

# RARE LAW

Books, Manuscripts & Ephemera  
15<sup>th</sup> to 20<sup>th</sup> Centuries

CATALOGUE 111



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## THE LAWBOOK EXCHANGE LTD.

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Books, Manuscripts & Ephemera  
15<sup>th</sup> to 20<sup>th</sup> Centuries

CATALOGUE 111

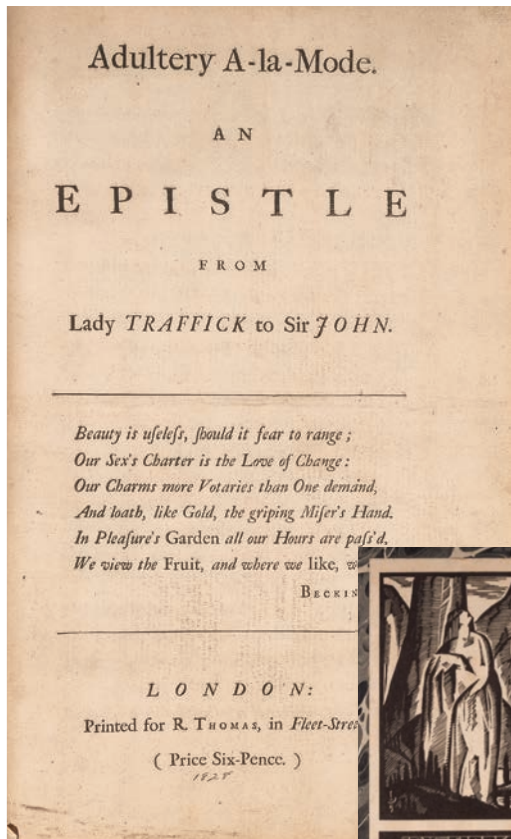


Highlights include:

- 🏆 A group of 25 unrecorded English crime and execution broadsides (Item 25)
- 🏆 A rare edition of Justinian by the distinguished female printer Charlotte Guillard (Item 65)
- 🏆 A 1477 Augsburg imprint of the *Summa Aurea* with a heraldic fore-edge painting (Item 96)
- 🏆 A mug shot book from 19<sup>th</sup>-century California with 675 photographs of convicted criminals (Item 95)
- 🏆 A rare, intimate glimpse into the life of a seventeenth-century English judge (Item 79)

THE  
LAWBOOK EXCHANGE  
LTD.

Clark, New Jersey  
2026



Details from N° 1



N° 2

## "ADULTERY A-LA-MODE"

1

**[Adultery]. [Great Britain].** Adultery A-la-Mode. An Epistle from Lady Traffick to Sir John. London: Printed for R. Thomas, in Fleet-Street. [1746]. 12 pp. Folio (14-1/2" x 9"; 36.7 x 23.3 cm). \$1,250.

Signed nineteenth-century three-quarter morocco over marbled boards by J. Mackenzie & Son, gilt spine with raised bands and lettering piece, gilt tooling to morocco edges of boards, marbled endpapers. Rubbing to exterior, light wear to extremities, spine ends abraded, joints starting, corners bumped and worn, twentieth-century bookplate (of Theodore Buckwalter) to front pastedown, front endleaf detached. Moderate toning to interior, light soiling and edgewear to a few leaves, "1828" in ink to foot of title page. A good copy of a scarce title.

ONLY EDITION. This short satire takes aim at the various forms of infidelity, from the "modish Wife and Husband" to the merchant and squire. "One Sinner soon makes public Rumour spread," the narrator remarks, "But, when the whole is wrong, all Censure's dead: / By high Example, thus the Marriage State / is epidemically stain'd of late" (5). Near the poem's end, the narrator takes a softer tone on the causes of infidelity, concluding: "If you the threaten'd dread Divorce pursue, / Think, from your own Neglect, 'tis but your Due" (11).

◆ OCLC locates 6 copies of this title, 3 in North America (Newberry Library, Pennsylvania State University, University of Wisconsin). Library Hub adds 2. Foxon, *English Verse 1701-1750* A63. ESTC T230517.

EDITION OF AN IMPORTANT BAVARIAN CODE, ALSO THE FIRST GERMAN BOOK WITH REALISTIC, LIFE-SIZE IMAGES OF FISH, THIS COPY FROM THE LIBRARY OF A DISTINGUISHED BOOK BINDER AND LEATHER ARTISAN

2

**Albrecht V [1528-1579], Duke of Bavaria.** *Bairische Landtsordnung*, 1553. [Ingolstadt: (Andreas Weißenhorn), 1553. [ix], 197 [i.e. 199], 20 ff. 4 woodcut tables, 3 folding. Complete. **[Bound with] Albrecht V, Duke of Bavaria.** *Erklärung der Landsfreihait in Obern unnd Nidern Bairn Widerumb Verneut Im Funffzehnhundert Dreiundfunfftzigstem Jar.* 1553. [Munich: (Andreas Schobser), 1553]. [viii], 29 ff. \$7,500.

Folio (11-1/2" x 8"; 29.2 x 20.3 cm). Contemporary paneled pigskin over wooden boards with beveled edges (featuring images of saints and church fathers), raised bands and fragment of later hand-lettered spine label, early repair to rear joint, clasps lacking, hinges recently mended. Moderate





rubbing and some light scratches to boards, spine ends lightly bumped, some wear to corners, minor crack to front board along grain, section of front pastedown lacking, rear hinge starting, crack in text block between title page of *Bairische Lanndtsordnung* and following leaf. Pictorial title pages printed in red and black, texts also in red and black. Moderate toning, negligible light foxing and dampstaining to edges in places, slightly heavier dampstaining to final 20 leaves of text block, title pages trimmed with very minor loss to foot of *Erklärung*, struck-through presentation inscription dated 1610 to title page of *Baiarische Lanndtsordnung*, bookplate of Georg Ernst Friedrich Hulbe to front pastedown.

ONLY EDITIONS. Commissioned by Duke Albrecht V of Bavaria after he succeeded his father in 1550, the 1553 statute book revised, expanded and re-organized the *Landrecht*, which was last revised in 1520. Rich in sociological and historical data, this work is divided into six books. The first gives an outline of the legal system, the second addresses public administration, the third discusses commercial topics, including sections on moneylending and interest, the fourth discusses public institutions, schools and pharmacies, and public obligations, such as taxes and fire prevention, the fifth lists guild regulations and the sixth addresses public order and the regulation of Jews, Gypsies and beggars. (As one would expect, Jews are also discussed in the sections on interest and moneylending.)

A landmark in sixteenth-century Bavarian book production and typography, this is the first German book to have realistic, life-size images of fish. (The first overall was Belon's *L'Histoire Naturelle des Estranges Poissons Marins*, which was published in Paris in 1551.) Accompanied by a list of regulations to prevent the destruction of fishing stock, an early example of conservation law, these illustrations depict

the minimum size of fish that can be legally consumed or sold. The *Erklärung* is a 1553 listing of existing rights and privileges of Upper and Lower Bavaria, which affirms they will be honored by Duke Albrecht.

Both volumes have notably handsome title pages. The *Erklärung* depicts the arms of Bavaria below a title in an architectural frame. The *Baiarische Lanndtsordnung* depicts the presentation of the statute book to Albrecht V, who is surrounded by five counselors. The image is enclosed by an architectural frame featuring fruit trees, cornucopias and putti. The binding of our copy can be attributed to Friedrich Ziegler, Augsburg, one of the many workshops across Germany, Switzerland, the Netherlands and other parts of Northern Europe that used tools cut by the stamp cutter "N.P."

Hulbe [1851-1917], a later owner of our volume, was a distinguished German fine-arts bookbinder and leather artisan who presided over a large studio in Hamburg. (His bookplate features an image of an elaborate leather binding with clasps and bosses.) Along with bindings, he and his studio produced embossed leather furniture, wall treatments and other decorative products. His work is held by many important museums, such as London's Victoria and Albert Museum and New York's Metropolitan Museum of Art. The struck-through inscription on the title page of our *Baiarische Lanndtsordnung* states it was given by M. Simon Retter [d. 1627], rector of the Nördlingen Gymnasium, to the painter and draughtsman Georg Brentel the Younger of Lauingen [1581-1634].

♦ Widener and Weiner 10.01. Nissen, *Die Zoologische Buchillustration* 4570. Goldschmidt, *Gothic & Renaissance Book Bindings* 226. VD16 B1034, B1027.





**FINE PORTRAIT OF CHIEF JUSTICE READ,  
THE GREAT NINETEENTH-CENTURY  
PENNSYLVANIA JURIST**

4

**[American School, 19th Century].** [*Portrait of John Meredith Read*]. Philadelphia, c.1815. Image size 25" x 20" (63.5 x 50.8 cm). \$3,000.

Oil on canvas in ornate nineteenth-century gilded wood frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine.

READ [1797-1874] was elected to the Pennsylvania House of Representatives in 1822 and 1823 and served as City Solicitor of Philadelphia from 1830 to 1833. He was appointed District Attorney of the Eastern District of Pennsylvania in 1837 and held the office until 1845. He became Justice of the Supreme Court of Pennsylvania in 1858 and Chief Justice of the Supreme Court of Pennsylvania in 1872. Read gained an international reputation for the depth of his knowledge, eloquence, and masterly arguments in the courtroom. Active in politics, he was an early supporter and organizer of the Republican Party.

This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.

**AN IMPORTANT NINETEENTH-CENTURY  
PENNSYLVANIA JURIST**

3

**[American School, 19th Century].** [*Portrait of Francis Joseph Troubat*]. Philadelphia?, c.1837. Image size 29" x 24-1/4" (73.6 x 61.6 cm). \$4,500.

Oil on canvas in ornate nineteenth-century gilded wood frame, small plaque reading "Francis J. Troubat/ Born 1802- Died 1868" to head of frame. Some minor nicks and chips to frame, gilding slightly dulled, otherwise fine.

A PROLIFIC WRITER OF LEGAL TEXTS, Troubat [1802-1868] is best known as the co-author, with William W. Haly, of *The Practice in Civil Actions and Proceedings in the Supreme Court of Pennsylvania, in the District Court and Court of Common Pleas for the City and County of Philadelphia, and in the Courts of the United States* (1837).

