
CATALOGUE 106

Celebrating Forty Years,
1983-2023

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To all our customers, past, present and future,

The occasion of our fortieth anniversary inspired us to assemble this collection of forty books, artworks, manuscripts and ephemera. Some of these are the most impressive items in our inventory. Others are personal favorites. Viewed as a whole, we believe this catalogue offers a good overview of our current inventory. We hope you enjoy it and find something you like. We have appreciated your patronage over the last forty years and are proud to have played a role in the development of your library. We will continue to do our best to serve you for another forty years!

From all of us at The Lawbook Exchange, Ltd.

Greg Talbot
Michael von der Linn
Madeleine Johnson
Peter Lo Ricco
Maggie Donovan
Eric Taylor
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Seelan Archary
Roman Gerus

1 ANDREA, GIOVANNI D' [c.1270–1348]

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

NO COPIES LOCATED IN NORTH AMERICA

[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, his 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 relations. It was a work of vital importance in such cases as estates, marriage and incest. 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 sp[irit]ualis tam ex sacramento baptismat[is] 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.

Incunabula Short-Title Catalogue (ISTC) ia00605500.

2 BAYSIO, GUIDO DE [d.1313] MONELIENSIS, FRANCISCUS, Editor

[Rosarium Decretorum].

1481 PRINTING OF AN IMPORTANT COMMENTARY ON GRATIAN WITH HANDSOME PENWORK

[Venice: Johannes Herbort de Seligenstadt for Johannes de Colonia, Nicolaus Jenson, Et Socie, 3 April 1481]. [415] ff. Lacking final leaf, a blank. Collation: a10, b8, c-d10, d-l8, m-n6, o-tuvx8, y10, z8, [symbol]8, [symbol]10, [symbol]-aa8, bb-cc10, dd-dd8, ee-gg10, ggg-hh8, hhh8, ii10, kk-mm8, nn-qq10, rr8, ss6. Folio (10-3/4" x 15-1/2"; 40 x 28 cm). Eighteenth-century calf, raised bands, "A L" in small type blind-stamped to foot of front board, blind ornaments and lettering piece to spine, edges speckled, endpapers renewed. Light rubbing and some minor nicks and scuffs to boards, moderate rubbing to extremities, chipping to head of spine, corners bumped and somewhat worn, joints and hinges just starting at head, crack in text block between fol. a1 and a2 (fols. 1-2). 66-line text in parallel columns, 4 large illuminated acanthus initials, one of which with partial border, the other 2 with smaller flourishes, 2 smaller illuminated initials, other red and blue initials and red capital strokes, woodcut printer's device printed in red. Light toning, occasional faint dampstaining to foot of text block, some soiling and light dampstaining to leaf a1 (fol. 1), illuminated borders on first leaf trimmed, lower corner torn away, minor interior tear to printer's device. Bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with

Goff number added in pencil, laid in, owner signature dated 1672 to head of leaf a2 (fol. 2). \$29,000.

The *Concordia Discordantia Canonum*, or *Decretum Gratiani*, is the cornerstone of modern canon law and one of the components of the *Corpus Juris Canonici*. The first work of its kind, it was supposedly compiled by Gratian, a Camaldolese monk, around 1140. It addresses various aspects of legal jurisdiction as well as administrative issues like baptism and feast days. Guido de Baysio was a canonist, law professor and church official. Written around 1300, his *Rosarium Decretorum* is an important commentary on Gratian's work. First printed in Strasbourg in 1472, it went through numerous editions.

The present edition was set in Seligenstadt's types. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend. The ISTC locates 5 copies of this imprint in North America, 2 in law libraries (Harvard, UC-Berkeley).

Incunabula Short-Title Catalogue (ISTC) ib00288000.

3 BECCARIA, CESARE BONESANA,
MARCHESE DI [1738–1794]
SHARPE, GRANVILLE [1735–1813]
ROUSSEAU, JEAN-JACQUES [1712–1778]

An Essay on Crimes and Punishments. Written by the Marquis Beccaria of Milan. With a Commentary Attributed to Monsieur De Voltaire.

**EARLY AMERICAN EDITION OF BECCARIA
IN AN EXCEPTIONAL PERIOD-STYLE BINDING**

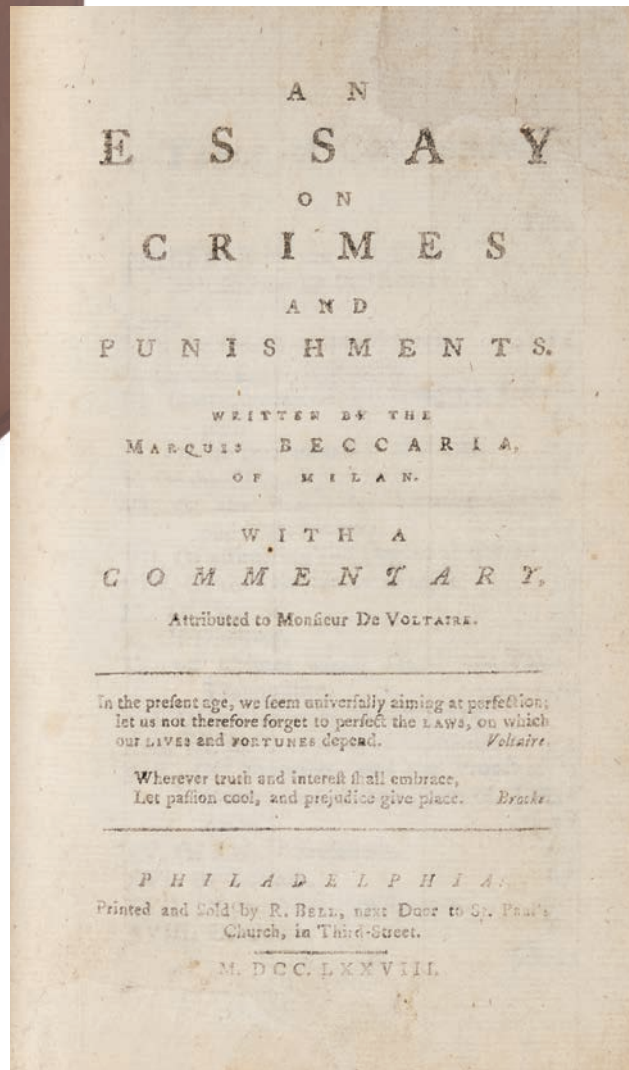
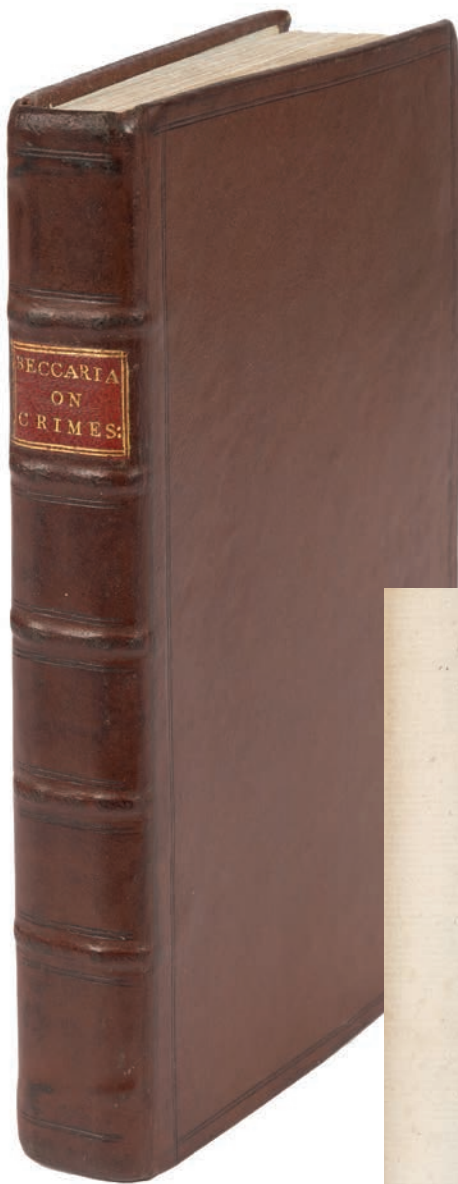
Philadelphia: Printed by R. Bell, 1778. [iv], 352, [4] pp. Includes one-page publisher list. Three works in one with continuous pagination. The second work, preceded by a half-title and title page, is Sharpe's *Remarks on the Opinions of Some of the Most Celebrated Writers on Crown Law, Respecting the Due Distinction Between Manslaughter and Murder*; the third, with a drop-head title, is J.J. Rousseau, *Citizen of Geneva, His Opinion on Duelling*. Octavo (7-1/2" x 4-1/2"). Recent period-style calf by Philip Dusel, blind rules to boards, raised bands and lettering piece to spine, endpapers renewed, upper corner and chip to foot of title page restored, leaves washed. Light toning, slightly heavier in places, faint spotting to a few leaves. An exceptional copy. \$4,500.

crime and punishment. Infused with the spirit of the Enlightenment, its advocacy of crime prevention and the abolition of torture and capital punishment marked a significant advance in criminological thought, which had changed little since the medieval era. It had a profound influence on the development of criminal law. It was especially influential among American thinkers, who saw Beccaria as a source of enlightened ideas to reform English common law. Though a matter of some debate, the first American edition was published in Charleston, SC, in 1777. (Earlier American imprints, including one printed in New York in 1773, are ghosts).

Cohen, *Bibliography of Early American Law* 4233.

With a table of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of





4 BLACKSTONE, SIR WILLIAM

[1723–1780], Editor

The Great Charter and Charter of the Forest, With Other Authentic Instruments: To Which is Prefixed an Introductory Discourse, Containing the History of the Charters.

THE FIRST CRITICAL EDITION OF MAGNA CARTA IN A HANDSOME BINDING

Oxford: Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. Half-title and table of contents (Tabula) are bound between pp lxxvi and 1. Copperplate engraved tail-pieces. Collated and complete. Folio (13-1/2" x 10-1/2"). Contemporary speckled calf boards, rebaked in period style, gilt fillets and large corner fleurons to boards, raised bands, gilt ornaments and lettering piece to spine, gilt tooling to board edges, marbled endpapers. Light rubbing and a few minor scuffs to boards, somewhat heavier rubbing to board edges with some wear to corners. Light toning, light foxing in a few places, "F.F. 4.1." in early hand to verso of front free endpaper. A very desirable wide-margined copy. \$10,000.

First edition of the first modern critical edition of Magna Carta. Blackstone's first important work, it contains the Articles of the Barons and the issues of the Great Charter in 1215, 1216 and 1217, with several charters of confirmation, the Charter of the Forest, and the Statute of Marlebridge. The introduction is in English and the texts of the Magna Carta and Carta de Foresta in Latin. Blackstone's essay, which is based on a great deal of original research, argued that the charter was the foundation of English liberties. This

idea, first proposed by Coke, was a central tenet of Whig ideology. More important, Blackstone's research into the original texts demonstrated that all earlier editions of the charter were based on the significantly different reissue of 1225, in the reign of Henry III, rather than the original one endorsed at Runnymede. His philological approach was highly influential; it established the textual focus that has governed subsequent study of the charter.

This edition is esteemed for its handsome appearance, recognized as early as 1829 in Richard Thompson's *An Historical Essay on the Magna Charta of King John*, which described it as a "beautiful and rare edition" and the "elegance of typography is very great." The engraved dedication to the Earl of Westmoreland is surmounted with his armorial ensigns; engraved historiated initials in the text depict views of buildings at Oxford University. The tail-pieces on pages lxxvi and 73 are historical vignettes; the other ten engraved tail-pieces reproduce the royal seals attached to the original documents.

Eller, *The William Blackstone Collection in the Yale Law Library* 237. Laeuchli, *A Bibliographical Catalog of William Blackstone* 548.



The Right Honourable
TO
The Earl of

WESTMORLAND,
Baron LE DESPENSER and BURGHESH,
Chancellor of the University of

The Assessor of those Liberties
of which his Ancestors Witnessed the Confirmation
The following Edition

THE GREAT CHARTER
and
CHARTER of the FOREST,
is humbly inscribed

by
His most Obedient and
Dutiful
most Obedient Servant
William Blackstone

5 BONIFACIUS VIII, POPE [c.1235–1303] ANDREA, GIOVANNI D' [c.1270–1348], Glossator

[Liber Sextus Decretalium].

ONE OF THE EARLIEST PRINTINGS OF THE LIBER SEXTUS DECRETALIUM

[Strasbourg: Heinrich Eggestein, c.1473]. 199 ff. Lacking h6 and final leaf, both blanks. Collation: [a-d10, e13, f-g10, h5, i10, k-l8, m-p10, q4, r-v10, x11]. Folio (16-1/2" x 12"; 41 x 30.5 cm). Contemporary reversed calf (on thick wooden boards), brass catches to fore-edges, straps lacking, raised bands and fragment of later paper title label to spine, residue of title label to front board. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine and corners, boards beginning to separate but secure, minor worming to pastedowns, upper corner lacking from front free endpaper, which, along with following two leaves, is lightly soiled and edgeworn. Text in parallel columns, 44-line main text with Andrea's 59-line linear gloss. Printed in red and black. Initials in red, blue, and purple, paragraph marks and capital strokes in red. Moderate toning, light browning in places, occasional light soiling and faint dampstaining to margins. Early and nineteenth-century annotations to front free endpaper and first leaf of text (one of them a gift inscription to a convent), bookplate of Theodore Low De Vinne and bookplate of Alexandre P. Rosenberg, designed by Pablo Picasso, to front pastedown, Rosenberg's brief typewritten book description, with Goff number added in pencil, tipped in. \$36,000.

Third edition. Issued in 1298, the *Liber Sextus* of Boniface VIII is one of the primary collections of canon law. It is one of the writings known collectively as the *Corpus Juris Canonici*. Andrea was an Italian canonist and professor of canon law at the University of Bologna. An eminent figure, his principal writings circulated widely in manuscript and were among the earliest printed works on canon law. His glosses were first published in 1472. All early editions are rare on the market. This Eggestein edition was considered the second for many years, a point upheld by Goff and GW, but it is now widely believed to be the third. De Vinne was a typographer and one of the founders of the Grolier Club. Alexandre Rosenberg [1921-1987], an art dealer, and his wife, Elaine [1921-2020], were important collectors of illuminated manuscripts and early printed books. Picasso, who was represented by Alexandre's father, the eminent Paris art dealer Paul Rosenberg [1881-1959], was a lifelong friend. The *ISTC* locates 7 copies of this imprint in North America, 1 in a law library (Harvard).

Incunabula Short-Title Catalogue (ISTC) ib00977000.

servato: secundo qz eius qui est michi servator confatus
toz esse non possit. Tercio qz eius qui sum subiectus ecclesi
astica vel temporalis non subdelegat nisi sibi formam b postiaz
to qz servator non subdelegat nisi sibi formam b postiaz
Quintus qz servator excedens metas potatis sue suspensus
est ab officio b patet
ex textu. Sextus ad
vidi. s. in glo. item i
delegato. Septimus
s. in opi. in glo. unde
si. 3. **O**mnino. s. si
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omis et facit quod di
si. s. de ssp. c. i. et. e.
si. statutum in fi. ja.
andree.

Omnino non
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cardinales sine speci
ali mandato iure le
gatis beneficia co
sacris no pnt si lega
teze no pnt si lega
ti cardinales hoc bn
posunt. et primo po
nt inno. p. m. m. m.
ad dicenda vbi ibi. p
inde. secundo pnt sta
tuti de legatis si car
dinalibus vbi ibi. p
in fratribus vbi i
de cardinalibus vbi i
fi. c. **P**ace ad hoc
p. m. m. m. s. i. b. et
mum huius sibi. et
i. de fili. spol. si equa
c. **L**egati. et a ge
nera legatorum distig
aut b de ec. et licet q
ad quendam no sit in
illis imparitas ut di
si. s. de ssp. p. statuti
i. s. in glo. qz verb.
en quo ad alia est im
paritas sez in excoi
catis absolucndo. ut
s. e. c. pl. e. q. m. c. si
firmationis exemp
toz. s. e. c. ii. de elec. si
secudo de causis excoi
tozum et illos punie
do. j. de ver. sig. c. i. et
in collacionibus bene
ficioz ut sic. et qui dicantur esse de latere pater. j. dum di
pnt. et qz cardinales dicantur esse de latere pater. j. dum di
at. quod in fratribus nostris. s. e. c. i. et de ap. c. i. cum si. g. **L**e
gationem et abbatem. s. e. c. i. et de ap. c. i. cum si. g. **L**e
gationem et abbatem. s. e. c. i. et de ap. c. i. cum si. g. **L**e

legati qui cardinales non erant ut ibi patet et suspensio
beneficia servare dic qz illud fuit ex spali mandato et sic n
delegat sed deoat ei quod statim sequitur. nisi hoc. s. c.
multa s. licentia ex speciali demanatione que ex generali v
tute legis no tenet. **D**e hys vide. s. i. p. is aut in fine.

Inno. iij.
De officio legati

Omnino non
legati non

potatem eo ipso p v
num annum ab officio
o sint suspensi. **P**ars
vero que hoc fieri p
curabit sententiam ex
ommunications incur
rata a qua no possit ab
solvi. nisi ei quem sic
fatigavit morbite pri
mo satisfaciat. **O**f
ficio aut quozum ai
fiam aut quozum ipo
qz conservatorum no cepta
negotia p obitum co
pirare. **C**irca munere
ra vero et expensas et
fessores ac notarios et
personas testimonij ca
vocandas illa precepti
mus in hmoi confer
natoribus per omnia
observari que in dele
gatis iudicibus consti
tuta a nobis sup hui
edita observanda decer
nit. **Q**uicquid aut
aliquod attemptari
tulerit omnino decer

notia qz cum ipa pao
misit d cardinalis
loquitur vocat illos
fratres si specialiter
epos cardiales vocat
fratres reliquos filii
os. s. de test. licet. iij.
k **L**egatione. repe
te ecclesi. romane d
qua. s. tracta. auerat. i.
perogativa con
ce. s. a. p. c. v. d. m.
si. x. j. de priul. ne
aliqui. m. **A**mplis
ri unde beneficia con
ferre poterunt cum e
strictione tñ et deet
minatione quamba
tes j. c. present. et. c.
sequit. s. quod dicit
pot ne legatus cardi
nalis deferre beneficia
quoz collatio deuo
luta est ad ipam per
tat. cond. videtur qz
sic per de. s. de pre
ben. c. pens. vbi lega
tus tale beneficium a
tunc dicitur ibi vme
qz talis legatus hoc
non poterat sine sp
ali mandato et i. c. i.
si mandato et i. c. i.
bi i. c. i. r. ipse lega
tus apud ipam q
tam collationem q
firmare et sic fac
illaz valere. g.
sp. i. c. d. c. i. vbi
Inno. d. c. i. vbi
et i. c. i. in fi.
legato. g.
mus d.
omne
San
pot
fi

la pte ipse pot deferre que sunt de
tas gerit in punda allegabat co
et. s. de ure. pa. cum dilectus. pro
ii. de elec. si abbatem. j. s. vbi
firmatio spectat ad papam et
precipit in pedia a de re. pent.

de latere pater. no. s. c. e.
Eccliarum suaz hie
cum si. g. **L**e
no. s. c. e. i. et de ap. c. i. cum si. g. **L**e
gationem et abbatem. s. e. c. i. et de ap. c. i. cum si. g. **L**e

6 BRACKENRIDGE, HENRY MARIE

[1786–1871]

Niles' Weekly Register. New Series. No. 14-Vol. IV. Baltimore, May 29, 1819.

FIRST SEPARATE PRINTING OF BRACKENRIDGE'S ELOQUENT DEFENSE OF RELIGIOUS LIBERTY FOR MARYLAND JEWS

[Baltimore]: Printed and Published by H. Niles, [1819]. 225-240 pp. Octavo (9-3/4" x 6-1/4"). Disbound, leaves starting to separate at ends but secure, moderate toning, faint dampstaining to corners, light soiling to a few leaves, small tear to fore-edge of first two leaves not affecting text. \$2,500.

