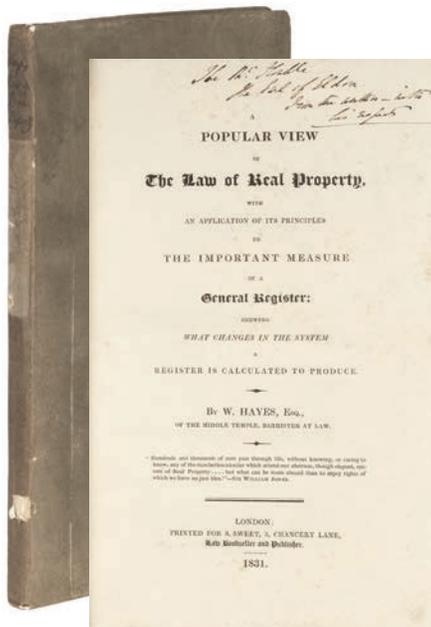
Stab-stitched pamphlets in printed wrappers. Light soiling, later owner name, F.X. Dwyer, to heads of front wrappers, some wear to spine ends of *Catalogue*. Moderate toning to interiors, light foxing to a few leaves of *Catalogue* and several leaves of *Supplement*. \$750.



N° 55

SUMNER, later an eminent statesman and U.S. senator, was the librarian of Harvard's law library when he was a student at Harvard Law School. His catalogue, the first published by the law school, was preceded in 1826 by an unofficial catalogue produced by students. The *Supplement* describes collections of books donated by Samuel Livermore and Joseph Story. Dwyer [1902-1987] was the librarian of Harvard Law School from 1931-1941 and, afterwards, a librarian at the Law Library of Congress. ☞ Cohen 1812, 1813.

A SCARCE REVIEW OF REAL PROPERTY FROM THE LIBRARY OF LORD ELDON



56. HAYES, W[ILLIAM].

A Popular View of the Law of Real Property, With an Application of its Principles to the Important Measure of a General Register: Shewing What Changes in the System a Register is Calculated to Produce.

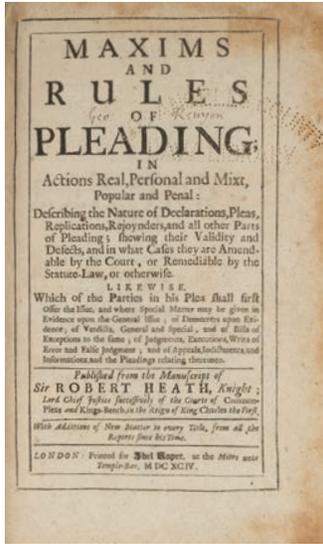
London: Printed for S. Sweet, 1831. 132 pp. With errata slip after p. 4. Octavo (9" x 5-1/4").

Original publisher's boards, fragment of printed label and handwritten title and date to spine. Light rubbing to boards, moderate rubbing to extremities, chip to spine and a few tiny chips to front joint, spine label loose, corners bumped and lightly worn, front hinge cracked, faint offsetting and light foxing and soiling to endpapers. Light toning to interior, light foxing and soiling in a few places, a few folded corners. Circular armorial bookplate of John Scott, 1st Earl of Eldon, with the motto "Sit Sine Labe Decus," to front pastedown and presentation inscription "The Rt. Honable The Earl of Eldon, From the author- with his regards" to title page. \$650.

ONLY EDITION. Part of the spirited and lengthy public debate on the establishment of a general land register, similar to that created in Ireland in 1822. Though the idea was first proposed under Henry VIII, no such register would be created until the passage of the Land Registry Act in 1862, which established a registry of titles (but not deeds). The system created by the act was voluntary and largely ineffective; successive attempts at reform failed until the Land Registration Act of 1925.

Hayes was a Middle Templar who wrote several treatises on conveyancing and real property. He presented our copy of this title to John Scott, 1st Earl of Eldon [1751-1838]. Lord Eldon was a British barrister, politician and eventual Lord High Chancellor known for his influence on partnership and bankruptcy law. OCLC locates 4 copies of this title in North American law libraries (Columbia, University of Pennsylvania, University of Georgia, University of Notre Dame). ☞ Sweet & Maxwell 2:160.

“A WORK OF GREAT AUTHORITY” FOR SPECIAL PLEADERS



57. HEATH, SIR ROBERT [1575-1649].

Maxims and Rules of Pleading, In Actions Real, Personal and Mixt, Popular and Penal: Describing the Nature of Declarations, Pleas, Replications, Rejoinders, And All Other Parts of Pleading; Shewing Their Validity and Defects, And in What Cases They Are Amendable by the Court, Or Remediable by the Statute-Law, Or Otherwise. Likewise, Which of the Parties in His Plea Shall First Offer the Issue, And Where Special Matter May be Given in Evidence Upon the General Issue; Of Demurrers Upon Evidence; Of Verdicts, General and Special, And of Bills of Exceptions to the Same; Of Judgments, Execution, Writs of Error and False Judgment; And of Appeals, Indictments, and Informations, And the Pleadings Relating Thereunto. Published From the Manuscript of Sir Robert Heath, Knight; Lord Chief Justice Successively of the Courts of Common-Pleas and Kings-Bench, In the Reign of King Charles the First. With Additions of New Matter to Every Title, From All the Reports Since His Time.

London: Printed for Abel Roper, 1694. [viii], 332, [28] pp. Octavo (7-1/2" x 4-1/2").

Contemporary calf, blind rules to boards, blind fillets to joints, raised bands, blind fillets and later lettering piece to spine, gilt tooling to board edges. Light rubbing, a few small scuffs and faint stains and faint ink library stamps to boards, moderate rubbing to extremities, front board detached, small nicks to spine, rear joint just starting at both ends, corners bumped, rear hinge cracked, armorial bookplate (of Sir George Kenyon) to front pastedown and library bookplate to front free endpaper, ink and punched library stamps to edges of text block, license leaf, title page and rear free endpaper. Light toning to interior, more moderate to some signatures, occasional light foxing, a few folded corners, tear to text block of leaf E6 (pp. 59-60) with loss to last three lines, brief early manuscript annotations (case citations) to p. 97. \$450.

FIRST EDITION. "[Heath] compiled this volume for his own use in practice. It is a work of great authority, and has been a guide to all special pleaders since its publication. Viner frequently cites it in his *Abridgment*": Marvin. A second edition in quarto appeared in 1771. Our copy was owned by George Kenyon [1666-1728], a British politician and prominent Tory. ♡ Marvin 379. ESTC R21584.

HOLROYD ON PATENTS, FROM THE LIBRARY OF LORD ELDON

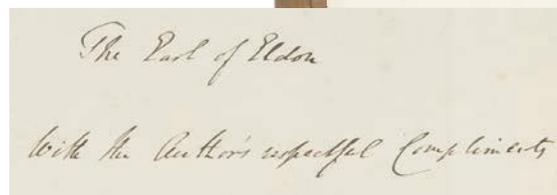
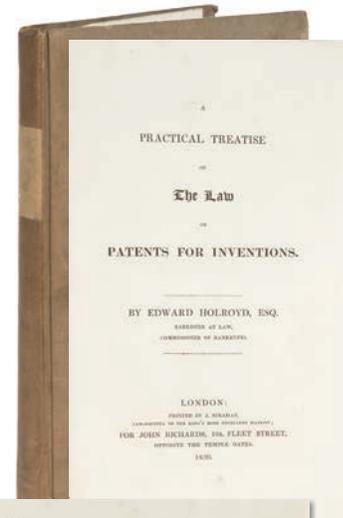
58. HOLROYD, EDWARD [1794-1881].

A Practical Treatise of the Law of Patents for Inventions.

London: Printed by A. Strahan, for J. Richards, 1830. xii, 236 pp. Octavo (8-3/4" x 5-1/2").

Publisher's quarter cloth over paper-covered boards, tiny fragment of paper label to spine. Light rubbing and negligible light soiling to boards, moderate rubbing to extremities, spine ends and corners bumped with light wear to corners, faint offsetting to endpapers. Light toning to interior, light foxing and soiling to a few leaves, first signature partially unopened. Circular armorial bookplate of John Scott, 1st Earl of Eldon, with the motto "Sit Sine Labe Decus," and presentation inscription "To The Earl of Eldon, With the Author's respectful Compliments" to front pastedown. \$750.

ONLY EDITION. Written for both professional and lay audiences, this thorough review of patent law includes a subject index and an appendix of forms for pleading. Holroyd, a barrister and senior commissioner of London's bankruptcy court, presented our copy to John Scott, 1st Earl of Eldon [1751-1838]. Lord Eldon was a British barrister, politician and eventual Lord High Chancellor known for his influence on partnership and bankruptcy law. ♡ Sweet & Maxwell 2:171. Marvin 392.



Inscription detail

PRESENTATION COPIES OF TWO LANDMARK TITLES IN PRISON REFORM

59. HOWARD, JOHN [1726-1790].

The State of the Prisons in England and Wales, With Preliminary Observations, And an Account of Some Foreign Prisons and Hospitals.

Warrington: Printed by William Eyres; and sold by T. Cadell, J. Johnson, and C. Dilly, in London, 1784. [vi], 492, [18] pp. Lacking half-title. With 22 diagrams and illustrations, 15 of which are folding, and 2 additional copperplates tipped and laid in.

[BOUND WITH]

HOWARD, JOHN.

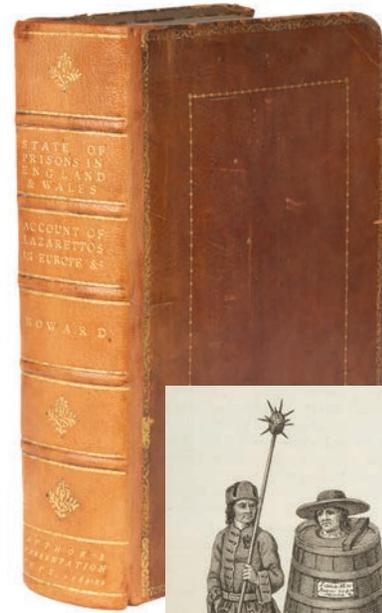
An Account of the Principal Lazarettos in Europe; With Various Papers Relative to the Plague: Together with Further Observations on Some Foreign Prisons and Hospitals; And Additional Remarks on the Present State of Those in Great Britain and Ireland.

Warrington: Printed by William Eyres; and sold by T. Cadell, J. Johnson, C. Dilly, and J. Taylor, in London, 1789. viii [i.e. vi], 259, [15] pp. With a folding table and 22 diagrams and illustrations, 20 of which are folding.

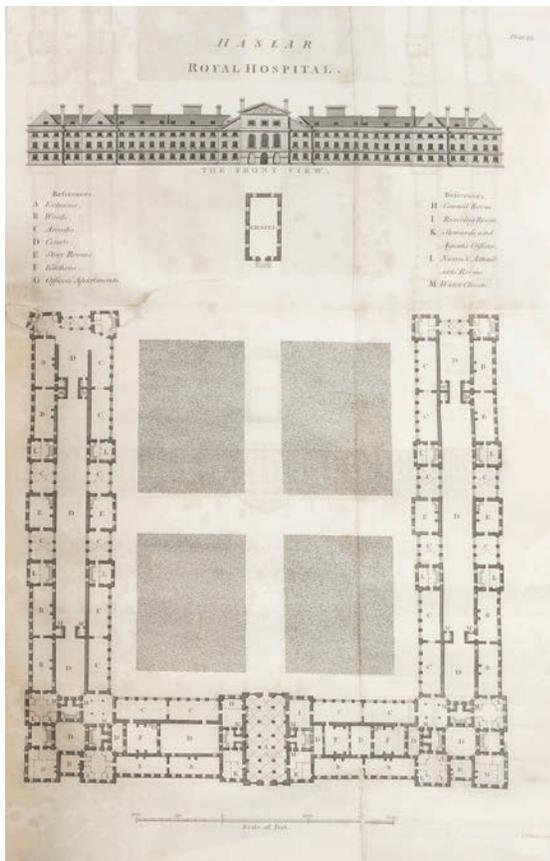
[AND]

Appendix; Containing Observations Concerning Foreign Prisons and Hospitals: Collected by Mr. Howard, In his Concluding Tour. Together with Two Letters to Mr. Howard, From John Haygarth, M.D.

[London, 1791]. [iii], 32 pp.



Copperplate detail



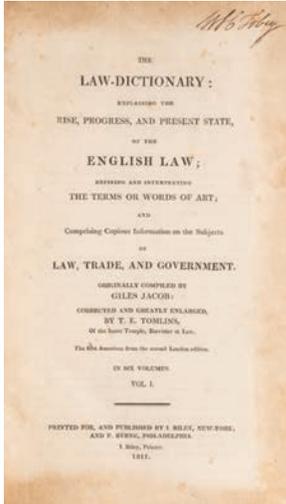
Foldout detail

Quarto (11-1/2" x 8-3/4"). Contemporary calf, gilt fillets to boards, rebacked in morocco with gilt-edged raised bands, gilt title and author and gilt decorations to compartments, gilt tooling to board edges, edges speckled green, marbled endpapers, gilt inside dentelles. Light rubbing and a few small scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, faint offsetting to endpapers, recent pencil annotations to endleaves and a few places in text. Light toning to interior, occasional light foxing, faint offsetting to plates, a few of which have very small folds or tears to edges not affecting images, partial crack in text block between items, all leaves secure, added blank between items with early manuscript copy of "On the Death of Mr. Howard." Inscriptions "With Mr. Howard's best respects" to front endleaf of *Prisons* and "Mr. Howard requests Mr. Townsend, will be kind enough to accept this book from him, as a very sincere tho' small acknowledgment of his Friendship and Regard" to blank preceding *Lazarettos*. An appealing volume. \$1,500.

PRISONS: third edition; *Lazarettos*: first edition; *Appendix*: first issue. After being shocked by the conditions of his county prison as High Sheriff, Howard dedicated himself to touring hundreds of prisons in Great Britain and Western Europe and reporting on their conditions. His primary focus was on improving hygiene and cleanliness, and *The State of the Prisons* (1777) is credited with establishing the practice of single-celling in the United Kingdom. *An Account of the Principal Lazarettos* (1789), published after his final tour of English prisons in 1787, focuses on quarantine stations and prison hospitals. Our copy may have been presented to Joseph Townsend [1739-1816], a British doctor and Anglican vicar who wrote *A Dissertation on the Poor Laws* in 1786.

ESTC T115096, T115289, N16348.

THE FIRST LAW DICTIONARY PRINTED IN AMERICA



60. JACOB, GILES [1686-1744].
[TOMLINS, THOMAS EDLYNE (1762-1841)].

The Law-Dictionary: Explaining the Rise, Progress, and Present State of the English Law; Defining and Interpreting the Terms or Words of Art; And Comprising Copious Information on the Subjects of Law, Trade, and Government. Corrected and Greatly Enlarged.

New York: Printed for, And Published by I. Riley, 1811. Six volumes. Complete set. Octavo (9" x 5-1/2").

Contemporary reversed calf, blind fillets to boards, lettering pieces, blind fillets and blind volume numbers and alphabet ranges to spines. Moderate rubbing and a few minor stains to boards, heavier rubbing to extremities, chipping to spine ends, corners bumped and worn, boards beginning to separate, but secure, illegible early owner name in tiny hand to front board of Volume I. Moderate toning to interiors, light foxing in places, early owner signature (W.H. Tobey) to heads of

title pages, offsetting to margins of preliminaries and rear endleaves. An appealing unsophisticated set. \$3,000.

FIRST AMERICAN EDITION and the first law dictionary printed in America. It is derived from the second Tomlins edition, printed in London in 1809. The leading Anglo-American law dictionary of the eighteenth and early nineteenth centuries, Jacob's *New Law-Dictionary* was first published in 1729. It went through several editions; Tomlins's substantially enlarged editions appeared in 1797, 1809 and 1810. Tomlins's additions include citations to the vast number of statutes at large, term reports in the several courts, parliamentary reports and recent treatises and other sources that had been published since Jacob's death. ☞ Cohen S446.



KINNEY'S LAW DICTIONARY

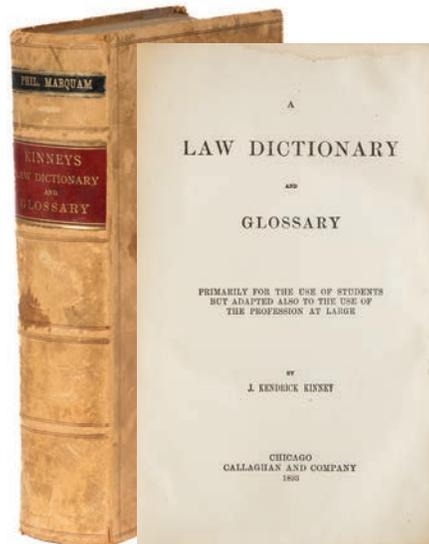
61. KINNEY, J. KINDERICK.

A Law Dictionary and Glossary: Primarily for the Use of Students but Adapted Also to the Use of the Profession at Large.

Chicago: Callaghan and Co., 1893. iv, 706 pp. Octavo (9" x 5-3/4").

Contemporary sheep, blind rules to boards, raised bands and lettering piece to spine, small calf owner label (Phil. Marquam) to head of spine. Moderate rubbing and a few minor stains, joints just starting at ends, corners bumped and somewhat worn, hinges cracked, Callaghan stamp, bookseller ticket and owner stamp and signature (Phil. Marquam) to front pastedown and free endpaper. Moderate toning to interior, offsetting and a few small chips to edges of endleaves. \$650.

ONLY EDITION. In the preface Kinney mentions his indebtedness to Burrill and his inclusion of "modern words as well as the older words in whatever tongue, whether now a part of the living legal language or not, which have had legal use and function, and which thus mark the lines upon which the law has grown, and the salient points in history with which the student should become familiar.": Preface, v. ☞ Marke 1202.



“THE FOLLOWING AMENDMENT TO
THE CONSTITUTION SHOULD BE ENACTED...”

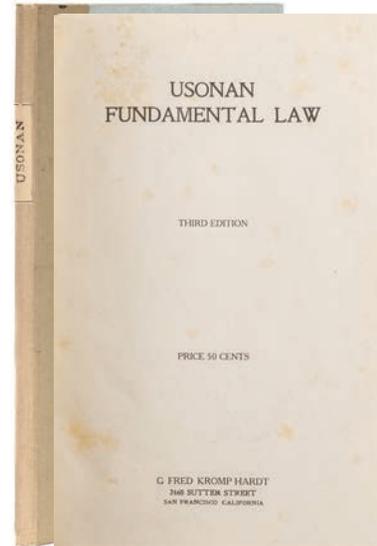
62. KROMPHARDT, G. FRED.

Usonian Fundamental Law.

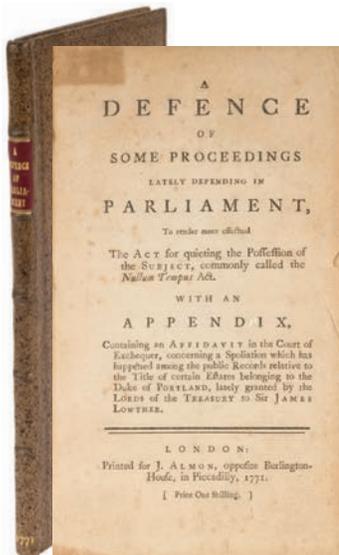
San Francisco: G. Fred Kromp Hardt, [1914]. 32 pp.

Later quarter cloth over plain boards, printed paper label to spine. Very light soiling to boards, light rubbing to extremities, light fading to spine. Light toning to interior, light foxing to a few leaves. \$500.

THIRD EDITION. This interesting book proposes that the Constitution be amended to enact what the author terms “Usonian Fundamental Law.” (“Usonian” refers to “Usonia,” the alternative name for the United States popularized in the early twentieth century.) As outlined here, Usonian law is primarily concerned with individual liberty and what the author describes as “practical equity.” Topics discussed include the powers of the federal government, national defense, conservation, middlemen, alcohol and sex. The latter portion of the text discusses marriage and family law, with a somewhat dim view of the “parasitic tendency of the Usonian woman” and an insistence that “the artificial age limit of twenty-one” for “sexual things” must be abolished. An interesting and scarce text. OCLC locates no copies of this edition in North America. ☞



“NO TIME RUNS AGAINST THE KING”



63. [LAND LAW].
[GREAT BRITAIN].

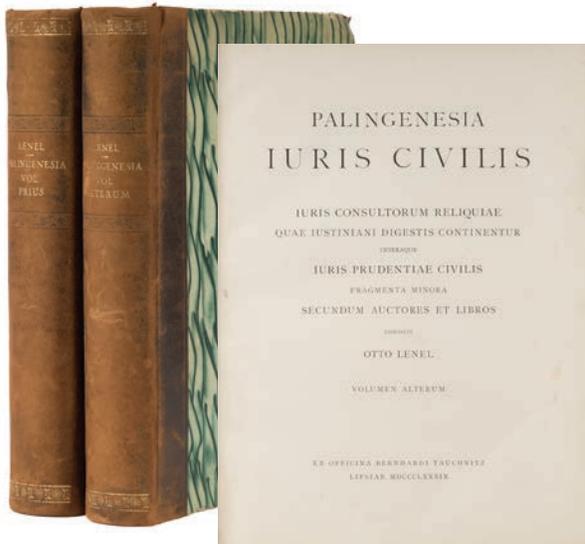
A Defence of Some Proceedings Lately Depending in Parliament, To Render More Effectual the Act for Quieting the Possession of the Subject, Commonly Called the Nullum Tempus Act. With an Appendix, Containing an Affidavit in the Court of Exchequer, Concerning a Spoliation Which has Happened Among the Public Records Relative to the Title of Certain Estates Belonging to the Duke of Portland, Lately Granted by the Lords of the Treasury to Sir James Lowther.

London: Printed for J. Almon, 1771. [ii], 5-52, [2] pp. Final leaf has a 1 pp, publisher advertisement. Octavo (8-1/4" x 4-3/4").

Stab-stitched pamphlet bound into recent period-style calf by Baynton-Riviere of Bath, blind rules to boards, raised bands and lettering piece to spine, gilt publication date to foot of spine, endpapers renewed, recent owner bookplate (of William Tarun Fehsenfeld) to front pastedown. Light browning to interior, light foxing in places, offsetting to upper inside corners of title page and following four leaves, light edgewear to a few leaves at beginning and end of text, early owner signature (of Joseph Chase) to head of p. 5. A handsomely bound copy of a scarce title. \$1,250.

ONLY EDITION. This pamphlet is related to a property case brought by William Cavendish-Bentinck, 3rd Duke of Portland, against James Lowther, 1st Earl of Lonsdale and the corporation of Carlisle in 1765. The land grant to Portland's ancestors rested on an act of James I that specified that ownership of lands held for sixty years could no longer be challenged except by the Crown. In 1767 Lonsdale successfully petitioned the Crown Treasury to revoke Portland's right to the land, claiming that it was not being used in accordance with the rules of the grant. In response, Portland's allies claimed no land would ever be safe if the legal issue at the heart of the case, *nullum tempus occurrit regi* ("no time runs against the king") was implemented. In the end Portland prevailed, despite Lonsdale's best efforts. OCLC locates 3 copies of this title in North American law libraries (Library of Congress, University of Minnesota, York University), the ESTC adds 1 more (Harvard). ☞ ESTC T32244.

COLLECTED WRITINGS BY ROMAN JURISTS



64. LENEL, OTTO [1849–1935].

Palingenesia Iuris Civilis: Iuris Consultorum Reliquiae Quae Iustiniani Digestis Continentur Ceteraque Iuris Prudentiae Civilis Fragmenta Minora Secundum Auctores et Libros.

Leipzig: Ex Officina Bernhardi Tauchnitz, 1889. Two volumes. [xii], 1307 [i.e. 654]; [iv], 1264 [i.e. 632] pp. Quarto (12" x 9").

Contemporary quarter sheep over patterned boards, gilt fillets and title to spines. Moderate rubbing to boards and extremities, somewhat heavier to spines, front joint of Volume II just starting at head, corners bumped and somewhat worn, hinges cracked, ownership signature (of J. Walter Jones) to front free endpapers. A few cracks to text blocks, all leaves secure, internally clean. \$500.

ONLY EDITION. Lenel was a German legal scholar best known for his reconstruction of the *edictum perpetuum*, the standard text governing Roman *praetors* ultimately codified by Hadrian. Based on fragments from Justinian's *Digest* and other sources, Lenel's reconstruction was published in 1883 as *Das Edictum Perpetuum*. The present volumes contain the source texts from Justinian and other authors used in the reconstruction. 🍀

c.1541 EDITION OF LITTLETON IN ENGLISH

65. LITTLETON, SIR THOMAS [1402–1481].

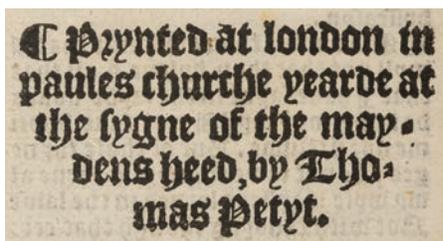
Lyttelton Tenures in Englyshe.

[London: In Paules Church Yearde at the Sygne of the Maydens Heed, By Thomas Petyt, n.d. (1541?).] [i], cc [i.e. cciiii], [2] ff. Octavo (5-1/4" x 3-3/4").

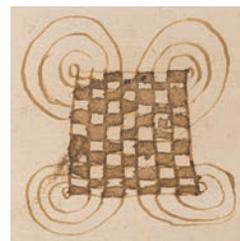
Attractively bound in period-style calf, blind rules to boards, raised bands and retained earlier lettering pieces to spine, endpapers renewed. Large woodcut English royal arms to title page. Moderate toning to interior, faint dampstaining in places, mostly to margins, minor worming, chips and tears to edges of a few leaves, early annotation to foot of Fol. 209, other annotations and a doodle to rear endleaves, some soiling, edgewear and faint dampstaining to title page. \$5,000.