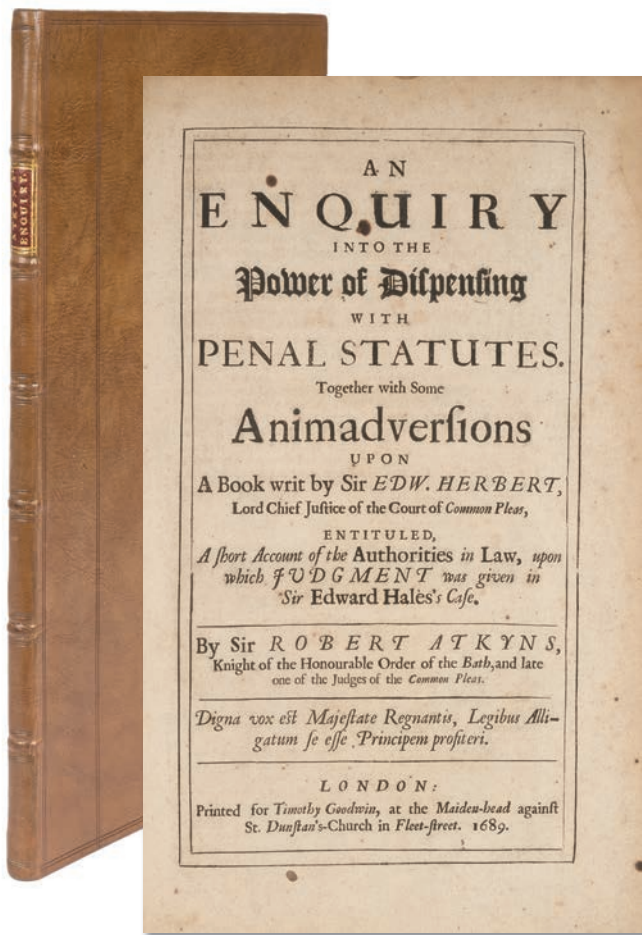
This portrait belonged to the Philadelphia Bar Association. Founded in 1802, it is the oldest association of lawyers in the United States. Its library, where this portrait was last displayed, was renamed the Theodore F. Jenkins Memorial Law Library in 1967.











Nº 6

#### A WORK CENTRAL TO THE POLITICAL THEORY OF THE GLORIOUS REVOLUTION

6

**Atkins, Sir Robert [1621-1710].** *An Enquiry into the Power of Dispensing with Penal Statutes. Together with Some Animadversions upon A Book Writ by Sir Edw. Herbert, Lord Chief Justice of the Court of Common Pleas, Entituled, A Short Account of the Authorities in Law Upon Which Judgment Was Given in Sir Edward Hales's Case.* London: Printed for Timothy Goodwin, 1689. [ii], 58 pp. Lacking initial leaf, a printer advertisement, and final leaf, a blank. Folio (11-1/4" x 7-1/2"; 28.6 x 19 cm). \$750.

Superb period-style goatskin, blind rules to boards, raised bands, blind fillets and lettering piece to spine. Light browning and occasional light foxing to interior, negligible faint dampstaining to margins, underlining, annotations and tiny spark burns to a few leaves, light soiling to title page and verso of final leaf of text. An appealing copy in a notably handsome binding.

FIRST EDITION. A work central to the political theory of the Glorious Revolution, this essay refutes the Royalist claim that monarchs have the exclusive power to dispense with

laws. Instead, it argues, this is a power shared equally with Parliament. A second edition was also published in 1689.

♣ ESTC R22814.

#### BACON'S ABRIDGMENT: "QUITE A LAW LIBRARY IN ITSELF"

7

**Bacon, Mathew [fl. 1730]. [Gilbert, Sir Jeffrey (1674-1726)]. [Sayer, Joseph (fl. 1750)]. [Ruffhead, Owen (1723-1769)].** *A New Abridgment of the Law. Corrected; With Many Additional Notes and References.* London: Printed by his Majesty's Law-Printers, For J. Worrall and Co. [et al.], 1768-1770. Five volumes (the fifth dated 1770). Complete set. Folio (14-1/4" x 7-3/4"; 36.2 x 19.70 cm). \$2,500.

Contemporary calf, rebaked, period-style spines with raised bands, lettering pieces and gilt ornaments, fillets, volume numbers and publication dates, corners of Volumes 1, 3, 4 and 5 restored, blind tooling to board edges, endpapers renewed. Light rubbing and some shallow scuffing to boards, moderate rubbing to extremities with light wear to spine ends, heavier rubbing to corners, which are bumped, hinges just starting



Nº 7

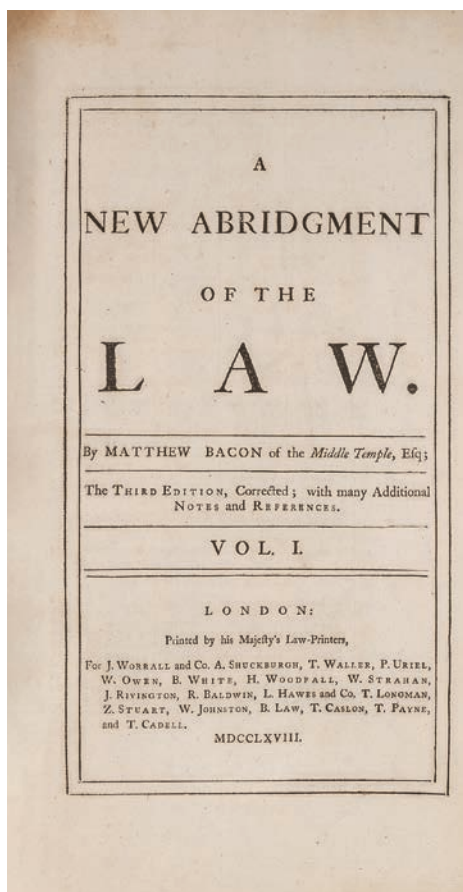


at ends. Moderate toning, negligible light crinkling to heads of text blocks, light spotting and foxing in places, moderate staining to fore-margins of Volume 2, lower outside corner of leaf 5H (pp. 393-394) in Volume 4 lacking with no loss to text, minor worming to margins of Volume 5 in a few places, early owner signature (John Lane) to its title page. A very good set.

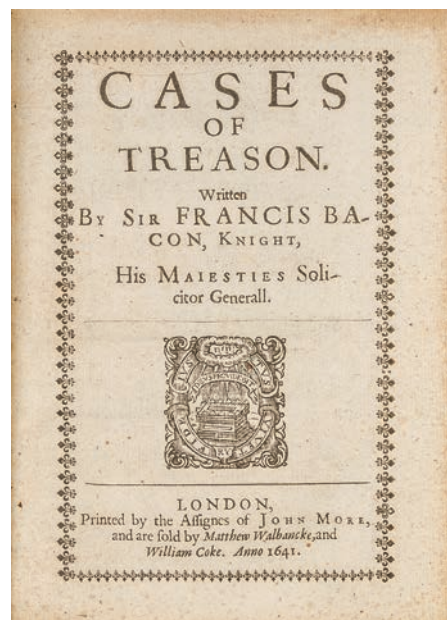
THIRD EDITION. Bacon's *Abridgment* is a digest of cases and treatises written by Gilbert. It was popular among English and American practitioners into the early nineteenth century because its logical system of subdivisions within each title was a significant improvement over previous compendia. It was also considerably more comprehensive. As Marvin notes, it was "quite a law library in itself." Jefferson, who owned a copy of the fifth edition, saw it as the definitive statement of English law and the successor to the works of Bracton and Coke.

The *Abridgment* was compiled and mostly edited by Bacon. The first volume was published in 1736 and new volumes were issued until the work was interrupted by Bacon's death. (His last entry was "Sheriff.") The rest of the work was edited by Sayer and Ruffhead. It went through some seven English and two American editions, the latter edited by Bird Wilson and John Bouvier.

♣ Marvin 85. Sowerby 1792 (citing the fifth edition). ESTC N5624.



Nº 7



Nº 8

**"A MORE COMPLETE LAWYER THAN ANY OF HIS CONTEMPORARIES"**

8

**Bacon, Sir Francis [1561-1626].** *Cases of Treason.* London: Printed by the Assignes of John More, and are sold by Matthew Walbancke, and William Coke, 1641. [iv], 35, [1] pp. Quarto (6-3/4" x 5-1/2"; 17.14 x 13.9 cm). \$750.

Stab-stitched pamphlet in recent stiff paper wrappers. Light soiling and a few minor stains, light rubbing to extremities. Light toning to interior, faint dampstaining to head of text block, light browning and spotting to preliminaries and final few leaves, small chip to head of leaf B2 (pp.3-4).

FIRST EDITION. Published posthumously, this brief treatise discusses various aspects of the laws regarding treason, including what offenses constitute treason and the king's prerogative in such cases. No stranger to treason trials, Bacon had been a member of the legal team (headed by Sir Edward Coke) that prosecuted the Earl of Essex for treason. He was one of the great intellectuals of the age and held the posts of solicitor general, attorney general and lord chancellor during the reign of James I. According to Holdsworth, "[h]e was a more complete lawyer than any of his contemporaries. Not only was he an eminent practitioner in the common law; not only did he leave his mark as lord chancellor upon the development of equity; he also studied both English law and law in general scientifically and critically. The only other lawyer, in that age of distinguished lawyers, who can be compared to him is his great rival Coke."

♣ HEL V:239. ESTC R106590.







later inscription, "Bibliotheca Slakoverdensis Scholarum Piarum," to title page, annotations in two early hands to several leaves, most brief and affected by trimming.

ISSUED as part of a set of commentaries by Baldus on the *Corpus Juris Civilis* published by the Trechsels from 1539-1541, this volume concerns Books I-III of the *Code*. Baldus, a leading Italian jurist, studied under Bartolus de Saxoferrato and Petrucius. He is best known for his commentaries on the *Corpus Juris Civilis*, especially the *Code*, but was also a prolific writer of *consilia*.

This book is from the college library of the Piarist community of Schlackenwerth, Bohemia, now Ostrov, Czech Republic, which was established in 1666 and disbanded in 1876. It had a notably fine collection that was enriched by donations of libraries from local noble families. The most notable group came from the estate of Maria Benigna Francisca of Saxe-Lauenburg [1635-1701]. The library was dispersed in 1910 by its last owner, the municipality of Ostrov, in 1910.

◆ OCLC locates 8 copies, 1 in North America (University of Kansas Law School). The USTC locates an additional North American copy at Harvard. Broadwell, "The Princess and the Piarists (Or, The Mystery of the Misidentified Monogram)," *Unique at Penn*, May 13, 2020 (accessed online). Dauchy 9. USTC 124889.

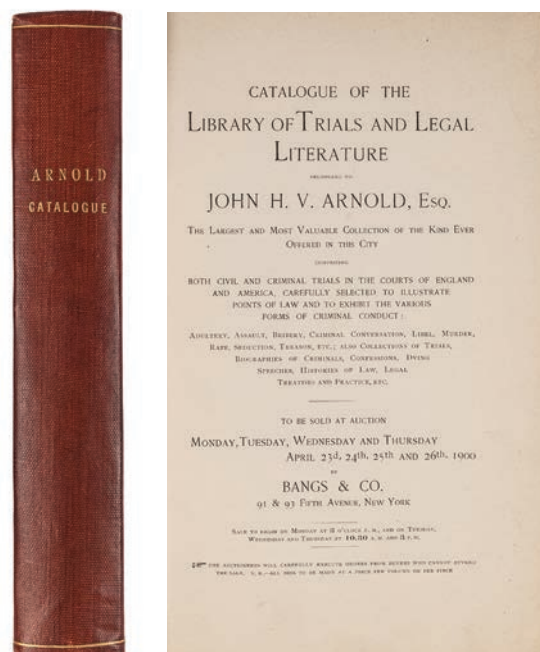
#### AN INTERLEAVED AND ANNOTATED COPY

10

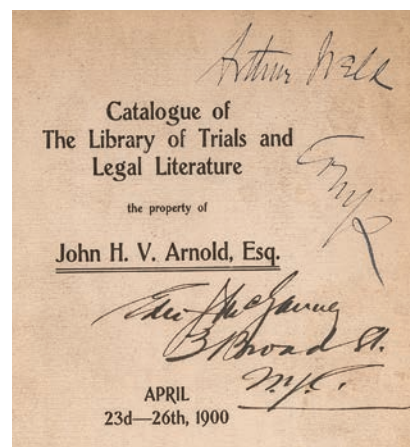
**Bangs & Co. [Arnold, John H.V. (1839-1901)].** *Catalogue of the Library of Trials and Legal Literature Belonging to John H.V. Arnold, Esq. The Largest and Most Valuable Collection of the Kind Ever Offered in This City: Comprising Both Civil and Criminal Trials in the Courts of England and America, Carefully Selected to Illustrate Points of Law and to Exhibit the Various Forms of Criminal Conduct...To be Sold at Auction Monday, Tuesday, Wednesday and Thursday April 23d, 24th, 25th and 26th, 1900 by Bangs & Co. 91 & 93 Fifth Avenue, New York.* [New York: Bangs & Co., 1900]. 218 pp. Interleaved; blanks hand-numbered 219-302 bound after text block. \$750.