Includes the first separate printing of Henry Brackenridge's speech in favor of Maryland's act "to extend to the sect of people professing the Jewish religion the same rights and privileges enjoyed by Christians," better known as the "Jew Bill." Like many other states, Maryland's constitution required public officials to profess "a belief in the Christian religion," barring Jews from holding any public office, including military service and the legal profession.

The struggle to change the law was long and bitter. Petitions to the legislature were submitted by Maryland Jews beginning in 1797, but the bill was repeatedly defeated on

the floor. In 1818, the bill was reintroduced and Brackenridge gave an extensive, passionate speech in its favor. Referring to the exclusion of Jews from office as "degrading" and "odious," he argued that the law violated the federal constitution and the founding principles of the nation, citing, among other sources, James Madison and Tucker's Blackstone. Despite his efforts, the bill was defeated again and would not pass until 1826.

The speech was issued in pamphlet form along with the full text of the bill and another speech from Thomas Kennedy in November 1819, with the text of Brackenridge's speech taken from this issue of the *Weekly Register* (Cohen). Though there is no official record of the debates, a collection of speeches on the bill was published by Brackenridge in 1829.

See Cohen, *Bibliography of Early American Law* 35:16. Not in Rosenbach or Singerman. Eitches, "Maryland's Jew Bill," *American Jewish Historical Quarterly* 60.3 (1971): 258-279.



NILES' WEEKLY REGISTER.

NEW SERIES. No. 14—Vol. IV.] BALTIMORE, MAY 29, 1819. [No. 14—Vol. XVI. Whole No. 404

THE PAST—THE PRESENT—FOR THE FUTURE.

PRINTED AND PUBLISHED BY H. NILES, AT \$3 PER ANNUM, PAYABLE IN ADVANCE.

TREATY WITH SPAIN. From several speculations in our own newspapers, and the general opposition to the cession manifested in England, an opinion pretty extensively prevails that the late treaty with Spain for the transfer of the Floridas, and the consequent settlement of certain claims of our merchants against the Spanish government, may not be ratified by Ferdinand. Yet he seems to have prepared for it, by privately selling, or secretly giving away to some of his favorites, nearly 8,000,000 acres of the public lands of that country, about which it is "hinted" Mr. Adams called upon don Onis for an explanation, and that the latter evaded the subject, by remarking that a bargain was a bargain—that the treaty, was intended to cover all sales previous to its date," &c.* If this be true, and it has been frequently stated to be so, there is yet something to negotiate about, and twenty years more may be necessary to bring Spain to the point of rightful adjustment!—Some of our citizens too, are dissatisfied with the south-western boundary, and desire to possess the country to the Rio del Norte, as laid down in Mellish's map; which would give us the whole province of Texas, and a great extent of coast on the gulf of Mexico.

On the good dispositions of the Spanish government we have no sort of reliance—we have nothing to hope for from its love of justice or sense of honor; and, with things thus conditioned, we have much to apprehend from the secret opposition of the British to the transfer. They consider this country, in our possession, as dangerous to their West India colonies; and, if it remains in the hands of Spain, as a fruitful means of annoyance to us, on our weakest side, in another war. They give us great credit for the ingenuity with which we managed the negotiation, and many of their newspapers pretty plainly insinuate that we cheated Spain into the treaty! The impudence of such articles are equalled only by their want of candor, nay, of plain truth. Spain owes much money to our merchants for acknowledged spoliation on our commerce—the United States agrees to pay five millions on account of the claims of these merchants, and retire from a demand for further indemnities, if Spain will cede a country worse than useless to her, and which, having forfeited its character as being neutral, ought to have been taken possession of by us long ago, upon every principle of right, reason and law. The omission to do it, was among the greatest political sins of the last administration. But, why should the British so much oppose the cession of the Floridas—what forlorn hope can they entertain that it will not belong to us? There cannot be any; it will just as naturally come into our possession as the waters of the Mississippi seek the sea: and any thing done to obstruct the operation will be as useless, in the end, as an attempt to arrest and turn back the course of that mighty stream. We believe this is

*An editorial article in the National Intelligencer rather invalidates these "hints." It admits of great cessions of land; many of them to American merchants and "speculators," saying however, that "nearly all these grants are utterly void"—and supposes that Mr. Adams and don Onis have not had any correspondence in respect to these matters.

Vol. XVI.—26.

the universal conclusion in the United States—and that we have, or at least must soon acquire, the ability to maintain our pretensions to Florida, as being just in themselves as well as necessary to rightful convenience and legitimate safety, no one can deny; and Great Britain as well as Spain, will find more advantage in courting our friendship than in provoking our enmity. We seek "honest peace with all nations,"—but it is proper that we should stand prepared to defend ourselves; and for this purpose are erecting fortifications and building vessels of war. *Hinc ille lachrymæ.*

SEPARATION OF MAINE. The election for representatives in the legislature of Massachusetts, has very much turned upon the oft repeated project of separating the district of Maine from Massachusetts proper, that it may become an independent state.

We have now before us what appears to be a complete list of the representatives in the legislature of Massachusetts, elected in Maine—the summary is thus given—"Separatists"—in York county 17; Cumberland 22; Lincoln 15; Kennebec 34; Hancock 5; Oxford 12; Somerset 4; Penobscot 2; Washington 3—total "separatists" 114. "Non separatists"—in York 4; Cumberland 4; Lincoln 4; Oxford 1—total "non separatists," 13. Whole representation 127.

Judging from these returns, there must have been a great change, indeed, in the minds of the people since the question was put to vote in 1816—the particulars of which, and the chief proceedings in the case may be seen by referring to the 10th, 11th, and 12th vols. of the REGISTER. We sincerely hope that the separation may be effected, for we think it would be for the benefit of the people of Massachusetts generally, as well as for the United States at large. The district, every body knows, is separated from Massachusetts proper by the state of New Hampshire; it naturally then should be a state of itself—it contains about 40,000 square miles, (old Massachusetts has only about 6250) being almost as large as New York, though a large portion of the land is not perhaps inhabitable, or will not come into request while better may be had elsewhere; yet a great deal is excellent or susceptible of the highest improvement, and the climate will be mollified as the country is opened and cleared to the sun. The population in 1810, amounted to 228,795, about half the number of that of Massachusetts proper; more than there were in either Delaware, Rhode Island, New Hampshire or Vermont, and nearly equal to Ohio, New Jersey, Georgia, Tennessee, or Connecticut; and though the population of Maine may not have increased since then so rapidly, perhaps, as in some of these states, it is probable that the district will maintain a ratio equal to the common increase of all of them; certainly, not fall short of 300,000 inhabitants at the next census, and have a 10th or an 11th class in the rank of states, as to population. See some curious tables on this subject in Vol. VI. page 185.

The separation, however, seems to be opposed by the ruling party in Massachusetts, for reasons unknown to us, except in the belief that they suppose it would operate as a diminution of their power in the senate of the United States, and deprive them of what is a sort of a colony, or dependency upon them. These considerations ought not to have weight; they

7 BRANDEIS, LOUIS D. [1856–1941]

Other People's Money and How the Bankers Use It.

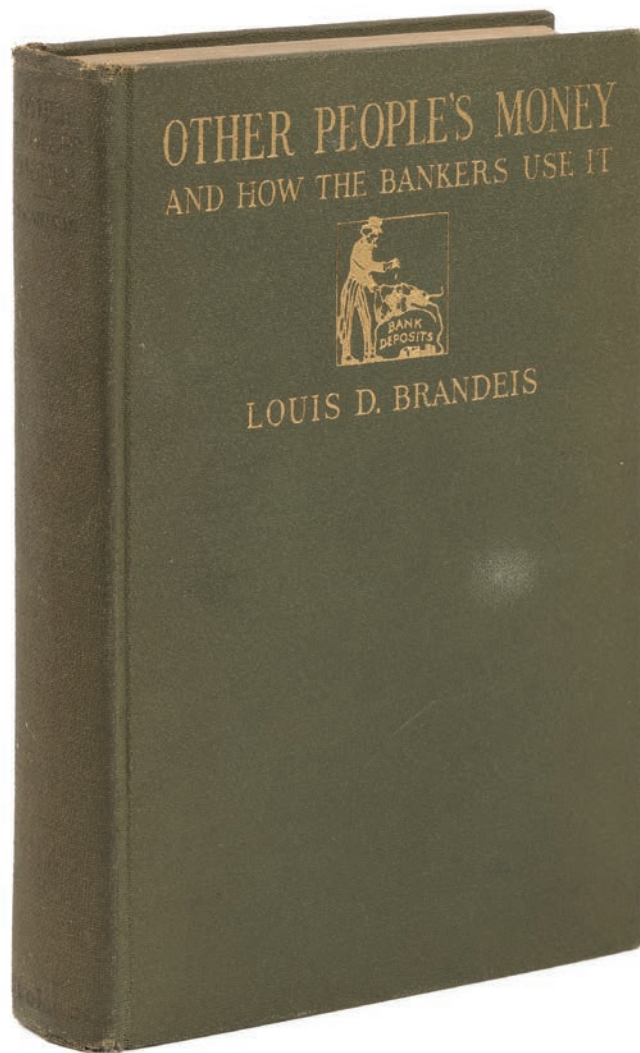
FIRST EDITION, INSCRIBED BY FRANKFURTER TO A PROTÉGÉ

New York: Frederick A. Stokes Company, [1914]. xiv, [2], 223 pp. Original cloth, gilt titles to front board and spine. Small stain to front board, light wear to spine ends and corners, majority of gilding rubbed away from spine title. Moderate toning to interior, gift inscription from Felix Frankfurter to front free endpaper. \$1,950.

First edition, first issue. This scathing critique of “Our Financial Oligarchy” is based on a series of articles published in Harper’s Weekly from 1913 to 1914. Frankfurter [1882-1965], a protégé of Brandeis, inscribed this copy to one of his protégés, Francis Shea [1905-1989], who was one of his former Harvard Law students

(LL.B., 1928). Shea became a prominent New Deal official and went on to a distinguished career as the dean of the University of Buffalo School of Law, which experienced a renaissance under his direction. Recruited by Robert H. Jackson, he was Roosevelt’s Assistant Attorney General, heading the Claims (now Civil) Division. In 1945 he joined the staff of American lawyers that helped to design the International Military Tribunal at Nuremberg, then served as a prosecutor at the trials. Returning to Washington after the war, he established what became a leading Washington law firm, Shea & Gardner. The inscription reads: “To Francis Shea/ With the cordial regards/ & good wishes of/ Felix Frankfurter.”





To have seen
with the cordial regards
& good wishes of
their daughters

Inscription detail

8 I. BRANT, SEBASTIAN [1458–1521] CACCIALUPI, GIOVANNI BATTISTA [c.1420–1496]

Expositio[n]es Sive Declarationes Omnium Titulorum Iuris tam Civilis Quam Canonici...

[Basel: Gregor Bartholomaeus von Angermünde, 1514]. 239, [16] ff.

[Bound with]

II. BARTOLO OF SASSOFERRATO [1313–1357] ANDREA, GIOVANNI D' [c.1270–c.1348]

In Utriusque Juris Libros Introductorium. Tractatus et Processus Diversi, Utriusque Juris...

[Basel: Impensis Petri de Langendorff, 1513]. [122] ff.

A CLASSIC FIFTEENTH-CENTURY TEXTBOOK BOUND WITH AN ANTHOLOGY OF WRITINGS FOR LAW STUDENTS, TWO RARE BASEL IMPRINTS

Octavo (6" x 4"). Contemporary blind-stamped pigskin, raised bands to spine, brass clasps, endpapers renewed. Soiled, a few minor worm holes, rubbing to extremities with wear to corners and foot of spine, one clasp loose but secure, a few cracks to text block. Moderate toning to text, a few minor worm holes with no loss to legibility, faint staining and light soiling in places, chips to margins of a few leaves, brief early annotations to title page and a few other leaves of *Expositiones*. \$7,500.

In Remembered today as the author of the moral and satirical *Narrenschiff* (*The Ship of Fools*), Brant was also a highly regarded law professor and state official. First published in 1490, and Brant's only original legal work, *Expositiones* was a popular,

highly regarded introduction to the *Corpus Juris Canonici* and *Corpus Juris Civilis*. According to Stintzing-Landsberg, it is a useful guide to contemporary legal pedagogy in the Holy Roman Empire. Our edition also includes an equally renowned introductory textbook that Brant held in high regard: Caccialupi's *Tractatus de Modo Studendi in Utroque Iure*, which offers a basic history and outline of Europe's legal systems and advice on study methods. OCLC locates 4 copies, 2 in North America (Boston College, UCLA).

Stintzing-Landsberg, *Geschichte der Deutschen Rechtswissenschaft* 1:94. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* B7054.



II. First edition. Probably compiled by a law student or layman, *In Utriusque Juris Libros Introductorium* is an anthology of works by two great late-medieval jurists. It includes, among other titles, the *Modus Legendi Abbreviaturas*, a dictionary of abbreviations, the *Ars Notariatus*, a handbook on legal drafting, and *Flores Legum*, a collection of maxims. It also includes, perhaps as a warning, the *Processus Sathana Infernalis Contra*

Genus Humanum, a legalistic account of Judgment Day (with Satan as prosecutor). A popular work, it went through several editions during the sixteenth century. All are rare today. OCLC locates 5 copies, 1 in North America (Harvard Law School).

Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts 1165.

9 BROADSIDE EXECUTION RUSH, JAMES BLOOMFIELD [1800–1849]

The Awful Execution and Confession of James Bloomfield Rush, Who was Executed on Saturday Morning at Norwich.

THE ONLY KNOWN COPY

Exeter: W. Cooper, Printer, [1849]. 19-1/2” x 14-3/4” broadside, text in three columns below headline and woodcut vignette. Moderate toning, faint horizontal and vertical fold lines, a few faint dampstains, small chip to left edge, small tear to bottom-edge affecting last two lines of text, small holes to text block of third column affecting a few words of text, no loss to legibility. Rare. \$3,850.

Rush, a delinquent tenant of Isaac Jermy and his son, devised a plan to kill the two men, their servant and the son’s wife and blame the murders on rival claimants to the Jermy estate. He succeeded in killing

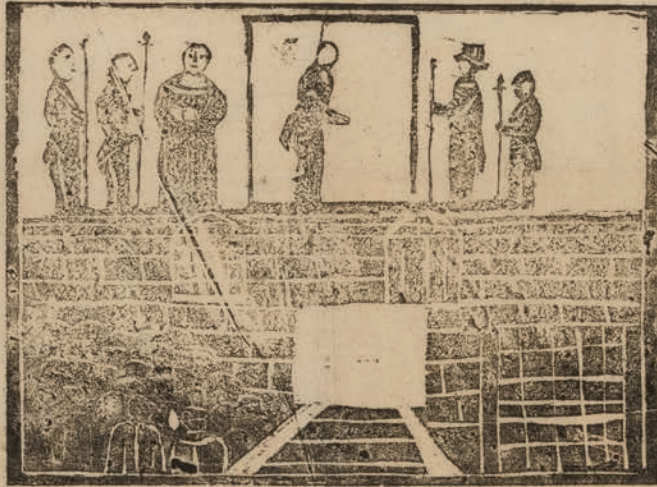
the Jermys but failed to kill Mrs. Jermy and the servant, who survived to identify him. Popularly known as the “murders at Stanfield Hall,” the killings became a national sensation, and many businesses sought to cash in on the lurid tale. A wax figure of Rush was displayed at Madame Tussauds after Rush’s execution; our broadside notes that “agents of Madame Tussaud” were seeking to purchase the disguises Rush wore on the night of the murder. It also reports a Norwich bookseller’s offer of five hundred pounds to each of Rush’s children for a history of his life. This broadside appears to be unrecorded. No copies located on OCLC or Library Hub.



THE AWFUL
Execution and Confession
OF
JAMES BLOOMFIELD RUSH,
WHO WAS EXECUTED ON SATURDAY MORNING AT NORWICH.

RUSH'S CONFESSION AND SENTENCE.

On Tuesday afternoon the convict Rush was visited by all his family and a number of children accompanied by his brother. Rush at first seemed to be almost sufficed, but having regained his usual composure, he called upon God to relieve his innocence of the foul crimes imputed to him, and with many prayers recommended his children, especially the younger ones to the protecting care of the Almighty.



It will be recalled that on the trial, when Mr. Cann among the first to produce a fact which Rush asked to look at, on the next morning a clerk for a day was missing, on Friday last, Rush confessed that the short time he had the book in his possession was long enough for him to abstract the checks. On Mr. Pitt's confession of it a great indignation being that he had no other but that the government would give to his address, he desired the fact to be brought, when it was found between the hat and the hang.

CONDUCT OF RUSH IN PRISON.

Since the conviction of the murderer, there has been apparently little change in his outward acts, and he does not seem to be at all affected by the solemn and serious position in which he is placed. On leaving the dock after the sentence was declared, he said to the officials who had him in charge, 'I am thirty, give me some porter.' He was informed that the prison regulations would not allow him to do so, and he was told that he could have some tea, an alternative which he was eager to accept. Shortly afterwards he said to his companions, 'This is a terrible world.' On the 11th of the month, one of the county magistrates who committed Rush in the first instance, passing the prisoner, received the very gentleman through the bars of the cell. He exclaimed, 'Is that you James? I have a clearer recollection than you have now.' He was asked whether he would avail himself of the spiritual services of the Rev. Mr. Bayne, the chaplain of the castle. He replied, 'To say not at all. I say it without him with I am here.' He remained in the cell in which he was placed immediately after his conviction, and he will remain there until his day of judgment for his execution. He is very reserved.

Rush says he has disliked Sir George Grey, the Commissioner of the Prison, the judge of civil actions in which he was convicted, and every one else with whom he has had communication; whether he will kill Mr. Church, the executioner, remains to be seen.

THE MURDERER'S DISGUISE.

We have been informed that an application has been made by the agents of Messrs. Foxhall, the proprietors of the wax works at Ludlow, for the purchase of his disguise on the night of the murder. A bookseller in Norwich, who carries on an extensive business, has proposed that he will give five hundred pounds to such an individual if he will write a history of his life, in order to fix the particular in the form of a volume. It is supposed the bookseller would like to have the criminal's confession appended.

MRS. JERMY'S HEALTH.

Information has just been received at Norwich that Mrs. Jermy is completely deranged, arising from the shock to the nervous system which she has sustained.

EMILY SANFORD.

The unfortunate female still remains under the treatment of Mrs. Bryant, the matron of Wymondham Bridewell; rumours of a grave nature have been circulated with regard to her, but a searching investigation has been made by the magistrates, and they have ascertained that up to the time of her conviction with him, she bore a most excellent and honorable character. The authorities of the Bridewell state that her attachment to him was intense. When he was taken to the Bridewell on charge of the murder she saw him, and exclaimed, 'For God's sake, Rush, are you innocent?' He made no answer, but walked away, and for many hours she did not resign her composure. Emily Handout, it appears, was not originally called as a witness, but he himself said, when he was separately examined, 'Call Emily Handout, my housekeeper, and Sweeney, for they will prove my innocence.' The witnesses were asked, with what result has already been determined. Immediately after the examination of the witness, a sum of money was collected for her by the magistrates, but she declined receiving it, with the remark, 'It's of no use to me, I don't want it. I have a wife, and I shall naturally be obliged to support her, and it is to her, and I shall

be obliged.' Her child, which has been christened 'Emily Martha,' remains with the mother at the Wymondham Bridewell, and is doing well.

This wretched culprit appears to continue to assume the same indifference to his impending fate which he has hitherto manifested. As he came from the dock, and passing through the room, the same door that he had so often put up during the trial, passed over his features, and he said, in a blunt tone, 'where's my hat?' As soon as he had entered the condemned cell, his first words were 'where's my supper?' 'I want my supper after a hard day's work. I shall now live at the county's expense.' No refreshment being immediately ready, he threw himself on the bed. He has admitted that he had no alternative but to find his guilty, as the case was put before them.