AMONG THE EARLIEST PRINTINGS of Littleton in English, the first of which appeared in an undated edition published around 1531. Written during the reign of Edward IV [1442–1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. OCLC locates 7 copies in North America, 3 in law libraries (Columbia, Harvard, Library of Congress). 🍀 Coke cited in Holdsworth II:573. ESTC S100707. Beale T46.



Colophon detail



Rear endleaf doodle detail

FIRST EDITION OF MALYNES'S
LEX MERCATORIA

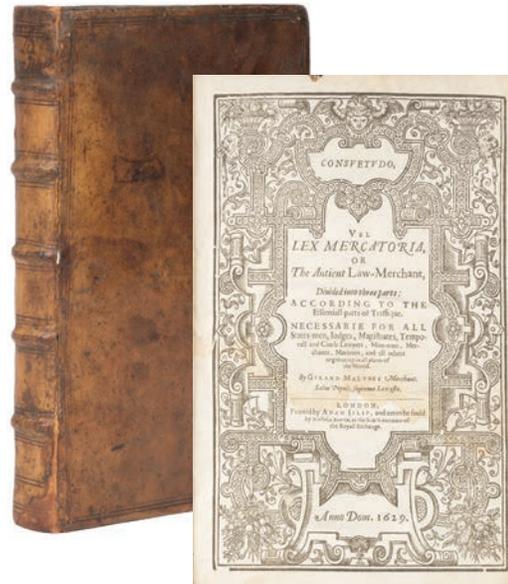
66. MALYNES, GERARD
[FL. 1586-1641].

Consuetudo, Vel Lex Mercatoria, Or the Ancient Law-Merchant. Divided Into Three Parts: According to the Essentiall Parts of Trafficke. Necessarye for All Statesmen, Iudges, Magistrates, Temporall and Civile Lawyers, Mint-Men, Merchants, Marriners, And All Others Negotiating in All Places of the World.

London: Printed by Adam Islip, 1629. [xvii], 501, [1] pp. Folio (11" x 7").

Contemporary speckled calf, blind rules to boards, "TS" blind-stamped to centers of boards, raised bands, blind fillets and faint hand-lettered title to spine. Light rubbing and a few minor nicks, scratches and stains to boards, moderate rubbing to extremities, front board beginning to separate, but still quite secure, corners bumped and lightly worn, pastedowns loose and lightly edgeworn and soiled, brief annotation, "Inner O-27," to verso of front board, owner inscription, "Thomas Stone his Booke/ An:o 1637," to recto of front pastedown sheet, another similar owner inscription to verso of following endleaf and an illegible annotation to a rear endleaf. Title printed within woodcut architectural border. Moderate toning to interior, faint dampstaining to preliminaries and first few leaves of main text, minor dampstaining to fore-edges of a few other leaves. An appealing copy. \$3,500.

FIRST EDITION, SECOND ISSUE. Also known as the law merchant, consuetudinary law or, somewhat anachronistically, commercial law, *lex mercatoria* is a system of customary law that developed in Europe during the Middle Ages to regulate the dealings of mariners and merchants. The earliest significant compilations are the eleventh-century Rules of Oleron, the Laws of Wisby and the Hanseatic Laws of the Sea. Although *lex mercatoria* fell out of use during the seventeenth century, many of its principles were incorporated into the common law. They would later provide the foundation of the (U.S.) Uniform Commercial Code. Malynes's *Consuetudo* was the final significant contribution to this field. (Beawes's *Lex Mercatoria Rediviva* (1752) was an attempt to revive it.) Malynes was a commissioner of trade in the Low Countries and was frequently consulted by the Privy Council during the reigns of Elizabeth and James, a dynamic period of commercial expansion and colonization. He was one of the first writers on business practice, economic affairs and foreign exchange. These interests are explored at length in this popular book. Later editions and issues were published in 1636, 1656 and 1685. With the exception of a cancel title page dated 1629, the first two issues are identical. Both are scarce. OCLC locates no copies of the first issue in North American law libraries, 2 of the second (Harvard, Library of Congress).  ESTCS102746.



Nº 66

COPYRIGHT DOCUMENTS FOR
DARROW'S AN EYE FOR AN EYE

67. [MANUSCRIPT ARCHIVE].
[DARROW, CLARENCE (1857-1938)].

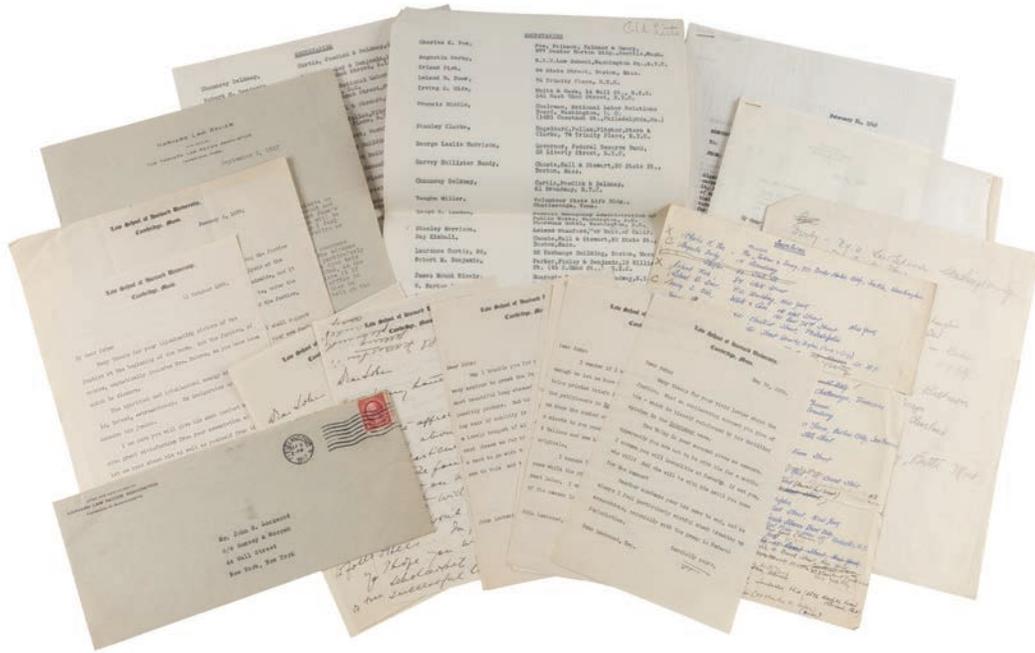
[Library of Congress Copyright Documents for *An Eye for an Eye*].

[Washington, D.C., 1905-1933].

4 part-printed documents, ranging in size from 3" x 5" to 11-1/2" x 8-1/2". Light toning, horizontal and vertical fold lines to larger sheets, one of which is docketed in print and one of which is docketed in manuscript ("Renewed/C. Darrow"), likely in Darrow's hand, light edgewear and small tears to smaller sheet. \$500.

COPIES OF FOUR DOCUMENTS from the Library of Congress that established the copyright for the novel *An Eye for an Eye*. They include the initial deposit notice and the receipt confirming that two copies of the book were received by the Library. Two smaller cards confirm the remittance of a \$1.00 copyright fee in 1905 and 1933, when the copyright was renewed.

Aside from his autobiographical novel *Farmington*, published in 1904, *An Eye for an Eye* was Darrow's only fictional work. It tells the story of Jim Jackson, who struggles with poverty and harsh circumstances before finally murdering his wife in a fit of rage. Faced with the gallows, Jackson confesses: "If ther'd been forty scaffolds right before my eyes, I'd have brought down the poker just the same." Darrow's novel is a sociological polemic which foreshadows such later works as Theodore Dreiser's *An American Tragedy* and Upton Sinclair's *The Jungle*. Abe Ravitz in his *Clarence Darrow and the American Literary Tradition* (1962) observed that *An Eye for an Eye* was worthy of a trophy not only for sociological veracity but also for genuine literary achievement. 



AN ARCHIVE FEATURING HOLMES, FRANKFURTER AND HISS

68. [MANUSCRIPT ARCHIVE].
LOCKWOOD, JOHN [1904-1993].

[Correspondence and Papers Collected by John Lockwood, 1928-1949].

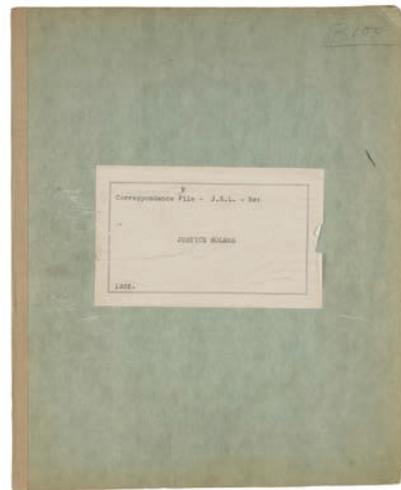
172 ff. of documents and correspondence ranging in size from approximately 13" x 8-1/2" (unfolded) to 9" x 5-3/4," most 11" x 8-1/2". 31 ff. laid in, remainder bound (with removable steel tabs) into 11-3/4" x 9-1/2" folder with typed label ("Correspondence File - J.E.L. Re: Justice Holmes 1935.") to front and handwritten title ("Holmes Corres. 1935") to cloth spine. Moderate toning to edges of folder, a few scuffs to front. Light toning, horizontal and/or vertical fold lines to the majority of the items, a few clean tears along fold lines to one item (the handwritten list of Holmes's clerks). Comprehensive inventory available upon request. \$5,000.

LOCKWOOD SERVED as Oliver Wendell Holmes, Jr.'s legal secretary (i.e. law clerk) from 1928-1929. During his tenure there, he grew close to Holmes, his fellow secretaries, and Harvard Law professor Felix Frankfurter. Louis D. Brandeis remarked to Frankfurter in an April 21, 1929, letter that "He is needed as no Secretary ever has been, & is evidently much beloved by O.W.H."

Lockwood was also a meticulous and comprehensive record keeper. This archive consists of three major parts. The first primarily covers Lockwood's tenure as secretary from the perspective of his relationship with Felix Frankfurter. Frankfurter first reached out to Lockwood near the beginning of his clerkship in October 1928, encouraging him to "let me hear about [Holmes] as well as yourself from time to time." The two struck up a robust and friendly correspondence, documented by 12 letters from Frankfurter from October 11, 1928, to May 28, 1929.

The bulk of the material covers the period from March 7, 1935 (the day after Holmes's death) to June 11, 1940, and concerns the commemoration of Holmes's legacy and the bequest that would later become the Holmes Devise. After Holmes died, Lockwood appears to have taken on a significant role in organizing tributes from the secretaries and, along with Thomas Corcoran, gathering their memories of Holmes. Lockwood contributed his own memories in the form of a 15 ff. memorandum sent to Felix Frankfurter in July 1938. Also interesting are the letters that trace the evolution of the Holmes Devise. Though the clerks decided to act as a unit and ultimately endorsed Congress's plans, the letters here convey much of the initial debate among the clerks and between them and other organizations about the best use of Holmes's \$263,000 gift.

The third category of material concerns Alger Hiss, Lockwood's friend and fellow Holmes clerk. Lockwood retained correspondence to Hiss, but, unlike nearly all the other secretaries, there is no correspondence from him. The absence of letters from Hiss is likely explained by a memo from Lockwood to his lawyer in 1949 summarizing an interview with the FBI during their investigation of Hiss for espionage. In the memo, Lockwood indicates that the FBI asked for any correspondence he had from Hiss and asks whether he should freely turn it over or force a subpoena. A fascinating and detailed archive. 📄



A SOUVENIR OF BLACKSTONE'S TIME IN PRIVATE PRACTICE

69. [MANUSCRIPT].
BLACKSTONE, SIR WILLIAM [1723-1780].

[Concluding Line from a Legal Opinion Signed by William Blackstone].

[London], Lincoln's Inn Fields, 20 December 1769.



3" x 8" sheet with bold autograph signature of William Blackstone, preceded by a brief sentence in his hand. Light toning, negligible light foxing, vertical fold lines, adhesive residue from mounting to verso. \$1,000.

LIKELY CLIPPED from a larger document, this brief opinion dates from Blackstone's second career as a barrister after his successes at Oxford and in politics. He had taken up residence in Lincoln's Inn Fields the previous year after the resounding financial success of his *Commentaries* and would gain his first judicial appointment in February 1770. The sentence reads: "Be set aside by the future Issue of [a?] Marriage, in case any such should be." ☞

A BOLD BLACKSTONE SIGNATURE

70. [MANUSCRIPT].
BLACKSTONE, SIR WILLIAM.
[WALKER, THOMAS (1724-1804)].

[Franked Docketed Address Leaf Addressed to Walker, Signed, In Blackstone's Hand, Oxford, October 14, (1766?).]

9" x 7" leaf from a bifolium letter. Moderate toning, moderate soiling, vertical and horizontal fold lines, chips along fold lines, minor loss from seal tears, verso silked, "1766" in faint pencil to lower-right corner.

[WITH]



[GAINSBOROUGH, THOMAS (1727-1788), AFTER].
[HALL, J., ENGRAVER].

[Portrait of Blackstone].

[Oxford, 1775].

7-1/4" x 4-3/4" copperplate leaf mounted on 11-1/4" x 8-1/2" sheet. Light toning and a few faint fox-spots to image, moderate toning to sheet, a few minor tears to its edges.

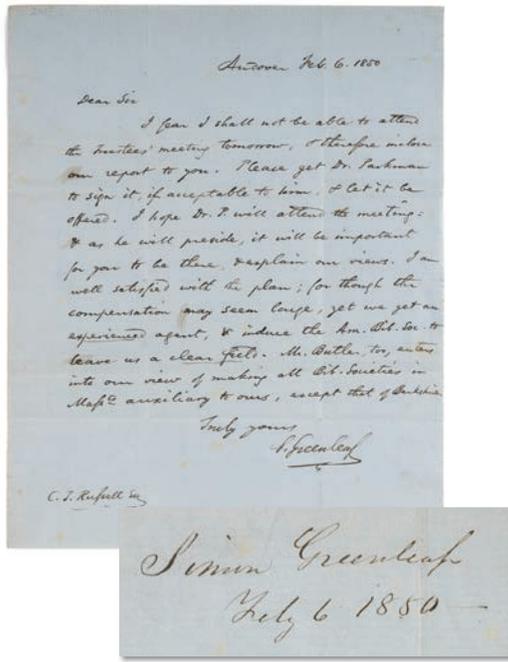
Together two items.

\$2,500.

ADDRESSED TO WALKER, "Begbrook near Woodstock Oxon," and signed, in a bold hand, "Free/ W. Blackstone." Walker, a prominent Oxfordshire attorney and town clerk of Oxford, was a professional associate and friend. The portrait is a frontispiece from a copy of the seventh edition of the *Commentaries*. ☞ Prest 138, 278. Laeuchli 15.



Copperplate detail



Verso detail

POLITICAL MANEUVERING AT THE MASSACHUSETTS BIBLE SOCIETY

71. [MANUSCRIPT].
GREENLEAF, SIMON [1783-1853].

[Autograph Letter, Signed, To Charles Theodore Russell, Andover, MA, February 6, 1850].

1 pp. letter to 10" x 8" bifolium on blue paper with integral address leaf and residue from wax seal, docketed "Simon Greenleaf Feby 6 1850" on verso. Light foxing, horizontal and vertical fold lines, light soiling to address leaf, a few small holes forming at intersection of fold lines, small clean tear to fore-edge of first leaf and small hole to fore-edge of second leaf, text not affected. \$250.

IN ADDITION TO his many accomplishments as Dane Professor at Harvard Law School, Greenleaf was a Christian of profound faith. His 1846 work *The Testimony of the Evangelists* was a landmark in the development of juridical apologetics, the defense of faith through legal reasoning. He was also the president of the Massachusetts Bible Society for a number of years. In this letter, he writes to Charles T. Russell [1815-1896], a Harvard Law School alumnus and fellow lawyer, in advance of a meeting of the Society which he could not attend and asks Russell to help him gain support for a recommendation. The letter reads, in part: "I fear I shall not be able to attend the Trustees' meeting tomorrow, & therefore inclose our report to you. Please get Dr. Parkman to sign it, if acceptable to him, & let it be offered. I hope Dr. P. will attend the meeting, & as he will preside, it will be important for you to be there, & explain our views." Dr. Parkman was likely the Rev. Francis Parkman, Sr. [1788-1853].



SIR JOHN HOLT'S OPINION REGARDING A DISPUTED ESTATE

72. [MANUSCRIPT].
[HOLT, SIR JOHN (1642-1710)].

[Manuscript Brief on a Copyhold Case with the Opinion of Sir John Holt].

[London?, c.1700].
12" x 7-1/2" bifolium, text in a single neat hand to recto of first leaf and docket to verso of final leaf. Moderate toning, light soiling in places, horizontal fold lines with very light wear and a few small holes and clean tears along them, main horizontal fold reinforced with archival tape, later seller description and small portrait of Holt tipped onto left edge, portrait partially obscuring text without loss. \$450.

THIS MANUSCRIPT appears to concern a copyhold case heard by Holt when he was Lord Chief Justice. The case seemingly involved a dispute over the inheritance of an estate on which one of the parties had already agreed to pay death duties. The first part is a brief abstract of the case, and the second part summarizes the key questions arising from the facts, including a sentence followed by "J. Holt" (not Holt's autograph signature). It is possible that the manuscript is a scribal copy of an original brief signed by Holt and that the copy was filed for reference. It may also have been produced by a practitioner reviewing the case at a later date, with the abstract copied or digested from a reporter, though it is unclear from our research which specific case our manuscript describes.

ACCOUNT BOOK OF A
NINETEENTH-CENTURY JP
AND SELECTMAN FROM A
SMALL TOWN IN MAINE

73. [MANUSCRIPT].
[HOPKINS, ROBERT].

[Account Book].

Surry, ME, 1837-1865. [160] pp. Quarto (7-1/2" x 6-1/4").

Quarter sheep over marbled boards, blind fillets to spine. Light rubbing to boards, moderate rubbing to extremities, hinges cracked, free endpapers lacking. Moderate toning to interior, faint dampstaining in a few places, content in fine neat hand to 27 leaves, 8 laid-in slips in same hand.

\$450.

THIS LEDGER records the daily practice of the local justice of the peace, notary and, for a time, local selectman, in Surry, Maine, a small town, then and today, on the coast near Mount Desert Island. Like many ledgers of its kind, this one offers a fascinating perspective on the economic and social life of the community Hopkins served. A curious feature: Hopkins recorded the daily weather for parts of January and February 1854 on the front endleaves. ☞

CLASS NOTES COMPILED BY A
STUDENT AT BOSTON UNIVERSITY
LAW SCHOOL IN 1881-1882

74. [MANUSCRIPT].
[LEGAL EDUCATION].
[BOSTON UNIVERSITY LAW SCHOOL].
[BIGELOW, MELVILLE MADISON
(1846-1921)].

[Class Notes, Boston University Law School].

[Boston, 1881-1882]. 3 volumes. 320; 392; 201 pp. Several laid-in sheets of notes, two printed lists of examination questions.

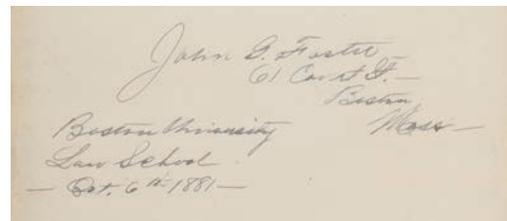
Three-quarter sheep over marbled boards, blind fillets and hand-lettered "Notes," "JGF" and designations "B," "C" and "D" to spines. Moderate rubbing to boards, heavier rubbing to extremities with wear to spines, front joints of Books B and D starting at ends, "John G. Foster/ 61 Court St/ Boston,/ Mass/ Boston University/ Law School/ Oct. 6th 1881" to front free endpaper of Book B, "John G. Foster" to front endleaves of other books. Light toning to interior, a few leaves loose or detached, content in clear hand to rectos and versos of pp. 1-320 (Book B), 1-57, 66-213, 226-237, 278-345, 360-391 (Book C), 1-45, 50-84 (Book D), several sheets of notes laid in throughout, two printed examinations from 1882, in evidence and contracts, laid in to Book C. \$1,250.



Details from N° 73



N° 74



Endleaf detail from N° 74

THIS NOTEBOOK offers an opportunity to "audit" courses in contracts, wills, sales, evidence, criminal law, corporations, insurance, equity, bills and notes, partnership and torts offered at Boston University Law School in 1881-1882. Foster indicates that the courses on bills, insurance and torts were taught by Professor Bigelow, the prominent author and legal historian, also one of the founders of Boston Law School. ☞

PROMINENT PHILADELPHIA
QUAKERS BEGIN A SUBSCRIPTION
FUND FOR NATIVE AMERICANS

75. [MANUSCRIPT].
[NATIVE AMERICANS].
[QUAKERS].

[Document Establishing a Quaker Subscription Fund for Native Americans].

[Philadelphia?, August 18, 1756].

Single 11-1/4" x 7-1/2" sheet, text to recto in an elegant hand. Moderate toning, light foxing and soiling, light wear to top-edge, item split neatly into four pieces along horizontal and vertical fold lines, minor loss to a few words of text without loss to legibility, matted and glazed in 14-3/4" x 11-3/4" frame. An interesting item. Typed transcript included. \$2,000.

THIS DOCUMENT establishes a group of sixteen men responsible for managing funds raised by subscription for the "Indians who were the native Inhabitants of this Country" in hopes of "regaining & preserving [their] Friendship" and demonstrating "our hearty Concern to maintain the Principles of Peace & good Will we have professed to them." All seemingly Philadelphia Quakers, many of the men were actively involved in outreach between Quakers and the Six Nations of the Iroquois Confederacy before, during and after the French and Indian War. Several of those named in our manuscript, including Israel Pemberton Jr. [1715-1779], James Pemberton [1723-1809], John Reynell [1708-1784] and Owen Jones [1711-1793], were delegates to a conference between Quakers and Iroquois in April of 1756. This conference is likely referenced in our manuscript as "the pacific measures lately proposed & now promoted."

The purpose of the fund appears to have been largely charitable. Around this period in 1756, Israel Pemberton, Jr. proposed the establishment of a formal organization outside the official Philadelphia Yearly Meeting with the purpose of raising funds by subscription in the local community. The organization was officially titled "The Friendly Association for Regaining and Preserving Peace with the Indians by Pacific Measures," language echoed in our document. Funds were seemingly disbursed both in cash and in kind to local tribes until as late as 1764, when the organization dissolved and its members reincorporated into the Indian Committee of the Philadelphia Yearly Meeting, which continues its work to this day. Our document, which does not appear to include a comprehensive list of the subscribers or their signatures, may have been produced to raise awareness of the fund or for the personal records of subscribers. 🍷

EARLY MANUSCRIPT NOTES
ON ELIZABETHAN
POOR LAWS

76. [MANUSCRIPT].
[POOR LAWS].

Expositions upon the Statute of 43 Eliz. for the Poare.

N.p., c.1633. [13] pp. manuscript text on 8" x 6" sheets, interleaved and bound into [27] ff. 11" x 7-1/2" blank book.

Later three-quarter vellum over marbled boards, gilt title ("Statute of 43. Eliz. (For the Poor)") to spine, top-edge gilt, fore and bottom edges untrimmed, ownership signature of Walter Ashburner, Lincoln's Inn dated 1902 to front pastedown, small bookplate ("Bibliotheca Confanoneria") to front free endpaper. Light rubbing to boards, moderate rubbing to board edges, light soiling to vellum, faint offsetting, light soiling and small penciled marks to endpapers. Light toning to interior, light foxing and negligible light soiling to manuscript and blank leaves, light edgewear to manuscript leaves, just affecting text of a few leaves but without loss to legibility. Text in neat secretarial hand. \$3,000.

THE REIGN OF ELIZABETH I saw numerous attempts to relieve poverty through legislation. From 1552 to 1598, a series of statutes were passed which empowered justices of the peace and churchwardens to register the poor and raise funds for their relief. The so-called "Elizabethan Poor Law" of 1601 consolidated these statutes and provided for the creation of "overseers" of relief, who would work under justices of the peace to set a compulsory sum to be extracted from each parish, among other duties. The effects of the 1601 law and other "poor laws" resonated widely, from the penal system to the labor market to universities and the education system in general.

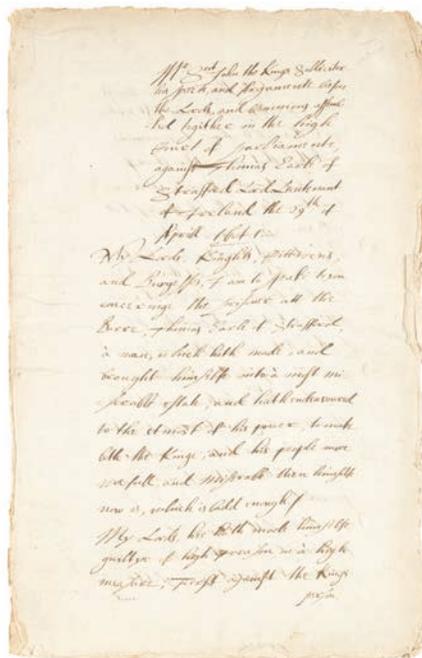
The text of our manuscript relates to the so-called "Resolutions of the Judges of Assize" of 1633. These "resolutions," intended to address ambiguities in the 1601 Poor Law, take the form of a series of questions submitted to Chief Justice Heath and his answers. "Although apparently repudiated after the Restoration as invalid, Heath's interpretations were nonetheless employed consistently by both magistrates and judges as the standard guide to the rigorous enforcement of the poor laws which characterized the 1630s" (Cockburn). The text subsequently appeared in print in various justice of the peace manuals, with the earliest of these appearances around 1655 in Dalton's *Countrey Justice*. Our manuscript likely pre-dates printed versions of the text; similar manuscripts are held by the British Library.