Softbound book in stiff printed wrappers bound in red buckram, gilt fillets and title to spine, cloth hinges. Early owner signatures (of Arthur Weld and Edward McGarry) to front wrapper, which is lightly soiled and starting to detach, moderate toning to interior, annotations in single neat hand (differing from the owner signatures) to many pages and interleaves. A very interesting item.

ARNOLD, a New York City lawyer and politician, "loved literature, and was one of the best-known book collectors of this country. Since the disposal of a collection of 6,000 rare



Nº 10



Detail from Nº 10

volumes in 1879 he had had various literary fads. His library now contains one of the best private collections in the country of autographs, histories, and engravings of people who are or have been prominently before the public. His collection of works on criminal law and upon crimes is recognized as one of the best in English-speaking countries. His library on this subject reaches back for centuries. He also had a reputation in other directions, such as extra illustration, or the interleaving of old works" (*New York Times*).

The interleaver and annotator of this copy may have done so in the process of preparing a bibliography of trials using Arnold's comprehensive collection as a starting point. Some of the manuscript entries are taken from a 1927 Maggs Brothers catalogue. Others are unsourced.

◆ "John H. V. Arnold Dead," *New York Times*, March 31, 1901.





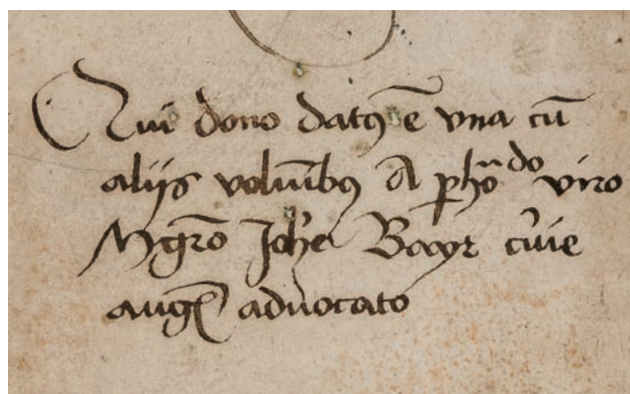
Nº 11

**1493 STRASBOURG IMPRINT OF  
A NOTABLE LEGAL HANDBOOK**

11

[Barbier, Jean]. *Viatorium Utriusque Iuris*. [Strasbourg: Johann Pruess, 1493]. [250] ff. Collation: a-c8; i-z8, [et]8, [con]8, A8; d-h8; B-E8, F10. Sections transposed due to contemporary binding error; text complete. Octavo (6" x 4"; 15 x 10.5 cm). \$12,500.

Contemporary calf over wooden boards, elaborate blind and gilt tooling to boards, skillfully rebaked retaining existing spine with raised bands and blind tooling, brass catches to fore-edges (clasps mostly lacking), endpapers renewed retaining original pastedowns, leather thumb-tabs to fore-edge of text block. Light rubbing, a few small nicks, tiny wormholes and nail remnants (from former bosses?) to boards, gilt mostly oxidized or rubbed away, light creasing and a few tears to retained spine, minor worming to retained pastedowns, early owner inscriptions to front pastedown.



Detail from Nº 11

Text printed in 34-line gothic type (plus headline) in double columns, attractive contemporary guide initials in red and rubrications to first 49 leaves. Light toning to interior, faint dampstaining to edges of first and final 30 or so leaves, minor worming to first and final few leaves, text affected in places



without loss to legibility, crack in text block between leaves E8-F1, all leaves secure. Brief contemporary annotations between misbound sections providing guidance to navigate the binding error. A handsome copy with interesting provenance.

FIRST PRINTED between 1487 and 1490 in Lyon, this is a legal handbook that combines elements of Roman and canon law with the customary law of southern France (Languedoc). It enjoyed a fairly wide circulation. Its fifth edition appeared in 1500, and it went through eight more editions by 1595. All are scarce today. Our 1493 imprint does not identify the printer, who is identified without dispute in the standard references.

The annotations on the front pastedown record that our copy initially belonged to a monastery in Andechs: "Iste liber attinet vene[rabili] cenobio S. Nicolai Monasterii Anndex." It was then passed to the astronomer and lawyer Johannes Bayer [1572-1625]: "Qui dono datus est una cum aliis voluminibus a perhonorando viro M[ag]ist[ro] Johanne Bayer curie Augustanae advocato/ Dem heyligen perg pin ich zugehörig." An early reader, perhaps Bayer, provided a creative solution to the binding errors by using annotations and symbols to guide the reader to the correct sections of text.

◆ The ISTC locates 10 copies of the 1493 Pruess imprint in North America, 5 in law libraries (South Texas College of Law, Harvard (2 copies), Library of Congress, Yale). ISTC ib00334000.

#### A NOTABLE BAVARIAN CODE WITH A STRIKING TITLE PAGE

12

[Bavaria]. [Wilhelm IV (1493-1550), Duke of Bavaria]. [Ludwig X (1495-1545), Duke of Bavaria]. *Gerichtzordnung im F[ur]stenthumb Obern und Nidern Bairn Anno 1520 Aufgericht.* [Munich: Andreas Schobser, 1535]. [xvi], 87 ff. Lacking first and final leaves, both blanks. Folio (11-3/4" x 8"; 29.8 x 20.3 cm). \$4,000.

Late nineteenth or early twentieth-century vellum over textured paper-covered boards, manuscript title to spine, endpapers renewed. Light rubbing and some scratches to boards, moderate rubbing to extremities, front joint cracked, some chipping and tears to front and rear free endpapers, which have later bookseller annotations, one dated 1880. Title page, with large woodcut scene by Caspar Clofigl, printed in red and black. Light toning to interior, light foxing to margins in places, light soiling to title page, which is trimmed closely, small faint stains to center of title page and following three leaves.

REPRINT OF THE FIRST EDITION, 1520. Enacted in 1518, the reformed Bavarian *Ordnung* revised the Bavarian civil and criminal law code of 1346. It is notable because it incorporated input solicited from representative members of different classes and professions.



Nº 12

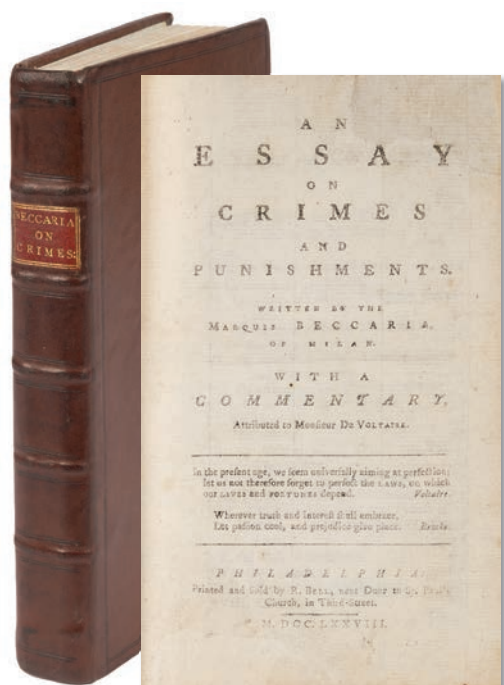


Detail from Nº 12

This is indicated by the title page image, which portrays Dukes Wilhelm and Ludwig flanking a table with a copy of the revised laws before an audience composed of men representing various groups. The reformed laws were published in German rather than Latin, which made them accessible to a wider segment of the public. This was another way the laws acknowledged people who weren't part of the elite classes. Clofigl was a Munich artist who served as court-painter to Duke Wilhelm IV from about 1516 to 1529.

◆ No copies located in North America. The USTC locates 9 copies, all in Germany. Hollstein, *German Engravings, Etchings, And Woodcuts, Ca. 1400-1700* V:195. VD16 B990. USTC 659601.





N° 13

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

13

**Beccaria, [Cesare Bonesana, Marchese di] [1738-1794].** **Voltaire [Arouet, François-Marie] [1694-1778].** **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.* 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"; 19 x 11.45 cm). \$3,500.

Superb 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.

WITH A TABLE of authorities and cases. *Dei Delitti e Delle Pene* (1764) was the first systematic study of the principles of 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 the date of the true first edition has been debated, it is clear today that the first American edition was published in Charleston, SC, in 1777. What appeared to be earlier American imprints, including a 1773 New York imprint, have been ascertained to be ghosts.

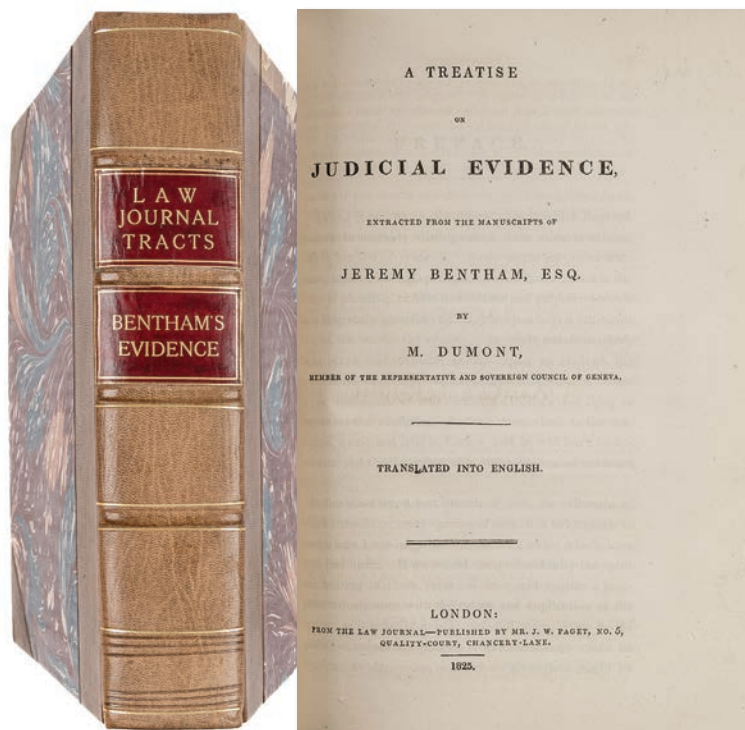
♣ Cohen 4233.