About six years ago his wife died, leaving him with nine children. Subsequently to that event he appears to have met Emily Sanfield, with whom he formed a 'liaison,' and who lodged at Mrs. Anthon's, No. 2, Mynde-street, Somerset-row. Here he, in the character of her nurse, frequently visited her, taking up his abode in the house, and generally spending his evenings, it is said, at the Angel Inn in the Greenway, or 'Sally's Well' Inn, &c. When he remained all night the 'landlady' made up a bed for him on a sofa. Emily Sanfield was at 21, 22, and 23, Farn in 1847. In 1848 she appears to have been principally at Mr. Anthon's. In October last she said her father was dead, and shortly after said she had her husband. The prisoner soon after brought her to Norwich, and took her to George Street, as a widow under the name of James.

ELIZA CHRISTY IN COURT.

When this witness was introduced, she was brought into court on a bed, lying upon the shoulders of four men. The side of the bed was so placed that the side of the suffering girl was turned towards the prisoner, and by means of pillows, obliquely towards the judge, and was attended by Mr. Nicholas, surgeon, who sat by her during the course of the examination. She answered all the questions with great promptness and confidence, but declared that she had no doubt that she was the murderer. Her voice was described as singularly musical; and it was observed that 'Chief Baron Puckock, who was sitting near the spectators, was affected by tears the moment he heard her speak.

The following letter, written by the prisoner a few days before she entered the prison chamber of his mind—

Norwich, 24th March, 1850.

Sir—You will oblige me by sending my breakfast this morning, and my dinner about the time your family have theirs; send anything you like, except soap, and I shall like cold meat as well as hot, and meat bread, and the tea in a pint mug, if with a cover on the bottom. I will trouble you to provide for me now, if you please, till after my trial; and if you could get me a small smoking pig in the market to-day, and roast for me on Monday. I should like that meat for me, as it will be so innocent what time I may have for my meals after Monday.

Have the pig cooked the same as you usually have, and send plenty of plain sauce with it. Mr. Innes will pay you for what I have of you. By complying with the above you will very much oblige your humble and obedient servant,

JAMES B. RUSH.

Mr. Leggett, Bell Inn, Oxford Hill, Norwich.

EXECUTION.

Since the unfortunate culprit was condemned efforts were made by the Society of Friends, and other parties to obtain a commutation of the sentence, but without effect. The Judge, we believe, not having considered his case one in which he could add his services for that purpose, and

the application to the Secretary of State failed in its object, and the law was left to take its course.

On the arrival of the Death Warrant, the Sheriff proceeded to communicate it to the unhappy man, who received the melancholy tidings with perfect indifference. Since his condemnation he has been constantly visited by the Chaplain of the prison, who has been indefatigable in his attentions towards him; he appears to be very sensible, and never lifted up any prayer.

On the Sunday before his execution he attended Church, when an appropriate sermon was delivered, to which he paid great attention. After his return to his cell he was again visited by the Chaplain.

This morning, at an early hour, the roads leading to the prison were crowded with people, young and old. At 11 o'clock the space in front of the goal was crowded to excess, and about 12 o'clock the successful procession moved off with a slow and solemn step from the cell to the fodge, where he underwent the operation of pinning; he then bid them all farewell, and thanked the governor for his kind attention to him.

He was then led to the platform, and being placed under the beam, the executioner adjusted the rope, and having drawn the cap over his eyes on the signal being given, the fatal bolt was drawn, and the unfortunate man was launched into eternity. After hanging the usual time he was cut down. When he fell the crowd uttered a great shout.

COPIES OF VERBS.

Come all good people lead an early and well merited tale, For number of the blades of the I have continued in Norwich jail: I murdered two as you soon shall hear, The deed of blood which soon be told will cause many a tear.

CRONICS.

Young and old that read these verses a warning take or it too late, May it sink deep in every bosom for James Bloomfield, Rush's fate. On the 28th of November, I tell the hour the deed was done, With loaded pistols then I shot, and on the ground their blood did run; Mrs. Jermy for assistance to her servant hand she did call, When Eliza Christy rushing in, and blowing on the ground did fall. Susan surely did assist me to do this tragically, I laid the plate without a word and took their lives away, A snuff was worn upon my face thinking I should not be, But, and I'll be too late, for I took the upon the gallows tree. The heavy sink of Mary's I stood my trial, in a woe was guilty found, No one but God could tell my feelings when I heard the awful sound, I read my last great sad news for this is all to earth I mean, That is when his wife was tried, I may be led in my misery given. The money given by his brother, your lady must be to be paid, As the land has money on your side, and what I do, I mean, As I had heard you'd give it only as a favour, if you please. I put on a dreadful sentence I pray you to be true, Look on my face, for my money which is owed you, be a law, The prisoner then his wife took back, a prayer he uttered on his way, May God have mercy on my children, as I'll never look on me; O then I am contented to suffer on the Wymondham Bridewell, O then to the year I offer and wish you may survive, My heart breaks to come to it, with the greater of agonies, To my wife and child, the children, the women, and the children, and I pray, Those coming hours will soon pass over, and how I'll follow me to be, But now the Lord receive my spirit, whomever God will send, And all good people may take a lesson, that you, who I find, The fate of James Bloomfield, Rush, O that you'd take my word.

W. B. R. Printed by St. Thomas, Easton.

10 BROADSIDE GREAT BRITAIN

Beware! Important Caution. Beware of a Pair of Bipeds, That Have Lately Escaped, The One from Jail, The Other “Cut out for a Sawyer but Made Up a Lawyer,” From the Weddington Lane-Menagerie. And are Now Haunting this Neighbourhood in Shape of an Overseering Baboon and a Porcupine-Backed Lawyer.

“CUT OUT FOR A SAWYER BUT MADE UP A LAWYER”

[N.p.]: Printed by Tympan, Frisket, & Co, Rob Row, [c. 1850]. 15” x 10-1/2” broadside, mounted, cut piece of letter laid down near center reading: “Yours resp[ectfull]y Wm Oram 43 Monday evening.” Light browning and soiling, a few minor chips and some rubbing to edges, three horizontal fold lines. A curious, rare item. \$1,850.

depredations of the above-named FILTHY ANIMALS, as they are known to be peculiarly attached to that which is not their own:--- i.e. ‘Rates.’” William Oram may have been the author of the broadside text. We were unable to locate a copy of this broadside in any library worldwide.

The text of this anti-lawyer satirical broadside continues (in part): “The Public are particularly Cautioned against the



BEWARE!

Important Caution.

BEWARE of a PAIR OF BIPEDS, that have Lately Escaped, the ONE FROM JAIL, the other, "Cut out for a Sawyer but made up a Lawyer," from the Weddington-Lane Menagerie, and are now haunting this Neighbourhood in shape of an

OVERSEERING BABOON

AND A

PORCUPINE-BACKED LAWYER.

The Public are particularly Cautioned against the depredations of the above-named FILTHY ANIMALS, as they are known to be peculiarly attached to that which is not their own:---i.e. "RATES."

The earliest Public opportunity will be embraced of putting a Stop to their Nefarious and Plundering Propensities.

N.B. A TRUE COPY OF THIS NOTICE WILL BE PRESERVED.

Printed by Tympan, Frisket, & Co. Rib Row, Expose.

11 CATHERINE II, [1762–1796], Empress of Russia KOZITZKI, GRIGORII VASIL'YEVICH [d.1775], Latin Translation

Nakaz Eia Imperatorskago Velichestva Ekateriny Vtoryia, Samoderzhitsy Vserossiiskiiia Dannyai Kommissii o Sochinenii Proekta Novogo Ulozheniia...

“THE BEST AND MOST LUXURIOUS” FOUR-LANGUAGE EDITION OF CATHERINE THE GREAT’S NAKAZ

St. Petersburg: Imperatorskaya Akademii Nauk, 1770. [viii], 403 pp. Four title pages, one in each language. Printed in double columns, Russian and Latin on one page and German and French on the opposite page. Allegorical engravings by C. M. Roth at head and tail pieces. Latin translation by Grigorii Vasil'yevich Kozitzki. Quarto (9-1/2" x 8"). Contemporary calf, raised bands, lettering piece and black-stamped ornaments to spine, edges rouged, patterned endleaves. Light rubbing, faint stains, scratches and ink marks to boards, which are slightly bowed, moderate rubbing to extremities, corners bumped and worn. Large copperplate vignettes at beginning and end of text. Light toning to text, somewhat heavier in places, faint dampstaining to margins in a few places, internally clean. A nice copy. \$3,000.

Only four-language edition, the fourth, and best, edition overall. Described by Count M.A. Korf, then director of the Imperial Library, as “The Best and Most Luxurious Edition.” The *Nakaz*, or *Instruction*, is a statement of legal principles written by Catherine II between 1764 and 1766. It was among her most ambitious and significant

undertakings. Infused with the ideas of the French Enlightenment, and copied mostly from the work of Voltaire, Montesquieu and Beccaria, it was compiled as a guide for the All-Russia Legislative Commission convened by the Empress in 1767 to create a new code to replace the 1649 Muscovite Code. Revised in consultation with Frederick the Great and Voltaire, the *Instruction* proclaimed the equality of all men before the law and denounced torture and the death penalty. Unfortunately, her proposed code was never completed. Catherine’s manuscript was written in French, and she later produced a Russian translation. Editions in German and Russian were published in Moscow in 1767. The book was initially banned in France because it was too liberal, which is why the first French-language edition was produced in Switzerland (with a false imprint). French and Latin editions were eventually published in 1770.

Camus, *Bibliothèque Choisie des Livres de Droit* 3301. Sopikov, *Opyt Rossiiskoi Bibliografii* 6456 (“best edition”). Butler, *The Nakaz of Catherine the Great* 524 (Entry 8).



Господи Боже мой! во дни
ми и вразуми мя, да
сотворю судъ людемъ тво-
имъ по закону святому
твоему судити въ правду.

НАКАЗЪ

КОМИССИИ О СОСТАВЛЕНИИ
ПРОЕКТА НОВАГО УЛОЖЕНЦА.



Законъ Христіанскій нау-
часть насъ взаимно аб-
лати другъ другу добро,
скольکو возможно.

INSTRUCTIO

Coestii ad condendam ideam
poni legum Codicis composito-
reptaque ad id domato po-
testate.



Religio Christiana docet nos,
ut alter alteri multo tan-
tum boni faciamus, quan-
tum quidem in suisque vo-
luntatibus situm est.



Soyz uenit Gott! verminum mihi,
sicut mihi Bechtand, dein Zoug
du radstent, nach demum Gott
gen Gesechtz mit dem best Zoug.

INSTRUCTION

sur die au Beveinigung des Ger-
nangs mit dem neuen Gesetz durch
beveindere Commission.



Christliche Religion lehret
niemals, einer dem andern so
viel gutes zu thun, als er
selbst ist.

Soyz uenit Dieu! fais atten-
tif à ma voix, et laisse ma
de l'intelligence pour juger
ton peuple selon sa justice,
et selon la justice.

INSTRUCTION

Pour la Commission chargée de
dresser le Projet d'un nouveau
Code des Loix



Religion Chrestienne nous
enseigne de nous faire
les uns aux autres tout le
bien que nous pouvons.

12 CAU, CORNELIS [1601–1683], Primary Compiler

Groot Placaet-Boeck, Vervattende de Placaten, Ordonnantien Ende Edicten Vande Doorluchtige, Hoogh Mog. Heeren Staten Generael der Vereenighde Nederlanden: Ende Vande Ed: Groot-Mog: Heeren Staten van Hollandt en West-Vrieslandt; Mitsgaders Vande Ed: Mog: Heeren Staten van Zeelandt. Waer by noch Ghevoeght Zijn Eenige Placaten Vande Voorgaende Graven ende Princen der Selver Landen, Voor soo Veel de Selve als noch in Gebruyck Zijn.

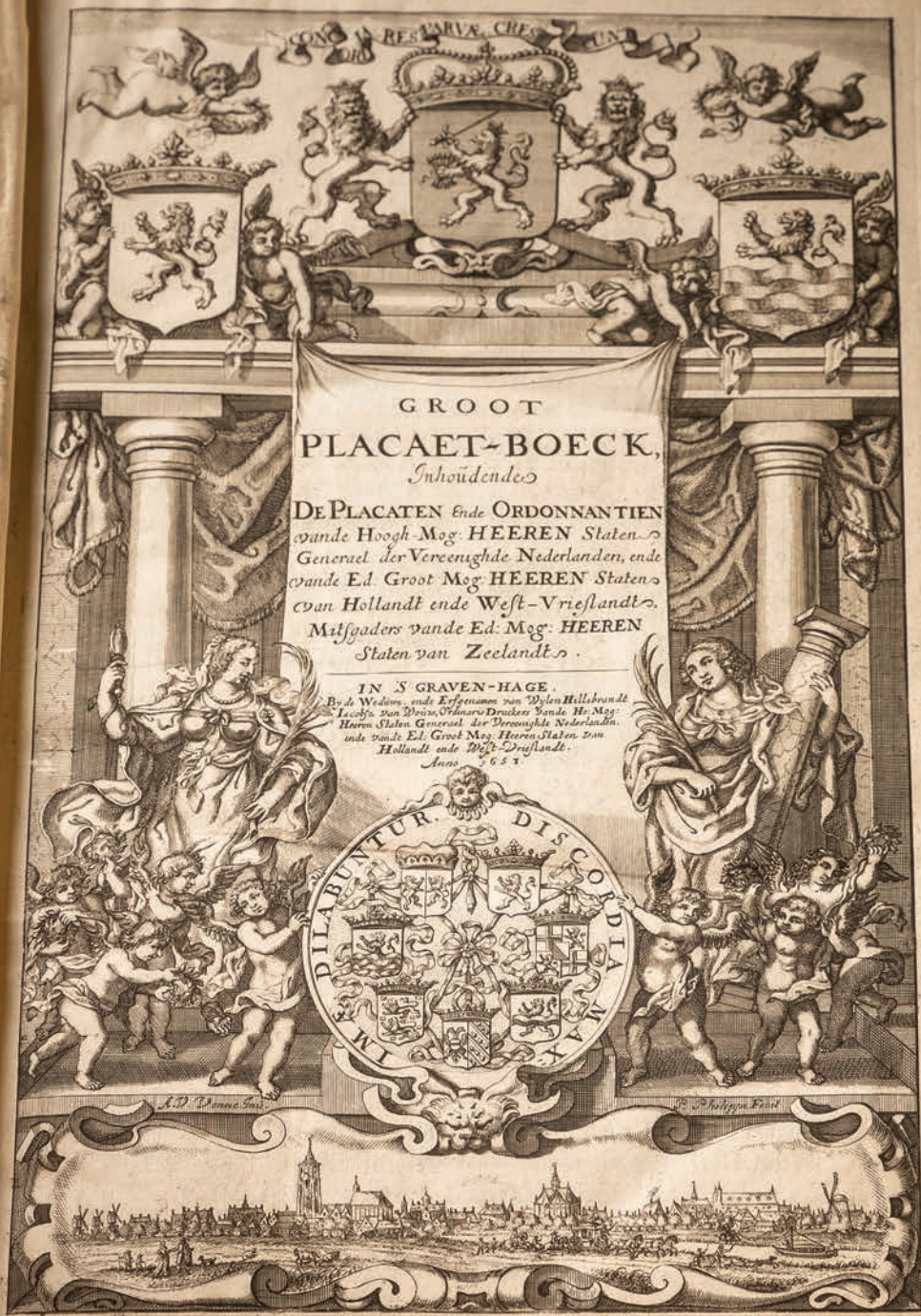
A RARE COMPLETE SET OF AN IMPORTANT COMPILATION OF DUTCH SOURCES, SOME OF THEM ABOUT THE AMERICAS

The Hague: By de Weduwe, Ende Erfgenamen van Wylen Hillebrandt Iacobsz van Wouw [and Other Printers], 1658-1797. Main text in parallel columns. Each volume includes an added engraved copperplate pictorial title page and an alphabetical and chronological register. The final volume, a general index, has a title beginning *Repertorium of Generaal Register Over de Negen Deelen van het Groot Placaatboek*. 10 volumes. Complete set. Folio (15" x 9-1/4"). Contemporary paneled vellum, large central arabesques to boards, raised bands, blind fillets and early hand-lettered titles to spines, fore-edges of a few volumes have small slots for thong ties that were removed. Light soiling, corners and spine ends bumped, some worn, front joints of 5 volumes cracked or starting, moderate chipping to head of Volume IV, minor chipping to spine and foot of spine of Volume VII, front pastedown of Volume III loose with large chip to bottom edge, front free endpaper removed from Volume IX, which has a cracked front hinge. Light toning to interiors, somewhat heavier in places, light foxing in a few places, light soiling to title pages. A rare complete set.

\$15,000.

Only edition. A remarkable achievement, this is a compilation of every ordinance, treaty and other enactments of the Staten-Generaal and the states of Holland and Zeeland from 1097 to 1795. It is a valuable source of legal, political, theological and sociological information. It also provides a great deal of information about Holland's colonies. It has, for example, a complete record of the public-law documents relating to the Dutch West India Company's activities in the Americas. Cau, who is credited as the primary editor, produced the first two volumes. Volume III was edited by Simon van Leeuwen [1625-1682], Volume IV by Jacob Scheltus [1640-1712], Volume V by Paul Schultus [1664-1748], Volume VI by Isaac Scheltus [1739-1799], Volumes VII and VIII by Didericus Lulius [fl. 1776-1781] and Volumes IX-X by Johan van der Linden [1756-1835].

Sabin, *A Dictionary of Books Relating to America* 28930. Dekkers, *Bibliotheca Belgica Juridica* 33.



CON RESARVA CRES UN



GROOT
PLACAET-BOECK,
Inhoudendes

DE PLACATEN Ende ORDONNANTIEN
vande Hoogh Mog. HEEREN Staten
Generael der Vereenighde Nederlanden, ende
vande Ed. Groot Mog. HEEREN Staten
van Hollandt ende West-Vrieslant.
Mitfgaders vande Ed. Mog. HEEREN
Staten van Zeelandt.

IN 'S GRAVEN-HAGE.
By de Wed. v. ende Erfgenamen van Wylm. Hellebrandt
Licbts. van Weins. Vlauro-Druckers. Vande H. Mog.
Heeren Staten Generael der Vereenighde Nederlanden,
ende vande Ed. Groot Mog. Heeren Staten van
Hollandt ende West-Druslant.
Anno 1657.



13 CLEMENT V [1305–1314], Pope ANDREA, GIOVANNI D' [c.1270–1348], Glosses [Constitutiones].

1486 KOBERGER IMPRINT OF THE CLEMENTINAE

[Nuremberg: Anton Koberger, 15 March 1486]. [60] ff. Double-column text with linear gloss. Final leaf blank. Collation: a/A10, BC8, D6, E8, F6, G8, H6. Folio (13-1/4" x 9"; 34 x 23 cm). Contemporary paneled calf with later rebacking, extensive blind-stamped decoration (including images of flowers and gryphons), "Sexti et decretum" (?) blind-stamped to head of front board, brass bosses to centers of boards and fore-corners, buckles from clasps to fore-edge of front board, blind rules and black paper title labels to spine, front hinge reinforced, endpapers added. Moderate rubbing, a few minor scuffs and several tiny worm-holes to boards, early repair to lower fore-corner of front board, moderate rubbing to extremities with wear to spine ends, front joint partially cracked. Printed in 80-81 lines, text in gothic type, rubricated throughout in red and blue, opening initial "I" in gold on a blue ground, manuscript index in contemporary hand to recto of initial blank leaf. Light toning, moderate edgewear and dampstaining to fore-edge of text block, partial crack between ff. a/A8 and a/A9, worming to margins in a few places, text not affected. \$15,000.

fruition in 1151 with the completion of Gratian's *Concordia Discordantium Canonum*, or *Decretum Gratiani*, a watershed compilation that superseded earlier collections. The *Liber Quinque Decretalium* of Gregory IX followed in 1234. Published in 1298, the *Liber Sextus Decretalium* of Boniface VIII was the last great collection of the pre-Reformation era. John XXII added the final official collection, the *Liber Septimus Decretalium*, better known as the *Constitutiones Clementis V*, or *Clementinae* (1317). Three more texts were added later: the *Extravagantes* of John XXII (1325), the *Extravagantes Communes* of other popes to 1484 and the *Appendix Pauli Lancellotti* (1563). These texts, popularly known as the *Corpus Juris Canonici*, were revised in 1580-1582 to reflect changes ordered by the Council of Trent. In this form it remained in force until the enactment of the *Codex Iuris Canonici* in 1918. The ISTC locates 8 copies in North America, 3 in law libraries (Harvard, UC-Berkeley, University of Michigan).