This volume was owned by Walter Ashburner [1864-1936], a British legal scholar and an important collector of early printed books and manuscripts. The "Bibliotheca Confanoneria" bookplate likely originates from Italy, where Ashburner traveled extensively. It is unclear whether it pre or post-dates Ashburner's ownership. 🍷 Cockburn 169-170.



Details from N° 76

**A UNIQUE COPY OF
ST. JOHN'S SPEECH IN FAVOR OF STRAFFORD'S ATTAINDER**



77. [MANUSCRIPT].
ST. JOHN, OLIVER [C.1598-1673].
[STRAFFORD, THOMAS WENTWORTH
(1593-1641), 1ST EARL OF].

Mr. Snt. John the Kings Solliciter His Speech, And Argumente Before the Lords, And Commons Assembled Together in the High Court of Parliamente, Against Thomas Earle of Strafford Lord Lieutenant of Ireland the 29th. Of April. 1641.

[London, 1641]. [12] pp. [ONLY].

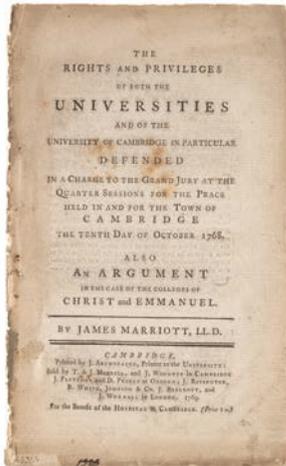
12-1/4" x 7-3/4" unsewn bifolia, text in single neat scribal hand with catchwords. Moderate toning, light edgewear not affecting text, faint horizontal and vertical fold lines, light creasing at upper left corner, recent page numbers added in pencil. \$950.

THIS MANUSCRIPT records portions of St. John's passionate address in favor of the Parliamentary attainder of Thomas Wentworth, 1st Earl of Strafford. Wentworth was a leading supporter of King Charles I and a major figure in the period preceding the English Civil War. Scapegoated by Parliament for his "treasonous" role in the Second Bishops' War, one of the

preliminary stages of the Civil War, he was condemned to death on shaky legal grounds via a bill of attainder in 1641. Feeling it necessary to yield to Parliament, whose case was led by his own solicitor general, Charles signed the death warrant.

A judge and skilled politician, St. John served in both the Short and Long Parliaments. His moderate leanings did not prevent him from delivering a thorough and vicious statement of the case against Wentworth. Our manuscript copy of his speech appears to be incomplete, concluding approximately one-third through the speech and in the middle of a sentence. Nevertheless, it is of great interest for its numerous and significant differences from licensed printed versions. Though it is similar to print copies in organization and themes, much of the phrasing is unique to this manuscript. A fair copy with a few minor corrections, it likely predates the printed editions which appeared the same year. Parliamentary proceedings were secret during this period, and our manuscript may have been made as a clerical copy or disseminated more widely in manuscript form to avoid licensing issues in print. We located a similar (36 pp.) manuscript at the British Library (Add MS 25275). ☞

THE UNIVERSITY OF CAMBRIDGE ASSERTS ITS RIGHTS



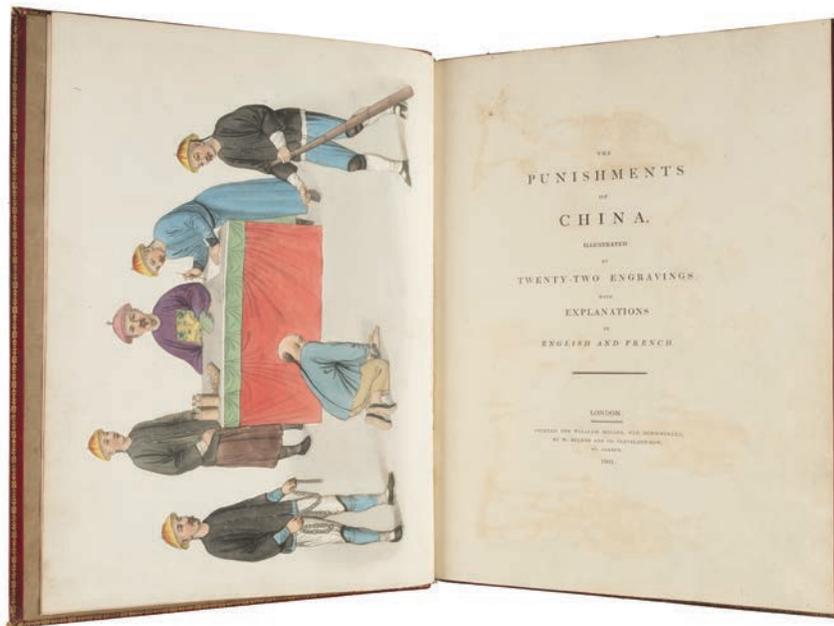
78. MARRIOTT, SIR JAMES [1730?-1803].

The Rights and Privileges of Both the Universities and of the University of Cambridge in Particular Defended in a Charge to the Grand Jury at the Quarter Sessions for the Peace Held in and For the Town of Cambridge the Tenth Day of October 1768. Also An Argument in the Case of the Colleges of Christ and Emmanuel.

Cambridge: Printed by J. Archdeacon, 1769. 36 pp. Octavo (8-3/4" x 5-1/4").

Disbound stab-stitched pamphlet. Light toning, leaves starting to separate at ends but secure, light foxing and soiling in a few places, somewhat heavier to title page, small chip to bottom gutter of final leaf. \$650.

ONLY EDITION. The independence of Oxford and Cambridge had been severely reduced by the reforms of Archbishop Laud in the seventeenth century, but by the mid-eighteenth century, the universities began to reassert their authority with the help of figures like Sir James Marriott and Sir William Blackstone. The present title documents an argument made by Marriott that the universities, particularly several colleges of Cambridge, were too heavily taxed under the poor laws. OCLC locates 3 copies of this title in law libraries (UC-Berkeley, Columbia, University of Pennsylvania). The ESTC adds a copy at Harvard Law School.  ESTC T45069.



Details from N° 79 (See next page) 

CHINESE PUNISHMENT IN THE BRITISH IMAGINATION

79. [MASON, GEORGE H. (1770-1851)].

The Punishments of China, Illustrated by Twenty-Two Engravings: With Explanations in English and French.

London: Printed for William Miller by W. Bulmer and Co., 1801. [94] pp. With 22 hand-colored stipple engravings, first plate bound as frontispiece. Folio (14-1/2" x 10-1/4").

Contemporary paneled morocco, elaborate blind and gilt fillets to boards, gilt spine with raised bands and gilt title ("Costum China") to spine, gilt tooling to outer and inner board edges, edges of text block gilt. Light rubbing and a few small scuffs to boards, moderate rubbing to extremities, spine very lightly varnished, light wear to head of front joint and corners, which are bumped, front hinge just starting at head, armorial bookplate (of J.M. Sagar-Musgrave) to front pastedown. Light toning to interior, faint offsetting from plates, light foxing in a few places, faint stain to upper gutter of Plate V and following page not affecting image or text, Plates IV and XX affected by trimming at fore-edge with minor loss to images.

[WITH]



[Album of 12 Chinese Export Watercolors Depicting Punishments].

N.d., c.mid-19th century.

Twelve 6" x 9-3/4" watercolor (or gouache) drawings on pith paper with blue silk ribbon borders, mounted on contemporary untrimmed 8-1/4" x 12-1/2" sheet tipped onto 11" x 14" card. Light toning, occasional faint dampstaining and spotting to images and larger sheet, tears to pith paper affecting six of the images with minor loss, most very small with a larger tear to final image. Drawings housed in modern red morocco binder with gilt frames to boards, moderate rubbing to

extremities, light fading to spine, light wear to spine ends and corners.

Together two items.

\$3,000.



Watercolor detail

PUNISHMENTS: first edition, six plates watermarked 1818. As trade with China increased, Chinese culture began to take hold of the British imagination. This was particularly true in cases where Chinese people and practices could be stereotyped or depicted as barbaric. Written by an East India Company soldier who traveled to Canton in 1789, *Punishments of China* depicts lurid scenes of torture and contrasts Chinese and Western customs.

Export albums like ours were produced in the port cities of China for tourists in the late eighteenth and early nineteenth centuries. Early watercolors were done on European paper, which later shifted to the thin pith paper of the present example. They were typically sold in sets of 12 or 24 and depicted a variety of subjects, including tea culture, manufacturing and local flora and fauna. The first workshop to produce these albums was

Pu-Quà's in Canton, where Mason may have purchased a similar group of drawings of punishments; the images in our album depict scenes similar to the stipple engravings in *Punishments of China* but with different compositions. ♣

FORMS USED IN THE CURIA ROMANA

80. MASSA, ANTONIO [1500-1568], EDITOR.

Formularium Variarum Commissionum Articulorum, Exceptionum, Interrogatoriorum, & Petitionum Sententiarum, & Appellationum: Cui Adiectus est Tractatus de Devolutione Causarum, Ac Ordinis Iudiciarij. Item Practica Signaturae Iustitiae, Circa Commissiones Causarum Quae in Romana Curia Committuntur.



Rome: Apud Haeredes Nicolai Mutij, Paulini Arnulphini Expensis, 1602. [xii], 285, [3] pp. Text in parallel columns. Quarto (9" x 6-3/4").

Contemporary flexible vellum, fragments of thong ties. Moderate soiling and staining, a few minor worm holes to front cover, small chip to head of spine. Title page printed in red and black. Moderate toning, somewhat heavier to a few leaves, light foxing to sections of text, faint dampstaining in a few places, mostly confined to margins. \$1,950.

SECOND AND FINAL EDITION BY MASSA. First published in 1570, this is an updated edition of the fourteenth-century *Formularium Procuratorum*, a collection of forms used by the Curia Romana. This work records the vast scope of the Curia during the sixteenth century. It is prefaced with a general essay about the Curia and its organization. Both Massa editions of this book are rare. OCLC locates 3 copies of the first edition in North America (Harvard Law School, Library of Congress, University of Illinois), 1 of the second (at the Getty Research Center).  USTC 4037664.

OWNED BY NATHAN LEOPOLD'S BROTHER

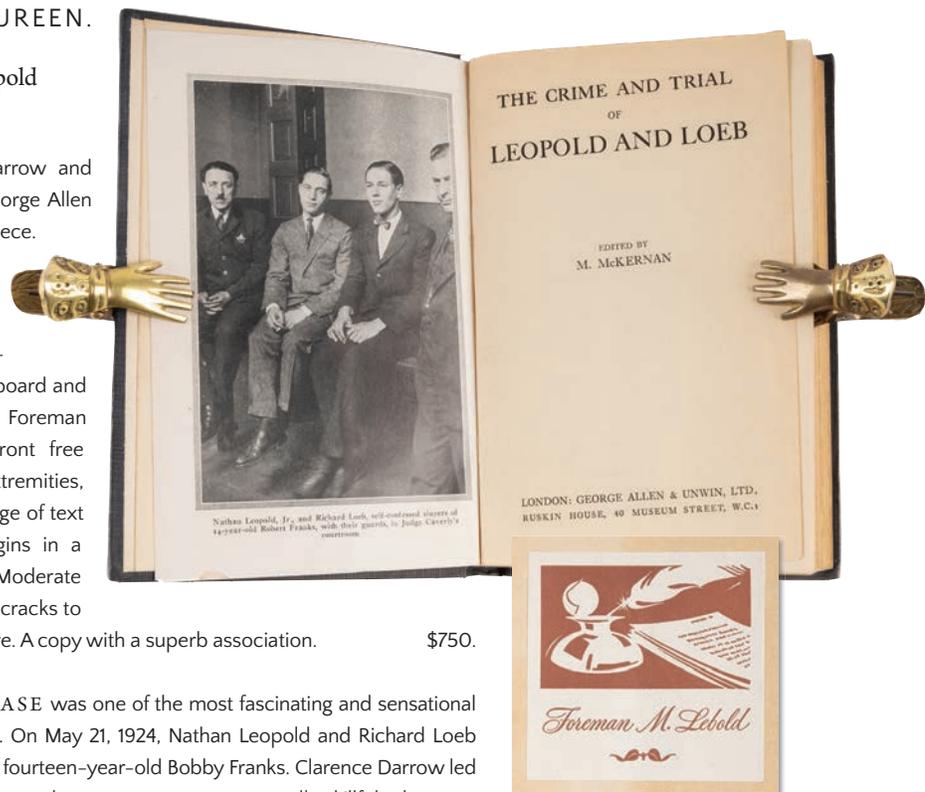
81. MCKERNAN, MAUREEN.

The Crime and Trial of Leopold and Loeb.

Introduction by Clarence Darrow and Walter Bachrach. London: George Allen & Unwin, [1925]. Frontispiece. Illustrated.

Original publisher's cloth, red rules to boards, red-stamped decoration to front board and title to spine, bookplate of Foreman M. Lebold [1895-1953] to front free endpaper. Light rubbing to extremities, small faint stain to bottom edge of text block affecting interior margins in a few places, hinges cracked. Moderate toning to interior, a few slight cracks to text block, all signatures secure. A copy with a superb association. \$750.

THE LOEB-LEOPOLD CASE was one of the most fascinating and sensational trials of the twentieth century. On May 21, 1924, Nathan Leopold and Richard Loeb confessed to the thrill killing of fourteen-year-old Bobby Franks. Clarence Darrow led their defense team. Robert Crowe, the prosecutor, was an equally skillful adversary.



Bookplate detail

Though their guilt was beyond question, Darrow hoped to save Leopold and Loeb from the electric chair. His successful twelve-hour plea, one of the greatest courtroom speeches in history, moved the presiding judge to tears. McKernan's careful account of the case features an introduction co-written by Darrow and Bachrach, another attorney on the defense team.

Our copy was owned by Foreman Michael ("Mike") Lebold, Nathan's older brother. Like other members of his family, he changed his name from "Leopold" after the trial to disassociate himself from his brother's notoriety, but he kept in close contact with Nathan and was especially active in the (eventually successful) campaign to gain him parole. 🍷

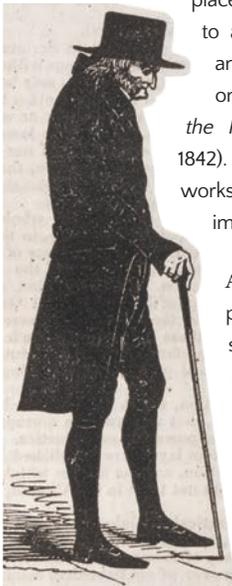
21 PAMPHLETS DOCUMENTING THE AFTERMATH OF A CHURCH SCANDAL

82. [ONDERDONK, BENJAMIN T.
(1791-1861)].

Documents Touching the Trial of the Bishop of New York [Spine Title].

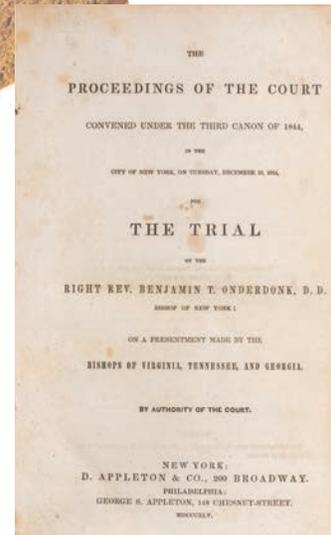
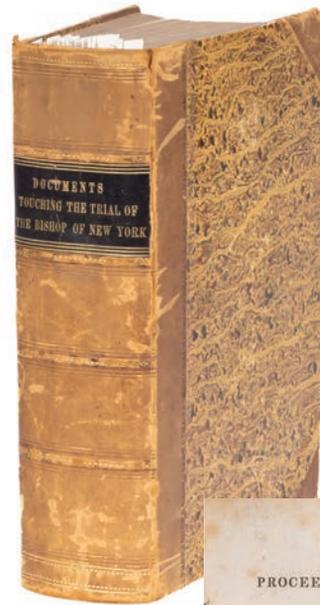
22 titles. Various imprints, most New York, 1842-1848. Various paginations. Octavo (8-1/2" x 5").

Contemporary three-quarter calf over marbled boards, blind fillets to calf edges, raised bands, blind and gilt fillets and lettering piece to spine, speckled edges, marbled endpapers. Light rubbing to boards, moderate rubbing to extremities, some scuffing to calf, front joint lightly worn and just starting at head, corners just bumped and somewhat worn, front hinge split causing board and spine to separate from text block, rear hinge secure. Moderate toning to interior, light foxing and soiling in places, slight horizontal fold line to a few pamphlets, brief notes and underlining in pencil to one title (*The Constitution of the Protestant Episcopal Church*, 1842). A searchable list of included works is available upon request. An impressive compilation. \$950.



Title page detail

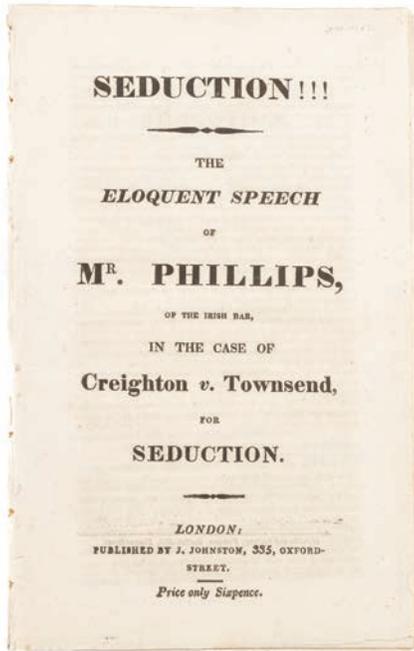
A SAMMELBAND of 21 pamphlets documenting a scandal involving The Rt. Rev. Benjamin T. Onderdonk, Bishop of the Episcopal Diocese of New York from 1830-1861. (The last title, a catalogue of decorative church articles, is unrelated.) Onderdonk was accused of making improper advances towards several



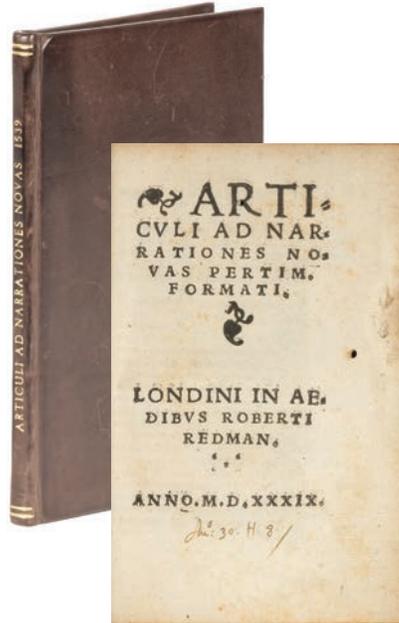
Details from N° 82

women. Onderdonk denied these allegations, claiming they were motivated by a conspiracy to remove him for his theological views. He was tried by the House of Bishops and the trial resulted in Onderdonk's suspension. The fallout from the Onderdonk scandal was extensive, dividing both clergy and laity.

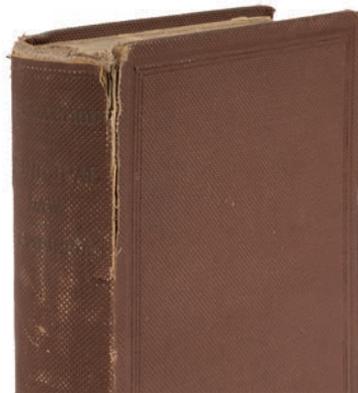
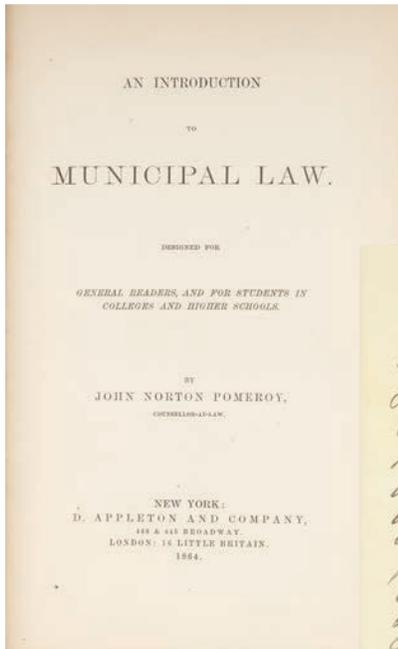
Our compilation volume documents the events in great detail, beginning with an account of the trial in the Bishop's Court and including many reports and commentaries on the aftermath. Several of the titles are scarce, particularly in law libraries. Most were published by religious booksellers serving the Episcopalian community, and several feature publisher's catalogues of up to 21 pages. The collection is notable for its breadth and scope, including copies of the constitution and rules of order for the Protestant Episcopal Church from Onderdonk's time as presiding bishop. Based on the presence of a catalogue of decorative church articles from a Lancashire vendor, the volume may have been compiled by a British clergyman fascinated by the scandal unfolding across the Atlantic. A thorough look at the events and contemporary reception of one of the nineteenth century's great religious scandals. 🍷



N° 83



N° 84



My dear Maria,
 I should not have
 thought of giving you this book, had
 I not understood that you had
 expressed a desire for it. It would
 have looked a little too much like
 affectation - Yet I think the book
 will call up some memories not
 entirely unpleasant. You saw the
 process of its manufacture - It
 will remind you of the old
 dibbing room with its somewhat
 curious associations. You contributed
 much to the accuracy with which it
 is printed. You remember the dinner
 when it made its first appearance
 and its war-wind came and all the
 ushers and the feeling of novelty
 which charmed us in the welcome of a
 fresh book -
 May you be as happy as you deserve
 to be -
 J. N. P.

Details from N° 85

“IS THERE A PUNISHMENT
TOO SEVERE FOR SUCH
DEPRAVITY?”

83. PHILLIPS, CHARLES [1787?–1859].

Seduction!!! The Eloquent Speech of Mr. Phillips, Of the Irish Bar, In the Case of Creighton v. Townsend, For Seduction.

London: Published by J. Johnston, [1817?]. 20 pp. Octavo (8-1/4" x 5-1/4").

Disbound stab-stitched pamphlet. Light toning, slight crack in text block between pp. 12-13, all leaves secure, small recent ink annotation and initials to pp. [2] and 20. Rare. \$650.

FIRST EDITION. Phillips was an Irish barrister notable (and to some, notorious) for his courtroom oratory. He argued many prominent cases, primarily adultery and seduction trials. The present case, *Creighton v. Townsend*, concerned an affair between a sixteen-year-old Irish girl and Townsend, an English soldier. When the girl ran away with him, her father sued. Phillips was the lead counsel for the plaintiff and secured £750 in damages.

His speeches were often published separately, and several accounts of the present trial appear to have circulated. A possible second edition of ours may have appeared later the same year, though it is unclear where that copy is held or what distinguishes it from the first edition. OCLC and Library Hub locate no copies of our first edition. ☞

1539 PRINTING OF AN IMPORTANT
EARLY GUIDE TO PLEADING
AND PRACTICE

84. [PLEADING].
[GREAT BRITAIN].

Articuli ad Narrationes Novas Pertim. Formati.

London: In Aedibus Roberti Redman, 1539. [64] pp. Octavo (5-1/4" x 3-1/2").

Contemporary calf, gilt title to spine. Moderate toning to interior, worm holes through text block with minimal loss to text and no loss to legibility, light foxing to final few leaves, light soiling and brief annotation and marks in small early hand to title page. \$4,000.

FINAL EDITION by Redman. First printed anonymously around 1525, this medieval tract glosses and complements two central works about pleading

and practice in the royal courts written during the early 1300s: the *Natura Brevium*, a selection of annotated writs, and the *Novae Narrationes*, a book dealing chiefly with plaintiffs' statements of claim. All imprints of this title are scarce. OCLC locates 7 copies of the 1539 in North America, 2 in law libraries (Harvard, University of Pennsylvania). ☞ ESTC S112344. Beale T117.

WITH A WARM INSCRIPTION
BY THE AUTHOR

85. POMEROY, JOHN NORTON
[1828–1885].

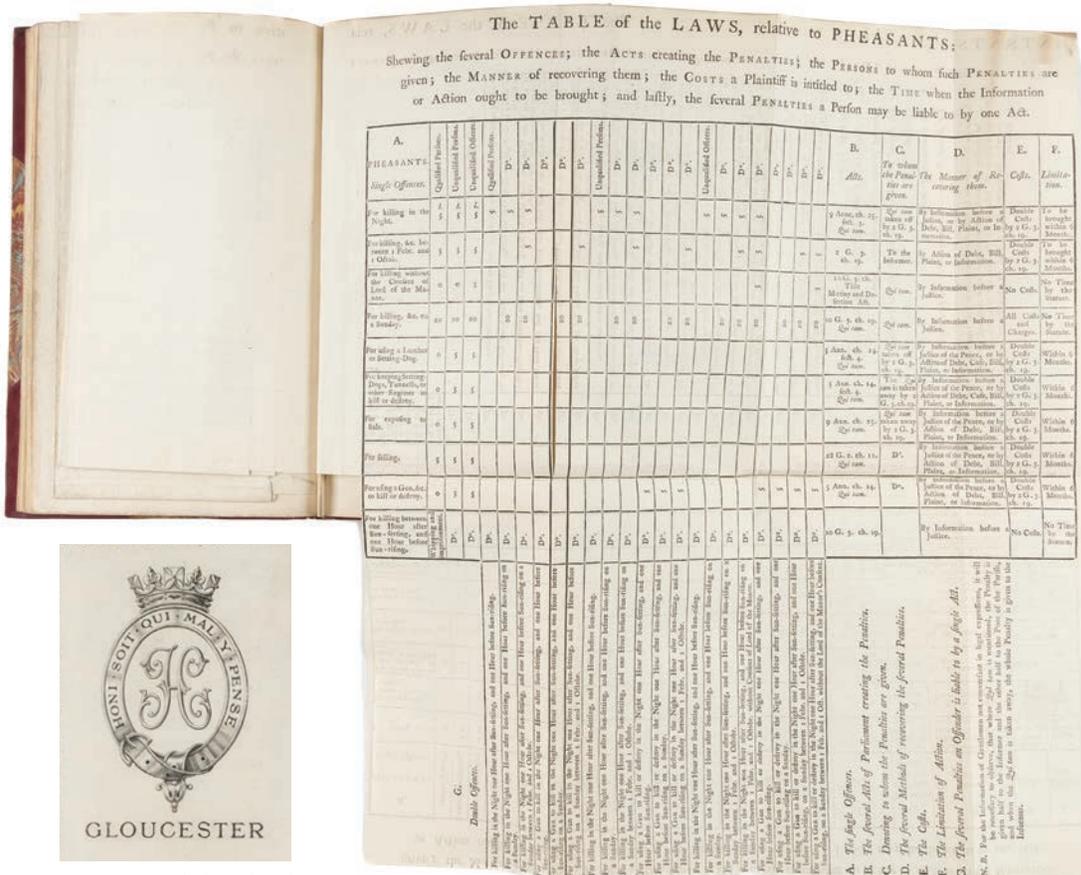
An Introduction to Municipal Law: Designed for General Readers and for Students in Colleges and Higher Schools.