**INCLUDES THE FIRST ENGLISH EDITION OF  
ONE OF BENTHAM'S MOST IMPORTANT WORKS**

14

**Bentham, Jeremy [1748-1832].** **Dumont, [Etienne] [1759-1829],** Editor. *A Treatise on Judicial Evidence, Extracted from the Manuscripts of Jeremy Bentham, Esq. by M. Dumont, Member of the Representative and Sovereign Council of Geneva.* London: Published by J.W. Paget, 1825. xvi, 366 pp. With half title and appendix entitled *The Law of England in Regard to Investigatory Procedure*. Complete. **[Bound After] [The Law Journal]**. *A Collection of Law Tracts, Published in the Years 1825 & 1826 [and 1828 & 1829] in The Law Journal, Which is a Monthly Publication Sold to Annual Subscribers Only.* London: Published by J.W. Paget, [1827], 1830. Two volumes. [iv], 328; viii, 206, [16] pp. Complete set. \$1,850.

Quarto (9-1/4" x 7"; 23.5 x 17.8 cm). Recent period-style three-quarter calf over marbled boards, raised bands, gilt fillets and



N° 14

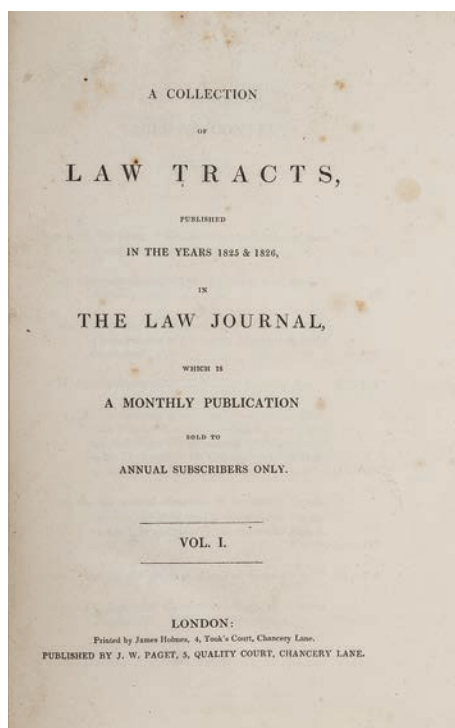


lettering pieces to spine, hinges mended. Light fading to spine and upper section of front board, corners lightly bumped. Light toning to interior, light foxing in a few sections of text. A handsome volume.

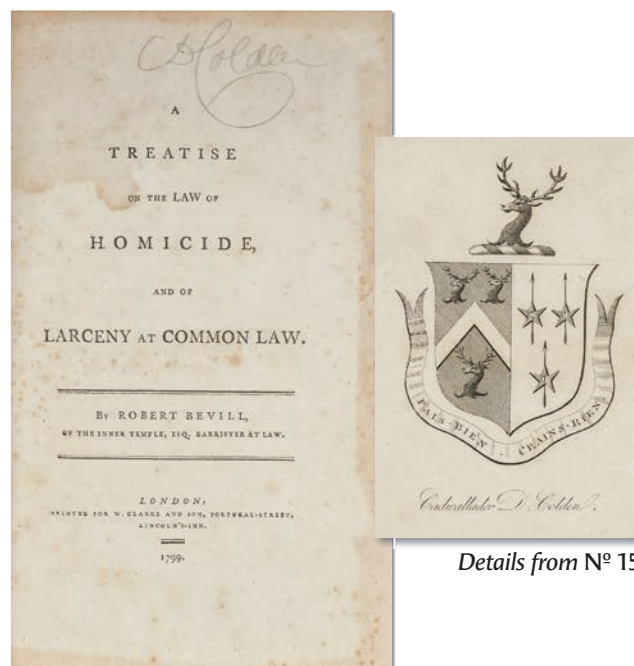
**TREATISE:** FIRST EDITION IN ENGLISH, one of two issues, both by the same printer (B. Bensley) in 1825; *Collection:* only edition. Edited by Dumont, Bentham's *Treatise* was originally published in Paris in 1823 as *Traité Des Preuves Judiciaires*. As Holdsworth notes, the 1825 English edition, along with Dumont's 1827 translation of Bentham's *Rationale of Judicial Evidence*, "marks an epoch both in law and the literature on the subject. Mill rightly regarded Bentham's labours in this branch of the law as the most important and the most beneficent of all his undertakings. Bentham, he said, 'found the philosophy of judicial procedure ... and of evidence in a more wretched state than even any part of the philosophy of law; he carried it at once almost to perfection.'"

Fascinating for its insight into the English bar of the early nineteenth century, *A Collection of Law Tracts* is an anthology of articles from *The Law Journal*. Contents include "On the Claim of Executors to the Residue of Their Testator's Personal Estate" by J. Billingsley Parry, "Observations on the Title to Lands Derived Through Inclosure Acts" by Thomas Coventry, and "Suggestions as to the Course of Study to be Adopted, And the Selection of Books, By Parties Designed for Attornies and Solicitors," by J. Hooper Dawson.

♣ *Treatise:* Holdsworth, *Sources and Literature of English Law* 121. Chuo University Library, *A Bibliographical Catalogue of the Works of Jeremy Bentham* T7, 5a; *Collection:* HLC I:1132.



Nº 14



Details from Nº 15

**A COPY OF A 1799 TREATISE ON LARCENY AND HOMICIDE LAW OWNED BY A DISTINGUISHED 19TH-CENTURY NEW YORK LAWYER AND POLITICIAN**

15

**Bevill, Robert [d.1824].** *A Treatise on the Law of Homicide, And of Larceny at Common Law*. London: Printed for W. Clarke and Son, 1799. [xiv], 287 pp. Octavo (9" x 5-3/4"; 22.8 x 14.6 cm). \$2,500.

Contemporary calf, blind fillets to boards, lettering piece and blind fillets to spine. Light rubbing and some minor nicks and scuffs to boards, moderate rubbing to extremities with some wear to spine ends and corners, rear joint cracked, armorial bookplate of Cadwallader David Colden to front pastedown, annotation, presumably his, to front free endpaper, Colden's signature in pencil to head of title page. Moderate toning and light foxing to text, faint dampstaining in a few places. A nice copy of a scarce title.

ONLY EDITION. Bevill was a barrister of the Inner Temple. "I have collected everything to be found in the books which appeared to be material; and I have endeavoured to extract all the principles by which the law, as to these offenses, is governed: and although no direct authority can be cited in support of one of these principles, in the form in which I have stated them, yet when every part of the subject is examined, I feel some confidence, that they will be found correct" [iii-iv].

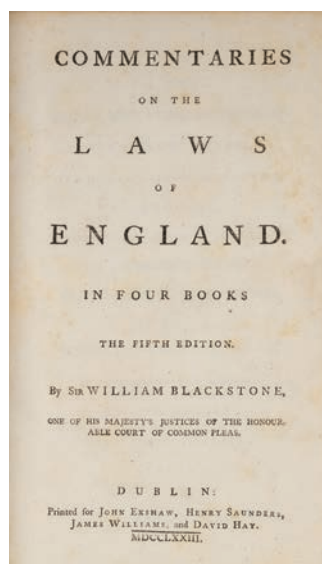
A member of a distinguished New York City family, Colden [1769-1834] was a mayor of New York City from 1818-1821, a U.S. Representative from New York from 1821-1823 and a member of the New York State Senate from 1825 to 1827. The annotation on the front free endpaper reads: "Murder is a killing of malice-/ Malice is where there is a felonious and deliberate interest/ to do bodily harm by probable means."

♣ ESTC N14026.

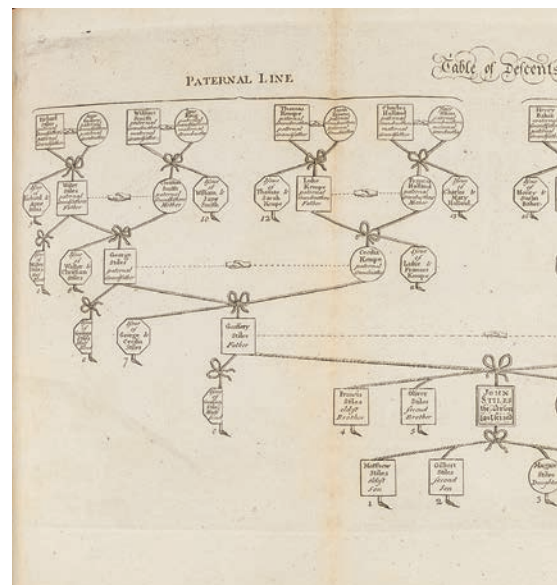




Nº 16



Nº 16



### THE "FIFTH" DUBLIN EDITION OF BLACKSTONE'S COMMENTARIES

16

**Blackstone, Sir William [1723-1780].** *Commentaries on the Laws of England. In Four Books.* Dublin: Printed for John Exshaw, Henry Saunders, John Williams, and David Hay, 1773. Four volumes. Engraved copperplate "Table of Consanguinity" and folding "Table of Descents." Octavo (8-1/4" x 5"; 21 x 12.7 cm). \$2,500.

Contemporary calf, lettering pieces and gilt fillets to spines, blind tooling to board edges. Light rubbing, some light scuffing and a few nicks and minor stains to boards, corners bumped, joints of Volume 2, rear joint of Volume 4 and front hinge of Volume 1 starting. Moderate toning to text, light foxing in a few places in each volume, Leaf o4 in Volume 2 (pp. 199-202) partially detached and lightly edgeworn, armorial bookplates of Henry Bruen to front pastedown of each volume. An attractive copy.

THIS PIRATED DUBLIN EDITION, designated the "Fifth Edition," follows the text of the fourth Oxford edition, 1770. Bruen [1741-1795], an Irish politician, was a Member of Ireland's Parliament for Jamestown from 1783 to 1790 and Carlow County from 1790 to 1795.

♣ Dauchy 91. Eller 8. Laeuchli 11.

### A CURIOUS HYBRID OF TWO PIRATE EDITIONS

17

**Blackstone, Sir William.** *Commentaries on The Laws of England. In Four Books. The Twelfth Edition. With the Last Corrections of the Author; Additions by Richard Burn, LL.D. And Continued to the Present Time by John Williams, Esq.* Dublin: Printed for L. White, William Jones, And

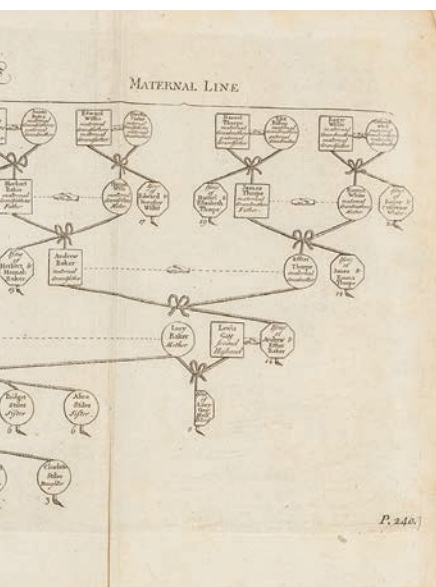
John Rice, 1794. [Volume I]. [And] **Blackstone, Sir William.** *Commentaries on The Laws of England. The Thirteenth Edition, With the Last Corrections of the Author; Additions by Richard Burn, LL.D. And John Williams, Esq. And Continued to the Present Time, By Edward Christian, Esq.* Dublin: Printed for L. White, William Jones, And John Rice, 1796. [Volumes II, III, IV]. \$1,500.