Incunabula Short-Title Catalogue ic00727000.

Attempts to codify the body of canon law began in earnest during the Carolingian Empire. These efforts reached

I

... in apud... in hoc nomine... cu[m] in reliqua romano... po...

noia. nō tranſi-
erūt numerū. ad
quē etiā solus bā-
bici nome alēdit.
Inter canonistas
etiā pimentarios b
nome viguit. Ma-
bimus cū ioban-
nem theutbonicus
pferendū nō ex or-
dine. sed ex fructu.
iobannē galen. vul-
teranū. Jo. hispa-
num. Jo. fauētini
Jo. d. fauconā. Jo.
de aconā. Jo. d. deo
etiā hispanū. Jo. d.
langucella cesena-
tēnē. Jo. mona-
chū cardinalē ego
etiā q̄ minor suz in
ter. xij. doctores col-
legij bonon. me q̄r-
um fuisse iobannē
inter eos p̄mē-
tores solus. s̄ in
cōmentatores
mus. et de ni-
orte papyz n̄
occupar̄ mē
Et quia pue-
cū exordio
ositores iu-
p̄nt tāda
statuere
ia multa
excusabi-
bac p̄i
ed glo-
ila nō

**Incipiunt cōstitutiones cle-
mentis pape quinti vna cum
apparatu dñi Jobis andree**



Iohannes ep̄us seru⁹
seruoz dei dilectis fi-
lijs doctozibz ⁊ schola-
ribz vniuersis bono-
nie p̄morātibz salutē.
⁊ aplicā b̄ndictionē.
Quoniā nulla iur̄
sanctio q̄tūcunq; p̄penso di-
gesta p̄silio ad humane natu-
re varietatē ⁊ machinatōes
eius inopinabiles sufficit: nec
ad decisionē lucidā sue nodo-
se ambiguitatē attigit: eo p̄-
sertim q̄ vix aliqd̄ a deo certū
clarūq; statuit̄ quin ex causis
emergentibz quito iura iā po-

... in rebus experimur. que naturaliter
... paulatinim ex imperfecto ad p̄fectum
... ventatis cognitione a p̄i-
... si poterit

14 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'Armata di Mare, Sicurtà, Entrate, & Uscite.

SCARCE 1564 VENETIAN IMPRINT OF THE CONSOLATO DEL MARE

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).

Censimento Nazionale Delle Edizioni Italiane del XVI Secolo CNCE 13101.



15 DAMHOUDER (DAMHOUDERE), JOSSE (JOOST) DE [1507–1581]

Praxis Rerum Criminalium Iconibus Materiae Subiectae Convenientibus, Pulchrius Quam Unquam Hactenus Recognita atque Illustrata, Multis Quoque in Contextu Doctis Additionibus Locupletata, Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque Id Genus Iustitiaris ac Officiariis Apprimè Utilis & Necessaria.

**CLASSIC SIXTEENTH-CENTURY TREATISE ON CRIMINAL LAW
ILLUSTRATED WITH SIXTY-EIGHT LARGE WOODCUTS
WITH CONTEMPORARY ANNOTATIONS**

Antwerp: Apud Ioannem Bellerum, 1562. [xxiv], 467, [53] pp. 68 woodcut illustrations. Quarto (7-1/2" x 5-1/2"). Near-contemporary paneled pigskin over wooden boards, brass clasps to fore-edges, raised bands, early hand-lettered title and early shelf mark to spine, edges rouged. Light soiling, tiny wormholes to rear board and spine, light rubbing to extremities, head of spine lightly bumped, corners lightly worn, a few partial cracks to text block. Moderate toning to interior, light soiling and faint stains in a few places, clean tears to edges of a few leaves, small spark burn to leaf 11 (pp. 129-130), faint dampstaining to upper corners of pp. 77-80, small wormholes to text block (and rear pastedown) beginning on p. 391, legibility not affected, early annotations to several leaves in miniscule hand, some extensive, several affected by trimming, recent repair to tear at head of title page. A handsome copy.

\$6,500.

Later edition. First published 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* (1439-1519) and other earlier treatises. Published in Latin, Dutch and French, it was the standard authority throughout the continent for many years. This Antwerp edition from 1562 is illustrated throughout with woodcuts depicting murder, rape, theft, piracy, adultery and other crimes, along with images of trials, torture and related subjects. They are redrawn, often mirror, images of the illustrations attributed to Gerard de Jode in the 1554 Louvain edition. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. OCLC locates 8 copies of this edition in North America, 4 in law libraries (George Washington University, Harvard, San Francisco Law Library, Yale).

Dekkers, *Bibliotheca Belgica Juridica* 44.

16 DARROW, CLARENCE [1857–1938]

The Story of My Life.

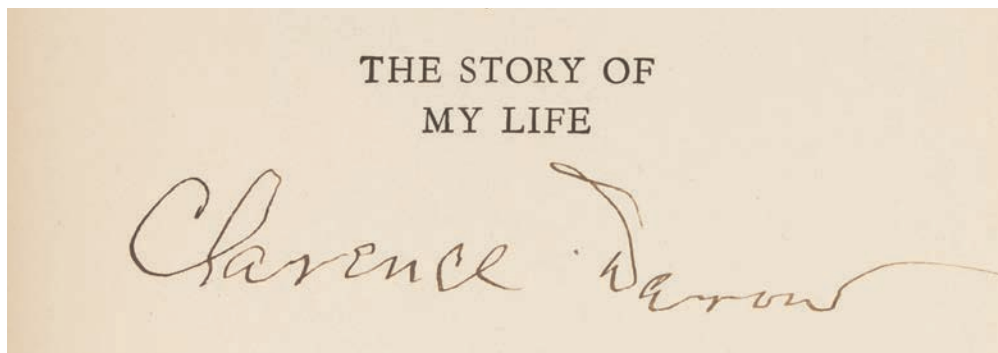
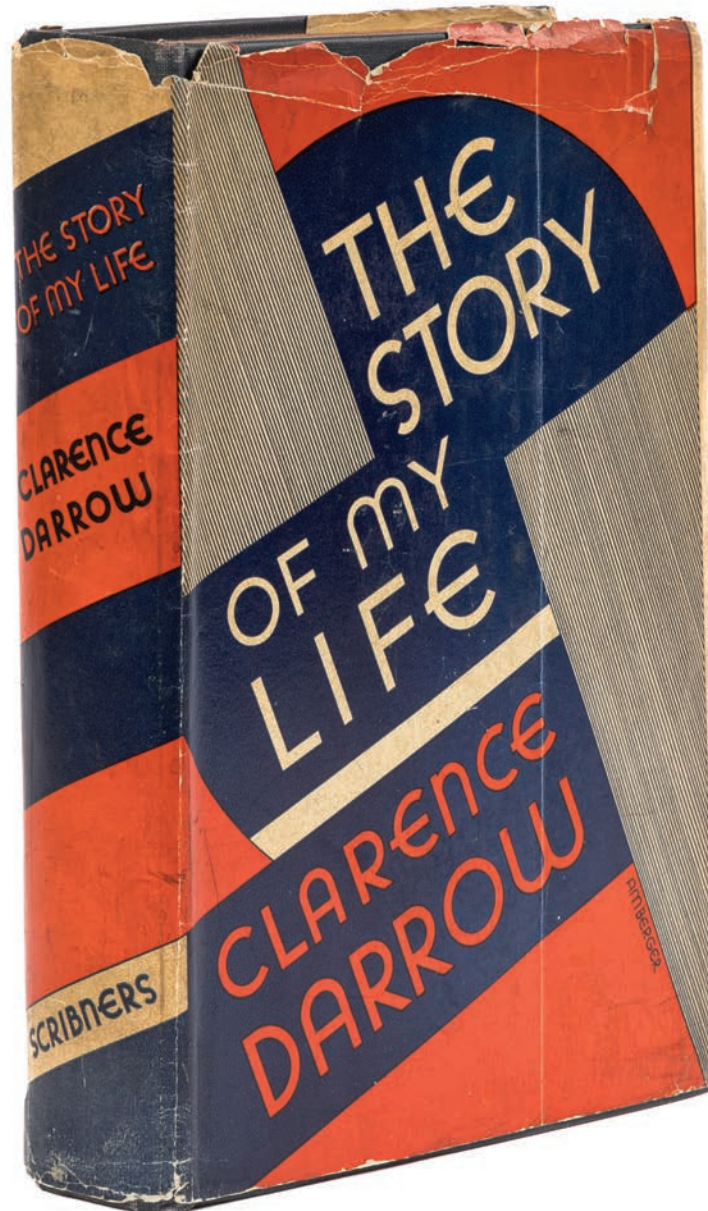
WITH DARROW'S SIGNATURE AND BOOK LABEL

New York: Charles Scribner's Sons, 1932. viii, [iv], 465 pp. 14 plates (with 16 illustrations). Cloth, very good in edgeworn, creased and lightly soiled dust jacket. Leather 2-1/2" x 3/4" calf label reading "C.S. Darrow" affixed to front pastedown, Darrow signature to half-title in bold hand. \$2,000.

First edition (Scribner "A," blue cloth). A curious feature of this copy, one we have never seen before, is the label affixed to the front pastedown. It is not a bookplate; it appears to be a lawyer's spine label, this one from Darrow's office. The label may have

been added by the owner of the book. (It is unlikely that Darrow would have owned an autographed copy of his book.) Darrow's *Story of My Life* is one of the great autobiographies of the twentieth century. When Darrow died in 1938 at the age of 81, few disputed that he was one of the great attorneys and public intellectuals of his day. There were other lawyers in his lifetime who contributed more to the development of legal science, who rose to positions of greater influence, or who won larger financial rewards, but perhaps none who could match his record as a crusader for the common man.





Signature detail

17 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.

“A SERIES OF THE MOST HORRID MURDERS”: MCDADE 242

[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.

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. Our account of it is rare. OCLC locates 9 copies, 2 of them defective, 1 in a law library (Faulkner University). 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.

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

Evans, *American Bibliography* 16756. McDade, *The Annals of Murder* 242.



CONFESSION OF B. DAVENPORT - LITCHFIELD 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 perpetrated in this Country, or perhaps any other, on the Evening following the 2d of February, 1780.

Is to be executed at *Litchfield*, on the 8th of May.

Printed in the Year, M.DCC.LXXX,

18 DU RIVAIL, AYMAR [c.1490–c.1557]

Libri de Historia Iuris Civilis et Pontificii.

FIRST EDITION OF AN IMPORTANT CONTRIBUTION TO THE EARLY-MODERN RECOVERY OF ROMAN LAW

[Valence]: Venundantur Valentie in Biblioteca Ludovici Olivelli Bibliopole Universitatis Valen. Iurati, [1515]. cxxix, [19] ff. Quarto (7-3/4" x 5-3/4"). Later limp vellum with lapped edges, faint early hand-lettered title to spine, one thong tie present, its catch and other tie and catch lacking, endpapers renewed. Light rubbing, faint stain to front cover, attractive woodcut printer device to title page. Light toning to interior, negligible faint dampstaining to margins on a few places, brief early annotations of a few leaves at beginning of text. An attractive copy.

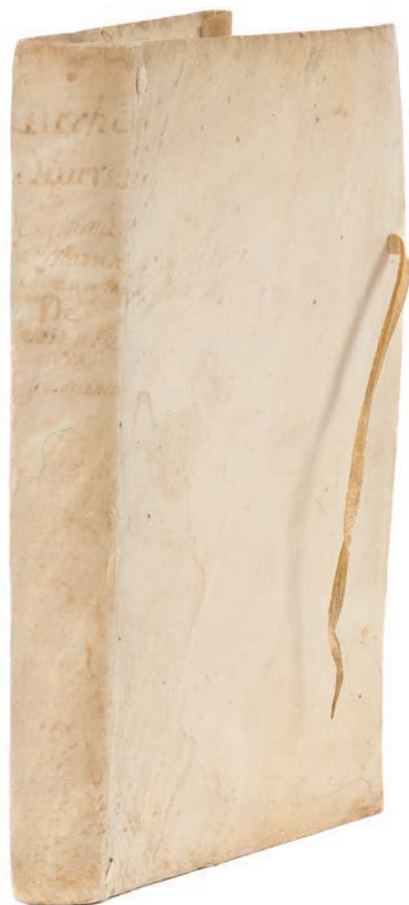
\$4,500.

First edition. Du Rivail, who studied under Alciati, was a humanist jurist, historian and member of the parlement of Grenoble. *Historiae Iuris Civilis et Pontificii*, his principal work, is a set of commentaries

on the Twelve Tables. As Peter Stein has observed, it was an important contribution to the early-modern recovery of Roman law from the obfuscations of the Glossators and Commentators. Its fifth book is a kind of critical bio-bibliography of early jurists and their works. The final section is a historical sketch of canon law. It had four later editions, the last in 1539. Beginning with the second edition, it was published with a title beginning *Civilis Historiae Iuris Sive in XII Tabularum Leges Commentariorum Libri Quinque*. OCLC locates 6 copies of the first edition in North America, 2 in law libraries (Library of Congress, San Francisco Law Library).


Stein, *Roman Law in European History* 78. Adams, *A Catalogue of Books Printed on the Continent of Europe* R590.





AYMARI RIVALLII ALLO
BROGII IVRIS CONSVL
TIAC ORATORIS LL
BRI DE HISTO
RIA IVRIS CI
VILIS ET
PONTI
FICII.

Cum gratia et priuilegio in dorso huius
paginae posito,



Venundantur Valentie in biblioteca Ludouici
Oliuelli bibliopole vniuersitatis Valen. iurati,



LIBER SECVNDVS

decim tabulas in aes incisas; in publico p[ro]pofuerat; quod ad
fu tribunoru[m] fuisse ab aedilibus factum aliqui tradunt.
EX AEMILIA, Mamerctus Aemilius dictator
propter belli fufpitione[m] quam hostes praebent
dictus est; Sed eis pacatis materia quarenda; h[uius]
gloriae adempta; in pace aliquid operis edenda
piens, quod monumentum e[st]e[re] dicitur; legem m[ag]istratibus
pluquam annua ac semestris Censura e[st]e[re] um veteru[m]
tuto seu malueris lege, xij. tabulis magistratus quatuor
duraret; huius Aemiliae legis interpretatione[m] L. iustus
nono ponit, post centesimo tamen annum, quod h[uius] d[omi]ni
Claudius supradictode viginti menses inuitis alioque
nis, summaque omnium ordinu[m] inuisita solus Censurae
Augustus vero morum legu[m] regim[en] ade[st] Censurae
petua sicut. Caesar recepit; & ter censum populi p[ro]m[is]it
tium cu[m] collega, mediu[m] solus peregit. Et causam huius
ferēda[m] apud L. iij. reperit; indignu[m] e[st] Aemiliu[m]
credidit; cu[m] alij magistratus annui e[st]e[re]nt; Censura magna
magistratus quinquēnalis e[st]e[re].

EX PAPHRIA, L. Papyrius Crassus & L. L. L. L.
sules legem de mulctari[um] estimatione velle populi
grata ferre praecipuaerit; cu[m] ea ab illis tribu[m] p[ro]p[ri]e
ri vnus ex collegio prodicione expe[st]e[re]nt.

EX MANLIA, Gn. Manlius consul legem de v[er]bi
ma con[tra] qui manumittere[re]nt; nouo ex p[ro]p[ri]e v[er]bi
trium in caltris tribu[m] tulit; & quia ea lege m[ag]istratus
gnū v[er]bi in op[er]e aario additū e[st]e[re]; p[ro]p[ri]e v[er]bi
runt auctores; ceteru[m] Tribu[m] plebeis non t[ame]n legem
plo moti; leges in caltris ferre deinceps prohibuerunt.

EX VALERIA, Cu[m] miles Claudio Marcellus
lio; & Quinto Seruilio consulibus admittit; Capu[m]
nis Capuae consilia inuenit; atque fecerit; h[uius]
reconciliarentur; M. Valerius Coru[m]m[us] d[omi]ni

HISTORIAE IVRIS CIVILIS Fo. lxxxvi.

legem sacram militarem tulit; ne alicuius militis scripti no
men nisi ipso volente deleteret; & ne quis vbi tribunus mis
situm fuisset; postea ordinum ductor e[st]e[re], alij omnem rem
actam non per dictatorem; sed per consulem ferunt; quod
non refert.

EGES PVBLIAE, P. Philo dictator tris les
ges secundissimas plebi; aduersas nobilitati
tulit; vna[m] v[er]bi plebeis omnes Q[ui] vnus te
nerent; Alteram vt ante initium suffragium
patres legum quae comitijs centuriatis ferretur;
tu[m] auctores fierent; quod ante non erat; vt
e Latio libro primo ab v[er]be condita intelligere licet; nā post
initium suff[ra]gij & leges a populo rogatas; patres si dignas
leges populi in faxellet; auctores fiebat. Tertiam legem tu
lit; vt vnus Censorem plebeum fieri liceret; quoniam licet
censura patre[m] e[st]e[re] magistratus; eo tamen iam ventum
erat; vt alter censor v[er]bi ex plebe crearetur.

EX PETILIA, C. Petilius, S. L. Papyrius Mugla
nus sine curio consules legem ad populum tulerunt; vt nullus nisi qui noua[m] meruisset; donec p[ro]p[ri]e
nam literet; in compedibus aut in neruo teneret;
tur; neq[ue] in posterum aliquid ob aes alienum necteret; sed
pecuniae creditae bona debitoris; nō corpus obnoxio e[st]e[re];
itaque next soluti fuerunt; hac lege iuri, xij. tab. & senatus
sulto, quo debitoris n[on] e[st]e[re] creditoribus trad[er]e poterant; ob
L. Papyrij honoratoris libidinem simul & crudelitatem ab
rogatum est; luonem enim forma & aetate praclarum ob
aes alienum paternum is nexum habebat; quem verberis
bus lacerauit, propterea quod sibi profrenere publici
nam aspernabatur; h[uius] ratio fuit; quare ruptum est iugens
fidei vinculum; ferretque legem praedictam consules iussit
fuerunt.

k iij

19 EDGAR, THOMAS [fl. 1615–1649], Attributed

The Lawes Resolutions of Womens Rights: Or, The Lawes Provision for Woemen. A Methodicall Collection of Such Statutes and Customes, With the Cases, Opinions, Arguments and Points of Learning in the Law, As Doe Properly Concerne Women. Together with a Compendious Table, Whereby the Chiefe Matters in This Booke Contained, May Be the More Readily Found.

THE EARLIEST WORK IN ENGLISH DEVOTED TO LAWS RELATING TO WOMEN

London: Printed for the Assignes of John More Esq., 1632. [xiv], 404 pp. First leaf in collation, a blank, lacking. Quarto (7-1/2" x 5-1/2"). Contemporary speckled calf, rebaked in period style, gilt fillets and lettering piece to spine, gilt tooling to board edges, corners mended, endpapers renewed, speckled edges. Light rubbing to boards, tiny nick to lettering piece. Light toning to text, light foxing to a few leaves. Housed in a custom quarter morocco over cloth clamshell box with gilt-edged raised bands and gilt title to spine. A handsome copy. \$25,000.