New York: D. Appleton and Co., 1864. xxxviii, 544 pp. Octavo (8-1/2" x 5-1/2").

Original textured cloth, blind frames to boards, gilt title to spine. A few small scuffs to boards, light rubbing to extremities, spine lettering oxidized, spine ends worn, joints starting, corners bumped and worn, front hinge cracked (before title page), rear hinge starting at foot. Moderate toning to interior, first signature loosening and leaf [A4] (pp. v-vi) detached, a few slight cracks to text block, all other signatures secure, gift inscription to Maria H. Bulfinch, "Xmas 1865" to front free endpaper. \$650.

FIRST EDITION. This important treatise is not a study of municipal law in the modern sense, but a study of the positive law of the state and its history. A widely circulated book, it was highly regarded for its elegant prose style and thoughtful consideration of such topics as codification, legislation relating to married women and the war powers of the president under the Constitution. A second edition was published in 1883.

The warm inscription to our copy reads, in part: "My dear Maria, I should not have thought of giving you this book, had I not understood that you had expressed a desire for it. It would have looked a little too much like affectation. Yet I think the book will call up some memories not entirely unpleasant." It goes on to detail her involvement in the publication process. Likely a New York native and local friend of Pomeroy's, Bulfinch was the author of several children's books. ☞ HLC II:370.

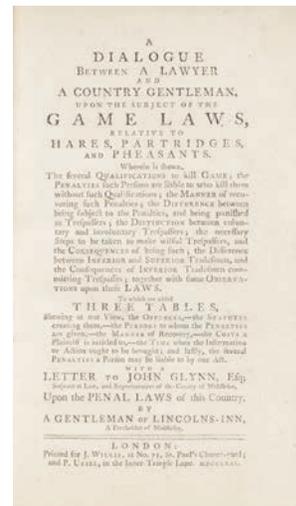


Bookplate detail

LAWS RELATING TO HARES, PHEASANTS AND PARTRIDGES

86. [PURLEWENT, SAMUEL].

A Dialogue Between a Lawyer and a Country Gentleman, Upon the Subject of the Game Laws, Relative to Hares, Partridges, And Pheasants. Wherein is Shewn, The Several Qualifications to Kill Game; The Penalties such Persons are Liable to Who Kill them Without such Qualifications; The Manner of Recovering such Penalties; The Difference Between being Subject to the Penalties, And being Punished as Trespassers; The Distinction Between Voluntary and Involuntary Trespassers; The Necessary Steps to be Taken to Make Wilful Trespassers, And the Consequences of Being Such; [...] Together with Some Observations upon These Laws. To Which are Added Three Tables, Shewing at One View, The Offences,— The Statutes Creating Them,— The Persons to Whom the Penalties are Given,— The Manner of Recovery,— [...] And Lastly the Several Penalties a Person May be Liable to by One Act. With a Letter to John Glynn, Esq; Serjeant at Law, And Representative of the County of Middlesex, Upon the Penal Laws of this Country by a Gentleman of Lincoln's-Inn, A Freeholder of Middlesex.



London: Printed for J. Wilkie, 1771. 54, [2] pp. With half-title (with an edition statement). Three folding tables. Octavo (8" x 5").

Later maroon three-quarter morocco over marbled boards, gilt rules to boards, raised bands, gilt title and gilt ornaments to spine, endpapers renewed with marbled paper, top-edge gilt. Light rubbing to boards, moderate rubbing to extremities, later armorial bookplate (Gloucester) to front pastedown. Light toning to interior, a few minor tears to tables, light soiling to half-title. A handsome copy. \$950.

THIRD EDITION, one of three editions, all issued in 1771. This review of the game laws in dialogue form was reprinted in 1775 and incorporated into a later work by John Purlewent, *Two Law Tracts* (1786). The three tables summarize the laws relating to hares, partridges and pheasants. OCLC locates 9 copies in North American law libraries. Not in Sweet & Maxwell. ESTC N55642.

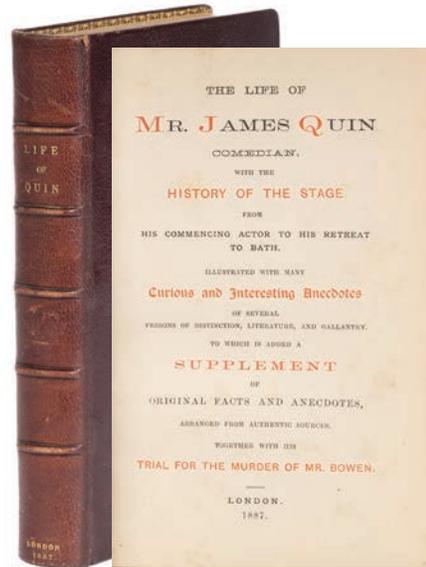
HANDSOME, EXTRA-ILLUSTRATED COPY

87. [QUIN, JAMES (1693-1766)].

The Life of Mr. James Quin, Comedian, With the History of the Stage from His Commencing Actor to His Retreat to Bath. Illustrated with Many Curious and Interesting Anecdotes of Several Persons of Distinction, Literature, And Gallantry. To Which is Added a Supplement of Original Facts and Anecdotes, Arranged from Authentic Sources. Together with His Trial for the Murder of Mr. Bowen.

London: [s.n.], 1887. [iii], 101 pp. With a copperplate portrait frontispiece and an additional 55 plates. Octavo (7-1/2" x 5").

Contemporary morocco, raised bands and gilt title to spine, gilt rules to board edges, gilt inside dentelles, marbled endpapers, top-edge gilt, silk ribbon bookmark. Light rubbing to extremities, hinges just starting at ends, faint offsetting to endpapers. General title page printed in red and black. Moderate toning to interior, very light foxing to general title page and a few plates, faint offsetting from plates, a few small pencil marks to text and brief annotations to a few plates. Gift inscription "To my old friend Douglas Taylor. J.C. Runkle" dated June 7th, 1905, to front endleaf. A handsome, extra-illustrated copy.



\$750.

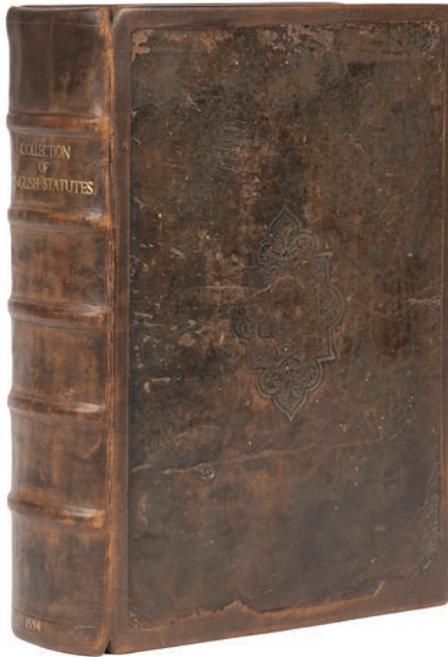
SECOND AND FINAL EDITION, a reprint of the first 1766 edition with an additional chapter. Born in London and educated in Dublin, Quin was a successful actor famous for his performances and infamous for twice killing his opponents in duels. The first of these duels took place in 1717 with his fellow actor William Bowen, who had instigated the fight; Quin was convicted of manslaughter but was not severely punished and continued his career. The second was a quarrel about the pronunciation of the name "Cato" which resulted in Quin killing his opponent in self-defense. Again, Quin's career was not derailed by the events, and he continued to perform for many years.

Our copy of his biography is extensively extra-illustrated with an additional 55 illustrations of Quin, his colleagues and friends and other relevant historical figures and locales. J.C. Runkle, who presented it to a friend, was an important collector, mostly of art.



Gift inscription detail

1594 EDITION OF RASTELL'S STATUTES



88. RASTELL, WILLIAM [1508-1565], COMPILER.

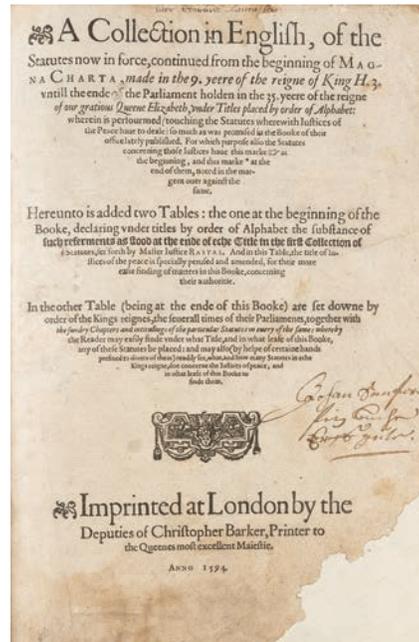
A Collection in English, Of the Statutes Now in Force, Continued from the Beginning of Magna Charta, Made in the 9. Yeere of the Reigne of King H.3. Untill the Ende of the Parliament Holden in the 35. Yeere of the Reigne of Our Gracious Queene Elizabeth, Under Titles Placed by Order of Alphabet: Wherein is Performed (Touching the Statutes Wherewith Iustices of the Peace Have to Deale) So Much as was Promised in the Booke of Their Office Lately Published.... Hereunto is Added Two Tables: The One... Declaring Under Titles by Order of Alphabet the Substance of Such Referments as Stood at the Ende of Eche Title in the First Collection of Statutes, Set Forth by Master Iustice Rastal. And in this Table, The Title of Iustices of the Peace is Specially Perused and Amended, For Their More Easie Finding of Matters in this Booke, Concerning Their Authoritie. In the Other Table... Are Set Downe by Order of the Kings Reignes, The Severall Times of Their Parliaments,

Together with the Sundry Chapters and Intitulings of the Particular Statutes in Every of the Same: Whereby the Reader May Easily Finde Under what Title, And in What Leafe of this Booke, Any of These Statutes be Placed: And May Also... Readily See, What, And How Many Statutes in Eche Kings Reigne, Doe Concerne the Iustices of Peace, And in What Leafe of this Booke to Finde Them.

London: Imprinted... by the Deputies of Christopher Barker, 1594. [xxx], 552, [14] ff. Main text in parallel columns. Folio (11" x 7-1/2").

Later calf incorporating sections of original boards, raised bands, gilt title and gilt publication date to spine, endpapers renewed, lower outside corners of title page and following leaf mended with no loss to text. Moderate toning to interior, faint dampstaining to margins in several places, light soiling to preliminaries and a few other places, inkspots and brief annotations to a few leaves. An impressive volume. \$3,000.

RASTELL FIRST PUBLISHED his great collection of statutes from Magna Carta to the present in 1557. It was updated periodically, with the final edition appearing in 1625. As the title indicates, it had finding aids to facilitate its use by justices of the peace. "It is partly of the nature of an edition of the Statutes at large, as the enacting parts of the public statutes in force are printed nearly word for word, and in their original language. But it is more of the nature of an abridgment.... The book was frequently republished and brought up to date in successive editions and in 1579 the Latin and French statutes were translated" (Holdsworth). ♡ Holdsworth IV:311-312. ESTC S121424. Beale S70.



Preface page detail

AN INTERESTING STUDY OF ROMAN LAW PRESENTED TO LORD ELDON

89. REDDIE, JOHN [1805-1851].

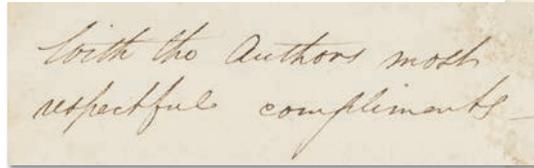
Historical Notices of the Roman Law, And of the Recent Progress of Its Study, In Germany.

Edinburgh: W. and C. Tait, 1826. 136 pp. Octavo (9" x 5-1/2").

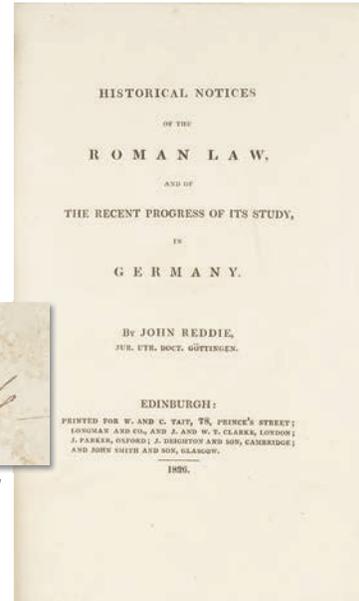
Original paper boards, paper label and handwritten title and date to spine, edges untrimmed. Light rubbing to boards, moderate rubbing to extremities, front board starting, paper spine label peeling away, corners lightly bumped and worn, rear hinge starting, faint offsetting to endpapers. Light toning to interior, negligible light soiling to a few pages, internally clean. Circular armorial bookplate of John Scott,

1st Earl of Eldon, with the motto "Sit Sine Labe Decus," to front pastedown, author's inscription "With the Author's most respectful compliments" to front free endpaper.

\$650.

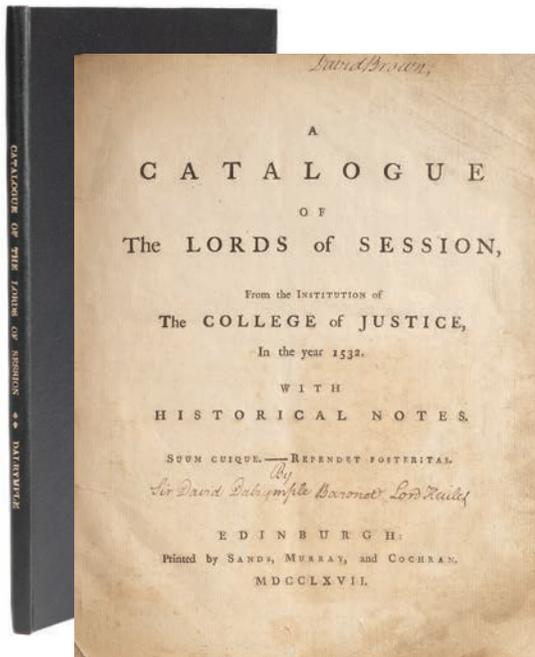


Inscription detail



A CONCISE BUT VERY ABLE study of Roman law and its reception in Germany. Reddie, a Scottish lawyer and colonial judge in the West Indies and Calcutta, presented this copy to John Scott, 1st Earl of Eldon [1751-1838]. Lord Eldon was a British barrister, politician and eventual Lord High Chancellor known for his influence on partnership and bankruptcy law. Sweet & Maxwell 5:140. Marvin 602.

DALRYMPLE'S BIOGRAPHIES OF THE LORDS OF SESSION



90. [SCOTLAND].
[COURT OF SESSION].
[DALRYMPLE, SIR DAVID (1726-1792),
COMPILER].

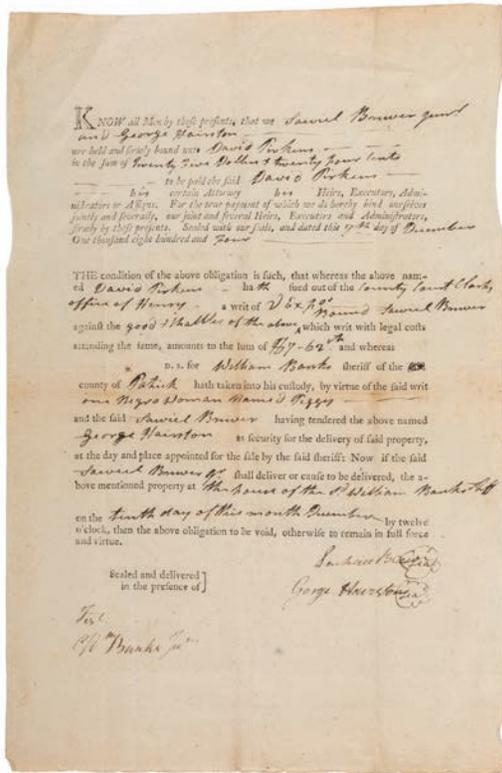
A Catalogue of the Lords of Session, From the Institution of the College of Justice, In the Year 1532. With Historical Notes.

Edinburgh: Printed by Sands, Murray, and Cochran, 1767. [iv], 17, [1]; 26 pp. Quarto (10" x 7-3/4").

Stab-stitched pamphlet bound in recent buckram, gilt title to spine, edges rouged. Minor bubbling to rear board, hinges reinforced. Moderate toning to interior, occasional light foxing, mostly to margins, light soiling in a few places, somewhat heavier to title page and final leaf, light creasing to margins of a few leaves. Ownership signature ("David Brown") and early annotation to title page, additional ownership inscription ("Geo: Martin- from a friend-") to head of p. 1, later (and early?) manuscript corrections and additions, some quite extensive, in a few places, affected by trimming on p. 22 of the second section only.

\$450.

FIRST EDITION. An important figure in Scottish law and letters, Dalrymple, Lord Hailes, 3rd Baronet of Hailes, was an advocate, judge and historian. The present work is one of the earliest comprehensive biographies of the members of the Court of Session. It was revised and expanded twice, in 1794 and 1798. The annotations and corrections to our copy, mostly to the Catalogue, both follow the pasted-in errata slip and add some 39 names from 1775-1816. OCLC locates 4 copies of the first edition in law libraries (Harvard, Yale, University of Cincinnati, University of Virginia). ESTC T117992.



AN EMINENT LOCAL AS
GUARANTOR AND A "NEGRO
WOMAN NAMED TIGGY"
AS COLLATERAL

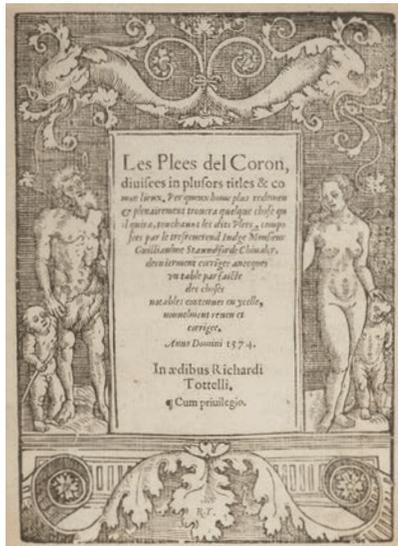
91. [SLAVERY].
[VIRGINIA].

[Bond Agreement to Settle a Debt].

Henry and Patrick Counties, [Virginia], December 7, 1804.

12-1/2" x 8" part-printed document inscribed in neat hand, signed by William Banks, Jr. and docketed on verso. Moderate toning, light soiling, horizontal and vertical fold lines, small holes along main horizontal fold line just touching a letter of text. \$1,250.

THIS DOCUMENT, a clerical copy, outlines an agreement by Samuel Brewer Jr. to pay David Perkins [?] \$25.24 and additional legal costs of \$7.62. George Hairston [1750-1825], the prominent Virginia planter, politician and Revolutionary War officer, served as the guarantor. Notably, Brewer's collateral was "one Negro Woman named Tiggy," held at the Patrick County sheriff's office until the debt was discharged. ☞



SIXTEENTH-CENTURY EDITIONS OF
STAUNFORD'S PLEES AND
KINGES PREROGATIVE

92. STAUNFORD, SIR WILLIAM
[1509-1558].

Les Pleez del Coron, Diuisees in Plusors Titles & Comen Lieux. Per Queux Home Plus Redement & Pleinement Trovera Quelque Chose Queil Quira, Touchant les Dits Pleez. Dernierment Corrigee Avecques un Table Parfaicte des Choses Notables Contenues en Ycelle, Nouvelment Revue et Corrigee.

[London]: In Aedibus Richardi Tottelli, 1574. [xiv], 193 [i.e. 198] ff. Quarto (7-1/4" x 5-1/2").

Contemporary sheep, blind rules to boards, raised bands and blind fillets to spine. Light rubbing and a few minor scuffs and stains to boards, moderate rubbing to extremities, two small holes near spine ends, minor worming to front hinge, partial crack near foot of text block between front free endpaper and title page, which is printed within a woodcut architectural border. Light toning to interior, early underlining and brief annotations to a few leaves, small owner inkstamp of Walter Ashburner to verso of title page and [xiv], a blank. \$950.

LATER EDITION. Based on Bracton and the Year Books, Staunford's treatise is divided into three parts. The first treats offences, the second jurisdiction, appeals,



Walter Ashburner inkstamp detail

indictments and defenses. The third deals with trials and convictions. First published posthumously in 1557, *Plees* was written after Staunford was appointed judge of the common pleas in 1554. Ashburner [1864-1936] was a notable legal historian, academic administrator and barrister. He is known for his research into the law of ancient Greece. ☞ Beale T489. ESTC S117813.



HANDSOME HAND-COLORED ENGRAVED PORTRAIT OF JOHN QUINCY ADAMS

93. SULLY, THOMAS [1783-1872], AFTER.
DURAND, ASHER B. [1796-1886], ENGRAVER.

John Quincy Adams, President of the United States.

Philadelphia: Published by W.H. Morgan, Printed by B. Rogers, 1826.

20-1/4 x 13-3/4" etched, engraved and hand-colored copperplate with caption on 26" x 19" sheet, matted and glazed with plexiglass in 32-1/2" x 23-1/2" frame. A few minor nicks to frame, a few scratches to plexiglass, light foxing and toning to margins of engraving, colors vivid. \$750.

THIS HANDSOME FULL-LENGTH PORTRAIT of President Adams seated in a library, with a book on his lap and a thoughtful expression on his face, is based on an oil portrait by Sully painted in 1824. At the time of his sitting, Adams was President Monroe's secretary of state. Sully was one of the most important American portrait painters of the nineteenth century. Durand, a highly skilled engraver and painter, was one of the leading artists of the Hudson River School. ☞



A GROUP PORTRAIT OF THE BURGER COURT

94. [SUPREME COURT, UNITED STATES].

[9" x 13-3/4" Color Group Photograph of the Burger Court].

[Washington, DC, c.1972-1975].

Photograph with matte finish mounted on 17" x 12" board, signatures of all nine justices below. Light toning to edges of board, light pencil guide marks below signatures. \$1,500.

THE ASSOCIATE JUSTICES are Byron White, William J. Brennan, Jr., Potter Stewart, Thurgood Marshall, William H. Rehnquist, Harry A. Blackmun, Lewis Powell and William O. Douglas. Among the landmark rulings of this Court were *Gregg v. Georgia* (1976), which held that the death penalty did not always qualify as cruel and unusual punishment, and *Regents of the University of California v. Bakke* (1978), which upheld the usage of affirmative action in college admissions. ♡

"HER THROAT HAD BEEN CUT": MCDADE 137

95. SWINBURNE, JOHN [1820-1889].
BUDGE, HENRY, DEFENDANT.

A Review of the Case, The People Agt. Rev. Henry Budge, Indicted for the Murder of His Wife Priscilla Budge, (Tried at the Oneida, New York, Circuit Court, In August and September, 1861,) Containing an Examination of the Medico-Legal Questions Involved in the Case; A Review of the Positions Taken by the Medical Witnesses for the Defence; An Extended Discussion of the Positions Assumed by the Medical Witnesses for the Prosecution, With Cuts, And Tables for Illustration; Letters and Opinions from Various Eminent American and Foreign Medical Jurists, Together with Copious Abstracts from the Evidence Adduced, And the Judge's Charge in the Civil Action of Henry Budge Agt. Caleb Lyon, For Libel, Tried at the Herkimer Circuit in October and November, 1861.



Lithograph plate detail

Albany: C. Van Benthuysen, Printer, 1862. 94 pp. 6 lithograph plates. Octavo (9" x 6").

Stab-stitched pamphlet in printed wrappers. Light soiling, moderate wear to edges and spine ends, rear wrapper and adjacent leaf beginning to detach at ends, large (illegible) owner signature to front wrapper, some wear and folds to corners of wrappers and a few leaves at beginning and end of text, light browning to interior, heavier browning to fore-edges of a few leaves at beginning of text, short tear to top edges of title page. \$750.

ONLY EDITION. "Mrs. Budge's death was first ruled a suicide; then her husband was tried, but acquitted. Her throat had been cut. After acquittal, Budge sued Caleb Lyon for calling him a murderer. Lyon's defense was that the allegation was true. Budge got a judgement of \$100; he had sued for \$20,000. Dr. Swinburne was Lyon's defense witness, and his pamphlet summarizes that trial. There is an interesting series of illustrations demonstrating the kinds of wounds made from different positions" (McDade). OCLC locates 4 copies in law libraries (Columbia, Harvard, University of Missouri, Yale). 📖 McDade 137.

A SCARCE 1825 TREATISE ON ESTATE LAW FROM THE LIBRARY OF LORD ELDON

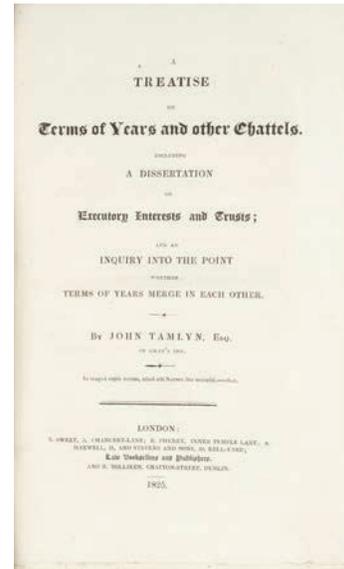
96. TAMLYN, JOHN [D.1869].