Complete set, 12mo. (6-3/4" x 4"; 17.14 x 10.16 cm). Contemporary calf, lettering pieces and blind fillets to boards. Light scuffing and a few stains to boards, moderate rubbing to extremities, chipping to spine ends, a few joints and hinges starting, rear board of Volume II beginning to separate, but secure. Moderate toning to text, somewhat heavier in places, lower corner lacking from leaf Dd1 in Volume I (pp. 313-314) with no loss to text, lower corner lacking from Leaf Dd5 in Volume III (pp. 317-318), about 1" removed from heads of front free endpapers, most likely to remove signatures, recent owner signature to front free endpaper of Volume I.

THIS SET COMBINES two pirated editions. Volume I is a reprint of the authentic eleventh edition, London, 1791, and the other volumes are reprints of the authentic twelfth edition, London 1793-1795, which has extensive notes by Edward Christian at the end of each volume. The appearance of this set and its binding suggests it was assembled around 1796. Our copy of Volume I was bound with the notes included in Volume I of the later edition. Volume II does not have the Table of Descents and folding Table of Consanguinity. Though indicated in the index, which is at the end of Volume IV, it appears these tables were never issued; they do not appear in the copy listed in Eller and Laeuchli (at Yale Law School) or in those listed on OCLC.

♣ Dauchy 91. Eller, 22, 23. Laeuchli 27, 28.

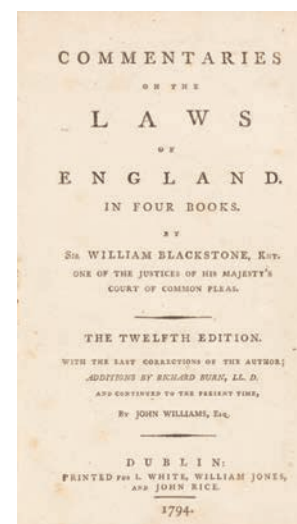




Detail from N° 16



N° 17



N° 17

### THE GENESIS OF BLACKSTONE'S COMMENTARIES

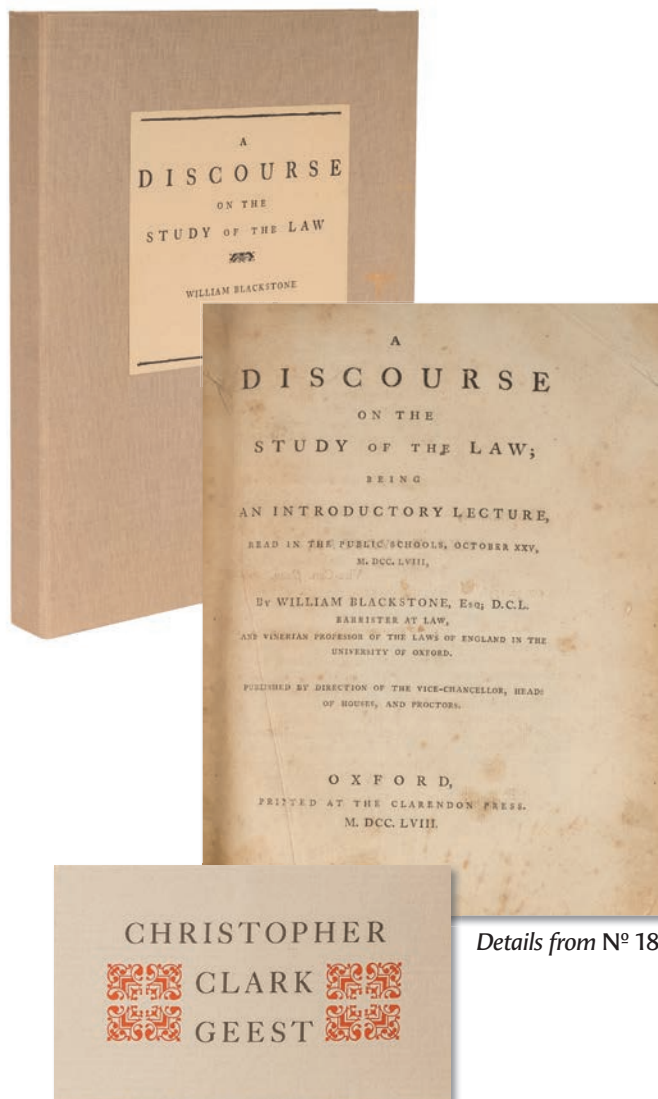
18

**Blackstone, Sir William.** *A Discourse on the Study of the Law; Being an Introductory Lecture, Read in the Public Schools, October XXV, M.DCC.LVIII. Published by Direction of the Vice-Chancellor, Heads of Houses, And Proctors.* Oxford: Printed at the Clarendon Press, 1758. 40 pp. Quarto (10" x 8"; 25.4 x 20.3 cm). \$4,500.

Period-style stab-stitched marbled covers, bookplate of Christopher Clark Geest to front pastedown. Moderate toning, creases and minor chips to corners of a few leaves, including title page, which has light soiling and a few minor stains, light soiling to verso of final leaf. Item housed in cloth clamshell box, printed title panel to front cover.

FIRST EDITION. This is the published version of Blackstone's inaugural lecture as Vinerian professor of English law. Presented to a large audience, it was "[h]astened into print less than a fortnight later as *A Discourse on the Study of the Law*," and "by late December a London correspondent claimed to hear Blackstone's lecture 'commended wherever I go.' What one reviewer terms 'this sensible, spirited, and manly exhortation to the study of the law' was reprinted in a further thousand copies next year; it also prefaced subsequent editions of the *Analysis of the Laws*, and eventually the first volume of the *Commentaries*" (Prest). Christopher Clark Geest [1926-2023] was a notable Culpepper, Virginia historian and bibliophile. Geest had a great love for literary works in the English language and focused his collecting on some of the best-known verse and prose by Chaucer, Shakespeare, Burton, Swift, Burns, and Johnson.

Prest, *William Blackstone* 151. Eller 233. Laeuchli 542.



Details from N° 18



MAGNE CARTA  
SUB SIGILLO REGIS  
JOHANNIS.

ISTA sunt capitula que barones petunt et dominus rex concedit

OST decessum antecessorum heredes plene etatis habebunt hereditatem suam per antiquum relevium exprimendum in carta §. Heredes qui infra etatem sunt et fuerint in custodia cum ad etatem pervenerint habebunt hereditatem suam sine relevio et fine

¶ Istos terre heredis capiat rationabiles exitus consuetudines et destructionem et vastum hominum et rerum suarum et vastum amittat custodiam et parcos vivaria stagna molendina et de exitibus terre ejusdem et ut per consilium propin-

§. Ne



### THE FIRST CRITICAL EDITION OF MAGNA CARTA

19

**Blackstone, Sir William, 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.* Oxford: At the Clarendon Press, 1759. [iv], lxxvi, [iv], 86 pp. As in many copies, half-title and table of contents (Tabula) are bound between pp lxxvi and 1. Engraved copperplate dedication leaf, initials and tail-pieces. Quarto (13-1/2" x 10-1/4"; 34.3 x 26 cm). \$7,500.

Contemporary diced calf, gilt fillets to boards, rebaked retaining existing gilt spine with lettering piece, gilt tooling to board edges, gilt inside dentelles, marbled edges and endpapers. Negligible light rubbing and a few nicks and scuffs to boards, moderate rubbing to extremities, bookplate residue to front pastedown, early bookplate ("RW" monogram) to verso of front free endpaper. Light toning, light soiling and foxing to a few leaves, occasional light offsetting from engravings. A desirable, wide-margined copy.

**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 noted that its "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 237. Laeuchli 548.

### FIRST EDITION, INSCRIBED BY FRANKFURTER TO A PROTÉGÉ

20

**Brandeis, Louis D. [1856-1941].** *Other People's Money and How the Bankers Use It.* New York: Frederick A. Stokes Company, [1914]. xiv, [2], 223 pp. \$1,950.

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.

To Honor Me  
with the Cordoba  
Good wishes of  
Felix Frankfurter

Detail from N° 20



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 on 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."

#### A RARE THREE-PART POCKET-SIZED COUTUMIER

21

[Brittany]. *Les Coustumes Générales des Pays et Duché de Bretagne. Naguères Réformées, Et Publiées aux Estats Tenus à Plöermel*. Rennes: Et se Vendent, Chez Iean Vatar Marchand Libraire, 1651. 303, [2]; 111, [1]; 122, [6] pp. Three parts each with title page and individual pagination, collation register continuous. Second part titled *Les Nobles Coutumes ou Guidon, Stille et Uzances des Marchands qui Mettent a la Mer*, third part titled *Traicté de la Nature et Usage des Marches Separantes des Provinces*

*de Poictou, Bretagne, & Anjou* "par M. Gabriel Hullin." 16mo. (3-1/4" x 2"; 8.25 x 5.10 cm). \$6,500.

Contemporary calf, gilt rules to boards, gilt spine with raised bands, speckled edges. A few minor nicks, light rubbing to extremities, early (?) owner signature ("Cte. Alphonse de la Guere") and later owner bookplate (of R[émi] Chardey, Le Havre) to front pastedown. Moderate toning to interior, crack in text block between front free endpaper and title page of first part, which is soiled and has a small faint stain and an (illegible) early owner signature. A well-preserved copy in a handsome binding.

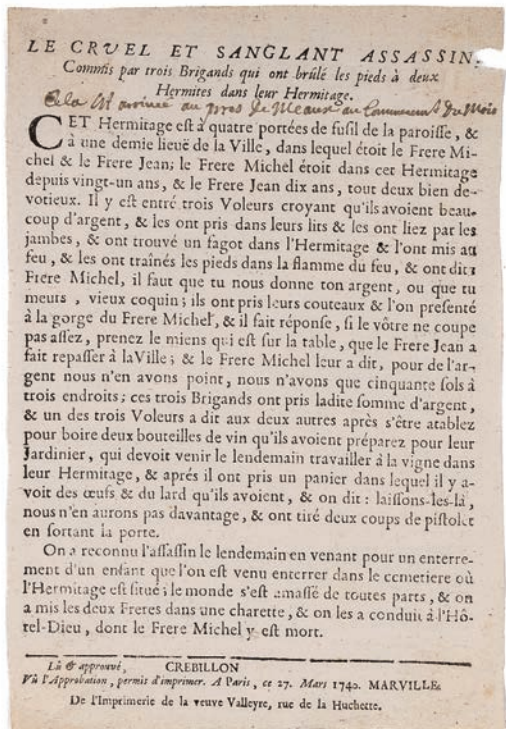
SCHOLARS are unsure when the coutume of Brittany was compiled, or the names of its authors, but it was first cited officially in 1341. Its final codification was issued in 1580. It deals primarily with civil and criminal procedure and is original in many respects. It also incorporated some aspects of English law, especially in matters concerning succession of certain fiefs, and a good deal of canon law, more so than any other coutumiers. The first part of our pocket-sized edition is the text of the coutume. The second and third parts address parts of the coutume dealing with maritime law, commercial law and territorial jurisdiction. These three parts were also issued separately.