First edition. The earliest work in English devoted to laws relating exclusively to women, this incomparable digest from the time of the Civil War is also known as

The Womens Lawyer. It is notable, in part, as the first book in English with the phrase “women's rights.” A wide-ranging work, it treats such diverse topics as age of consent, dower, hermaphrodites, polygamy, wooing, partition, chattels, divorce, descent, seisin, treason, felonies and rape. Some sources, such as the *English Short-Title Catalogue*, believe this work was written in 1603 by Sir John Doderidge [1555-1628], an important legal figure during the reign of James I. Its preface is signed T.E., who is believed to be Thomas Edgar. Jefferson owned a copy of this book, which suggests a few copies could be found in early American libraries.

Sowerby, *Catalogue of the Library of Thomas Jefferson* 1999. *English Short-Title Catalogue* S100217.



THE
LAVVES
RESOLUTIONS
OF WOMENS
RIGHTS:

OR,
THE LAVVES PROVISION
for WOEMEN.

A Methodicall Collection of such Statutes
and Customes, with the Cases, Opinions,
Arguments and points of Learning in
the LAVV, as doe properly con-
cerne WOMEN.

Together with a compendious Table, whereby the
chiefe matters in this BOOKE contained,
may be the more readily found.

LONDON;
Printed by the assignes of JOHN MORE Esq.
and are to be sold by JOHN GROVE, at his
Shop neere the Rowles in Chancery-Lane, over
against the Sixe-Clerkes Office.

1632.

20 FORTESCUE, SIR JOHN [1394?–1476?] MULCASTER, ROBERT [16th c.], Translator

A Learned Commendation of the Politique Lawes of England.

HANDSOME ANNOTATED COPY OF THE FIRST ENGLISH-LANGUAGE EDITION OF FORTESCUE'S *DE LAUDIBUS*

[London: In Fletestrete Within Temple Barre, At the Signe of the Hand and Starre, by Rychard Tottill, 1567]. [i], 132, [3] ff. English and Latin in parallel columns. Octavo (5-1/2" x 3-1/4"). Recent period-style calf, blind frames and corner fleurons to boards, raised bands and lettering piece to spine, endpapers renewed, edges rouged. Front hinge just starting. Moderate toning to interior, lower corners of ff. 91 and 121 and upper corner of f. 32 lacking without loss to text, small tear to text block of f. 1 without loss to legibility, occasional early and later (seventeenth and eighteenth-century?) underlining and annotations, mostly brief glosses, in two hands in Latin and English, early ownership signatures (of Thomas Disney and Gilbert Peterson) to title page. A very appealing copy.

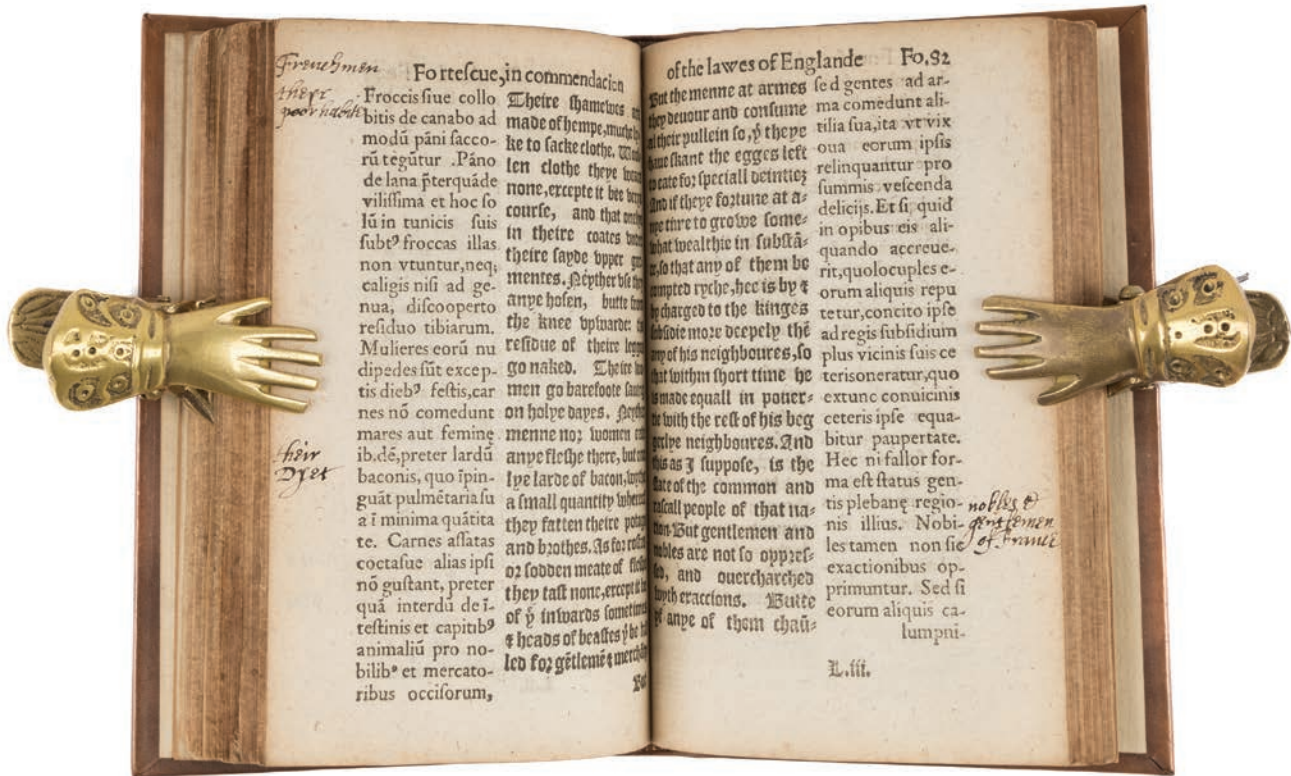
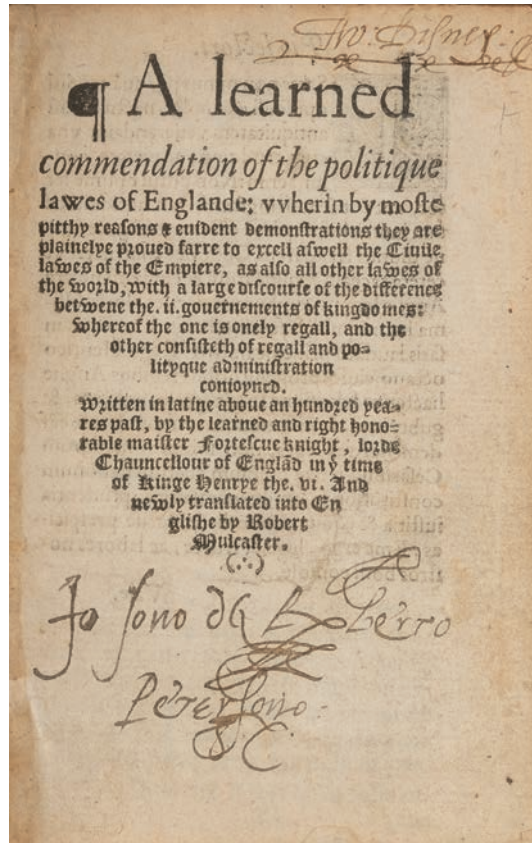
\$10,000.

First edition in English by Robert Mulcaster, the great Elizabethan educationalist. *De Laudibus Legum Angliae*, a history of English law, was written for the instruction of Edward, the young Prince of Wales. Cast in a friendly dialogue form, it demonstrates that the common law was the

oldest and most reasonable legal system in Europe. The first work to examine 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 published (in Latin) in 1537. "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). Coke deemed it "worthy to be written in letters of gold." OCLC locates 9 copies of this edition in North American law libraries (Los Angeles County, University of Michigan, University of Minnesota, University of Virginia, Georgetown, George Washington University, Library of Congress, College of William and Mary, Harvard).

Coke cited in Skeel, "The Influence of the Writings of Sir John Fortescue," *Transactions of the Royal Historical Society* 10: 93. Marvin, *Legal Bibliography* 321. Beale, *A Bibliography of Early English Law Books* T357. *English Short-Title Catalogue* S102454.





21 GENTILI, ALBERICO [1552–1608]

De Legationibus, Libri Tres. Omnibus Omnium Ordinum Studiosis, Praecipue Vero Iuris Civilis Lectu Utiles, Ac Maxime Necessarii.

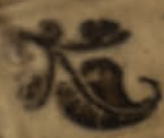
**“THE FIRST TRUE SCHOLAR AND WRITER
ON MODERN INTERNATIONAL LAW”**

Hanover: Apud Guilielmum Antonium, 1594. [xvi], 231, [1] pp. Octavo (5-3/4" x 3-1/2"). Contemporary flexible vellum, blind rules to boards surrounding gilt-stamped corner fleurons, front enclosing gilt image of a man kneeling in worship before a crucified Christ below owner initials "G.H." and above date "1595," rear enclosing image of the Christ Child, early hand-lettered title to spine, ties lacking. Light soiling, some rubbing to extremities, corners and spine ends bumped, small chip to upper corner of front cover, which has faint early owner initials, gilding oxidized, early library bookplate to front pastedown, tiny recent bookplate above it, front hinge cracked, minor worming to pastedowns and front endleaves. Moderate toning to text, somewhat heavier in places, a few wormholes with no loss to legibility, light soiling to title page. A very desirable copy in a striking period vellum binding. \$4,500.

Second edition. Gentili, an Italian jurist, was tutor to Queen Elizabeth I, a member of the Spanish Embassy in London and the Regius Professor of civil law at Oxford. Widely considered Grotius's most important predecessor, Gentili was the "first true scholar and writer on modern international law as the law of the community of states" (Walker). His reputation in this field rests on two books, *De Iure Belli Libri Tres* (1598), a study of armed conflict, and *De Legationibus* (1585), a study of diplomats and diplomacy. Early editions of *De Legationibus* are scarce. OCLC locates 10 copies of the second edition, 4 in North American law libraries (Columbia, Harvard, Library of Congress, Yale).

Walker, *Oxford Companion to Law* 518. *Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts* G1260.





NAM

G

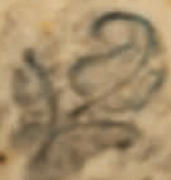


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22 GRATIAN THE CANONIST [c.1090–c.1145] JOHANNES TEUTONICUS [d.1253], Glossator BARTOLOMEO DA BRESCIA [d.1258], Glossator BRANT, SEBASTIAN [1458–1521], Editor

Decretum Gratiani.

1500 IMPRINT OF GRATIAN'S EPOCH-MAKING DECRETUM

[Basel: Johann Froben and Johann Amerbach, 1 July 1500]. [530] ff. Leaves [11] and [530] blank. Collation: Aa-Bb6, a-f8, g6, h-z8, [et]8, A-Z8, AA-SS8. Woodcut illustration of Gratian in his study on verso of leaf Bb6. Double-column text with linear gloss. Quarto (8-1/2" x 6"). Near-contemporary paneled pigskin, later vellum repair to fore-edges, raised bands and renewed lettering pieces to spine, endpapers renewed. Light soiling and a few small wormholes to boards, light rubbing to extremities, spine ends bumped, small hole to head of front joint, rear joint just starting at ends, later bookplate (of Eugen von Maucler, dated 1839) and small library bookplate to front pastedown, rear free endpaper lacking. Main text up to 56 lines, commentary up to 67 lines. Printed throughout in red and black Gothic type. Light toning to interior, occasional small wormholes to text block, no loss to legibility, cracks in text block between leaf Aa6-Bb1 and RR8-SS1 and a few partial cracks, all leaves secure, printing flaw and small tear to leaf K2, small tear and hole to fore-edge of leaves R1-S8 just touching text in a few places, early underlining and annotations to a few leaves, struck-through annotation to title page.

\$9,500.

The *Concordia Discordantia Canonum*, or, as it is better known, the *Decretum Gratiani*, is the cornerstone of modern canon law. The first work of its kind, it was compiled by Gratian, a monk, professor and later Bishop of Chiusi, around 1140. Using the latest scholastic and juristic techniques from Bologna, he harmonized the disparate legal texts that had accumulated throughout the history of the Church. Like the *Corpus Juris Civilis* in the study of the civil law, his *Decretum* became the basic text for the study of canon law for many centuries.

The *Decretum Gratiani* addresses church jurisdiction, legal offenses and proceedings and administrative issues like baptism and the consecration of churches. In the following century an extensive gloss was added by Teutonicus, a German prior living in Bologna. Known as the *Glossa Ordinaria*, it was later revised and enriched by another Bolognese prior, Bartholomew of Brescia. The gloss and its revisions were a standard feature of subsequent manuscripts and printings. OCLC and the *ISTC* locate 2 copies of this imprint in North America (Huntington Library, Conception Abbey).

Incunabula Short-Title Catalogue (ISTC) ig00391000.

Gratianus compilator decreti

Hieronymus

Augustinus

Dopses
Job
David
Esaia
Hieremias



Johannes
Bartolomeus
Lucas
Bartholomeus
Paulus

Ambrosius

Gregorius

Carmina Sebastiani Brant ad lectorem

Aspice doctorem dederat cui Gratia nomen:
 Qui vario presens stamine textit opus.
 En sibi contestes quales habet ille pbatos:
 Equibus expressit forte magister opus.
 Paulus adest: cuneusq; ingens doctissim' olim.
 Quos schola vel christi: vel tulit ecclesia.
 Pagina docta patrū: sacriq; enigmata iuris:
 Hic quicquid totus optinet orbis: adest.
 Sed tibi qd referam: q̄tum bonitate libellus
 Destat: ab artificel noster amice manu?
 Respice cuncta velim lector decreta p orbem:
 Que vel pressa prius: que vel arata manu.
 Non tamen inuenies dignum pferrier vsq;
 Dulc nostro: vitis quod neq; subiacet.

Un' habet nimium distantē a tramite glosam.
 In textu r glosis deficit alteruter.
 Ille caret rubro: titulis caret alter r atro.
 Q̄ male correctas curticat ille quotas.
 Quo fit vt e cūct: quē sedula turba reposcat
 Integer a mendis rarus vbiq; liber.
 Hic tñ ad textū quadrat sua glosa: nec vnq;
 Vertere opus foliū: non labor ille grauat.
 Aspice litterulas q̄s margine cernis: et inde
 Ad facile inuenies queq; cupita manum.
 Inuenies veterē atq; nouā sine murmure legē
 Q̄ bene cum textu hoc: illa vel illa sonet.
 Credere quis posset cuncta hec p̄stare libello
 Tam apte exiguus: laus Basilca tua est.

23 HARTLEY, J. ROWLANDSON, THOMAS [1756–1827], Artist

History of the Westminster Election, Containing Every Material Occurrence, From its Commencement [sic] on the First of April, To the Final Close of the Poll, On the 17th of May. To Which is Prefixed a Summary Account of the Proceedings of the Late Parliament, So Far as They Appear Connected with the East India Business, And the Dismission of the Portland Administration, With Other Select and Interesting Occurrences at the Westminster Meetings, Previous to its Dissolution on the 25th Day of March, 1784. By Lovers of Truth and Justice.

WITH 16 HAND-COLORED SATIRICAL PLATES BY ROWLANDSON

London: Printed for the Editors, And Sold by J. Debrett, 1784. [v], x-xii, 574 pp. 16 hand-colored plates, 13 folding. Quarto (10-1/4" x 8"). Later signed three-quarter red morocco over cloth by Riviere and Son, gilt rules to morocco edges, gilt-edged raised bands, gilt ornaments and title to spine, marbled endpapers. Light rubbing to boards and joints, which are starting slightly, light wear to corners, faint offsetting to endpapers, hinges cracked. Light toning to interior, occasional very light foxing, faint offsetting from plates in places, small vertical crease to title page and following leaf, small tear to leaf M4 (pp. 87-88) without loss to legibility, small faint stain to pp. 272-273. A handsome copy with vivid images. \$2,500.

two seats were among the most contentious in the late eighteenth century. This volume is a history of the 1784 general election issued on behalf of supporters of the radical Whig politician Charles James Fox [1749-1806]. It includes reprints of parliamentary debates, newspaper articles and advertisements, poetic and lyrical extracts and 16 hand-colored plates by Thomas Rowlandson. The election ultimately resulted in victory for Fox, who spent lavishly on the election and defeated his Whig opponent Sir Cecil Wray by 225 votes. Our variant is dedicated "to the free and independent electors of Westminster" rather than "her Grace the Duchess of Devonshire." Later editions appeared in 1784 and 1785.

First edition, one of two variants. The Westminster borough was the most populous in the country, and campaigns for its

English Short-Title Catalogue T86069.





Plate details



24 HOLMES, OLIVER WENDELL, JR. [1841–1935]

Speeches.

Boston: Little, Brown, and Company, 1918. [vi], 103 pp. Original printed paper boards. Light soiling, somewhat heavier on spine, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning to text, author inscription to front free endpaper.

[Boxed with]

FRANKFURTER, FELIX

[1882–1965]

Mr. Justice Holmes and The Supreme Court.

Cambridge: Harvard University Press, 1938. 137 pp. Frontispiece. Original cloth, gilt title to spine. Light rubbing to extremities with light wear to spine ends and corners, light fading to spine. Moderate toning to interior, author inscription to front free endpaper.

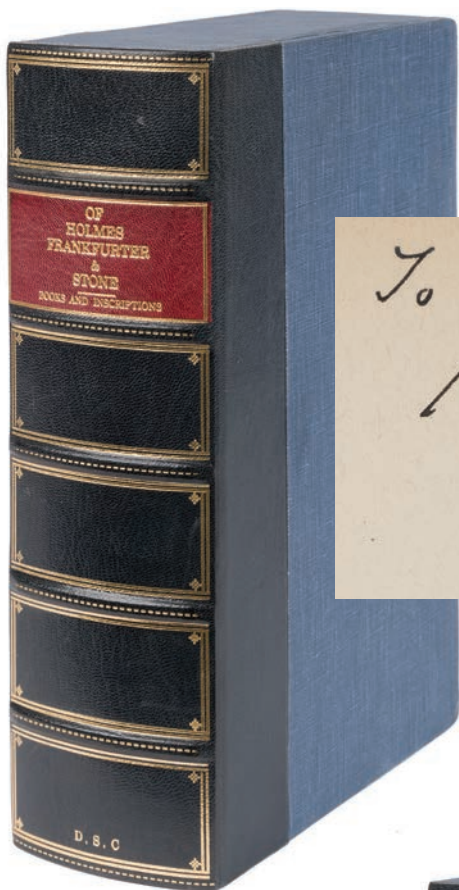
PRESENTATION COPIES FROM OLIVER WENDELL HOLMES AND FELIX FRANKFURTER INSCRIBED TO HARLAN FISKE STONE

Both books, each in a cloth flap folder, housed in handsome two-compartment cloth slipcase, quarter morocco spine with raised bands, gilt ornaments and gilt title reading: *Of Holmes Frankfurter & Stone, Books and Inscriptions.* \$10,000.

Speeches: later printing; *Mr. Justice Holmes*: first edition. Both of these books were presented to Harlan Fiske Stone when he was an associate justice of the U.S. Supreme

Court. (He was chief justice from 1941 to 1946.) *Speeches* is inscribed: "To Harlan F. Stone from his associate and friend Oliver Wendell Holmes. May 23, 1928." *Mr. Justice Holmes* is inscribed: "For H.F.S., a meagre conveyance of your great friend, but it comes to you with the highest regards from F.F. Cambridge, 6 October 1938." Frankfurter became Stone's associate on the Court in 1939. Holmes retired in 1932.