A Treatise on Terms of Years and Other Chattels. Including a Dissertation on Executory Interests and Trusts; And an Inquiry into the Point Whether Terms of Years Merge in Each Other.

London: S. Sweet [et al.], 1825. xii, 207, [1] pp. Octavo (9" x 5-1/4").

Original publisher's boards, paper label and handwritten date to spine, edges untrimmed, many signatures unopened. Light rubbing to boards, moderate rubbing to extremities, chip to lower right corner of paper label, front joint starting at ends, corners bumped and somewhat worn. Very light toning to interior, otherwise fresh. Circular armorial bookplate of John Scott, 1st Earl of Eldon, with the motto "Sit Sine Labe Decus," to front pastedown, inscription "The Earl of Eldon/ From the Author" to front free endpaper. \$750.

ONLY EDITION. Tamlyn was a prolific treatise writer in the first half of the nineteenth century with a particular focus on estate law and conveyancing. In the present work, he discusses freehold, executory interests and inheritance more generally. Our copy was presented to John Scott, 1st Earl of Eldon [1751-1838]. Lord Eldon was a British barrister, politician and eventual Lord High Chancellor known for his influence on partnership and bankruptcy law. OCLC locates 10 copies of this title, 6 in law libraries (Supreme Court of New York, Library of Congress, Harvard, University of Pennsylvania, University of Cincinnati, University of Victoria). 📖 Sweet & Maxwell 2:351.



A 1930 FIRE THAT KILLED OVER 300 OHIO PRISONERS



97. THOMAS, T.J.
GALLAGHER, DAN W.

The Spotlight on Ohio's Black Crime.

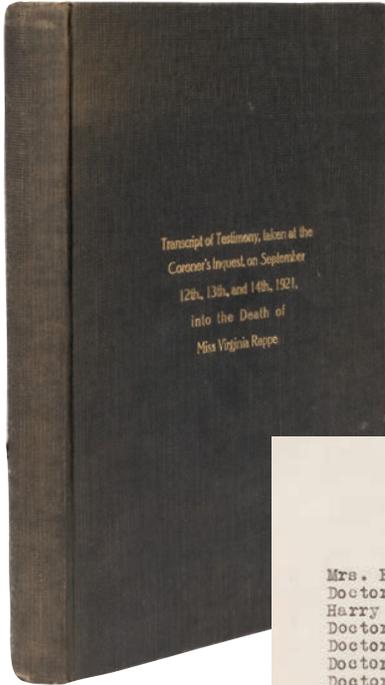
Cleveland: C. Margolian, 1930. 127 pp. Illustrated.

Softbound, printed wrappers. Light soiling, wear to spine ends and corners, light browning to interior, corner folds and missing corners to several leaves at beginning and end of text. \$450.

ONLY EDITION. A damning account of the 1930 Ohio Penitentiary fire that killed over 300 prisoners. "The purpose of this volume is not so much to condemn what has gone before as it is to turn the searchlight on general conditions in the Ohio Penitentiary, which is but a counterpart of similar corrective institutions throughout the country, with the end in view of bringing about a reform that will remove our houses of correction from the same category as the hideous dungeons of medieval times. Penal institutions for men and women are a necessary evil, but the evil should not be increased by making them torture chambers, receiving

stations for insane asylums, and horrible death traps such as the West Cell block of Columbus penitentiary proved to be" (4). OCLC locates 9 copies, 4 outside of Ohio, none in law libraries. 📖

ONE OF EARLY HOLLYWOOD'S GREATEST SCANDALS



98. [TRIAL].
 ARBUCKLE, ROSCOE [1887-1933].
 RAPPE, VIRGINIA [1895-1921].

Transcript of Testimony, Taken at the Coroner's Inquest, On September 12th., 13th., And 14th., 1921, Into the Death of Miss Virginia Rappe.

[San Francisco, 1921]. 232 ff. Octavo (11" x 8").

Contemporary cloth, gilt title to front board. Light rubbing and soiling to boards and extremities, light fading to spine, a few small holes to rear joint, spine ends and corners lightly bumped, hinges reinforced with cloth. Typed text to rectos, underlining and marginal marks in pencil to a few leaves, internally clean. \$1,500.

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RAPPE, a young film actress, died after attending a party hosted by prominent actor, director and comedian Roscoe "Fatty" Arbuckle at San Francisco's St. Francis Hotel. She was discovered in Arbuckle's suite with a ruptured bladder; an acquaintance also at the party, Bambina Maude Delmont, accused Arbuckle of having caused the injury by violent sexual assault. Despite holes in Delmont's account and the testimony of other witnesses that Rappe suffered from chronic bladder infections, the inquest determined that her injuries were caused by "the application of some force...by one Roscoe Arbuckle" and suggested that he be indicted for manslaughter.

Delmont's testimony, which appears in full in the present record, fell apart by the time Arbuckle went to trial on manslaughter charges (reduced from capital murder). Prior to the scandal, he had been a popular and well-respected Hollywood figure, mentoring entertainment icons like Charlie Chaplin, Buster Keaton and Bob Hope. The trials and subsequent publicity destroyed his career despite his ultimate exoneration. His name immediately became a byword for Hollywood excess and debauchery. The coroner's jury did not fail to make this association themselves, and recommended explicitly that Arbuckle be prosecuted in part "so that San Francisco shall not be made the rendezvous [sic] of the debauchee and gangster" (232). Likely produced as one of a handful of copies for those associated with the Arbuckle trial, this transcript provides an unparalleled look into the evidence behind one of early Hollywood's greatest scandals. 🍷

THE CORONER: Q. You haven't spoken to anybody about this case? A. Oh, no, excepting the other nurses, all nurses, we live together.

A JUROR: Q. Did she tell you who made this bruise on her arm at all. A. Sometimes she used to say, "I think Arbuckle did it," you know. And then she used to say, "How do you think I got it?" I said, "Maybe Arbuckle did it or maybe got it in the bath." They put her in a cold bath. They carried her, she told me, in a cold bath. "Oh," I said, "maybe, yes." She didn't know. She always said, "I was so drunk, three drinks," she said, "just made me unconscious."

Transcript detail

BLAMING THE PARISH PRIEST

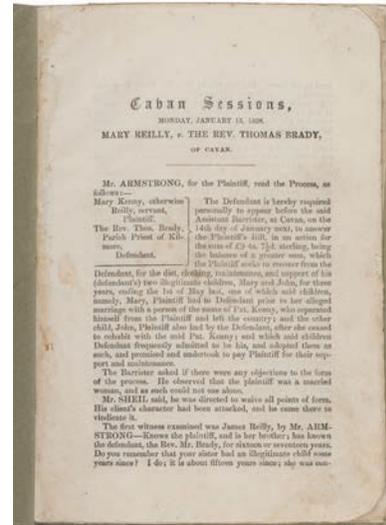
99. [TRIAL].
BRADY, THOMAS, DEFENDANT.

Cavan Sessions, Monday January 15, 1828. Mary Reilly, v. The Rev. Thomas Brady, Of Cavan [Caption Title].

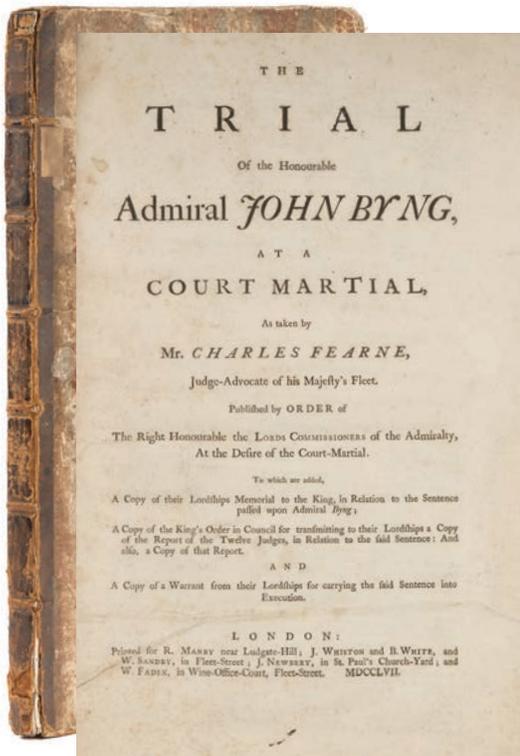
[Ireland: s.n., 1828]. 14, [2] pp. Octavo (7-1/2" x 5").

Stab-stitched pamphlet recently resewn in plain wrappers. Small fold line to lower corner of front wrapper. Moderate toning to interior, light foxing, soiling, and edgewear, small tears to gutter and final leaf neatly mended with tissue without loss to text. Rare. \$650.

ONLY EDITION. Mary Reilly, alias Kilkenny, alias Kenny, sued Brady for the maintenance of her two illegitimate children, whom she claimed were his. Brady was defended by Richard Lalor Sheil, a notable Irish lawyer, orator and politician. Our account of the trial includes Sheil's impassioned (and successful) speeches for the defense. OCLC locates 2 copies (University of Illinois, National Library of Ireland). ☞



THE LAST ADMIRAL EXECUTED BY FIRING SQUAD



100. [TRIAL].
BYNG, JOHN [1704-1757], DEFENDANT.

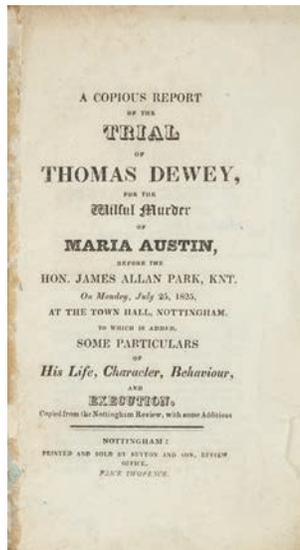
The Trial of the Honourable Admiral John Byng, At a Court Martial, As Taken by Mr. Charles Fearn, Judge-Advocate of His Majesty's Fleet. Published by Order of the Right Honourable the Lords Commissioners of the Admiralty, At the Desire of the Court-Martial. To Which are Added, A Copy of their Lordships Memorial to the King, In Relation to the Sentence Passed Upon Admiral Byng; A Copy of the King's Order in Council for Transmitting to their Lordships a Copy of the Report of the Twelve Judges, In Relation to the Said Sentence: And Also, A Copy of That Report. And a Copy of a Warrant from their Lordships for Carrying the Said Sentence into Execution.

London: Printed for R. Manby near Ludgate-Hill [et al.], 1757. 130 [i.e. 136]; 19 [i.e. 21], [1] pp. Additional pages *37-8 and *73-6 inserted. Folio (13-1/2" x 8-3/4").

Contemporary quarter calf over marbled boards, raised bands to spine, fragments of paper label to head of joints. Rubbing and scuffing to boards, rubbing and light wear to extremities, chipping to spine ends and joints, boards just separating but

secured by cords, corners bumped and worn, later (nineteenth-century) ownership signatures and annotations, mostly relating to a Dixon family, to endleaves, most of rear free endpaper torn away. Light toning to interior, light foxing and soiling in a few places, slight creasing to first several leaves, faint dampstain to a few leaves of appendix, legibility not affected. \$400.

ONE OF THREE recorded variant London issues from 1757 for which priority has not been established. Admiral Byng was court-martialed after electing to repair his damaged fleet at Gibraltar rather than relieve a British garrison. The court acquitted him of personal cowardice but convicted him of failure to "do his utmost to take, seize and destroy the Ships of the French King." Upon the court's recommendation, several members of the Admiralty petitioned George II for clemency, but this was denied. Byng was executed by firing squad, the last of his rank to be executed in this manner. ☞ ESTC T20812.



A "FATAL CATASTROPHE" IN NOTTINGHAM

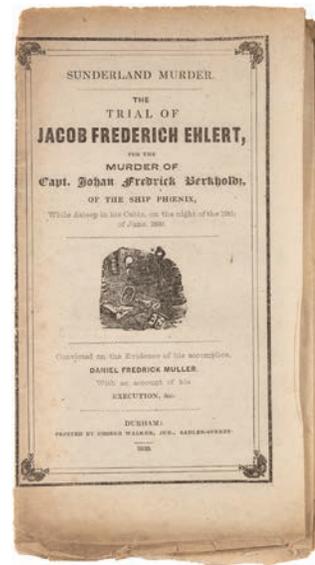
101. [TRIAL].
DEWEY, THOMAS [D.1825],
DEFENDANT.

A Copious Report of the Trial of Thomas Dewey, For the Wilful Murder of Maria Austin, Before the Hon. James Allan Park, Knt. On Monday, July 25, 1825, At the Town Hall, Nottingham. To Which is Added, Some Particulars of His Life, Character, Behaviour, And Execution. Copied from the Nottingham Review, With Some Additions.

Nottingham: Printed and sold by Sutton and Son, Review Office, [1825]. 12mo. (6-3/4" x 3-3/4").

Stab-stitched pamphlet, re sewn into recent plain wrappers, recent white label with shelf mark to front wrapper. Moderate toning to interior, library stamp to verso of title page, several leaves trimmed close on right margin with no loss to text, very light foxing to last few leaves, small tear to fore-edge of title page not affecting text. \$500.

ONLY EDITION. Thomas Dewey stabbed Maria Austin, a neighbor and acquaintance, after a quarrel in which she told him not to order her children about. Dewey claimed insanity (and several witnesses testified to this effect) but the judge and jury disagreed. He was convicted of capital murder and sentenced to death. Though it was unclear at trial whether a romantic connection between the two existed at the time of the murder, the account appended to the trial in our work suggests that Dewey was a womanizer jealous of Austin's husband, from whom she was estranged. It concludes with a poem titled "The Morning of Execution." OCLC locates 6 copies of this scarce title, 1 in North America (Library of Congress). 🍷



MURDER AT SEA

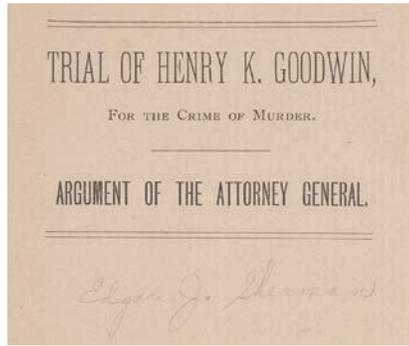
102. [TRIAL].
EHLERT, JACOB FREDERICH,
DEFENDANT.

Sunderland Murder. The Trial of Jacob Frederick Ehlert, For the Murder of Capt. Johan Fredrick Berkholdz, Of the Ship Phoenix, While Asleep in his Cabin, On the Night of the 12th of June, 1839. Convicted on the Evidence of his Accomplice, Daniel Fredrick Muller. With an Account of His Execution. &c.

Durham: Printed by George Walker, 1839. 24 pp. Octavo (6-3/4" x 3-3/4").

Unsewn pamphlet, edges untrimmed. Light toning, light foxing in a few places, light soiling to edges, light edgewear to bottom edge, fold line to bottom right corner of final leaf, which is starting to separate at ends but secure. \$450.

ONLY EDITION. Ehlert, a sailor on the Norwegian brigantine Phoenix, murdered the ship's captain, Johann Friedrich Berkholdz, while he was sleeping and threw the body overboard. The apparent motive was robbery, as Muller, his accomplice and a witness to the event, later testified. Our account concerns Ehlert's trial and execution and ends with a poignant description of Captain Berkholdz's tombstone and the epitaph there. OCLC locates 8 copies, 4 in North America (Harvard, Harvard Law School, Harvard Medical School, Princeton). 🍷



Wrapper detail from N° 103

HE THOUGHT HIS VICTIM WAS TRYING TO CHEAT HIM: MCDADÉ 360

103. [TRIAL].
GOODWIN, HENRY K., DEFENDANT.

Commonwealth vs. Henry K. Goodwin: Charged by Indictment with the Wilful Murder of Albert D. Swan: Eighth Day of the Trial Before Charles Allen and William S. Gardner, Justices: Edgar J. Sherman, Attorney General, Henry F. Hurlburt, District Attorney, For the Government. Benjamin F. Butler, John P. Sweeney, For the Prisoner. Argument of the Attorney General, In Behalf of the Government.

Lawrence, MA: American Electric Job Print, 1886. 43 pp. Octavo (8-3/4" x 5-3/4").

Stapled pamphlet in stiff printed wrappers. Light soiling, a few tiny stains and moderate edgewear and chipping to wrappers, which are partially detached but secure, owner signature in faint pencil (Edgar J. Sherman) to front wrapper. Moderate toning to interior, folds to lower outside corners of first 8 leaves. \$500.

ONLY EDITION. Goodwin shot Swan because he thought Swan was trying to cheat him out of his patents relating to the telephone. He was convicted of second-degree murder. Benjamin F. Butler [1818-1893], one of Swan's lawyers, was also a distinguished Lowell businessman and politician who was an important major general in the Union Army, a leading member of the U.S. House of Representatives and governor of Massachusetts. This is a rare title. OCLC locates 5 copies, 1 in a law library (Social Law). 📄 McDade 360.

PRESENTATION COPY OF A NOTABLE TRIAL INVOLVING POISONING AND ABORTION

104. [TRIAL].
HERSEY, GEORGE C., DEFENDANT.
YERRINTON, M.W. JAMES, REPORTER.

Report of the Case of Geo. C. Hersey, Indicted for the Murder of Betsy Frances Tirrell Before the Supreme Judicial Court of Massachusetts; Including the

Hearing on the Motion in Arrest of Judgment, The Prisoner's Petition For a Commutation of Sentence, The Death Warrant, Officer's Return Upon It, And the Confession.

Boston: A. Williams & Co., 1862. 267 pp. Octavo (9-1/2" x 6").

Contemporary sheep, blind fillets to boards, lettering piece and blind fillets to spine, presentation inscription "Hon. Charles Doe. With respects of- Geo.S. Sullivan" to front free endpaper. Light rubbing and a few small scuffs and spots to boards, which are slightly bowed, moderate rubbing to extremities, joints starting, small chips to lettering piece and rear joint, corners lightly worn, faint offsetting to endleaves, light edgewear to rear free endpaper. Light toning to interior, occasional light foxing, most of it negligible.

[WITH]

SULLIVAN, GEORGE S.
[DOE, CHARLES (1830-1896)].

[Autograph Letter, Signed, Boston, October 14, 1862].

2 pp. letter to 8" x 5" bifolium monogram stationery. Moderate toning, slight darkening to top-edge, two horizontal fold lines.

[AND]

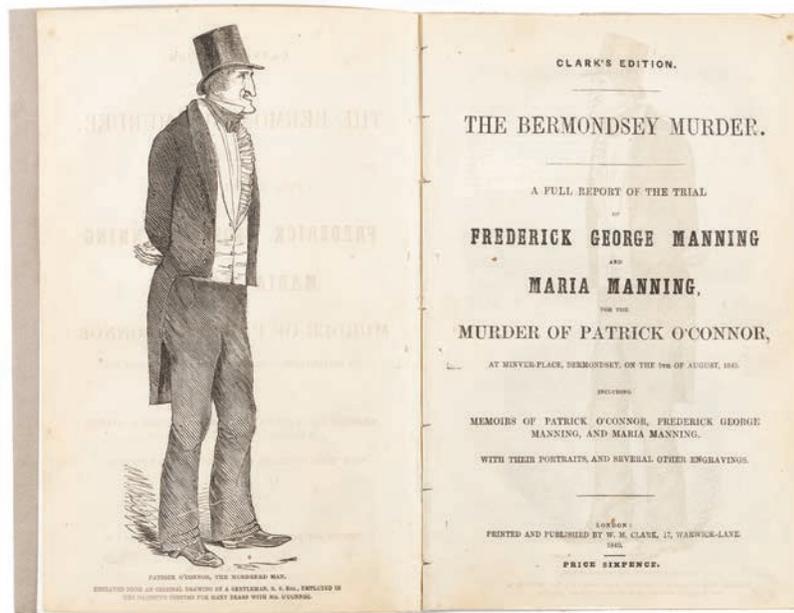
[Defendant's Brief in Commonwealth vs. George C. Hersey].

May 28, 1861. 3 pp. printed document to 9-3/4" x 7-3/4" bifolium, manuscript docket to verso. Light toning, two horizontal fold lines, negligible light wear to fore-edge, light foxing to verso of final leaf.

Together 3 items. \$450.

FIRST EDITION. "Hersey had been living in Weymouth with the Tirrell family since the sudden death four months before of their daughter and his fiancée, Mary Tirrell. A second daughter, Betsy became pregnant by him, and he gave her a drug which he represented would cause an abortion. Actually, it was strychnine which he had obtained in Boston allegedly to poison a dog. He was convicted and hanged. The preface claims this to be the only (in 1862) published trial in which strychnine was detected by analysis in the deceased.": McDade.

Our copy was presented by George S. Sullivan, one of Hersey's defense attorneys, to Charles Doe, then-associate justice on the Supreme Judicial Court of New Hampshire. The brief, which may have been sent along with the letter and book, is a motion in arrest of judgment written by the defense. 📄 McDade 472.



A MURDER TRIAL THAT INSPIRED DICKENS

105. [TRIAL].

MANNING, FREDERICK GEORGE [1820-1849], DEFENDANT.

MANNING, MARIE [1821-1849], DEFENDANT.

The Bermondsey Murder. A Full Report of the Trial of Frederick George Manning and Maria Manning, For the Murder of Patrick O'Connor, At Minver-Place, Bermondsey, On the 9th of August, 1849. Including Memoirs of Patrick O'Connor, Frederick George Manning, And Maria Manning, With their Portraits, And Several Other Engravings. At head of title: Clark's Edition.

London: Printed and Published by W.M. Clark, 1849. 64 pp. Illustrated. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet in recent plain wrappers, edges rouged, housed in plain folder with printed label to front. Moderate toning to interior, light foxing and soiling to a few leaves, a few slight cracks to text block, all leaves secure, very faint offsetting from illustrations in places.

[WITH]

MANNING, FREDERICK GEORGE.

MANNING, MARIE.

[...] The Only Correct Account of the Confession and Execution of Frederick George Manning and Maria Manning, For the Murder of Patrick O'Connor.

[London]: Now Publishing. By W.M. Clark, [1849]. 16 pp. Octavo (8-1/4" x 5-1/4").

Stab-stitched pamphlet in recent plain wrappers, printed label to front wrapper, endleaves added. Moderate toning to interior, negligible light foxing and soiling in places.

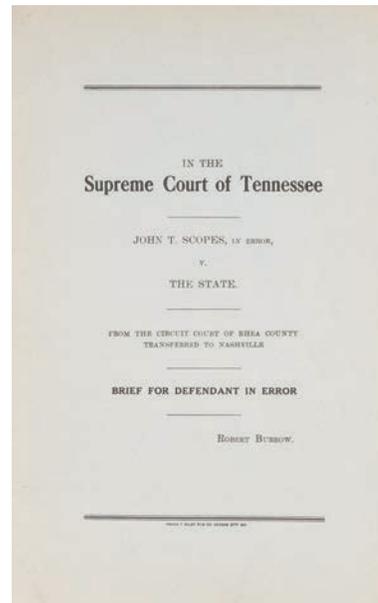
Together two items.

\$1,250.

ONLY (STATED) EDITIONS; *Trial*: one of two 1849 issues. O'Connor, a domestic servant, was the former lover of Marie DeRoux Manning. He was murdered by Marie and her husband, Frederick George Manning. The motivation was greed; O'Connor was a successful moneylender and investor. The case attracted a good deal of public attention and became known as



Illustration detail from N° 105



Wrapper detail from N° 106

the “Bermondsey Horror.” Eventually apprehended, the husband and wife were hanged on November 13, 1849. This execution was the first time a husband and wife had been executed together in England since 1700. Dickens witnessed the execution and wrote an account of it that was published in *The Times*. He based a character on Marie Manning, Mademoiselle Hortense, Lady Dedlock’s maid in *Bleak House*.

Our account of the trial had two 1849 issues with different page counts (64 and 80 pp.). It was sometimes bound with the account of the pair’s confession and execution from the same publisher, separately issued and possibly marketed as the appendix. The latter title is scarce. OCLC locates 3 copies in North American law libraries (Library of Congress, Harvard, Yale). 📖

ADVOCATES PROTECTING SCHOOLS FROM THE “SUBTLE AND CRAFTY ENCROACHMENTS” OF ATHEISTS

106. [TRIAL].
SCOPES, JOHN THOMAS [1900-1970], PLAINTIFF.
BURROW, ROBERT.

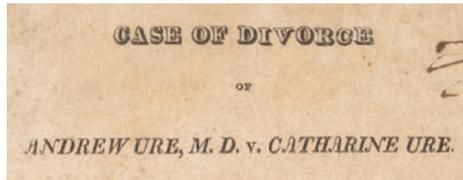
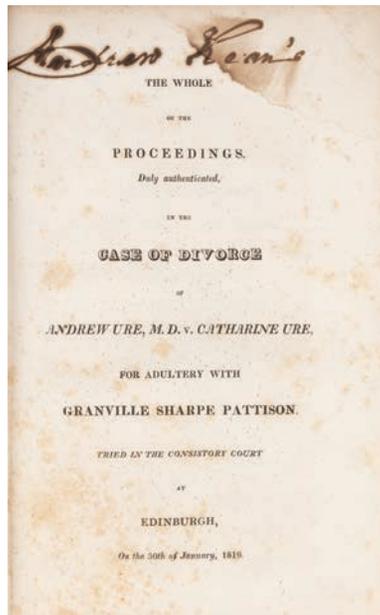
In the Supreme Court of Tennessee: John T. Scopes, In Error, v. The State. From the Circuit Court of Rhea County Transferred to Nashville. Brief for Defendant in Error.

Kansas City, MO: Frank T. Riley Pub Co. [1926?]. 24 pp.