Rémi Chardey [d.1900] was an important French collector, primarily of maps and city documents.

◆ OCLC locates 1 copy in a North American law library identical to ours (George Washington University). Not in Caswell & Sipkov. Gouron & Terrin, *Bibliographie des Coutumes de France* 731.







N° 22

AN UNRECORDED  
FRENCH BROADSIDE DESCRIBING  
THE ROBBERY AND TORTURE OF  
TWO RELIGIOUS HERMITS

22

[Broadside]. [Criminals]. [France]. *Le Cruel et Sanglant Assassin, Commis par Trois Brigands qui Ont Brûlé les Pieds à Deux Hermites Dans Leur Hermitage.* Paris: De L'imprimerie de la Veuve Valleyre, Rue de la Huchette, 1740. \$850.

8-3/4" x 6" (22.22 x 15.24 cm) broadside, text in single column below headline. Light toning, small chip near upper right corner just touching headline, contemporary annotation between headline and text.

THIS LURID BROADSIDE describes the robbery of two religious hermits, Brother Jean and Brother Michel, a ten-year-old boy, by three thieves. The hermits said they didn't have money. Believing they were lying, the thieves burned their feet to force them to confess where they hid it. Realizing eventually that they were telling the truth, the thieves resorted to stealing their food, wine and the few coins they were able to find. Brother Jean died from his wounds a few days later.

The permission to print at the foot of the text is dated March 27, 1740. The annotation says the crime occurred at the beginning of that month.

◆ This broadside appears to be unrecorded. No copies located by the USTC, OCLC or the online catalogue of the Bibliothèque Nationale de France.

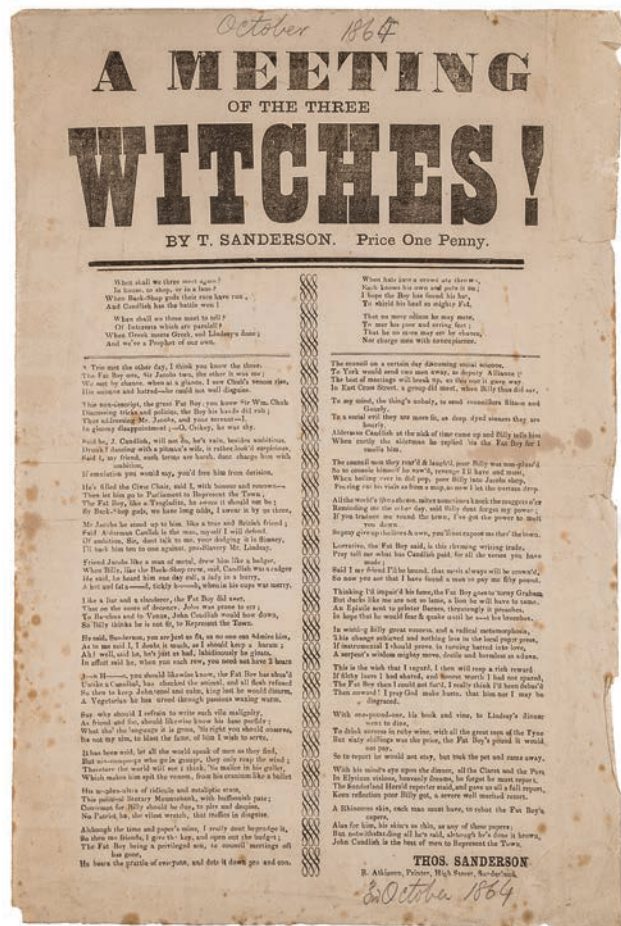
APPARENTLY UNRECORDED SATIRICAL  
VERSE ACCOUNT OF AN UPCOMING ELECTION  
TO PARLIAMENT BY A NOTABLE ECCENTRIC

23

[Broadside]. [Elections]. Sanderson, Thomas [1808-1892]. *A Meeting of Three Witches! Sunderland [England]: R. Atkinson, Printer, High Street, [1864].* \$1,500.

15" x 10" (38 x 25 cm) broadside, 4-stanza and 24-stanza verse texts in two columns below headline and double rule, text divided by typographical border. Moderate toning, light foxing, minor chips and tears to edges, faint horizontal fold through center, with short clean tear to left-hand margin, "October 1864" in early penciled hand above headline, "3rd October 1864" in same penciled hand near lower right-hand corner.

THE BROADSIDE'S TITLE alludes to *Macbeth*, but its subject is not especially Shakespearean. It is a satirical assessment, in doggerel verse, of the three candidates for one of Sunderland's seats in the House of Commons in the 1865 General Election: Henry Fenwick [1820-1868], a Liberal, James Hartley [1811-1886], a Conservative, and John Candlish [1816-1874], a Liberal, who was defeated, but subsequently elected in 1866 in a by-election. Though hardly sparing in his criticism of Candlish, Sanderson endorses him.



N° 23



# Unhappy Transport's

THE  
Sorrowful Account of his Fourteen Years Transportation, at Botany Bay, New South Wales, who was transported in February, 1806, and returned to Town June 1, 1821, being a remarkable and succinct History of the Life of

## James Revel,

THE UNHAPPY SUFFERER.

### Part First.

MY loving countrymen pray lend an ear,  
To this relation that I bring you here,  
My sufferings at large I will unfold,  
Of honest parents I did come tho' poor;  
Near this town was born their children more;  
In virtue's path he for some time did run,  
Then to a weaver I was apprentice bound,  
My master and my mistress good I found,  
They lik'd me very well, my business I did mind,  
From no my parents comfort hop'd to find,  
I from my parents hearts with grief & woe,  
Which fill'd my parents hearts with grief & woe,  
Strong liquor banished the thoughts of fear,  
One night was taken up one of our gangs,  
Who five impeach'd & three of them was hung,  
Yet transportation I did get at last,  
A just reward for my vile actions base,  
And said alas! my mother she took on,  
My father said, it grieves me to the heart,  
To think in such a cause as this to part,  
In vain I grieve'd, in vain my parents wept,  
For I was quickly sent on board a ship,  
With melting kisses and a heavy heart,  
I from my dearest parents then did part.

### Part Second.

In a few days we lost the river quite,  
And in a short time of land we lost the sight,  
The captain and sailors used us very well,  
But kept us under lest we should rebel;  
We were in number much as  
A wicked lazy crew as  
lost did



### Part Third.

Much hardship then indeed I did endure,  
No dog was ever mistreated before,  
More pity the poor negro slaves bestow'd,  
Than my brutal inhuman master would.  
On my knees the Lord I did implore,  
To let me see my native land once more,  
For through his grace I would amend,  
And be a comfort to my dearest friend.  
Now twelve years had passed thus away,  
And but two more I had by law to stay,  
When death did my cruel master call,  
But that was no relief to me at all,  
The widow would not the plantation hold,  
So me and all therein was to be sold:  
Some were put like sheep in the fold,  
Unto the best bidder for to be sold.

### Part Fifth.

A Gentleman, who seemed very grace,  
Said unto me, how long are you a slave?  
Not two years quite, I unto him replied,  
That is but very short, indeed, he cry'd.  
He ask'd my trade, name, and whence I came,  
And what vile act had brought me to this shame,  
I told him all, at which he shook his head,  
I hope you're seen your fellow-creatures lead,  
Then straightway you follow  
And said no longer

Sanderson was, among other trades, Sunderland's town crier and a local character. He was known for his poetry, which was published by local printers. Contemporary and later accounts describe him as an eccentric man. (There is no consensus, however, about his degree of eccentricity.)

◆ This item is rare and apparently unrecorded. No copies listed on OCLC or Library Hub. Tummon, "Tommy Sanderson: The Town Crier of Sunderland," *Sunderland Heritage* (accessed online).

### "JAMES REVEL, THE UNHAPPY SUFFERER"

24

[Broadside]. [Transportation]. Revel, James. *The Unhappy Transport's Sorrowful Account of His Fourteen Years Transportation, At Botany Bay, New South Wales, Who was Transported in February, 1806, And Returned to Town June 1, 1821, Being a Remarkable and Succinct History of the Life of James Revel, The Unhappy Sufferer.* Nottingham: Ordoyno, Printer, [1821]. \$4,500.

14-3/4" x 9-3/4" (37.5 x 24.8 cm) broadside mounted to backing sheet, text in triple columns below headline, woodcut portrait at head of second column. Moderate toning and soiling, light foxing in a few places, light creasing and edgewear. Rare.

THE FABLE of James Revel's fourteen-year sentence began as an eighteenth-century chapbook ballad documenting Revel's transportation to Virginia in the American colonies. (The earliest copies were printed in London, probably in the 1750s or 1760s.) As society and the logistics of transportation changed, the language of the ballad changed to suit the circumstances, with the dates of Revel's departure and return altered appropriately to lend authenticity. The ballad's text mixes conventional signifiers of the American and Australian colonies. References to a "seven months" journey to Port Jackson and other details correspond to Australia, but references to plantations, tobacco plants and "the poor negro slaves" come from the American version of the ballad. Transportation broadsides like these provide interesting cultural insight into public perceptions of the penal system and its relationship to the expanding British Empire.

The printer of this broadside, "Ordoyno" of Nottingham, is Charles Sambrook Ordoyno [1766-1826] who was a successful publisher and printer in Nottingham, specializing in salacious pamphlets describing trials, murders and hangings.

◆ This imprint is rare and appears to be unrecorded. No copies located on OCLC or Library Hub. We located other Revel broadsides set in Botany Bay with varying imprints and dates from 1821-1824 at 5 institutions worldwide (Mitchell Library, National Library of Scotland, British Library, Oxford University, National Library of Australia).









Nº 25

## THE ONLY KNOWN COPIES

25

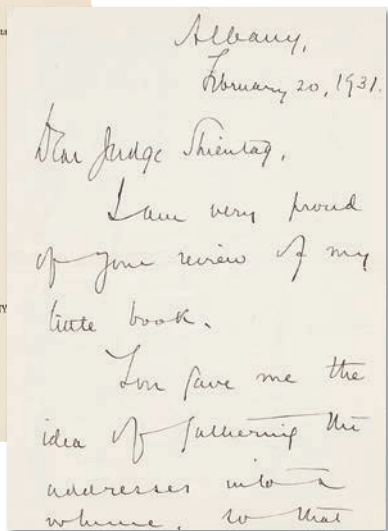
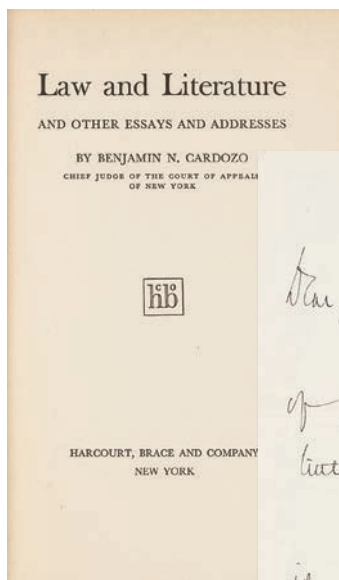
[Broadsides]. [Crime]. [Unrecorded English Crime and Execution Broadside]. England, [1810-1879]. \$25,000.