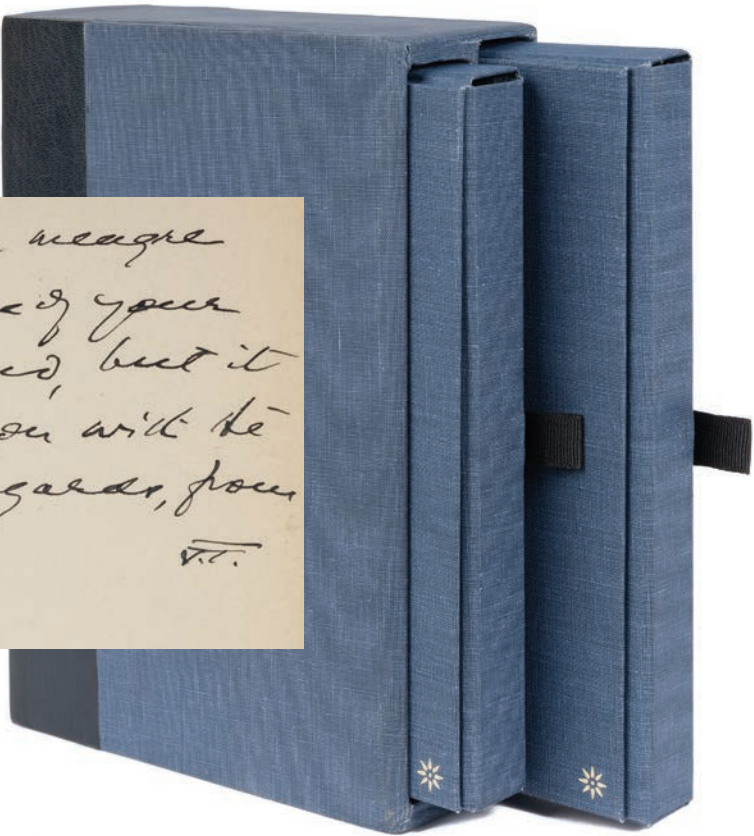


To Harlan F. Stone
from his associate and friend
Oliver Wendell Holmes
May 23, 1928

Speeches inscription detail

To H. F. S., a meagre
conveyance of your
great friend, but it
comes to you with the
lightest regards, from
Cambridge,
6 October 1938
W.H.

Mr. Justice Holmes inscription detail



25 JACKSON, WILLIAM, Principal Author

The New and Complete Newgate Calendar, Or, Malefactor's Universal Register.

A HANDSOME SET FROM THE LIBRARY OF LADY DIANA DUFF COOPER

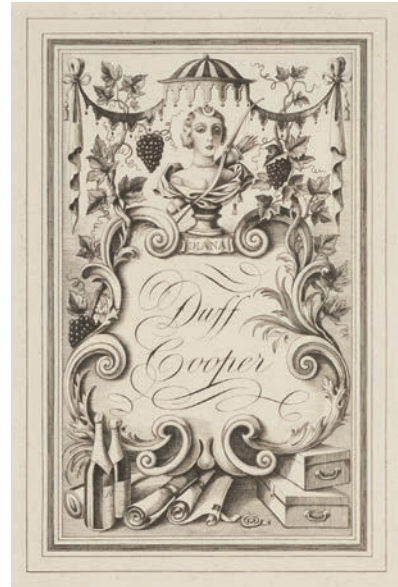
London: Printed for Alexander Hogg & Co., Paternoster-Row, 1810. Six volumes, in seven books. Complete set. Pagination occasionally irregular, text complete. 39 engraved copperplates, 6 of them frontispieces. Octavo (8-1/2" x 5-1/2"). Near-contemporary three-quarter morocco over marbled boards, gilt rules to boards, raised bands and gilt titles and ornaments to spines, top-edges gilt, deckle fore and bottom-edges, marbled endpapers. Negligible light rubbing and a few minor scuffs to boards, faint crease to front board of Volume II, some rubbing to spines, corners bumped and somewhat worn, front hinges of Volume I and II cracked, other hinges starting, bookplate of Lady Diana Duff Cooper to front pastedowns. Moderate toning to interiors, light foxing and faint dampstaining in a few places, faint offsetting from plates, repairs to corners of a few leaves with no loss to text. A handsome set.

\$3,500.

This popular work began as a monthly record of executions issued by the keeper of London's Newgate Prison. The title was eventually adopted by several publishers of criminal biographies. The first work to collect these was published in 1760. Didactic and lurid in equal measure, it went through several editions by different compilers and publishers into the twentieth century. Hogg's version was published and complete in six volumes. Two volumes were added later and marketed as part of the set. (A projected ninth volume does not appear to have been published.) Lady Diana Duff Cooper [1892-1986], a former owner of our set, was a famous English aristocrat, actress and socialite. Her husband, Duff Cooper, a notable politician and historian, was the British ambassador to France.

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 1:370.





Bookplate detail



Jack Shepherd in the Stone Room in Newgate.



A PIRATE hanged at Execution Dock.

Copperplate details

26 JACOB, GILES [1686–1744]

Every Man His Own Lawyer: Or, A Summary of the Laws of England, In a New and Instructive Method, Under the Following Heads, Viz. I. Of Actions and Remedies, Writs, Process, Arrests, and Bail. II. Of Courts, Attornies and Solicitors Therein, Juries Witnesses, Trials, Executions, &c. III. Of Estates and Property in Lands and Goods, And How Acquired; Ancestors, Heirs, Executors and Administrators. IV. Of the Laws Relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. V. Of the Liberty of the Subject, Magna Charta, The Habeas Corpus Act, And other Statutes. VI. Of the King and his Prerogative, The Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of Peace, Constables, &c. VII. Of Publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c. And Their Punishment. All of Them so Plainly Treated of, That All Manner of Persons May be Particularly Acquainted With Our Laws and Statutes, Concerning Civil and Criminal Affairs, And Know How to Defend Themselves and Their Estates and Fortunes, In All Cases Whatsoever.

THE FIRST LAYMAN'S GUIDE PUBLISHED IN AMERICA

New York: Printed by Hugh Gaine, 1768. iv, 289, [13] pp. Octavo (7-1/4" x 4-1/2"). Contemporary sheep, blind fillets and decorative blind tooling to boards. Moderate rubbing to extremities, some chipping to spine ends, corners bumped and lightly worn, a few minor scuffs to boards, hinges cracked, light browning to text. Early owner signature to rear pastedown, interior otherwise clean. \$2,200.

First American edition, designated the seventh on the title page in reference to the prior six editions published in London. This popular layman's guide by one of the most prolific legal writers of eighteenth-century England went through ten English editions between 1736 and 1788. The

mention of "All Manner of Persons" in the subtitle is significant. Jacob, though certainly interested in boosting sales by attracting the widest audience possible, was an idealist who believed that widespread knowledge of the law would help create a more just society. This is also evident in his other publications, such as *The Common Law Common-Placed* (1726) and *Treatise of Laws* (1721). According to Cohen, this was the first laymen's guide published in America. The next two, which were intended also for aspiring lawyers, were *The Young Clerk's Magazine* (Philadelphia, 1774) and *The Young Clerk's Vade Mecum* (New York, 1776).

Cohen, *Bibliography of Early American Law* 8202.

EVERY MAN *His own* LAWYER:

O R,

A Summary of the Laws of *England*, in a New and Instructive Method, under the following Heads,

V I Z.

- | | |
|--|--|
| I. Of Actions and Remedies, Writs, Procefs, Arrests, and Bail. | V. Of the Liberty of the Subject, <i>Magna Charta</i> , the <i>Habeas Corpus Act</i> , and other Statutes. |
| II. Of Courts, Attornies and Solicitors therein, Juries, Witnesses, Trials, Executions, &c. | VI. Of the King and his Prerogative, the Queen and Prince, Peers, Judges, Sheriffs, Coroners, Justices of Peace, Constables, &c. |
| III. Of Estates and Property in Lands and Goods, and how acquired; Ancestors, Heirs, Executors and Administrators. | VII. Of publick Offences, Treason, Murder, Felony, Burglary, Robbery, Rape, Sodomy, Forgery, Perjury, &c. And their Punishment. |
| IV. Of the Laws relating to Marriage, Bastardy, Infants, Ideots, Lunaticks. | |

All of them so plainly treated of, that all Manner of Persons may be particularly acquainted with our LAWS and STATUTES, concerning Civil and Criminal Affairs, and know how to defend Themselves and their Estates and Fortunes,

In all Cases whatsoever.

The Seventh Edition, corrected and improved, with many Additions, from Lord *Raymond*, *Comyn*, *Strange*, *Foster*, and with the Statute Law down to 4 *Geo.* 3. inclusive.

NEW - YORK:

Printed by HUGH G A I N E, Printer, Bookseller and Stationer at the Bible and Crown, in Hanover-Square,

M,DCC,LXVIII.

27 JUSTINIAN I [485–565 CE], Emperor of the East ACCURSIUS (ACCORSO, FRANCISCO)

[c.1182–c.1260], Glossator

GRADIBUS, JOHANNES DE [fl. 15th–16th c.]

Instituta cum Summariis.

1501 VENETIAN EDITION OF THE INSTITUTES IN A CONTEMPORARY BINDING

[Venice: Per Paganinum de Paganinis, May 25, 1501]. 152 [i.e. 140] ff. Double-column text with linear gloss. Octavo (6-3/4" x 4-3/4"). Contemporary calf, blind frames and ornaments to boards, raised bands to spine, clasps, lower clasp lacking strap and buckle, endpapers renewed, inner margins of title page and leaf s1 (fol. 137) reinforced. Light rubbing to boards, light gatoring to spine, rubbing and light wear to spine ends, rubbing with heavier wear to corners. Printed throughout in red and black, "I" of "Instituta" on title page colored red. Moderate toning, faint, in some places very faint, dampstaining, some edgewear to preliminaries and final three leaves, annotations in early hand to title page and its verso, the verso of final leaf and some leaves of the text. \$6,500.

Digest. Intended for students, the *Institutes* is a synopsis of the reformed legal system. Rediscovered during the late Middle Ages, it became the standard textbook of Roman law. The main text of our 1501 imprint is accompanied by Accorso's great *Glossa Ordinaria* (or *Magistralis*). A professor of law at Bologna and a leading figure in the revival of classical jurisprudence, Accorso examined every extant note and commentary when he prepared his epochal edition of Justinian's *Institutes*, *Digest* and *Code*. This massive effort eliminated much of the obscurity and contradiction introduced by earlier writers. His editions, which superseded all previous attempts, remained definitive until the 1583 revision by Denis Godefroy. OCLC locates 3 copies of our 1501 imprint, 1 in North America (Library of Congress). Not in Adams.

Commissioned by the Emperor Justinian in 530 CE, the body of writings known collectively as the *Corpus Juris Civilis* restated all existing Roman law. It has four components: the *Code*, *Novels*, *Institutes* and

Censimento Nazionale delle Edizioni Italiane del XVI Secolo CNCE 14113.





28 MANUSCRIPT

Modus Tenendi Parliamentu[m]. In Two Bookes. Composed by Henry Elsing. Esquire, Clerke of the Parliament. The Catalogue of the First Booke-Modus Tenendi Parliamentum Apud Anglos in Two Bookes-The First of the Forme, & All Things Incident-Thirtunto. The Second of the Matters Handled in Parliament. The First Booke Hath Eight Chapters.

PRE-PUBLICATION MANUSCRIPT COPY OF A CLASSIC MANUAL ON PARLIAMENTARY PROCEDURE

[London?, c.1626-c.1660]. 82 pp. Folio (13-1/4" x 8-1/2"). Nineteenth-century flexible pebbled calf, gilt rules and fillets to boards, gilt title "Modus Tenendi Parliamentu" to center of front board, gilt fillets to spine, all edges gilt. Light rubbing and minor scratches and nicks to boards, moderate rubbing and light fading to extremities with wear to corners, chipping to spine ends, joints starting at ends, front hinge starting at foot, twentieth-century sheet of typewritten notes tipped-in to front endleaf. Moderate toning, faint dampstaining to first third of text block, light soiling in a few places. Text in a single secretarial hand within ruled borders on wide-margined leaves, main text preceded by table of contents, doodles and penmanship exercises in later hand to front endleaf and foot of p. 82. \$5,000.

A pre-publication manuscript copy of the first three chapters of this important manual of Parliamentary procedure: "Of Summons," "Of Appearances" and "Locus et Modus Sedendi." Written in 1626, it originally circulated as manuscript copies. Edited and enlarged by his son, also named Henry Elsyng [1606?-1656], who was clerk to the House of Commons, it was published in 1660 as *The Ancient Method and Manner of Holding of Parliaments in England. Being the Collections of Henry Elsyng, Esq.* A work of great authority, it went through several editions into the eighteenth century. Manuscript copies are held by several libraries, but they are rare in commerce. No copies have appeared at auction since 2012.



29 MANUSCRIPT HOLMES, OLIVER WENDELL, JR. [1841–1935] CASTLETOWN, LADY CLARE [1853–1927]

[Autograph Letter Signed “H” to Lady Clare Castletown, Boston (?), May 18, 1898].

8” x 5” bifolium, content filling rectos and versos of both leaves. Faint vertical and horizontal fold lines, negligible ink show-through in a few places.

[With]

[Unrelated 3-1/4” x 4-3/4” Autograph Envelope Addressed to Castletown, Postmarked Boston, May 21, 1897, Five-Cent Stamp Affixed].

Light soiling, tears along opening, most of rear flap lacking.

HOLMES DESCRIBES HIS APPROACH TO THE LAW IN A LETTER WRITTEN IN MAY 1898

Together two items.

\$4,500.

This letter dates from the early years of Holmes’s lengthy correspondence with Lady Clare Castletown, an aristocratic woman with whom Holmes had an intense flirtation in the late 1890s. Holmes, then an associate justice of the Massachusetts Supreme Judicial Court, mentions his desire to see her again, the Spanish-American War, which began the previous month, and the novel *A Voyage of Consolation* by Sara Jeannette Duncan.

Most of the letter describes his approach to the law. It reads, in part: “It is a rather curious experience, the continuous necessity of adjustment [word crossed out] to the point of view of others & when you have strong and clear convictions. Law in general admits of such adjustments

because at bottom the decision is a choice between two inconsistent desirables - and the intensity of the [illegible] desires. On the degree to which the opponent courses aim for the general good cannot be measured without precision - But when it comes to the measuring of words, in construing an instrument or a statute, theoretically some ones [sic] construction is absolutely right and another [sic] are wrong -- and the decision a matter of literary tact. If others do not agree with you, the logical answer is that they do not perceive as much as you do - [illegible] always my trust in any controversy which is not the final thing to be said, and what it comes down to, is, ‘[illegible] I have more spiritual discernment than thou.’ Dont [sic] blame me for talking law - if my pen will shape any words it is to be expected.”

May 18/97

My dear lady - In some instances
when the subject of your letter
has been that I should be a member
of the committee of a very interesting
kind to which has a long dis-
cussion to read and only can sketch
a moment here and there when I
am called up in which I did not
I was disappointed in the

the Voyage of Columbus
I seem to me to have
begin with that to
we are always
a question in
but do it a
you will

MAY 21
6 - PM
MASS



To the Lady Castletown
9 Upper Ossory
101 Eaton Place
London S.W.
England

29 May - 97

30 MANUSCRIPT LEGAL PUBLISHING

GEORGE I [1660–1727], King of Great Britain

[Signed Royal Warrant Permitting Search of Parliamentary Records].

ROYAL PERMISSION TO SEARCH PARLIAMENTARY RECORDS

London: Kensington Palace, 1726. 2 pp. 12” x 7-1/2” bifolium, edges gilt, embossed royal seal and autograph signature “George R” at head, docket to verso. Moderate toning, horizontal and vertical fold lines, light foxing, small holes and clean tears starting along fold lines, no loss to text. \$7,500.

A royal warrant signed by George I granting “Our Trusty and Welbeloved John Baskett Our Printer,” “Robert Gosling of Our City of London Bookseller” and their assistants “free liberty and access” to Parliamentary records and permission to transcribe them. Baskett and Gosling were preparing “a compleat Collection of All of the Acts of Parliament from Magna Charta to this present time.” The warrant describes the

effort, “hitherto unattempted,” as “a very usefull and necessary worke, conducing to Our Honour and Service, and for the Benefit and Advantage of all Our Loving Subjects.” It gives Baskett and Gosling access to the Tower of London, the statute rolls, journals of both houses of Parliament, and royal libraries at St. James’s and Westminster “without paying any Fees.” Compiled by William Hawkins, this collection was published in six volumes in 1735 as *The Statutes at Large*. (A seventh volume appeared in 1742.) According to Marvin, it was “much esteemed” for its thoroughness and references to ancient statutes in their original languages and in translation.

Marvin, *Legal Bibliography* 375.





George I

George by the Grace of God King of Great Britain France and Ireland Defender of the Faith &c. To all to whom these presents shall come Greeting: Whereas Our Trusty and Wellbeloved John Baskett Our Printer, and Robert Gasling of Our City of London Bookseller, have humbly represented to us, that they are preparing for the Press a compleat Collection of all the Acts of Parliament from Magna Charta to this present time, together with the preambles to all the Statutes, which according to the best Estimation will make six large Volumes in Folio, and to render the work more compleat and exact, the same to be transcribed from the Statute Rolls of Parliament, in the same Language as they were originally made, a worke hitherto unattempted. And We looking on the same as a very usefull and necessary worke, conducing to Our Honour and Service, and for the Benefit and Advantage of all Our Loving Subjects. Our Will and Pleasure is, that the said John Baskett and

John Baskett & Warrant, to search Records

Robert

31 NATIONAL ASSOCIATION OF WOMEN LAWYERS

[10" x 35" Black-and-White Panoramic Photograph of the First Annual Session of the National Association of Women Lawyers].

THE FIRST ANNUAL SESSION OF THE NATIONAL ASSOCIATION OF WOMEN LAWYERS

Minneapolis, MN, August 28, 1923. Light soiling, vertical creases, tiny tear to right margin. \$3,500.

Founded as the Women Lawyers' Club in 1899 by an initial group of 18 members, the National Association of Women Lawyers (NAWL) held its first annual convention in

Minneapolis in 1923. Chief Justice William Howard Taft, pictured in the center of the first row, was a special guest; seated to his right is Emilie Bullowa, NAWL's president from 1923 to 1924. Also pictured are judge Mary O'Toole of Washington, DC, Customs Court judge Genevieve Cline of New York and Phoebe Munnecke of Michigan.





Yours

Wm. N. Faust

32 PICKERING, DANBY, Compiler

The Statutes at Large, From Magna Charta To the End of the Eleventh Parliament of Great Britain, Anno 1761. Carefully Collated and Revised, With References, A Preface, And a New and Accurate Index to the Whole.

[And]

[Continuation Volumes Through 1792].

THE NOTABLY HANDSOME MACCLESFIELD LIBRARY SET

Cambridge: Printed by Joseph Bentham; for Charles Bathurst, London, 1762-1769. 24 volumes, numbered 1-24, final volume and index. Complete set; Cambridge, Printed by Joseph Bentham, Printer to the University; for Charles Bathurst, London [imprint varies], 1762-1792. 15 volumes, numbered 25-37, of a 24-volume set, its final volume (46) issued in 1807. Contemporary calf, blind rules to spines, blind fillets along joints, raised bands and lettering pieces to spines, gilt or blind tooling to board edges. Light rubbing to extremities, minor nicks, scuffs and minor stains to some volumes, minor worming to Volume 13, mostly at rear of text, with no loss to legibility. Armorial Macclesfield bookplate to front pastedowns, small embossed Macclesfield stamps to title page or half-title, shelf number in pencil to front or rear endleaves, interiors notably fresh.

\$7,500.

Only editions. This is a notably handsome copy of one of the pre-eminent 18th-century printings of the *Statutes at Large* with a notable provenance: the library of the Earls of Macclesfield at Shirbirn Castle,

one of the finest private libraries in Great Britain. Indeed, it is difficult to imagine a more desirable set. The library was established in the early eighteenth century by Thomas Parker, the first Earl of Macclesfield. A hugely successful lawyer and Whig MP, Parker became Lord Chief Justice of England in 1710 and, in 1718, Lord Chancellor. Unfortunately, his meteoric rise was countered by an equally rapid fall in 1725 when he was impeached and found guilty of financial irregularities as Lord Chancellor. It is not surprising that this library included a set of Pickering's edition of the *Statutes at Large*. Pickering dedicated his work to Charles Yorke, then the recently appointed Attorney General and the second son of Philip Yorke, the great Lord Chancellor whose career flourished due to his friendship with Macclesfield. The friendship appears to have begun with their introduction through Lord Macclesfield's nephew, Thomas Parker, who is listed as a subscriber to this edition.