Stapled pamphlet in stiff printed wrappers. Moderate toning, light creasing to lower left corner of item, light soiling to outer edges of wrappers. \$850.

AN AMICUS BRIEF filed in John T. Scopes v. State of Tennessee, the appeal following the controversial verdict in the celebrated “monkey trial” that found Scopes, a 24-year-old high school teacher, had violated a state law banning the teaching of Charles Darwin’s theory of evolution. A star-studded cast of trial attorneys included three-time Democratic presidential candidate William Jennings Bryan for the prosecution and brilliant trial lawyer Clarence Darrow for the defense. Scopes lost both the case and the appeal, though his fine was set aside on a technicality.

As a milestone in the American struggle between modernity and Protestant fundamentalism, and a vivid manifestation of the clash between academic freedom and democratic control of the public schools, the Scopes case has tremendous historical significance. The contemporary resonance of the case is clear in our brief, which quotes Sir Matthew Hale, the Bible and a number of important Supreme Court cases. It concludes: “If it be true that the State is powerless to protect its children in the public schools from the teachings of atheists and infidels, if we have to submit to their subtle and crafty encroachments on the very life of the government, then we ought to be of all men most miserable.” The brief’s author was likely Robert Burrow [b.1857], a superintendent of the Tennessee penitentiary and prominent Bristol lawyer. OCLC locates 2 copies of this rare separate printing (Duke University, Tennessee State Library). 📖



Half-title page detail

ACCOUNT OF AN ADULTERY TRIAL PUBLISHED TO BLOCK AN ACADEMIC APPOINTMENT

107. [TRIAL].
URE, ANDREW [1778-1857], PLAINTIFF.
[CHAPMAN, NATHANIEL, EDITOR].

The Whole of the Proceedings, Duty Authenticated, In the Case of Divorce of Andrew Ure, M.D. v. Catharine Ure, For Adultery with Granville Sharpe Pattison. Tried in the Consistory Court at Edinburgh, On the 30th of January, 1819.

[Philadelphia: W. Fry, Printer, 1821]. [ii]; viii; [2]; [2]; 39, [1]; vi pp. Preface (viii pp.) preceding title page, signed: N. Chapman, then a statement of the printer, signed and dated 1 Sept. 1821, followed by the title page. Complete, final section (Analysis) numbered [i]-vi and not iii-viii as in Cohen. Octavo (8-1/4" x 5-3/4").

Disbound stab-stitched pamphlet. Light toning, occasional light foxing and faint dampstaining to upper corner and top-edge not affecting legibility, light edgewear to several leaves, upper portions of half-title lacking, text unaffected, early annotations to head of half-title and ownership signature of Andrew Kean to title page. \$750.

ONLY EDITION. "This compilation was prepared by Nathaniel Chapman, a Philadelphia doctor, in order to block Granville Sharpe Pattison's academic appointment in this country. Pattison, a Scottish Anatomist, had been named co-respondent in the Ure divorce.": Cohen. Andrew Kean [1775-1837], an Irish immigrant and army surgeon in the War of 1812, was a Virginia physician employed by Thomas Jefferson and other notables. ☞ Cohen 11459.

THE TRIAL THAT FOLLOWED THE BOSTON MASSACRE

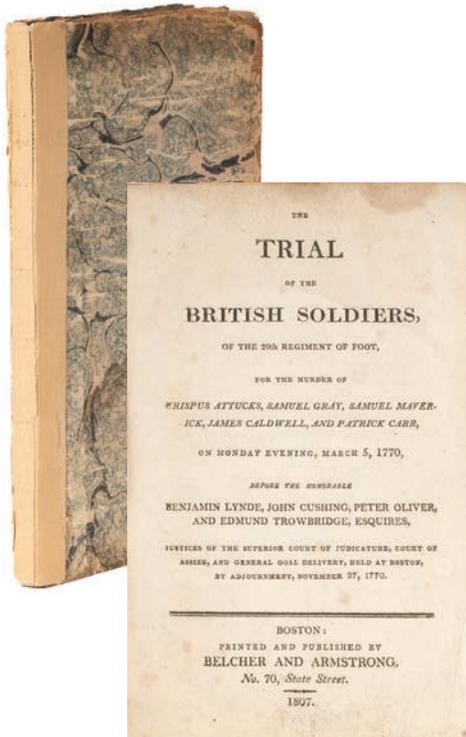
108. [TRIAL].
[WEMMS, WILLIAM, PRIMARY DEFENDANT].

The Trial of the British Soldiers, Of the 29th Regiment of Foot, For the Murder of Crispus Attucks, Samuel Gray, Samuel Maverick, James Caldwell, And Patrick Carr, On Monday Evening, March 5, 1770.

Boston: Printed and Published by Belcher and Armstrong, 1807. 120 pp. Octavo (7-1/2" x 5").

Contemporary marbled boards with later rebacking, quarter paper spine with printed title and ornaments. Moderate rubbing to boards, heavier rubbing to board edges with wear to corners, joints starting, hinges cracked, boards secure. Light browning to interior, faint dampstaining to margins in a few places, light soiling to title page. \$950.

REISSUE of the first edition, published in 1770 with a title beginning *The Trial of William Wemms*. The violent confrontation between soldiers and citizens known as the Boston Massacre resulted in the trial of eight soldiers for murder. Defended by John Adams and Josiah Quincy, six were acquitted and two, who fired fatal shots, were convicted of manslaughter, burned on the hand and released. ☞ McDade 122 (note). Cohen 13203.



THREE NOTABLE EIGHTEENTH-CENTURY
BRITISH TRIALS

109. [TRIALS].
BYNG, JOHN [1704-1757], DEFENDANT.

The Trial of the Honourable Admiral John Byng, At a Court Martial, As Taken by Mr. Charles Fearnie, Judge-Advocate of his Majesty's Fleet.

London: Printed for R. Manby near Ludgate-Hill [et al.], 1757. 130 [i.e. 134]; 19 [i.e. 21], [1] pp. Additional pages *37-8 and *73-6 inserted. Lacking leaves 2K1-2 (pp. 125-128).

[BOUND WITH]

FERRERS, LAWRENCE (LAURENCE) SHIRLEY,
4TH EARL [1720-1760], DEFENDANT.

The Trial of Lawrence Earl Ferrers, For the Murder of John Johnson, Before the Right Honourable the House of Peers in Westminster-Hall in Full Parliament, On Wednesday the 16th, Thursday the 17th, and Friday the 18th of April, 1760: On the Last of Which Days, Judgment for Murder was Given Against Him.

London: Printed for Samuel Billingsley, 1760. [iv], 55 pp.

[AND]

BLANDY, MARY [1720-1752], DEFENDANT.

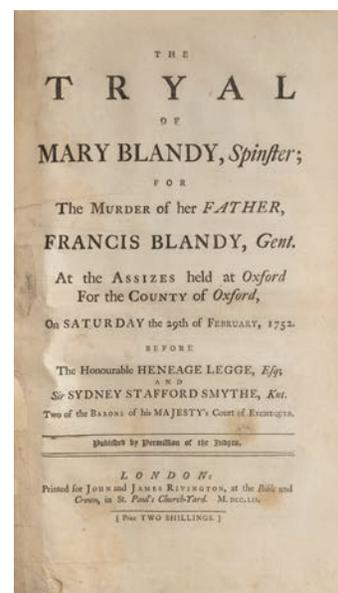
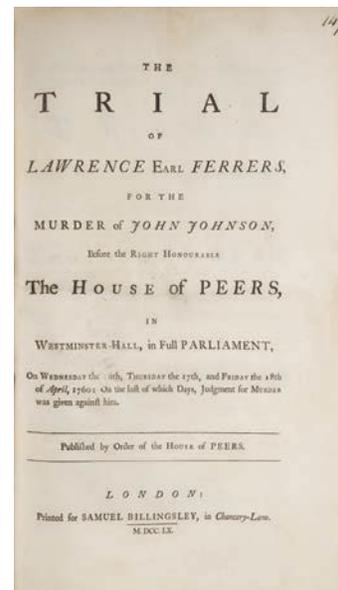
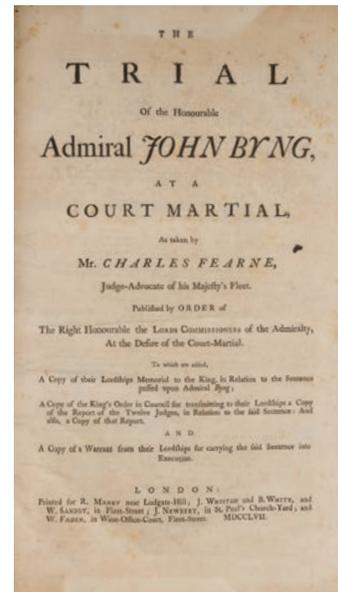
The Tryal of Mary Blandy, Spinster; For the Murder of Her Father, Francis Blandy, Gent. At the Assizes Held at Oxford for the County of Oxford, On Saturday the 29th of February, 1752, Before the Honourable Heneage Legge, Esq; and Sir Sydney Stafford Smythe, Knt. Two of the Barons of His Majesty's Court of Exchequer.

London: Printed for John and James Rivington, 1752. [ii], 46 pp.

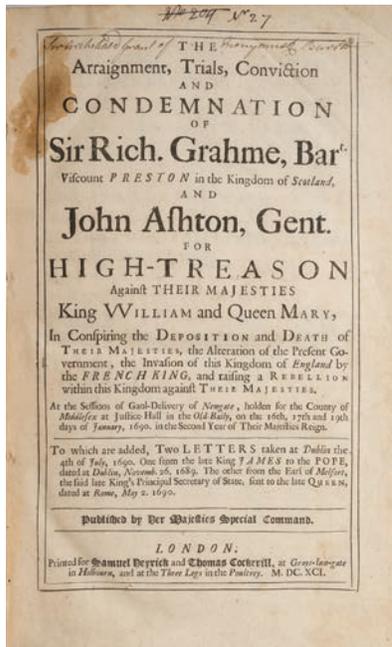
Folio (13-1/2" x 8-3/4"). Stab-stitched pamphlets bound in later period-style three-quarter calf over marbled boards, gilt-edged raised bands and lettering piece ("Admiral Byng Trial") to spine, gilt decoration to compartments, edges speckled red. Light rubbing and a few small scuffs and scratches to boards, moderate rubbing and light wear to extremities, light fading to spine, front hinge cracked, faint offsetting to preliminaries. Light toning to interior, occasional light foxing. *Trial of Mary Blandy*: title page and final leaf neatly mended, creasing and small tears to final leaf, which has faint dampstaining and spotting, legibility not affected, small clean tear to fore-edge of penultimate leaf not affecting text. \$750.

ADMIRAL BYNG was court-martialed and convicted of failure to "do his utmost to take, seize and destroy the Ships of the French King" after electing to repair his damaged fleet rather than relieve a British garrison. He was executed by firing squad, the last of his rank to be executed in this manner. The execution of Ferrers was similarly notable. An eccentric nobleman with a violent temper, he was convicted of killing his steward in a drunken rage and holds the dubious honor of being the last peer to be hanged and anatomized. Blandy, a notorious female criminal, was found guilty of poisoning her father with what her suitor claimed was a "love philtre." (It was, in fact, arsenic.) She was sentenced to death by hanging, but remained a proper middle-class lady to the end. "For the sake of decency, gentlemen," she pleaded with her executioners, "don't hang me high."

Our copy of the Byng trial differs from those listed by the ESTC, with a drop-head title reading "The Trial of Admiral Byng" (as in T20812) and catchwords "En-" (p. 11) and "or" (p. 19) (as in N549). ♡ Ferrers: ESTC T143971. Blandy: ESTC T51990.



A COLLECTION OWNED BY A NOBLEMAN
EXPULSED FROM THE HOUSE OF COMMONS FOR FRAUD



110. [TRIALS].
[GREAT BRITAIN].
PRESTON, RICHARD GRAHAM, VISCOUNT
[1648-1695], PRIMARY DEFENDANT.

The Arraignment, Trials, Conviction and Condemnation of Sir Rich. Grahme Bart., Viscount Preston in the Kingdom of Scotland, And John Ashton, Gent. For High-Treason against Their Majesties King William and Queen Mary [...].

London: Printed for Samuel Heyrick and Thomas Cockerill, 1691. [iv], 26, [4], 27-138 pp. With imprimatur leaf; trial of John Ashton has separate title page and continuous register.

[BOUND WITH]

[MACKENZIE, SIR GEORGE (1636-1691),
ATTRIBUTED].

A True and Plain Account of the Discoveries Made in Scotland, Of the Late Conspiracies Against His Majesty and the Government. [...] Together with an Authentick Extract of the Criminal Process and Sentence Against Mr. Robert Baillie of Jarviswood. Extracted by

Command of His Majesties Most Honourable Privy Council of Scotland; And Published by His Majesties Command.

Reprinted at London: By Thomas Newcomb, For Susanna Forrester, 1685. [ii], 61, [1] pp. With 2 folding tables; Baillie trial has separate title page and continuous register.

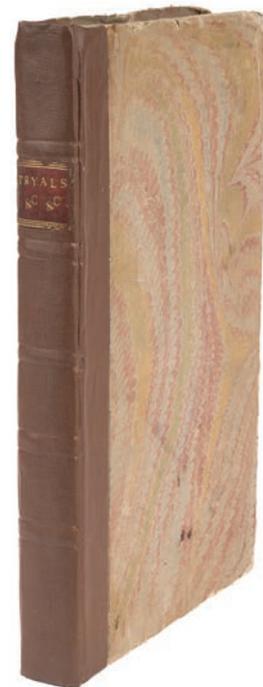
[AND]

[Five Trials and Essays Dealing with Treason, Conspiracies Against the Crown, And Related Legal Issues].

Folio (11-3/4" x 7-1/2"). Six pamphlets bound in contemporary marbled boards, rebacked in recent cloth, raised bands and retained lettering piece to spine. Light rubbing to boards, rubbing and wear to board edges and corners, which are bumped, hinges mended, armorial bookplate of Sir Archibald Grant to front pastedown with small ink shelfmarks to pastedown and front free endpaper and his ownership signature to head of first title page. Moderate toning to interior, somewhat lighter or heavier in places, light foxing and soiling in a few places, a few corners folded or lacking without loss to text, light creasing to title page of third title. Penultimate title (*A Compleat Collection of the Protests of the Lords*) only: dampspotting and staining to upper quarter of text block, top-edge of title page and last several leaves affected by trimming and wear with loss to text. An interesting collection. \$1,850.

THESE SEVEN TITLES, mostly trials or commentaries on trials, deal primarily with treason and the powers of the Crown. Two titles are identified above; the others are (in short-titles): *Remarks Upon the Tryals of Edward Fitzharris, Stephen Colledge, Count Coningsmark, The Lord Russel, Collonel Sidney, Henry Cornish, And Charles Bateman* (1689; [iv], 104 pp.); *The Tryals of Henry Cornish, Esq. [...] And John Fernley, William Ring, And Elizabeth Gaunt* (1685; [ii], 42 pp.); *The Tryal of William Stayley, Goldsmith* (1678; 8, 7-10 pp.); *A Compleat Collection of the Protests of the Lords* (1722; [ii], 28 pp.) and *Analogia Legum* (1745; xxvi pp.). *Analogia Legum*, a comparison of English and Scottish law, is a rare title. OCLC locates 1 copy (Library of Congress) to which the ESTC adds Worcester College Library (Oxford) and Harvard Law School.

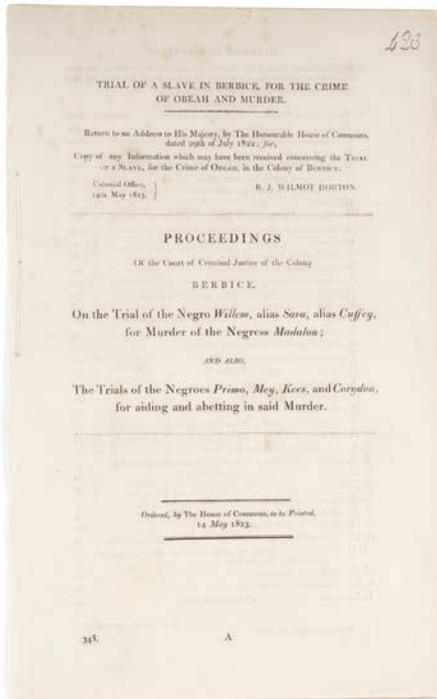
The former owner of this volume, Sir Archibald Grant [1696-1778], was a British politician and speculator. No stranger to trials himself, he was brought before the House of Commons in 1732 for willful fraud and neglect and ultimately expelled. He subsequently returned to Scotland and developed his estate. ESTC R22452, R19774, R10368, R25662, R228446, T31002, N16281.





Details from N° 110

MAGIC AND MURDER ON A COLONIAL PLANTATION



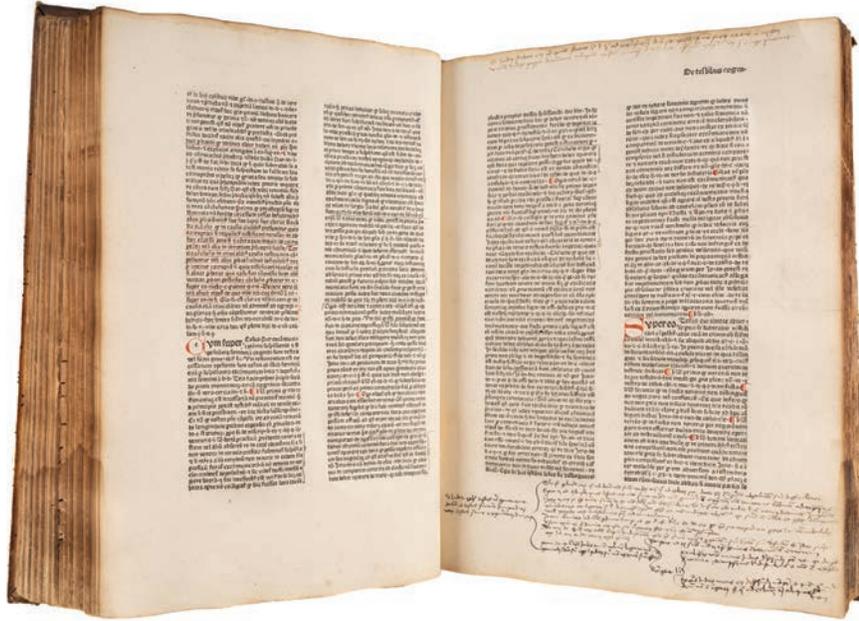
111. [TRIALS].
 [SLAVERY].
 [BRITISH GUIANA].
 WILLEM [D.1822], PRIMARY DEFENDANT.
 COURT OF CRIMINAL JUSTICE, COLONY OF BERBICE.

Trial of a Slave in Berbice for the Crime of Obeah and Murder (...) Proceedings of the Court of Criminal Justice of the Colony Berbice, On the Trial of the Negro Willem, Alias Sara, Alias Cuffey, For the Murder of the Negress Madalon: And also, The Trials of the Negroes Primo, Mey, Kees, And Corydon, For Aiding and Abetting in Said Murder.

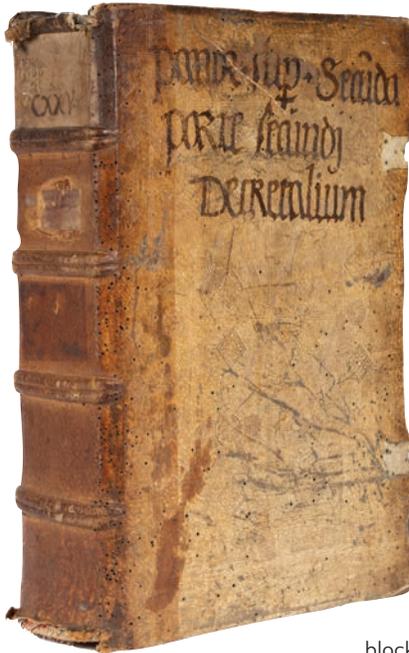
[London]: Ordered by the House of Commons to be Printed, 1823. 45, [1] pp. Folio (12-1/2" x 8").

Stab-stitched pamphlet, neatly disbound and recently resewn, gilt and marbled edges. Light toning, light foxing in a few places, hand-written page numbers to top right corner of rectos. \$2,500.

ONLY EDITION. The trial of a slave in the British colony of Berbice, part of present-day Guyana. Willem, enslaved on the Op Hoop van Beter plantation, was accused by another slave, Vigilant, of killing a woman named Madalon. This accusation triggered an investigation into the local practice of obeah, defined by Browne as "an Afro-Caribbean complex of spiritual healing, harming, and divination." Madalon had herself been suspected of practicing obeah. Willem had been called in by other slaves to stop her, and four others were implicated in the performance of the ritual (a capital crime). Willem and his accomplices Primo and Mey were executed, and defendants Kees, Corydon and Allegro, other accomplices, were flogged and remanded to be "worked in chains" for a period of several years. OCLC locates 6 copies worldwide, 2 in law libraries (Harvard, Yale). ☞ Browne 453.



ONE OF THE EARLIEST ILLUSTRATED LAW BOOKS,
ALSO THE SECOND ILLUSTRATED BOOK PRINTED IN BASEL



112. TUDESCHI, NICCOLO DE, ARCHBISHOP
(ABBAS PANORAMITANUS) [1386-1445].

[Lectura Super V Libris Decretalium, Parts II and III (of VI)].



[Basel: Berthold Ruppel, Michael Wenssler and Bernard Richel, 1477]. [379] ff. Collation: [a10 (-a1 blank), b8, c-d10, e-h10/8, i-m8/10/n-v10/8, x8 y10]; [A-D10/8, E-F10, G-18, K10, L-O8/10, P12, Q-T8, V10]. Lacking blank a1 in the 1st part, otherwise complete. Folio (16" x 11"; 41 x 28 cm).

Contemporary Swiss or South-German paneled pigskin, blind-stamped ornaments over heavy wooden boards with beveled edges, fragments of clasps and catches to fore-edges, early hand-lettered title to front board, raised bands and fragments of later shelf labels to spine. Worm holes, light soiling and staining to boards, spine darkened, moderate rubbing to extremities, chipping to spine ends, wear to corners, dampstaining to fore-edge of text block at foot, minor worming to pastedowns, hinges exposed, recent annotations to front pastedown, elaborate calligraphic owner note dated 1490 of a German or Swiss legal scholar

"Georg (?) Karresser, Doctor of Canon Law and Dean" accompanied by a drawing (in red and dark brown) of a middle-aged bearded man, possibly Karresser, his right hand on the hilt of a sheathed sword, "1490" below in recent hand.

Text in 60-line gothic type in parallel columns, signatures [b-i, m-v, C-S] printed in Ruppel's type, the rest in Wenssler's type, partially colored large woodcut of a judge (or law professor) flanked by attendants, one presenting him with a document, above the beginning of the text (a2r), old (18th-century?) German institutional stamp, with a deaccession stamp next to it at foot, volume rubricated throughout in contemporary



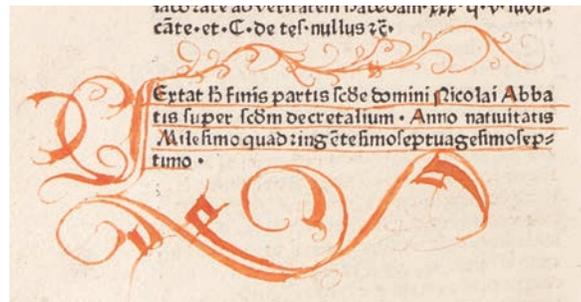
Woodcut detail



Rear pastedown owner's note detail

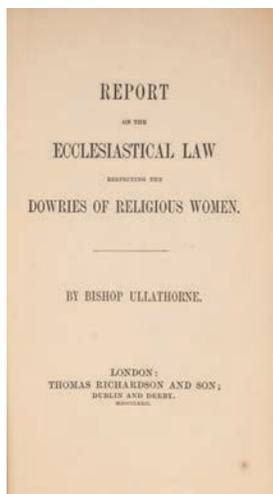
hand with paragraph marks in red, capital spaces (with printed guides) filled by the contemporary rubricator with lombard initials in red (a few with intricate penwork). The rubricator also supplied a hand-drawn border in red ink around the colophon on [y10v] with intricate penwork. Colophon to recto of the final leaf of the first part (y10v); second part without colophon (as issued), underlining and annotations to margins of several leaves, possibly by Karresser. Light toning to interior, several, gradually diminishing, worm holes, mostly to the margins of the opening signature, with minor loss to text, dampstaining, edgewear, and finger smudges to margins in places. A magnificent, wide-margined example of early Basel typography and xylography, with charming and intriguing traces of late 15th-century scholarly ownership. \$18,500.

TUDESCHI TAUGHT at the Universities of Siena, Parma and Bologna and was later the bishop of Palermo. He was renowned for his commentaries on the books of the *Corpus Juris Canonici*. Our volume is from his multi-part commentary on the *Liber Sextus Decretalium* of Pope Gregory IX, which was first printed in 1475-1477. Each volume is complete in itself. Parts II and III discuss matters relating to trials, such as evidence, witnesses, testimony, sentencing, appeals and refusal. The *ISTC* locates 8 single parts in North America, 1 incomplete set (Huntington, I-IV) and 1 complete set (Houghton Library). ☞ *ISTC* ip00045000.



Colophon detail

THE LEGAL STATUS OF DOWERS FOR WOMEN TAKING RELIGIOUS VOWS



113. ULLATHORNE, [WILLIAM BERNARD] [1806-1889].

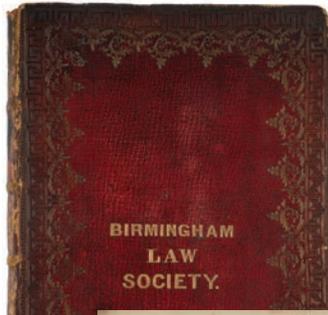
Report on the Ecclesiastical Law Respecting the Dowries of Religious Women.