25 broadsides ranging in size from 19-1/2" x 9-3/4" (49.5 x 24.5 cm) to 8-3/4" x 6-1/2" (22.2 x 16.7 cm), 14 mounted to larger backing sheets or boards. Moderate toning, light creasing or edgewear, small holes in places without loss to legibility. A more detailed physical description of each item is available upon request. Overall, 25 rare items in good condition.

HASTILY WRITTEN, cheaply printed and sold in their thousands on street corners or at executions throughout the nineteenth century, English crime and execution broadsides

are important examples of the development of modern print culture and provide interesting insights for the social historian of today. The broadsides in this collection represent the only known copies, with no others recorded on OCLC, Library Hub or in institutional collections such as those at Harvard or the British Library. They provide grisly accounts of murder, necrophilia, rape, domestic abuse, infanticide and labor unrest. The executions they document were solemn and uneventful, or carried out by celebrity executioners, or, in one case, never happened at all. Some include elaborate woodcuts or verses. Others are simple columns of hastily struck type. All provide a unique picture of criminal justice in England from the days of the Bloody Code to the reforms of the Victorian era.





Nº 26

**A FIRST EDITION OF CARDOZO'S LAW AND LITERATURE WITH A RELATED CARDOZO LETTER**

26

**Cardozo, Benjamin N. [1870-1938].** *Law and Literature and Other Essays and Addresses*. New York: Harcourt, Brace and Company, [1931]. [ix], 190 pp. Cloth. Light rubbing, spine ends and corners bumped, lettering rubbed away from spine, light toning to interior. **[With] [Manuscript]. Cardozo, Benjamin N. [Shientag, Bernard L. (1887-1952)].** [Autograph Letter, Signed, To Bernard L. Shientag, February 20, 1931]. 8" x 6" (20.3 x 15.2 cm) bifolium, content to both sides of first leaf and recto of second. Light soiling and edgewear, horizontal fold line.

\$1,250.

Together two items.

SHIENTAG was a distinguished New York Supreme Court Justice and legal author. The letter reads, in part: "I am very proud of your review of my little book [*Law and Literature*]. You gave me the idea of fathering the addresses into a volume, so that some of the responsibility for preserving them may perhaps be chargeable to you. It is pleasant to be assured that you have felt no cause for repentance. Your appreciation of my work is a joy and an encouragement."

Far from a "little book," Cardozo's *Law and Literature* is widely considered one of the most important American books on the law written in the twentieth century. Cardozo had a storied judicial career, which began on the New York Supreme Court in 1914 and concluded on the U.S. Supreme Court from 1932 until his death. He believed that the courts should not just interpret the law, but also adapt it to address changing social conditions.

**INSCRIBED BY CARDOZO TO HIS SISTER**

27

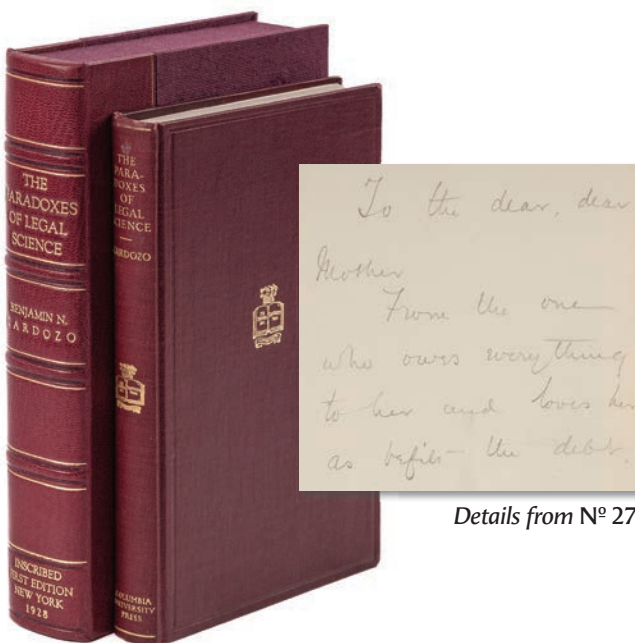
**Cardozo, Benjamin N.** *The Paradoxes of Legal Science*. New York: Columbia University Press, 1928. v, 142, [1] pp. \$2,500.

Original cloth, gilt title to spine, blind frames to boards, gilt Columbia University Press crest to center of front board. Light rubbing to extremities, Cardozo memorial bookplate to front pastedown, unsigned pencil inscription in Cardozo's hand to front free endpaper, light toning to text. Housed in an attractive maroon clamshell box.

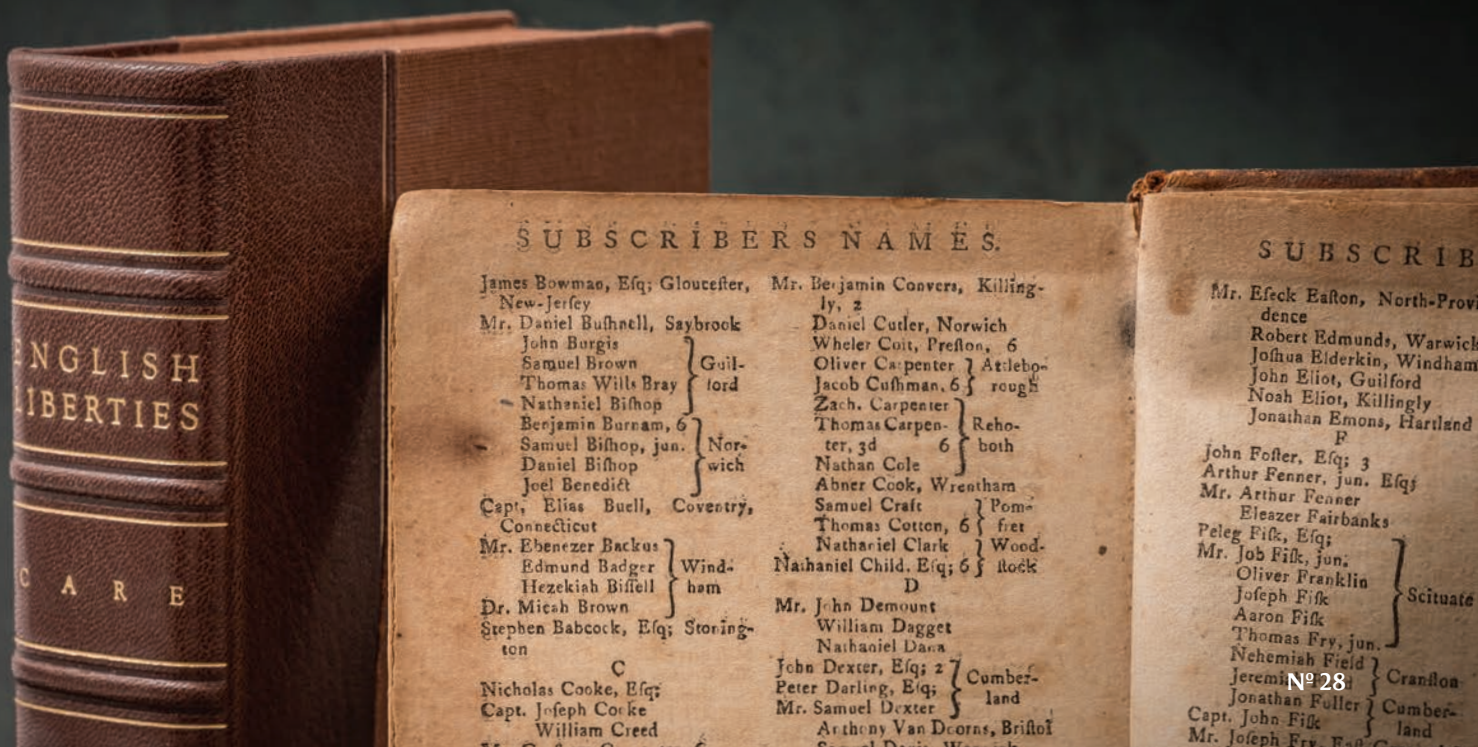
FIRST EDITION, first printing. One of Cardozo's most important books, *The Paradoxes of Legal Science* is a classic statement of juristic pragmatism. As Goodhart points out, it also reveals the non-legal sources, such as Greek philosophy, that informed his work. The bookplate was commissioned by Judge Irving Lehman, Cardozo's executor and close friend, to mark the books from Cardozo's library that were bequeathed to him. (Cardozo did not have a personal bookplate.)

The inscription reads: "To the dear, dear Mother From the one who owes everything to her and loves her as befits the debt." It could not have been addressed to Cardozo's mother; she died when he was a child. We believe it is addressed to his older sister, Ellen Ida, "Nell" Cardozo, who died in 1929. Posner notes that Benjamin and Nell's relationship "was a good deal closer than that of an average sister and brother... [It was] perhaps more like that of a mother and a son."

Cardozo was nominated to the Supreme Court by President Hoover in 1932. Cardozo, along with left-leaning justices Harlan Fiske Stone and Louis Brandeis, formed the "Three Musketeers" and voted in favor of many New Deal policies. From 1932 to 1937, they faced off against the conservative "Four Horsemen," George Sutherland, Willis Van Devanter, James Clark McReynolds and Pierce Butler.



Details from Nº 27



◆ Lehman, Benjamin Nathan Cardozo: *A Memorial* 18.  
 Goodhart, *The Jewish Lawyers of the Common Law* 59-60.  
 Posner, *Cardozo: A Study in Reputation* 5.

**OWNED BY A SUBSCRIBER, AN EARLY  
 MASSACHUSETTS JUDGE AND POLITICIAN**

28  
**[Care, Henry (1646-1688)]. N[elson], W[illiam] [b.1653], Editor.** *English Liberties, Or The Free-Born Subject's Inheritance*. Providence: Printed and Sold by John Carter, 1774. viii, 350, [6] pp. Includes six-page subscriber list. Octavo (7" x 4-3/4"; 17.8 x 12.1 cm). \$7,500.

Contemporary sheep, raised bands to spine, blind tooling to board edges. Light rubbing and a few shallow scuffs and scratches to boards, early ink annotation (faint and illegible) to front board, moderate rubbing to extremities, front joint starting, rear joint cracked, chipping to spine ends, corners bumped and worn, hinges cracked, faint offsetting to preliminaries, small tear and brief annotation ("August 24th: 1796") to front pastedown, owner signature (of Nathaniel Bishop [1757-1826], dated at Richmond [Massachusetts], December 9, 1781) to front free endpaper, which is lightly edgeworn and lacking its lower outside corner. Moderate toning and light foxing to interior, printer's flaw to p. 93 with loss to text, light soiling and tiny spark burns to a few leaves. Item housed in attractive clamshell box. A good, unsophisticated copy.