Baker, "Parker, Sir Thomas (c.1695-1784), Judge," *Oxford Dictionary of National Biography* (accessed online). *English Short-Title Catalogue* T214028, T214030.

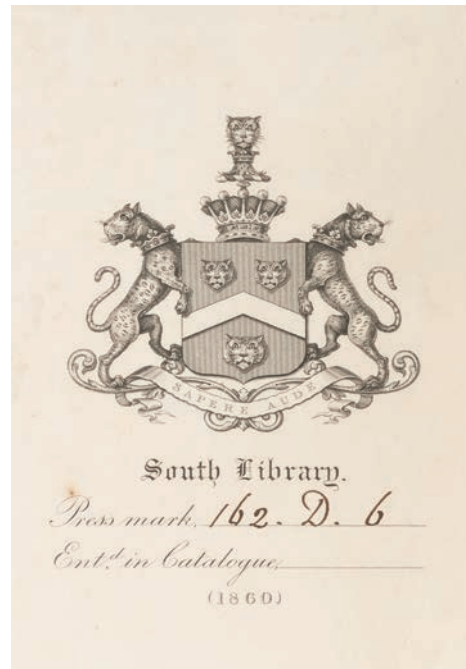


THE
Statutes at Large,
 FROM
MAGNA CHARTA
 To the END of the
Eleventh Parliament of GREAT BRITAIN,
Anno 1761.
 Carefully Collated and Revised,
 WITH
 REFERENCES, a PREFACE, and a New and
 Accurate INDEX to the Whole;

By **DANBY PICKERING**, of Gray's-Inn, Esq;
 Reader of the Law Lecture to that Honourable Society.

CAMBRIDGE,
 Printed by **JOSEPH BENTHAM**, Printer to the UNIVERSITY;
 for **CHARLES BATHURST**, at the Cross-Keys, opposite St. Dunstan's
 Church in Fleet-Street, London. 1762.

CUM PRIVILEGIO.



Bookplate detail

33 STORY, JOSEPH [1779–1845]

Commentaries on the Conflict of Laws, Foreign and Domestic, In Regard to Contracts, Rights, And Remedies, And Especially in Regard to Marriages, Divorces, Wills, Successions, And Judgments.

FIRST EDITION OF ONE OF STORY'S MOST IMPORTANT TREATISES IN A SUPERB BINDING

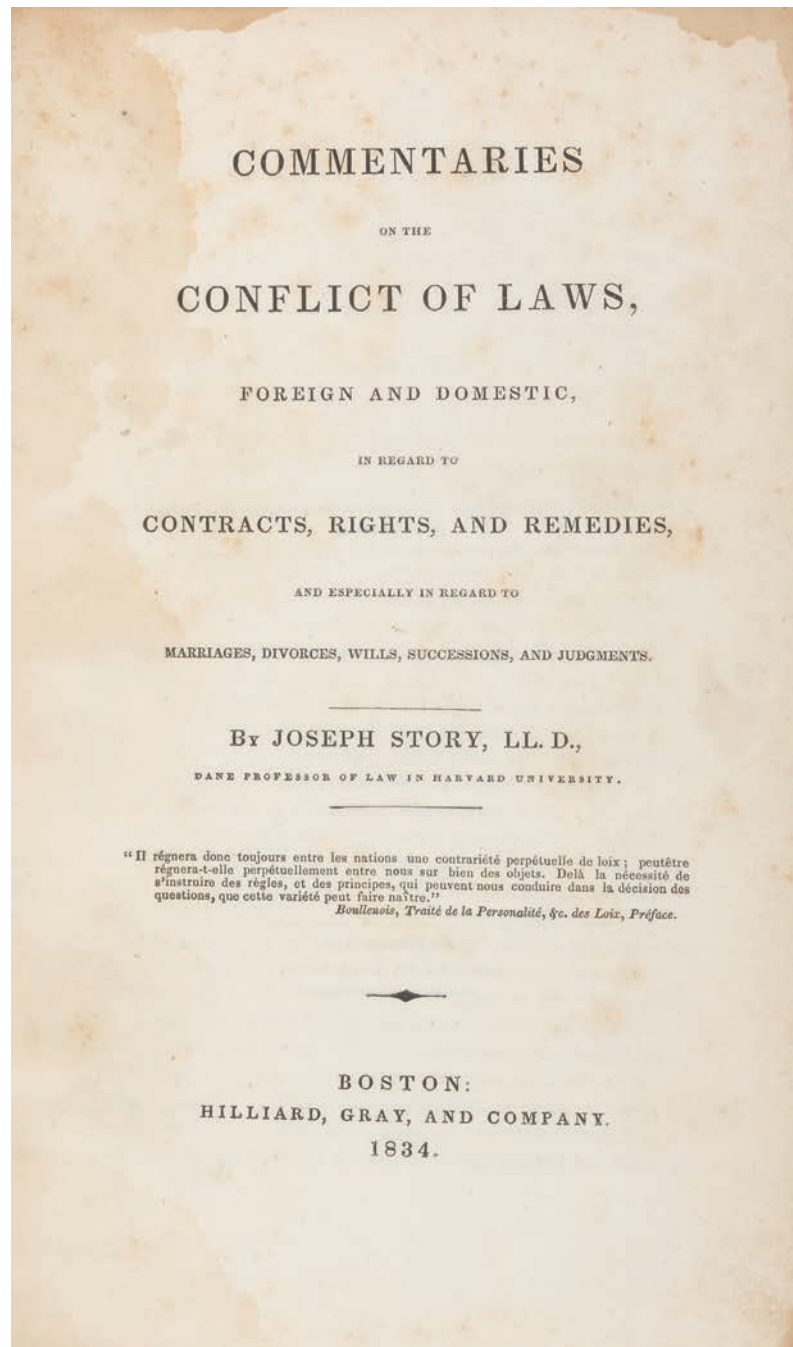
Boston: Hilliard, Gray and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2"). Period-style calf, blind rules to boards, lettering piece and blind fillets to spine, original endpapers retained. Moderate toning to text, somewhat darker or browned in places, light foxing, faint, gradually diminishing dampstaining to margins of several leaves at beginning and end of text. A handsome copy in a superb binding. \$1,500.

First edition. Story's *Conflict of Laws*, the first systematic treatise on the subject, is one of his greatest and most influential works. Warren says: "It is not too much to say that its publication constituted an epoch

in the law; for it became at once the standard and almost the sole authority...[it] received the honor of being practically the first American law book to be cited as authority in English courts." Expanding on this latter point Marvin quotes "a late English writer" who says that "no work on international jurisprudence merited, nor received, greater praise from the jurists of Europe. It impressed English lawyers with the highest respect for [Story's] extensive learning."

Marvin, *Legal Bibliography* 471. Warren, *A History of the American Bar* 545. Cohen, *Bibliography of Early American Law* 2723. Woxland & Ogden, *Landmarks in American Legal Publishing* 25.





34 SUMMA MONALDINA MONALDO DA CAPODISTRIA [c.1210–c.1280] DESCOUSU, CELSE-HUGUES [c.1480–c.1540]

Summa Perutilis Atq[ue] Aurea Venerabilis Viri Fratris Monaldi in Utroq[ue] Jure tam Civilis Q[uam] Canonico Fundata....

AN IMPORTANT EARLY WORK ON LAW AND ECONOMICS IN A SUPERB CONTEMPORARY BINDING

Lyon: In Vico Mercurali per Petrum Baleti ad Intersignum Sancti Iohannis Baptiste, 1516. ccxcv, [1] ff. Text in parallel columns. Octavo (6-3/4" x 4-3/4"). Contemporary paneled pigskin, beveled board edges, bronze clasps (with hasps), raised bands and later hand-lettered title and small paper shelf label to spine. Negligible soiling and rubbing, corners and spine ends lightly bumped, minor worming and dampstaining to pastedowns, hinges starting. Title page, with large woodcut initial, printed in red and black. Light toning to interior, light foxing to a few leaves, owner inscription, "Cartusiae Buxheim," to title page, later Buxheim stamp to foot of following page. A notably well-preserved copy of a rare title. \$6,500.

First printed edition. Monaldus of Capodistria was a renowned Franciscan canon lawyer and theologian. The *Summa Monaldina* is his principal work and the

primary source of his fame. Written around 1274, it circulated widely in manuscript and went through numerous printed editions. Arranged alphabetically by topic, it is a confessional manual with references, where relevant, to canon and civil law. Part of its appeal was its clarity, concision and alphabetical arrangement of topics. What's more, it surpassed its predecessors by addressing economic aspects of modern life at length. Nearly a fifth of the work addresses such matters as money trading, usury, contracts and professional fees. Its main purpose, overall, is to balance the needs of commerce and Christian society. OCLC locates 2 copies in North America (Harvard Law School, George Washington University Law School).

Adams, *Catalogue of Books Printed on the Continent of Europe* M1589. Baudrier, *Bibliographie Lyonnaise* III:26.





35 SWIFT, ZEPHANIAH [1759–1823]

A System of the Laws of the State of Connecticut. In Six Books.

THE FIRST AMERICAN LEGAL TEXT

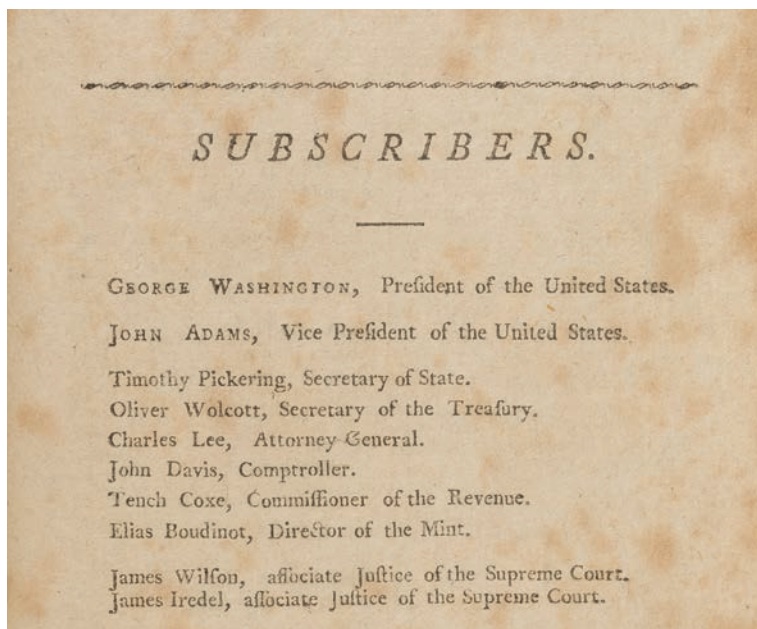
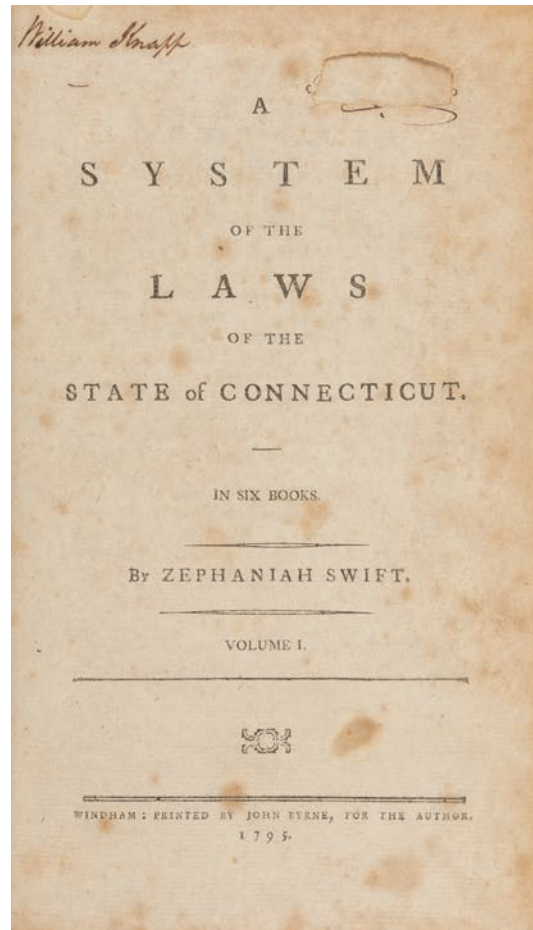
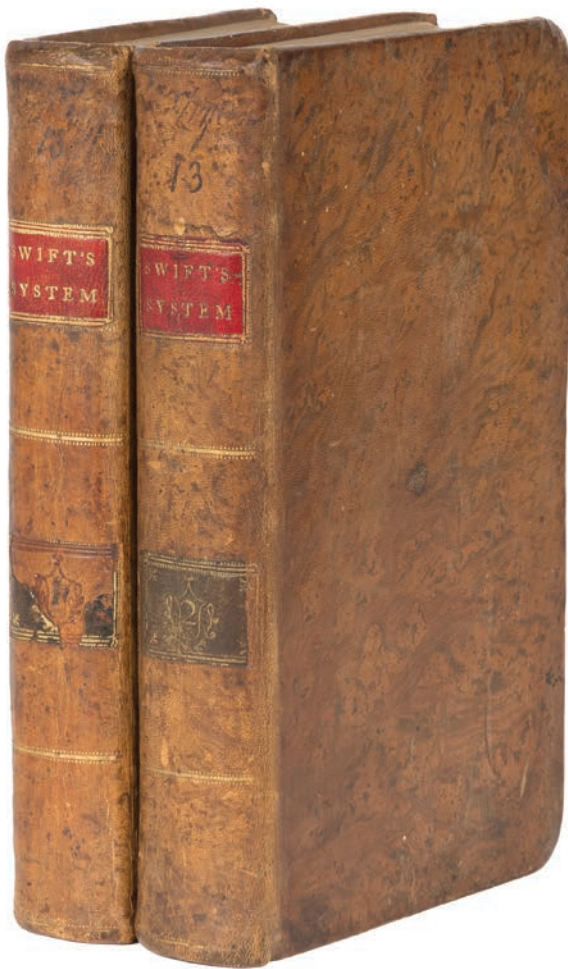
Windham, CT: Printed by John Byrne for the Author, 1795-1796. Two volumes. vii [i.e. iv], 452; v, [1], 479, [12] pp. Folding copperplate table of descents. 6-page subscriber list at end of Volume II. Octavo (8-1/4" x 4-3/4"). Contemporary tree calf, green and red morocco labels, title and volume number within gilt wreaths on the green labels, and gilt fillets to spines, blind tooling to board edges. Light rubbing and minor nicks, somewhat heavier rubbing to extremities, early location numbers in faint ink to heads of spines, most of numeral lettering piece of Volume I lacking, corners bumped. Light browning and foxing to interiors, owner signature (William Knapp) and hole from removed owner signature to heads of each title page. A very handsome set, in a remarkable early American binding. \$2,000.

First edition. Structured in the manner of Blackstone's *Commentaries*, Swift's *System* was the first original American legal treatise.

It presented an overview of the common law of Connecticut, and the common law generally, based on local court decisions and legislation. "More than a hundred years later it was still cited by Connecticut courts" (Woxland and Ogden). The work was highly regarded outside of Connecticut. Published on a subscription basis, its subscribers included, among other notables, George Washington, John Adams, Aaron Burr, James Kent, James Madison, James Wilson, Edward Livingston, Theodore Sedgwick and St. George Tucker.

Woxland and Ogden, *Landmarks in American Legal Publishing* 22. Cohen, *Bibliography of Early American Law* 5628.





Subscriber list detail

36 TENGLER, ULRICH [c.1447–1511]
BRANT, SEBASTIAN [1458–1521]
LOCHER, JAKOB [1471–1528]
TENGLER, CHRISTOPH, Editor

Layenspiegel: Von Rechtmässigen Ordnungen inn Burgerlichen und Peinlichen Regimenten.

Strasbourg: In Knoblochs Druckerey [for Wendelin Rihel and George Messerschmidt], 1544. [vi], 128, [3] ff. Woodcut pictorial title page. 28 woodcuts in text (some images repeated).

[Bound with]

BRANT, SEBASTIAN, Editor

Der Richterlich Clagspiegel: Ein Nutzbarlicher Begriff...

[Strasbourg: Durch Johannem Albrecht und Wendel Rihel], 1538. [vi], 135 ff. Woodcut pictorial title page. Two woodcut leaves.

[And]

New Formular Teutsch, Allerlei Schreibenn Als Instrument...

Frankfurt: Bei Christian Engenoff, [1545]. [iv], 165 ff. Woodcut pictorial title page.

**A COPY OF THE LAIENSPIEGEL BOUND WITH TWO CLASSIC
GERMAN WORKS OF ROMAN LAW AND LEGAL WRITING**

Folio (12" x 7-1/2"). Contemporary paneled pigskin with elaborate blind-tooling over beveled boards, raised bands to spine, clasps recently repaired, rear endpapers renewed. Moderate soiling and staining, moderate rubbing to extremities with wear to corners, tiny chip to head of spine, early manuscript index and two recent owner bookplates to front endleaves, another recent bookplate and a bookseller description of this book to rear pastedown, crack in text block between final text leaf and rear free endpaper. Moderate toning, occasional light dampstaining to margins, worming in a few

places, mostly to margins, with minor loss to text, early owner signature to title page of *Laienspiegel*, early brief annotations to a few leaves. \$9,500.

First printed in 1509, the *Laienspiegel* (or *Layenspiegel*) responded to a popular need among laymen (i.e. *Laien*) and local political and legal officials for a compilation of civil, criminal and public law in the vernacular. It is somewhat notorious for its commentary on witches, heretics and Jews. The preface is by Brant, the humanist and legal scholar. Locher, a scholar and poet, wrote the introduction



and a dedication in verse. Christoph Tengler, the author's son, prepared the text used in this 1544 edition.

Written in 1436, the *Clagspiegel* was the first book on Roman law in German. It has two parts, the first on civil law and procedure, the second on criminal law and procedure. Throughout, it shows relations between German practice and the *Corpus Juris Civilis*. The first edition by Brant was published in 1516. A durable work that went through 20 editions between 1475 and 1612, it played a leading role in the popularization of Roman law in early modern Germany and was

especially influential in the development of criminal law. First printed in 1522 as *Deutsch Formulari*, the *New Formular Teutsch* is a style manual for German legal and business documents. It went through several editions into the seventeenth century.

Das Verzeichnis der im Deutschen Sprachbereich Erschienenen Drucke des 16. Jahrhunderts T350, B8092, F1879.

37 TRIALS

BORROW, GEORGE H., Editor

Celebrated Trials and Remarkable Cases of Criminal Jurisprudence from the Earliest Records to the Years 1825.