London: Thomas Richardson and Son, 1872. 37 pp. Octavo (8-1/4" x 5").

Stab-stitched pamphlet in self-wrappers. Moderate toning, single slight vertical fold line, light soiling to wrappers, light foxing to final few leaves, light chipping to rear wrapper without loss to text. Rare. \$500.

ONLY EDITION. Produced by the Roman Catholic Bishop William Bernard Ullathorne for the Annual Episcopal Meeting of 1871, this interesting report discusses the status of dowries for women entering religious life in canon, ecclesiastical and English law. OCLC and Library Hub locate 1 copy of this title worldwide (Emory University Pitts Theological Library). ☞

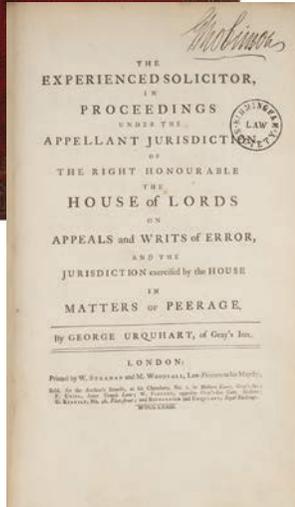
A SCARCE GUIDE TO PLEADING BEFORE THE HOUSE OF LORDS



114. URQUHART, GEORGE.

The Experienced Solicitor, In Proceedings Under the Appellant Jurisdiction of the Right Honourable the House of Lords on Appeals and Writs of Error, And the Jurisdiction Exercised by the House in Matters of Peerage.

London: Printed by W. Strahan and M. Woodfall, 1773. [xiv], 155, [1] pp. Folio (12-1/2" x 7-1/4").



Later morocco, gilt and blind-tooled frames and gilt-stamped institutional name and seal to boards, gilt spine with raised bands and lettering piece, gilt tooling to outer and inner board edges, edges of text block gilt, marbled endpapers. Light rubbing and scuffing to boards, moderate rubbing to extremities, lettering piece and spine head chipped, corners bumped and worn, hinges cracked, library bookplate and small circular sticker to front pastedown, front free endpaper removed. Light toning to interior, occasional light foxing, small ink library stamps to title page and a few other leaves, legibility not affected, early (illegible) ownership signature to head of title page. \$1,850.

ONLY EDITION. Written by a member of Gray's Inn, this guide to pleading before the House of Lords covers topics such as retaining counsel, presenting appeals, writs of error, claiming English and Scotch peerages and avoiding "scandalous and frivolous" cases. It includes forms for pleading and a list of fees. OCLC locates 3 copies of this title in law libraries (UCLA, Los Angeles County, University of Pennsylvania), to which the ESTC adds Harvard Law School. ☞ ESTC T138228.

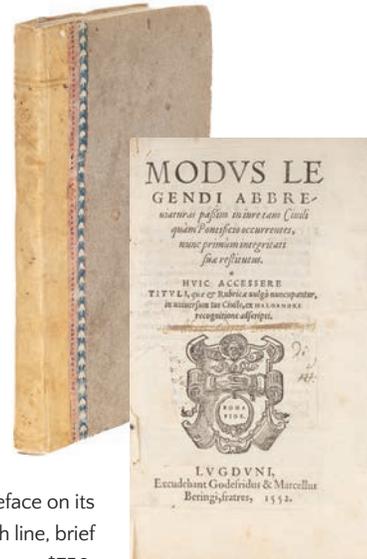
A POPULAR EARLY GUIDE TO LEGAL ABBREVIATIONS

115. [VON SCHUSSENRIED, WERNER].
HALOANDER, GREGOR [1501-1531], EDITOR.

Modus Legendi Abbreviaturas Passim in Jure Tam Civili Quam Pontificio Occurrentes, Nunc Primum Integritati Suae Restitutus. Huic Accessere Tituli, Quae & Rubricae Vulgo Nuncupantur, In Universum Jus Civile, Ex Haloandri Recognitione Adscripti.

Lyon: Excudebant Godefridus & Marcellus Beringi, Fratres, 1552. 120 pp. Octavo (6-1/4" x 3-1/2").

Contemporary or near-contemporary quarter vellum over plain boards, strips of patterned paper laid down over vellum edges, gold ink decoration to spine. Light rubbing and soiling, boards bowing slightly. Light toning to interior, light soiling in a few places, portions of title page excised (likely to remove prior ownership signatures) with no apparent loss to text of title page but possible loss to text of preface on its verso, which has a piece of plain paper pasted to it obscuring all text after the fourth line, brief early annotations to margins of pp. 8 and 14. An appealing copy. \$750.



LATER EDITION. Not a dictionary in the traditional sense, this guide to common abbreviations in Roman and canon law texts was a highly popular reference work. It appeared both separately and appended to dictionaries and legal texts. The work was published anonymously but has subsequently been attributed to canonist Werner von Schussenried, who embedded his name in an acrostic appearing in earlier versions of the work but lost in subsequent revisions. OCLC locates 2 copies of our 1552 imprint in North America (Library of Congress, Harvard Law School). ☞ USTC 151164.

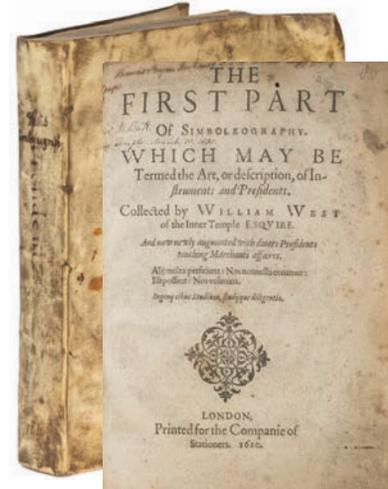
ONE OF THE EARLIEST ENGLISH BOOKS ON CONVEYANCING

116. WEST, WILLIAM [1568-1594].

The First Part of Simboleography. Which May be Termed the Art, Or Description, Of Instruments and Presidents. And Now Newly Augmented with Divers Presidents Touching Marchants Affaires.

London: Printed [by Adam Islip] for the Companie of Stationers, 1604. [648] pp. Quarto (8-1/2" x 6-1/2").

Contemporary flexible vellum with lapped edges, early and later hand-lettered titles to spine, holes for thong ties to fore-edges, endpapers renewed. Moderate soiling and staining, three small holes to front cover, vellum just beginning to crack through pastedowns, hinges partially cracked. Moderate toning to interior, light soiling to endleaves, heavier soiling and illegible faint early inscription to title page, small chip to its top-edge. \$450.



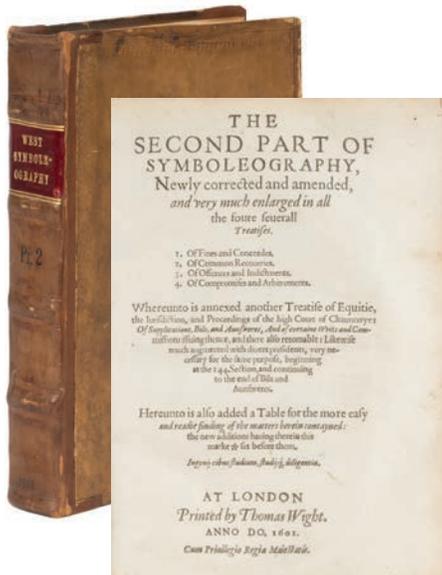
LATER EDITION of the first part of one of the earliest English texts to address conveyancing. First published in 1590, a second book appeared in 1593. (Each is a complete, bibliographically distinct work.) Marvin notes that "West's *Simboleographie* has always been esteemed a book of authority...and contains not only precedents in conveyancing, but of indictments, and of proceedings in chancery." ☞ Marvin 726. ESTC S119714.

THE COMPANION VOLUME

117. WEST, WILLIAM [1568-1594].

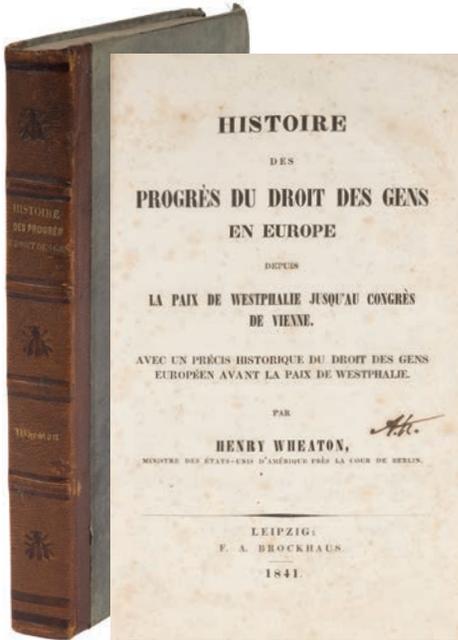
The Second Part of Simboleography, Newly Corrected and Amended, And Very Much Enlarged in All the Foure Seuerall Treatises. 1. Of Fines and Concordes. 2. Of Common Recoveries. 3. Of Offences and Indictments. 4. Of Compromises and Arbitrements. Whereunto is Annexed Another Treatise of Equitie, The Iurisdiction, And Proceedings of the High Court of Chauncery: Of Supplications, Bils, And Aunsweres, And of Certaine Writs and Commissions Issuing Thence, And There also Returnable: Likewise Much Augmented with Divers Presidents, Very Necessary for the Same Purpose, Beginning at the 144. Section, And Continuing to the End of Bils and Aunsweres. Hereunto is Also Added a Table for the More Easy and Readie Finding of the Matters Herein Contayned: The New Additions Having Therein this Marke * Set Before Them.

London: Printed by Thomas Wight, 1601. [ii], 304, [6] ff. Lacking final blank leaf. Quarto (8" x 6").



Contemporary calf with later rebacking, blind rules and fillets to boards, raised bands, lettering piece, and blind-stamped publication date and "Pt.2" to spine, endpapers renewed. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, hinges cracked. Moderate toning to interior, faint dampstaining to margins in a few places, light soiling and brief early annotations to a few leaves. \$450.

LATER EDITION of the continuation volume of one of the earliest English texts to address conveyancing, which was first published in 1593. (The first book was published in 1590; each volume is a complete, bibliographically distinct work.) Marvin notes that "West's *Simboleographie* has always been esteemed a book of authority...and contains not only precedents in conveyancing, but of indictments, and of proceedings in chancery." ☞ Marvin 726. ESTC S119713.

FIRST EDITION OF WHEATON'S *HISTORY OF THE LAW OF NATIONS*

118. WHEATON, HENRY [1785–1848].

Histoire des Progrès du Droit des Gens en Europe Depuis la Paix de Westphalie Jusqu'au Congrès de Vienne. Avec un Précis Historique du Droit des Gens Européen Avant la Paix de Westphalie.

Leipzig: F.A. Brockhaus, 1841. x, 462 pp. Octavo (8" x 5").

Contemporary quarter morocco over cloth, raised bands, gilt title and blind ornaments to spine. Some rubbing and faint water stains to boards, moderate rubbing to extremities, rear joint just starting at head, corners bumped. Moderate toning to interior, faint dampspotting in a few places, early owner initials to title page.

\$450.

FIRST EDITION. Wheaton published this landmark treatise when he was the American envoy in Berlin. The first English-language edition, *History of the Law of Nations in Europe and America*, was published in New York in 1845. ☞ Cohen 7209.

INCLUDES "A REMARKABLE CASE OF BASTARDY" WITH A BLACK DEFENDANT

119. WHISTELO, ALEXANDER, DEFENDANT.

The Commissioners of the Alms-House, vs. Alexander Whistelo, A Black Man; Being a Remarkable Case of Bastardy, Tried and Adjudged by the Mayor, Recorder, And Several Aldermen, Of the City of New-York, Under the Act Passed 6th March, 1801, For the Relief of Cities and Towns from the Maintenance of Bastard Children.

New York: Published by David Longworth, 1808. 56 pp.

[BOUND WITH]

Walker's Hibernian Magazine: Or, Compendium of Entertaining Knowledge. For February, 1800.

[Dublin: Printed by Richard Gibson, 1801?]. 65–128 pp. Complete, pp. 113–128 bound before pp. 65–112. With two copperplate illustrations.

[AND]

Walker's Hibernian Magazine: Or, Compendium of Entertaining Knowledge. For June, 1802.

[Dublin: Printed by Richard Gibson, 1803?]. 321–384 pp. With two copperplate illustrations, one of which is bound at the beginning of the volume.

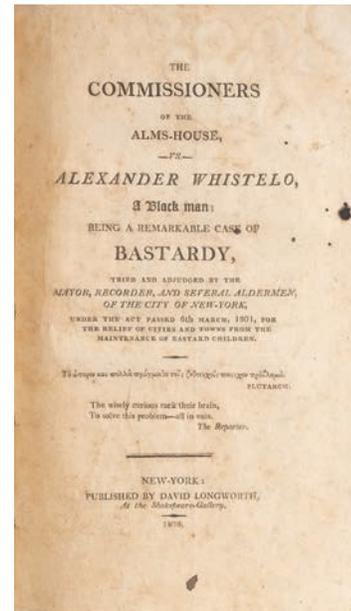
[AND]

IMPARTIAL.

[BENSON, EGBERT (1746–1833)].

Cases and Queries Submitted to Every Citizen of the United States, And Especially the Members of the Administration and of Both Houses of Congress, As Deserving to be Impartially Considered by Them.

New York: Published by E. Sargeant, 1809. 24 pp.



Octavo (8-1/4" x 4-3/4"). Contemporary or near-contemporary three-quarter sheep over marbled boards, gilt fillets and lettering piece to spine. Rubbing and light wear to boards and extremities, some tears to paper of boards, fading to spine, which has a chip at head, corners bumped and somewhat worn, hinges cracked (before first and after final leaves), ownership signatures (of P.F. McMillan, dated 1896, and J. Fensley) to front free endpaper, small later book label (of Mrs. H.W. Patton) to rear pastedown. Moderate toning to interior, light foxing and faint dampstaining in a few places, small scorch marks to final leaf of Whistelo trial with minor loss to text. An interesting collection. \$1,500.



Toussaint Louverture engraving detail

THIS COLLECTION OF TITLES includes an account of the trial of Alexander Whistelo, a Black New Yorker working as a coachman for a local doctor, for bastardy (failure to support a biological child). Whistelo had a relationship with a mixed-race woman, Lucy Williams. When she had a child, Whistelo supported her, but as the child grew older and presented with "every appearance of its being the offspring of a white person," he no longer believed that he was the father and relinquished financial responsibility. Lucy was forced to place her child in the care of the New York City almshouse and its commissioners sued Whistelo for costs. The trial is notable for its remarkable examination of racial phenotypes through the lens of early race science. Whistelo was ultimately acquitted.

Also included are two issues of the *Hibernian Magazine*, a notable Irish literary and society publication. One includes a short article on Haitian general and revolutionary leader Toussaint Louverture. The portrayal is highly unflattering, characterizing Louverture as an insincere and hypocritical opportunist. The final title, written by New York's first attorney general and later chief justice of the New York Supreme Court, concerns legal aspects of the capture of American ships by the British and French. ☞ Whistelo: Cohen 11421; Benson: Cohen 7449.

"A BROW-BEATER BADGER'D"

120. [WILLIAMS, CHARLES (D.1830)].

Counsellor Nodee, Or, A Brow-Beater Badger'd.

[London]: [Thomas Tegg], No. 111 Cheapside, [c.1812].

9-1/2" x 13" hand-colored etching backed onto 10" x 13" sheet. Light soiling to margins of sheet, margins of etching trimmed to edges of image, colors vivid. \$750.

"A SCENE IN COURT, with the Chief Justice (Ellenborough) seated between two other judges. In front and below are three counsel and two clients. A barrister stands to examine a witness, a stout man, well dressed but countrified



(right): "Well Sir, you are a witness in this Cause, eh? You look like a very knowing fellow to be sure! pray now do you know the difference between the Mortgager and the Mortgagee?" The man answers: "To be sure I do, for example now! I nod at you, then I am the Noder and you are the Nodee." All except the questioner smile; a distressed usher (right) exclaims "Silence there!": *BM Satires*. ☞ *BM Satires* 11980.

VOLUME WITH A COPY OF
WILSON AND MCKEAN'S RARE
COMMENTARY ON THE
U.S. CONSTITUTION

121. WILSON, JAMES [1742-1798].
MCKEAN, THOMAS [1734-1817].

Commentaries on the Constitution of the United States of America, With that Constitution Prefixed, In Which are Unfolded, The Principles of Free Government, And the Superior Advantages of Republicanism, Demonstrated. The Whole Extracted from Debates, Published in Philadelphia by T. Lloyd.

London: Printed for J. Debrett, Opposite Burlington House, Piccadilly, 1792. 19, [1], 20-23, 25-147, [3] pp.

[BOUND WITH]

CHRISTIE, THOMAS [1761-1796].

Letters on the Revolution of France, And on the New Constitution Established by the National Assembly: Occasioned by the Publications of the Right Hon. Edmund Burke, M.P. And Alexander de Calonne, Late Minister of State. Illustrated with a Chart of the New Constitution. To Which is Added, An Appendix, Containing Original Papers and Authentic Documents Relative to the Affairs of France. Addressed to Sir John Sinclair, Bart. M.P. Vol. II. Part I. Containing the French Constitution.

London: Printed for J. Johnson, 1791. 76 pp.

[AND]

NYON, M. (NYON LE JEUNE).

The Catechism of the French Constitution. Containing an Explanation of All Its Principles, In the Most Easy and Familiar Manner: With the Rights of Men and Citizens, The Fundamental Articles of the Constitution, &c. &c. Translated from the French.

London: Printed for J.S. Jordan, 1791. [viii], 49 pp.

[AND]

[POLAND].

New Constitution of the Government of Poland, Established by the Revolution, The Third of May, 1791.

London: Printed for J. Debrett, Opposite Burlington House, Piccadilly, 1792. Two parts. [ii], 40, 8; [iii], 68 pp. First part includes 8 pp. publisher catalogue.

Octavo (8" x 5"). Contemporary three-quarter calf over marbled boards, rebacked retaining existing backstrip with gilt fillets and lettering piece, reading "New Civil Constitutions," hinges mended. Moderate rubbing to boards and backstrip, corners bumped and somewhat worn, later library stamp and owner bookplate (of Cyrus R. Yandes) to front pastedown. Light toning to interior, light foxing to sections of *Commentaries*, contemporary and nineteenth-century annotations, mostly to endleaves and *Commentaries*, which has library markings to the recto and verso of its title page. \$7,500.

FIRST EDITIONS. Compiled around 1795 by, we assume, an English reader, this volume contains the texts of three recent constitutions with contemporary commentary. Wilson and McKean were signers of the Declaration of Independence and members of Pennsylvania's ratification convention for the U.S. Constitution. Wilson, a framer and signer, was a leader of the pro-ratification members. McKean was a leader of the opposition and one of the lead authors of the convention's minority report, which laid out several concerns about the Constitution that were later addressed by the Bill of Rights.

As indicated in the title page, this book is drawn from Thomas Lloyd's *Debates of the Convention, of the State of Pennsylvania, on the Constitution Proposed for the Government of the United States, 1788*, a report recorded in shorthand. With the exception of the preliminaries and pp. 20-23, *Commentaries* is a reprint of the *Debates*. Issued twice in 1793, it was issued again the following year. The 1792 *Commentaries* is quite rare on the market. There are records of four copies sold at auction since 1939, the last one in 2018 at Sotheby's for \$7,250.

The next title is a copy of the 1791 French constitution extracted from Christie's two-volume *Letters on the Revolution of France*. It was reissued twice in Dublin in 1791. The *Catechism* is a contemporary commentary on that document. Little is known about its author, Nyon or Nyon Le Jeune. A second edition was issued in 1792. The final work in this volume is the text of Poland's 1791 constitution, an Enlightened document that established a constitutional monarchy and expanded civil and political rights. A second edition was issued the same year as the first, 1792.

Three people annotated this volume. One, who appears to be contemporary, possibly the person who compiled it, marked and underlined several passages in *Commentaries* and the Polish constitution and a few passages in the French Constitution in pencil; "NB" is jotted in several places. There are other contemporary annotations in ink by a different hand, to a few passages of the French Constitution, which were affected by trimming. Most of the annotations are in a nineteenth-century hand. These appear on the endleaves and in several passages of the *Commentaries*. One cites Elliot's *Debates*, which was first published in 1827-1830. ☞ ESTCT138356, T71365, N26931, T120590 (omitting Part II).

CONCORDANCES BETWEEN ROMAN AND CANON LAW

122. XIMENEZ, SEBASTIAN [FL. 1530-1553]. LÓPEZ, GREGORIO [16TH C.] (AND OTHERS), GLOSSES.

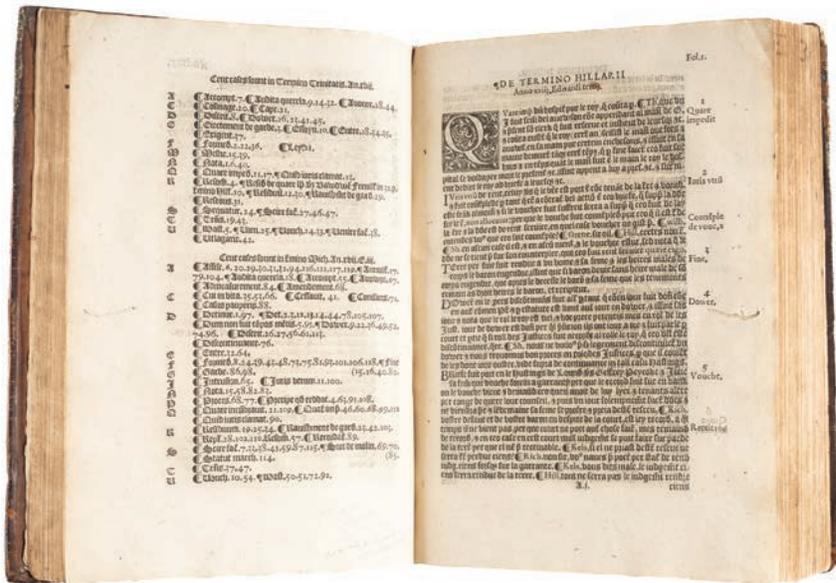
Concordantiae Utriusque Iuris, Civilis, Et Canonici, Cum Legibus Partitarum, Glossematibusque Gregorii Lopez, & Plurimorum Doctorum, Tam Exterorum, Quam Nostratu[m], Cuiuscunqu[e] Facultatis. Explicationes, & Intellectus, & Plures Notabiles Inductiones, & Declarationes Circa Casus qui Nostro Tempore Contingere, Suis Congruis Locis Adiunctae: Non Solum ad Leges, & [two paragraph symbols] Iuris Civilis, Canones, Et Decreta Iuris Canonici, Sed Etiam ad Utriusq[ue] Glossas, & Margines Emendationes. In Super Accesserunt Plura Loca Veteris, Et Novi Testamenti, & Concordantiae Totius Concilii Tridentini. Necnon Plures Leges Novae Recopilationis. Ex Quibus Omnibus Patebit, Quid in Utroque Iure sit Hodiè in Usu, Quid Diminutum, Quid Correctum, Quid Deniquè Contrario, Particulariquè Usu Sublatum. Quae Omnia Multò Emendatiora, Ac per Eundem Authorem Visa, & Recognita Fuerunt, & Ab Innumeris Propè Mendis Errore Impressorum, Quibus Prima Aeditio Scatebat haec Secunda Purgata, & Illuminata Est.



Madrid: Typis Ionnis à Cuesta Typographi, 1611. [xvii], 724; 243 pp. Two parts in one volume, each with title page and individual pagination. Main text in parallel columns. Folio (12" x 11-1/4").

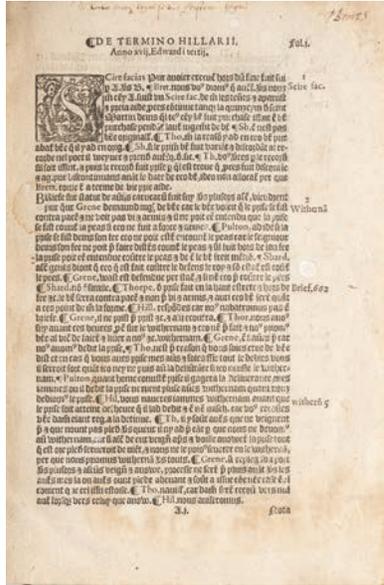
Contemporary vellum, later hand-lettered title to spine, fragments of thong ties. Light soiling, spine slightly darkened, a few minor stains, early repair to front hinge, upper outside corner lacking from front free endpaper, early owner inscription to its verso, vellum just beginning to crack through rear pastedown. Moderate toning to interior, faint dampstaining to fore-edges of final quarter of text block, light spotting and edgewear to endleaves, light soiling and faint spotting to title page of Part I. \$1,750.

SECOND AND FINAL EDITION of a work first published in 1597. Ximenez lists concordances between the *Corpus Iuris Civilis* in the first book and the *Corpus Iuris Canonici* in the second. Both are subjected to a title-by-title analysis with additional references to primary texts in Spanish and civil law, such as *Las Siete Partidas*. There is also original commentary by Ximenez. A companion volume, designated *Pars Secunda*, was published in 1619. Both editions and the companion volume are scarce. OCLC locates 2 copies of the second edition in North America (Columbia Law School, UC-Berkeley Law School). ☞ Palau 377074.



Detail from N° 123 (See next page)

AN IMPRESSIVE COLLECTION OF EIGHT YEAR BOOKS OF EDWARD III

123. [YEAR BOOKS].
EDWARD III [1312-1377].

De Termino Hillarii Anno. XVIIJ. Edwardi Tertij.

[London: Richard Tottell, 1584?]. lxxx ff.

[BOUND WITH]

De Termino Hillarii Anno XVIIJ. Edwardi Tertij.

[London: Richard Tottell, 1584?]. lix, [1] ff.

[AND]

De Termino Hillarii Anno Regni Regis Edwardi Tertij. XXJ.

[London: In Fleetestreat Within Temple Barre. At the Signe of the Hand and Starre by Richard Tottyll, 1584]. i-vii, viii-xlii [i.e. lxii] ff. Pagination irregular, text complete.

[AND]

De Termino Hillarii Anno Regni Regis Edwardi Tertij, Post Conquestum XXIJ.

[London: In Fleetestrete Within Temple Barre at the Signe of the Hande and Starre, By Richard Tottyl, 1585]. lxxxii, xxxix-c ff.

[AND]

De Termino Hillarii Anno Regni Regis Edwardi Tertij XXIX.

[London: In Fleetestrete Within Temple Barre at the Signe of the Hande and Starre, by Richard Tottyl, 1585]. xlix, [1] ff.

[AND]

De Termino Hillarii Anno Regis Edwardi Tertij Post Conquestum XXX.

[London: In Fleetestrete Within Temple Barre. At the Signe of the Hande and Starre, by Richard Tottell, 1585]. xxxii ff.

[AND]

De Termino Hillarii Anno Regni Regis Edwardi Tertii. XXXVIII.

[London: In Fleetestrete within Temple Barre at the Signe of the Hande and Starre, by Richard Tottell, 1585]. xxxvii, [1] ff.

[AND]

De Termino Hillarii Anno Regis Edwardi Tertij Post Conquestum XXXIX.

[London: In Fletestrete Within Temple Barre at the Signe of the Hand and Stare by Richard Tottill, 1585]. xxxviii ff.



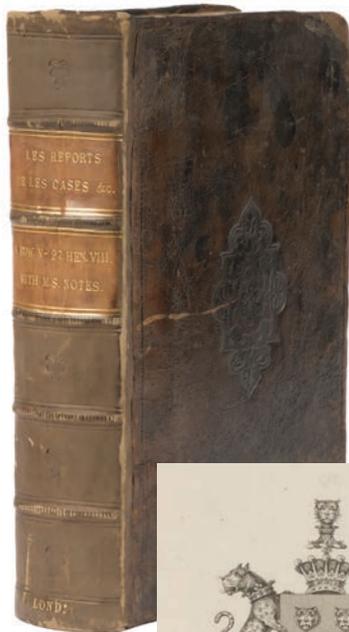
Front board detail

Folio (11" x 7-1/4"). Contemporary calf, blind rules and large blind-stamped centerpiece to boards, raised bands and blind fillets to spine, early ink shelf mark to outer edge of text block, blind rules to inner board edges, no pastedowns. Light rubbing, faint dampstaining and a few small scuffs, nicks and scratches to boards, moderate rubbing to extremities, a few nicks and small chip to raised bands, spine ends chipped, front joint starting at foot, corners bumped and worn, hinges cracked, faint offsetting and light edgewear to endleaves, recent annotation in pencil to front free endpaper, which has a small hole near its upper right corner. Moderate toning to interior, light soiling and foxing and faint dampstaining in a few places, minor worming to right margin of last 4 leaves in first title and most leaves in second title, occasional recent notes (mainly *STC* and Beale numbers) in pencil (and red ink on f. xlvi of fourth title), brief early annotations in ink in a few places, early ownership signature ("P. Bones") to head of first leaf. An appealing volume in a contemporary binding. \$3,500.

IT IS DIFFICULT TO OVERESTIMATE the importance of the Year Books. As a series of notes on debates and points of pleadings in Norman England they are of crucial primary sources for our knowledge of medieval common law. They also provide a richly detailed portrait of contemporary English life, customs and manners. The origin of the Year Books is unknown. Some scholars believe the earliest volumes were notes transcribed by law students for study and for the use of lawyers in later cases while others maintain they were made by lawyers. Though it is not known when the first manuscript volumes were compiled, the cases date from the 1270s to 1535. Printed editions of the Year Books were first issued by William de Machlinia between 1481 and 1482.

The present titles belong to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. ☞ *ESTC* S112018, S101266, S101298, S118046, S101236, S101237, S116860, S101282. Beale R6, R9, R13, R16, R20, R23, R26, R29.

AN IMPRESSIVE COLLECTION OF EIGHT YEAR BOOKS FROM THE LIBRARY OF THE EARLS OF MACCLESFIELD



124. [YEAR BOOKS].
EDWARD V [1470-1483].

De Termino Trinitatis Anno I. Regni Regis Edwardi Quinti.

[London: Richard Tottell, 1579]. viii ff.

[BOUND WITH]

RICHARD III [1452-1485].

De Termino Michaelis Anno Primo Richardi Tertii.

[London: Richard Tottell, 1581]. iiiii ff.

[AND]

De Termino Michaelis Anno Secundo Richardi Tertii.

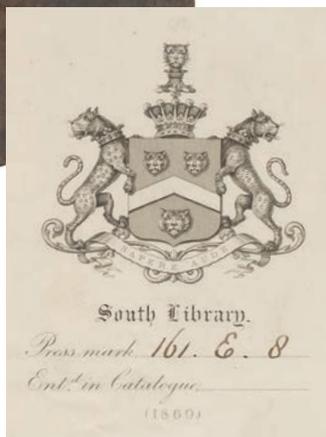
[London: Richard Tottell, 1581]. xxii ff.

[AND]

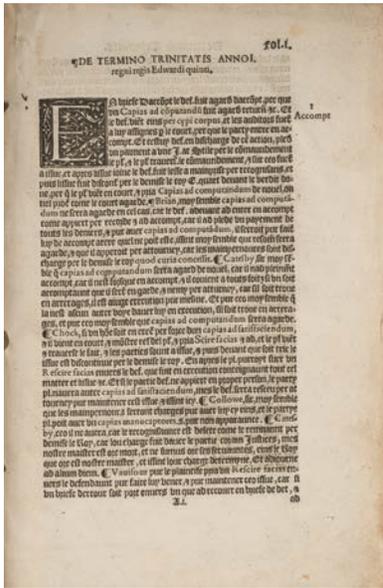
HENRY VII [1457-1509].

In Hoc Volumine Continentur Omnes Anni Regis Henrici Septimi, Ab Anno Primo, Usque ad Annum Vicesimum Secundum Eiusdem Regis, Qui Antea Impressi Fuerunt. Ore Novelment Imprimee et Corrigees, Ouesque Plusors Bones Notes, Letters, Et Figures en le Margent per Tout le Lieur, Queux Notes Referr' les Cases al Abridgement del Brooke, Et Auters Lieurs del Ans, Et les Letters & Figures Monstront Toutes les Pointes del Arguments & Cases.

London: In Aedibus Richardi Tottelli, 1580. 18 parts paginated individually; collates complete. Upper corner of Gg1 lacking without loss to text.



Bookplate detail



[AND]

HENRY VIII [1491-1547].

De Termino Trinitatis Anno Regni Regis Henrici Octavi. XII.

[London: Richard Tottell, 1579]. xvi, xxxi, [1] ff.

[AND]

De Termino Michaelis Anno Regni Regis Henrici Octavi XVIII.

[London: Richard Tottell, 1579]. xiii ff.

[AND]

De Termino Paschae Anno XXVI. Regni Regis Henrici Octavi.

[London: Richard Tottell, 1579]. x ff.

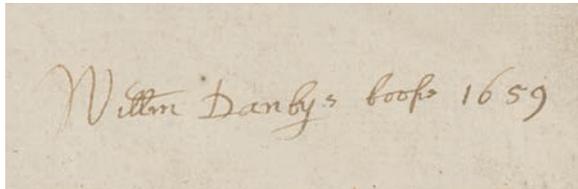
[AND]

De Termino Paschae Anno XXVIII. Regni Regis Henrici Octavi.

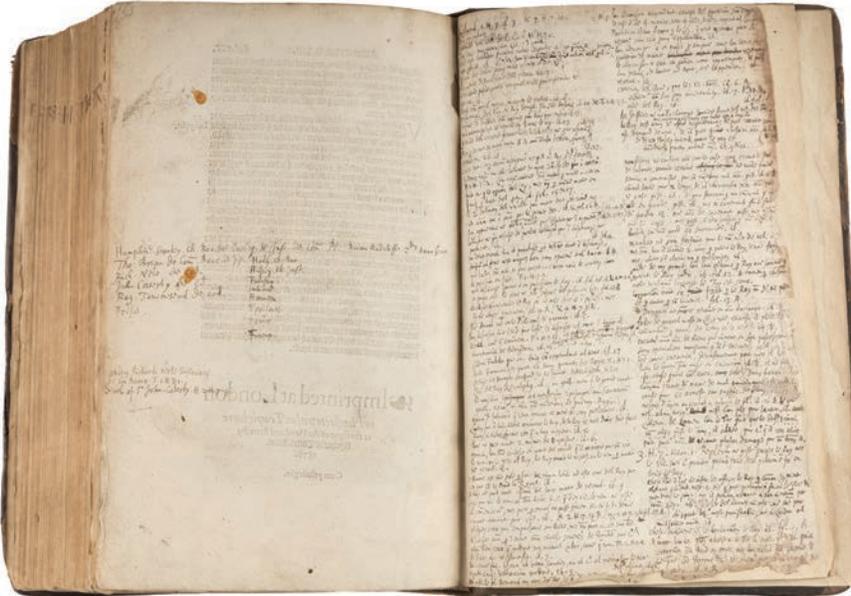
[London: Richard Tottell, 1579]. xxx ff.

Folio (11-1/4" x 7-1/2"). Contemporary calf, blind rules and large blind-stamped centerpiece to boards, rebaked and recorned in period-style calf, raised bands, blind fillets and lettering pieces to spine, blind-stamped decoration to compartments, endpapers renewed, later library bookplate of the Earls of Macclesfield and small later binder's ticket to front pastedown. Light rubbing, scuffing and gatering to boards, moderate rubbing to extremities, corners bumped, early shelf mark to fore-edge of text block, early ownership signatures ("Rich: Wynne" and "[William?] Danby") and brief annotations to front free endpaper, extensive early notes to rear free endpaper, which is lightly edgeworn with minor loss to annotations. Moderate toning to interior, light foxing and soiling in a few places, occasional early underlining and brief notes, mostly case citations, in different hands.

\$3,500.



Early ownership signatures details



PRINTED EDITIONS of the Year Books were first issued by William de Machlinia between 1481 and 1482. The present titles belong to the so-called "Quarto Edition." Not a set or edition in the conventional sense, these volumes were issued separately with various dates and impressions between 1522 and 1619. Our volume comes from the library of the Earls of Macclesfield. Housed in Shirbirn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain. The extensive early notes to the rear free endpaper are written in Law French and appear to concern the outcomes of cited cases. All titles in our volume appear to be scarce, with OCLC and the ESTC combined generally locating fewer than 6 copies of each in North America. ESTC S110918, S101251, S101252, S92232, S121414, S121419, S108497, S124893. Beale R381, R389, R398, R413, R426, R434, R444, R451.

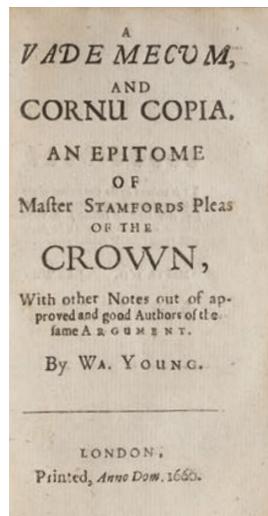
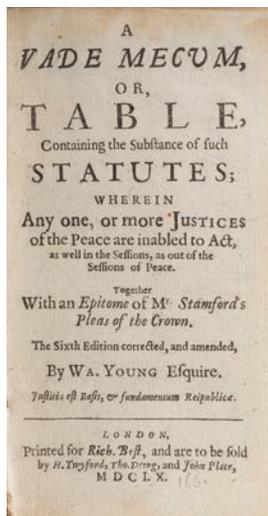
**SCARCE JP MANUAL THAT INCLUDES
A DIGEST OF STAUNFORD'S PLEAS OF THE CROWN**

125. YONGE, WALTER [1581?-1649].
[STAUNFORD, SIR WILLIAM (1509-1558)].

A Vade Mecum, Or, Table, Containing the Substance of Such Statutes; Wherein Any One, Or More Justices of the Peace are Inabled to Act, As Well in the Sessions, As Out of the Sessions of Peace. Together with an Epitome of Mr. Stamford's Pleas of the Crown. Corrected, And Amended.

London: Printed for Rich. Best, 1660 [i.e. 1661]. [xxiv], 186, [2] pp. First leaf blank. Two parts with continuous pagination. Second part preceded by title page reading (in part) *A Vade Mecum, And Cornu Copia. An Epitome of Master Stamfords Pleas of the Crown*. 12mo. (5-1/2" x 3").

Contemporary sheep, blind rules to boards, blind fillets to spine, blind tooling to board edges, brass catches to fore-edge of rear board, straps lacking. Light rubbing and a few small stains to boards, chipping to spine ends with large chip to foot of spine, corners bumped and somewhat worn, no pastedowns, binding secured by cords, one of which is broken on rear hinge, armorial bookplate (of Hugh Cecil Lowther) tipped horizontally across inside of front board and first blank leaf, early ownership signature to first blank leaf obscured by bookplate, early initials "R.C." to rear endleaf, recent bookplate (of William Allen Potter) opposite title page. Light toning to interior, text clean. \$850.



SIXTH (STATED) EDITION. As suggested by its title, this is a manual for justices of the peace. The first part is arranged in tabular form. Each entry lists an offense, conditions for an action, the number of justices required to hear the case, the appropriate punishment and references to authorities. The second part is a condensed version of Staunford's *Pleas del Coron* (1st. ed. 1557), a standard treatise on criminal law in the fifteenth and sixteenth centuries. Published as the sixth edition, it is actually the third. The first, second and fourth were published in 1643, 1650 and 1663. Sweet & Maxwell list a 1620 edition titled *Justices, Their Vade Mecum and Cornucopia*, but it appears to be a ghost. All editions are scarce. OCLC locates 6 copies of the 1661 edition, 3 in law libraries (Harvard, SUNY-Buffalo, Yale). Another copy located at Columbia Law School. ESTC R204144.

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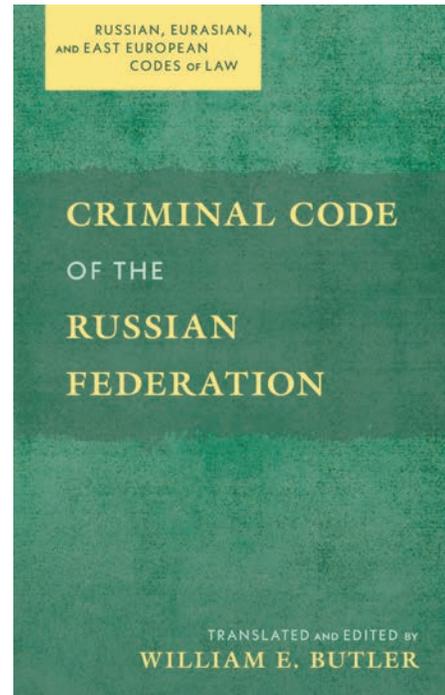
Criminal Code of the Russian Federation

Translated and Edited by
WILLIAM E. BUTLER

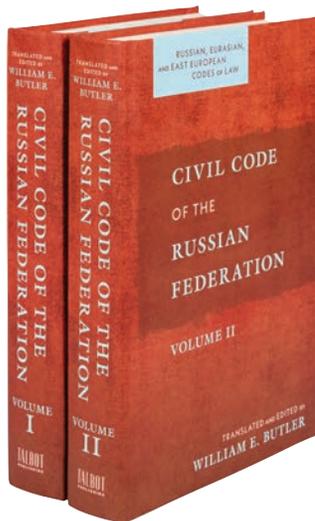
liv. 409 pp.
ISBN 978-1-61619-664-6
Hardcover 2022
\$185.

THE CRIMINAL CODE of the Russian Federation records the fundamental transformation in Russian criminal law in the post-Soviet era and reflects the accumulated experience of three decades of criminal policy. Since its inception in 1996, the Code has expanded in size substantially. The current version contains the responses of the Russian Federation to its new perception of its place in the international community.

William E. Butler is the John Edward Fowler Distinguished Professor of Law, Dickinson Law, Pennsylvania State University; Emeritus Professor of Comparative Law in the University of London (University College London); Academician, National Academy of Sciences of Ukraine, National Academy of Legal Sciences of Ukraine, and Russian Academy of Natural Sciences; Associate, International Academy of Comparative Law; member, international courts of commercial arbitration of Kazakhstan, Russian Federation, and Ukraine. He has published widely on Russian law, including the standard work *Russian Law and Legal Institutions* (3d ed.; 2021).



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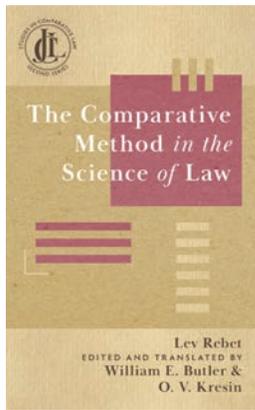


Civil Code of the Russian Federation

Translated and Edited by
WILLIAM E. BUTLER

2 volumes
cxviii, 462; 463-1020 pp.
ISBN 978-1-61619-652-3
Hardcover 2021
\$250.

THE CIVIL CODE of the Russian Federation has since its inception been called the “economic constitution” of the transition to a market-oriented economy. Frequently amended and increasingly sophisticated, it is without rival as the key document for the legal practitioner or foreign investor concerned with Russian law. This version of the Code is as amended to 1 February 2021.



The Comparative Method in the Science of Law

LEV REBET

Edited and Translated by
WILLIAM E. BUTLER
& **O. V. KRESIN**

xxiv, 203 pp.
ISBN 978-1-61619-665-3
Hardcover 2022
\$150.

THIS STUDY, previously unknown to the world of comparative law, may be considered to be the first monograph in the world devoted to the methodology of comparative jurisprudence. Submitted in 1947 and defended as a dissertation in 1948 at the Ukrainian Free University in the Ukrainian language, the author considered comparative law to be a method. In turn, he defined “method,” following other scholars, as the targeted use of a complex of means of effectuating scientific research on the basis of previously determined rules which also provide the formulation of the concepts and forming of a systemic notion about the subject-matter of the research. Especially rich in its treatment of interwar German materials, this volume is a historical landmark in the history of comparative law.

Lev Rebet (1912–1957) was a professor at the Ukrainian Free University in Munich.

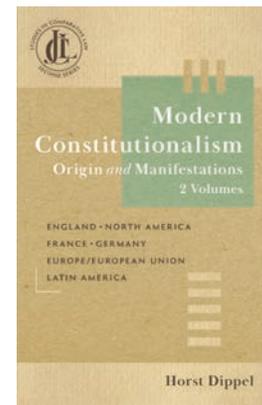
William E. Butler is Academician at the National Academy of Sciences of Ukraine and the National Academy of Legal Sciences of Ukraine; John Edward Fowler Distinguished Professor of Law, Penn State Dickinson Law; Emeritus Professor of Comparative Law, University of London.

Oleksiy Kresin, професор, доктор юридичних наук, is a Research Fellow, Center of Comparative, European, and International Law, University of Lausanne; Secretary-General, Ukrainian Association of Comparative Jurisprudence; Associate, International Academy of Comparative Law; President, National Committee, International Association of Legal Sciences.

Modern Constitutionalism Origin and Manifestations

2 volumes
xxii, 546; x, 547–1177 pp.
ISBN 978-1-61619-676-9
Hardcover 2022
\$295.

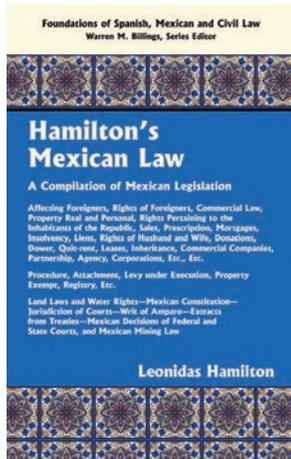
HORST DIPPEL



DIPPEL ASSESSES the Virginia Declaration of Rights of 12 June 1776 and shows how its ten principles made it the founding document of modern constitutionalism, which subsequently spread across the United States and, beginning with the French Revolution, Europe and Latin America. He shows how these principles were always confronted, in varying degrees, by resistance and opposition and always enriched, modified, or diluted by local or regional variations. With multiple examples from the 17th through the 21st centuries, Dippel shows both what a global and individual national history of modern constitutionalism might look like and how it would help us to better understand the present constitutional situation of individual American and European states, as well as the world we live in.

Horst Dippel is professor emeritus of British and American Studies at the University of Kassel, Germany. He published widely on the constitutional history of the United States and Western European countries and was the editor-in-chief of the 33-volume series *Constitutions of the World from the Late 18th Century to the Middle of the 19th Century* (2005–2014), to which he contributed the 8-volume *Constitutional Documents of the United States of America 1776–1860* (2006–2011).

FOUNDATIONS OF SPANISH, MEXICAN AND CIVIL LAW
WARREN M. BILLINGS, *Series Editor*



Hamilton's Mexican Law
A Compilation of Mexican Legislation...

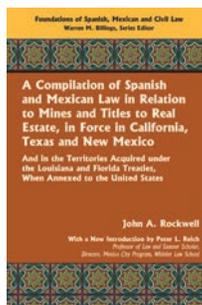
LEONIDAS HAMILTON

xiii, 327, XII pp.
ISBN 978-1-58477-996-4
Hardcover 2022
\$59.95

A MAN OF MANY TALENTS, Hamilton [1850–1906] was a lawyer, writer, businessman and minister. He spent most of his career as an attorney in California, first in Merced, later in San Francisco. Active in Democratic state politics, he was a leading supporter of California's 1879 constitution and an unsuccessful candidate for the state senate. He is remembered today for his poem *Ishtar and Izdubar*, a retelling of the *Epic of Gilgamesh*, and his numerous guidebooks to Mexico

for American businessmen. *Hamilton's Mexican Law* was the most important of these. Published in San Francisco and London in 1882, it was a standard work into the early 1900s.

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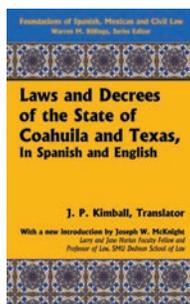
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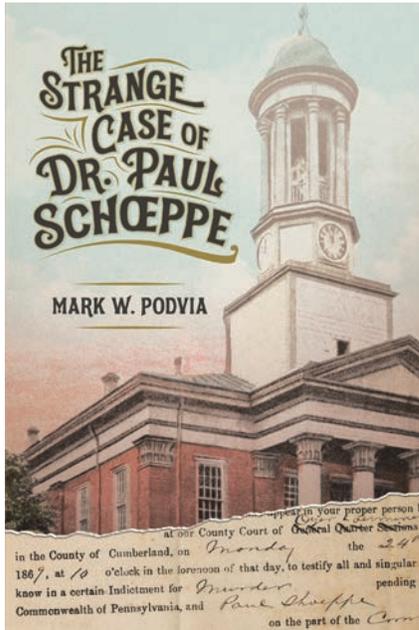
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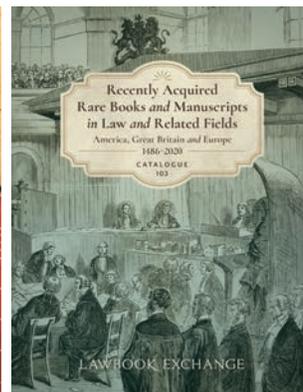
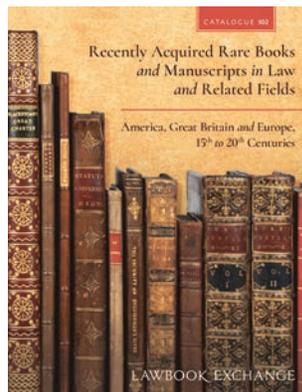
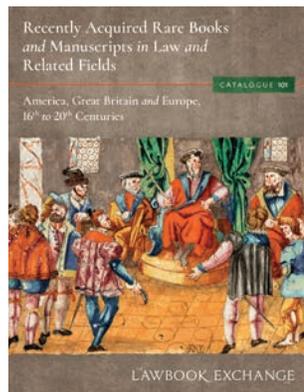
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Mark W. Podvia is a member of the emeritus faculty of the Dickinson School of Law of the Pennsylvania State University. Following his retirement from Penn State, he served as University Librarian and Law Library Co-Director at the West Virginia University College of Law, where he retired in 2021. He is a graduate of Grove City College, the Pennsylvania State University, Clarion University, and the Dickinson School of Law.

Mark has published over 75 articles and reviews in various law reviews and journals. He is co-author of *A Citizen's Guide to a Modern Constitutional Convention*.



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boyt seruer sur cest acte de 1. Edw. 6. Et puis Consultation fuit graunt, et auter Consultation fuit graunt en mesme cest terme en auter Prohibition pursue sur mesme le matter inter Greene & Buffkin. Et Laurence Tanfielde et auters fueront accoun- cell oue le plaintife; Et Lattourney generall et auters oue le Defendant.

The Question was

Pa-

Whether Land that is given to the King by the 1st Edward 6th shall be discharged of Tythes inder the clause in the Stat. of 31. H. 8. 8. 8. 1st discharges those Lands that were then discharged into wth hands soever they come

Adj. Negatively

Cholenelyes Case

J. H. being seized in fee with His wife & Xth for their son lewy affine to the use of J. H. for life Rem^r. to Xth for in T. M. Rem^r. to the Rth heirs of J. H.

2^o Xth for Enfeoffes H. C. fa^r of the plt. in fee to suffer a recovery wth was accordingly Done

6th Xth for suffered another recovery & dies withth Issue male

1st G. Bargains & Sells by Deed & do J. H. for the Term of the life of Xth for Rem^r. to the 2^o upon Condⁿ. to be void upon Tender

3^o G. making a tender 4th The Queen Grants the Rem^r. to Xth for in fee

5th G. makes the like feoffm^t: upon like Condⁿ. & makes a Tender

Of the facts in order of Time as they are Humbred



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