**A FASCINATING COMPENDIUM OF “CELEBRATED” TRIALS
IN A HANDSOME BINDING**

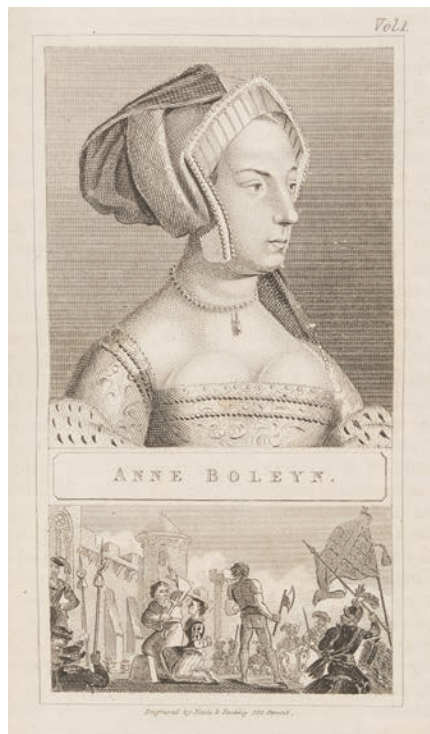
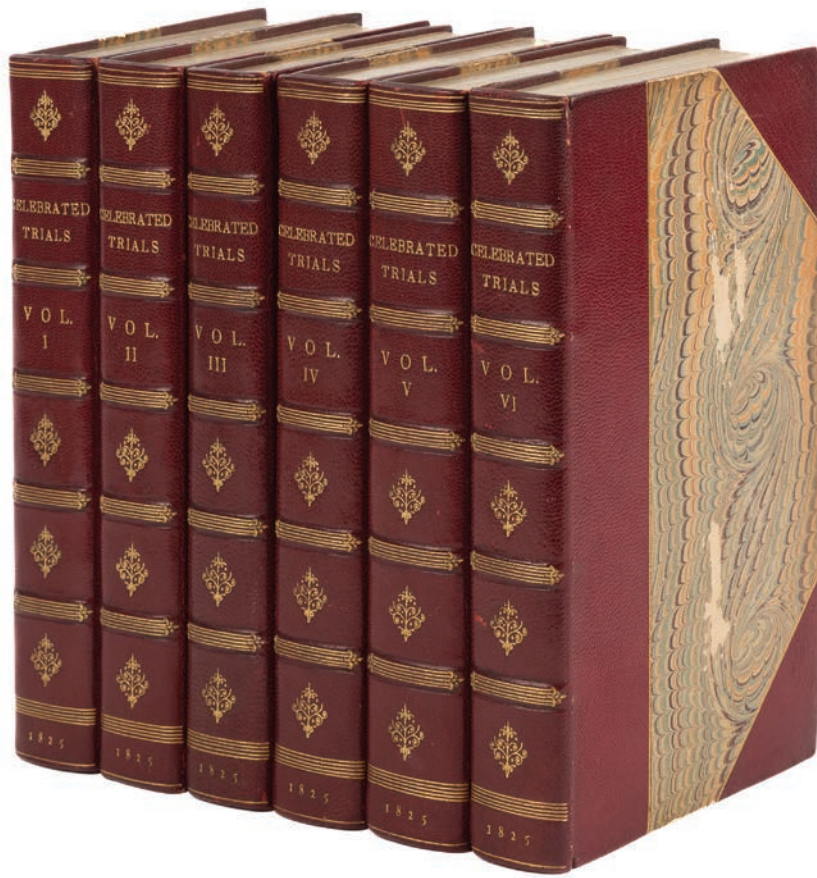
London: Printed for Knight & Lacey, 1825. Six volumes. 35 engraved plates, 4 folding. Complete. Octavo (7-3/4” x 5”). Later three-quarter morocco over marbled boards, gilt rules to boards, raised bands and gilt titles, ornaments, volume numbers and publication date to spine, top-edges gilt, deckle fore and bottom-edges, marbled endpapers. Negligible light rubbing, minor wear to corners, front joint and hinge of Volume I just starting at ends. Light toning to interior, faint offsetting from plates, light foxing in a few places. A notably handsome set. \$2,500.

four hundred cases from the fifteenth to nineteenth centuries. Regarding other collections, Borrow criticized the *Newgate Calendar* for being too sympathetic to its subjects; he found the *State Trials* to be intolerably dull. Borrow also includes famous trials from France, Sweden, Denmark and the United States. For France, he adapted trials from *Causes Célèbres* to the tastes of “English reading” by stripping them “of all their verbosity.” In addition to its more animated language, *Celebrated Trials* is enlivened by its numerous engravings depicting courtroom scenes and executions (by various means).

First edition. The first collection devoted exclusively to important state and criminal trials, this set contains over

Sweet & Maxwell, *A Legal Bibliography of the British Commonwealth* 2:36.





Engraved plate details

38 WHEATON, HENRY [1785–1848]

Elements of International Law: With a Sketch of the History of the Science.

FIRST EDITION OF WHEATON'S LANDMARK TREATISE ON INTERNATIONAL LAW

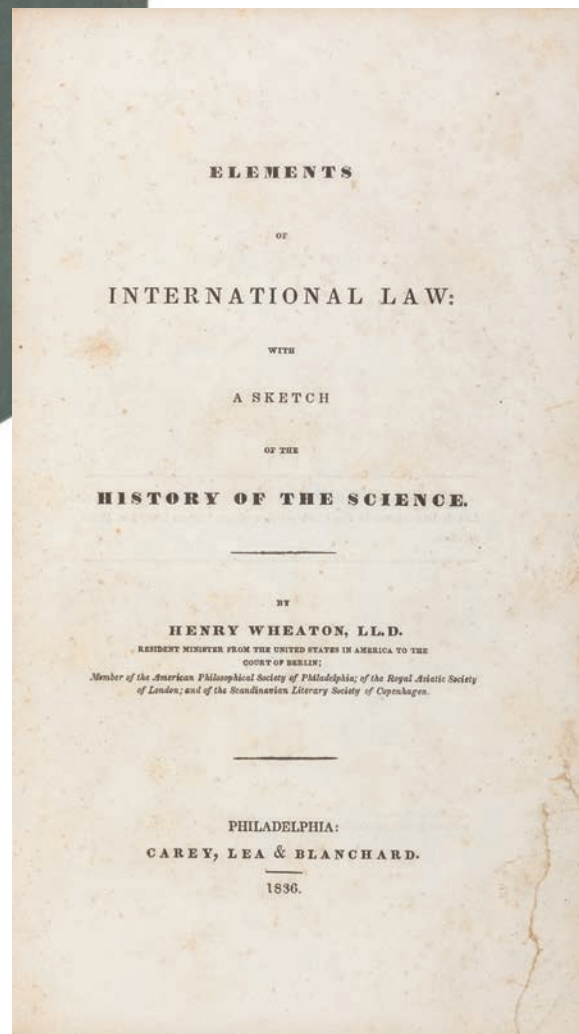
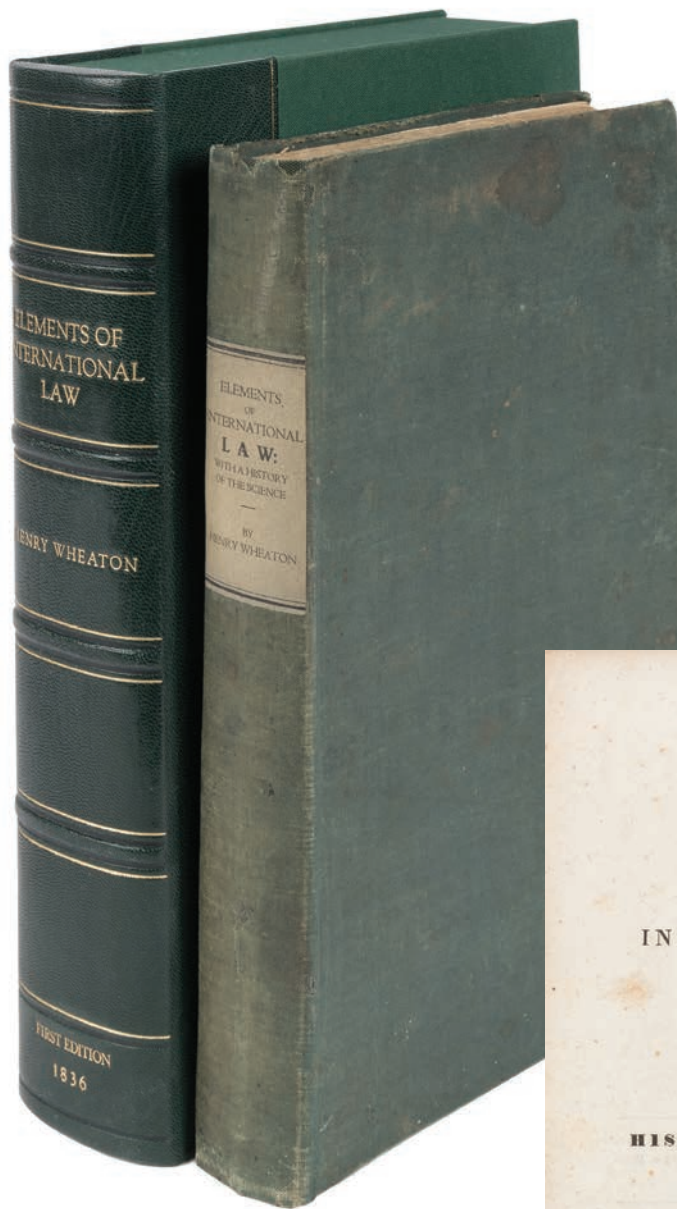
Philadelphia: Carey, Lea & Blanchard, 1836. [Verso of title:] Griggs & Co., Printers. xiv, [15]-375; [24] pp. Includes 24-page publisher catalogue. Octavo (9-1/4" x 5-3/4"). Original publisher's cloth, expertly restored, text block recased, period-style paper title label to spine, hinges, head of spine and lower corner of title page mended. Light soiling and a few minor stains to boards, moderate rubbing to extremities with some wear to spine ends and corners. Moderate toning and light foxing to text, brief early notes in pencil to a few passages. An appealing copy housed in a custom quarter morocco over cloth clamshell box, gilt-edged raised bands and gilt title to spine. \$2,000.

First edition. This landmark treatise was one of the first legal works by an American to enjoy an international audience.

Acclaimed upon publication, it went through several editions in the United States and elsewhere, including a French edition in 1848 and a Chinese edition in 1864. (This latter edition is notable as the first translation of an international legal treatise into a non-European language.) It was a standard work for decades. As Sellers notes, this book established Wheaton as "the Blackstone of international law," who "shaped the law of nations for his contemporaries, and their successors, for at least half a century after his death" (Sellers). This copy is from the library of William Dillard, a learned judge from Amherst, Virginia.

Sellers, *Republican Principles in International Law* 72. Marvin, *Legal Bibliography* 728, citing the third edition. Cohen, *Bibliography of Early American Law* 7200.





39 WILSON, JAMES [1742–1798]
WILSON, BIRD [1777–1859], Editor

The Works of the Honourable James Wilson, L.L.D. Published under the Direction of Bird Wilson, Esquire.

**WITH EARLY COMMENTARIES ON THE U.S. CONSTITUTION
BY ONE OF ITS AUTHORS**

Philadelphia: At the Lorenzo Press, 1804. Three volumes. xvi, 467; vi, 497; iv, 439 pp. Volume I has stipple-engraved portrait frontispiece. Octavo (8-1/4" x 5"). Full period-style calf, blind fillets to boards, lettering pieces and gilt fillets and volume numbers to spines, endpapers renewed. Light browning to interiors, light foxing and finger smudges to a few leaves in each volume, faint dampstaining to heads of preliminaries and a few following leaves in Volume I, early owner name (Moody Kent) to title page of Volume I and margins of a few leaves in all volumes. A handsome set. \$9,500.

First edition. Wilson was one of the most influential delegates to the Federal Constitutional Convention and one of the six founding fathers who signed both the Declaration of Independence and the U.S. Constitution, helping to draft the Preamble to the U.S. Constitution and influencing the structure of the office of the presidency, the electoral college, the judiciary, and the Three-

Fifths Compromise. He was also the principal author of the Pennsylvania Constitution, a professor of law and an associate justice of the United States Supreme Court.

The *Works* are comprised mostly of lectures delivered in 1790-1791 at the College of Philadelphia. They cover several aspects of public and private law, such as the common law, general principles of the law of nations and the law of nature, crime, obligations and property. There are also lectures on the U.S. Constitution, which are some of the earliest commentaries on that document. The texts of several important speeches given at the Federal Convention and his rousing oration celebrating Pennsylvania's adoption of the Constitution on July 4, 1788 are also included. Many of these pieces are important early commentaries on the Constitution.

Cohen, *Bibliography of Early American Law* 2309. Sabin, *A Dictionary of Books Relating to America* 104632.





WILSON'S
WORKS

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40 WOODDESON, RICHARD [1745–1822]

Elements of Jurisprudence, Treated of in the Preliminary Part of a Course of Lectures on the Laws of England.

London: Printed for T. Payne and Son, 1783. [iv], 118 pp.

[Bound with]

HEATH, SIR ROBERT [1575–1649]

CUNNINGHAM, TIMOTHY [d.1789], Editor

Maxims and Rules of Pleading, In Actions Real, Personal, And Mixed, Popular and Penal.

London: Printed by His Majesty's Law Printers, 1771. x, 252, [8] pp.

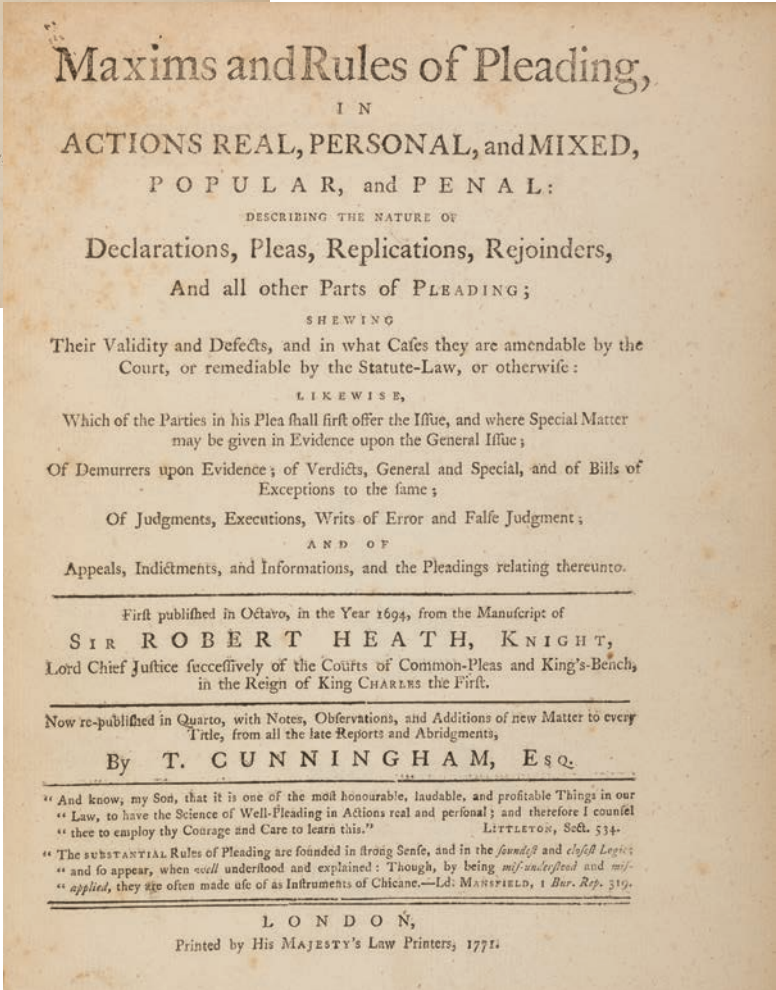
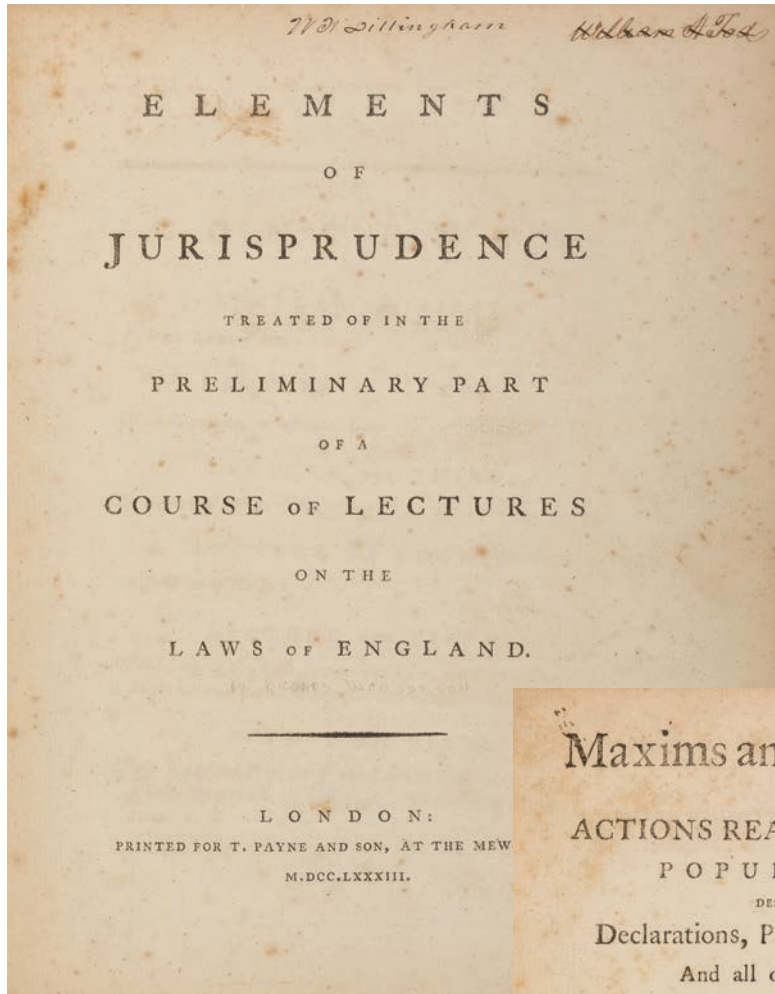
**“THE COMPLEMENT OF SIR W. BLACKSTONE’S COMMENTARIES”
BOUND WITH “A WORK OF GREAT AUTHORITY”
FOR SPECIAL PLEADERS**

Quarto (10" x 8"). Contemporary calf, rebacked in period style, blind fillets to board, raised bands and retained existing lettering pieces to spine, hinges mended, some scuffing to boards, moderate rubbing to board edges, some wear to corners. Moderate toning, somewhat heavier in places, occasional faint dampspotting and foxing, crease to leaf Y of *Maxims* (pp. 161-162) and minor loss to headline of following leaf due to printer error, two early owner signatures to title page of *Elements*, one struck through. A very good copy. \$2,000.

Elements: first edition; *Maxims*: second and final edition, one of two issues from 1771. Wooddeson was Vinerian Professor from 1777 to 1793. He was steeped in Blackstone's work, and he strove to supplement it. "Dr. Wooddeson's Lectures

form, in a measure, the complement of Sir W. Blackstone's Commentaries, for he supplies some deficiencies in the production of his predecessor, and treats more in detail, some topics, but slightly noticed by him." (Marvin). Holdsworth describes each chapter in detail and calls this work a very useful book on legal theory. This book had a second edition published in Dublin in 1792. Our copy is accompanied by Heath's classic work on pleading. Marvin notes that "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 adds that Cunningham's editions are the best versions of this work.

Marvin, *Legal Bibliography* 745, 379.
Holdsworth, *A History of English Law* XII:428f.
English Short-Title Catalogue T32600, N34974.



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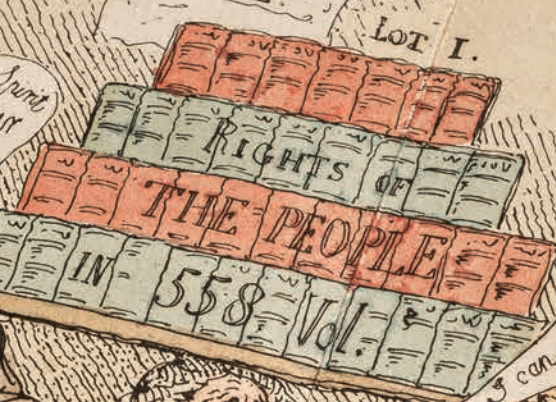


MAGNA
CHARTA
Lot 2.

Lot I.



I am determined to bid with spirit
for Lot 1. he shall pay dear
for it that outbids
me



I can hold it for a higher price
than any of these



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