SECOND AMERICAN EDITION. Preceded by the 1721 Boston edition, this Providence edition was published in the same year as the first Continental Congress and the Intolerable

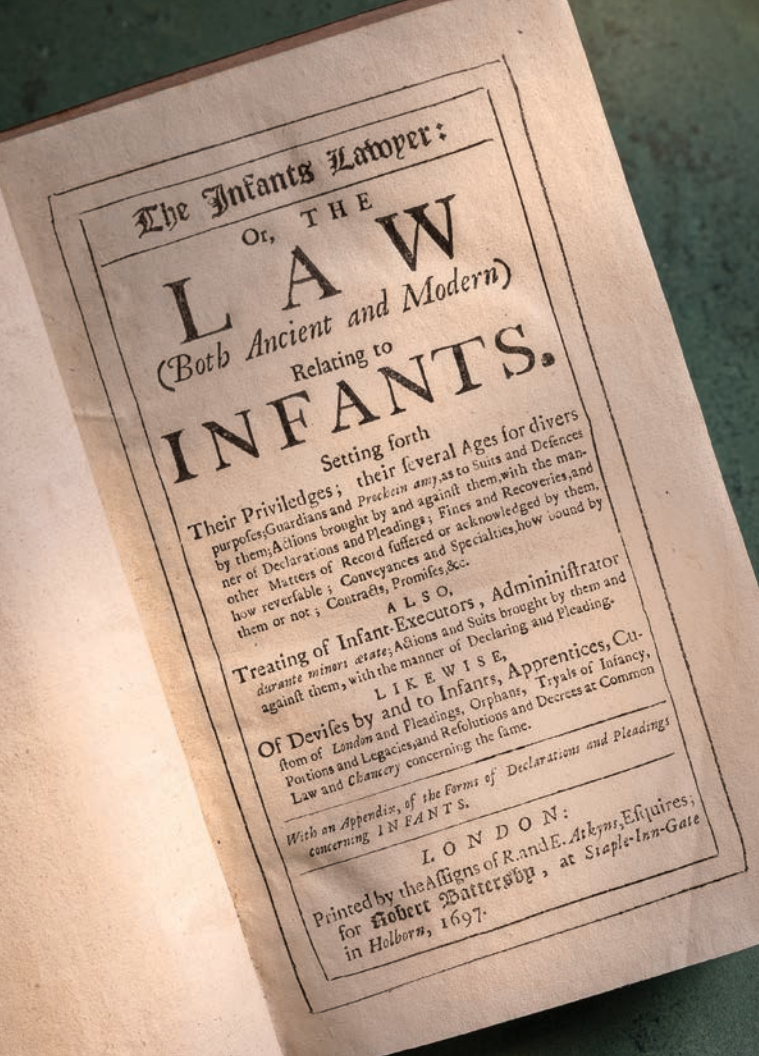
Acts. A publisher's note says this edition was "principally designed for America" and contained "extracts from several late celebrated writers on the constitution" (vi). Clearly, the publisher was capitalizing on popular resentment toward the Crown and Parliament.

First published in England circa 1680, *English Liberties* reviews, from a Whig perspective, the principles of English law and government. Containing the texts of Magna Carta and other foundational English documents, it emphasizes the role of juries in the prevention of tyranny. It was one of the first legal titles published in the American colonies and had a profound influence on colonial readers, including the founders. It was the primary source for William Penn's *Excellent Privilege of Liberty and Property* (1687), a work that inspired support for the revolution. George Mason used it when drafting Virginia's Declaration of Rights (1776). And Jefferson, who owned two copies, probably referred to it when he wrote the Declaration of Independence and the Virginia Statute for Religious Freedom. Its influence is also evident in the Bill of Rights.

Our copy is inscribed by Nathaniel Bishop, a subscriber from Guilford, Connecticut. His ownership reflects that, in addition to its ideological uses, the work served its stated purpose: a layman's guide and legal manual. Bishop settled in Richmond, Massachusetts in 1777. He inscribed the book during a thirty-year tenure as a register of probate and justice of the peace. He went on to serve as a judge of the Court of Common Pleas from 1795-1811 and then Chief Justice of the Court of Sessions, in addition to service in the Massachusetts state legislature.

◆ Cone & Root, *Record of the Descendants of John Bishop* (1951) 40. Sowerby 2702, 2703. Cohen 3416.





Nº 29

**FIRST EDITION OF THE FIRST ENGLISH TREATISE  
ON LAWS CONCERNING INFANTS**

29

[Carter, Samuel]. *The Infants Lawyer: Or, The Law (Both Ancient and Modern) Relating to Infants*. London: Printed by the Assigns of R. and E. Atkyns, Esquires, 1697. [xxxii], 303, [41] pp. Octavo (7-1/2" x 4-1/2"; 19 x 11.4 cm). \$4,500.

Contemporary calf, blind rules to boards, raised bands and fragment of paper title label to spine, gilt tooling to board edges. A few minor nicks and scratches to boards, light rubbing to extremities, wear to head of spine, joints starting, corners bumped and somewhat worn, front hinge starting, interior notably fresh. A handsome copy.

FIRST EDITION. This is the first English treatise on the subject and the first copy of this edition we have seen in 40 years. Its twenty comprehensive chapters consist of a digest of the case law relating to each topic with explanatory comments. Holdsworth notes that "[i]t was a useful book to practitioners since it covers all the topics connected with its subject." A third edition was published in 1726. All editions are scarce.

◆ HEL XII:399-400. ESTC R32363.

**COLLECTION OF LAWS CONCERNING JESUITS  
PUBLISHED EIGHT YEARS BEFORE  
THE GLORIOUS REVOLUTION**

30

Cawley, William. *The Laws of Q. Elizabeth, K. James, and K. Charles the First, Concerning Jesuites, Seminary Priests, Recusants, &c. and Concerning the Oaths of Supremacy and Allegiance Explained by Divers Judgments and Resolutions of the Reverend Judges. Together with Other Observations Upon the Same Laws, To Which is Added the Statute XXV CAR.II. Cap. 2. for Preventing Dangers Which May Happen from Popish Recusants. And an Alphabetical Table to the Whole*. London: Printed for John Wright, and Richard Chiswell, 1680. [x], 267, [36] pp. Folio (12-1/2" x 7-3/4"; 31.75 x 19.70 cm). \$1,200.

Contemporary calf, blind rules to boards, raised bands, early hand-lettered title label, two small later paper shelf labels and shelf number in early hand to spine. Shallow scuffs, nicks and faint stains to boards, a deeper scuff to rear board, moderate rubbing to extremities with wear to spine ends and corners, hinges starting, light edgewear to front endleaves. Light toning to interior, slightly heavier in places, light soiling and foxing to a few leaves, early owner initials, J.W., dated August 20, 1680, to front endleaf.

ONLY EDITION. This volume was published eight years before the Glorious Revolution, a period that witnessed an increase in anti-Catholic sentiment. "The Judgments and resolutions of the reverend Judges upon the several branches of these Statutes, and of others likewise here occasionally mentioned, (as far as they relate to the subject in hand) which lye scattered in the printed Books, are here collected and placed under proper heads; And this is the only thing, the Statutes themselves excepted, for which I durst recommend the Book to thy perusal. Besides which, there are several other Authorities cited in the Cases, which arise upon the poenal Laws: And here and there, where the path is untrodden, I have adventured to add some observations of my own" (Preface).

Topics include Catholic foreigners, women married to Catholic recusants, pro-Catholic books, land law regarding recusants and capital punishment for Jesuit missionaries. The text of the statutes is in black letter, the commentary in Roman type.

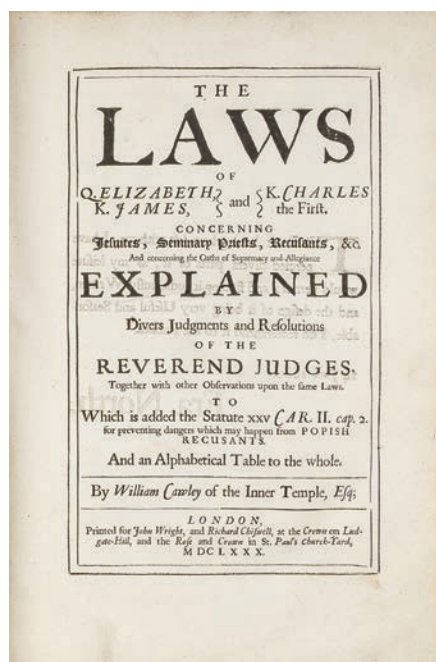
◆ ESTC R5101.

**46 YEARS OF CASES ON THE DOCKET  
OF THE OLD BAILEY, 1924-1970**

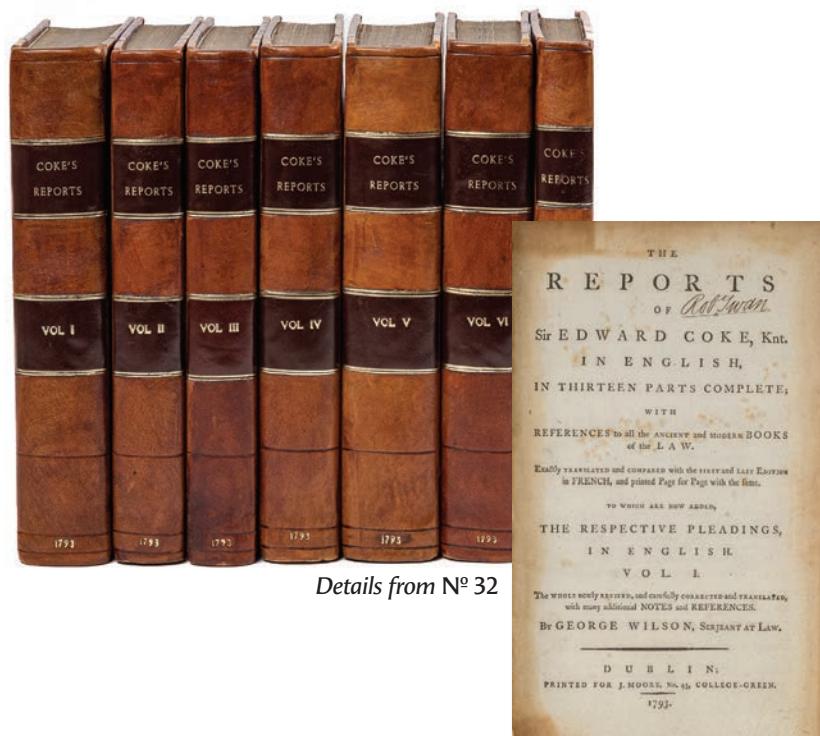
31

Central Criminal Court of England and Wales. *Calendar of Prisoners, For the Session Commencing on Tuesday, The 8th of January, 1924 [complete through December 1970]*. London: Printed by Mersey & Sons, 1924-1970. Calendars through 1959 bound into 11





N° 30



Details from N° 32

books in pebbled cloth, gilt titles to spines. Moderate shelfwear, some fading to bindings of first 6 books, remaining calendars unbound, as issued. Moderate toning to most calendars, some have light browning. Ex-library. Stamps and other library marks to title page, bookplates to pastedowns of bound volumes. \$1,500.

A RARE, continuous, almost half-century run of Old Bailey session calendars, each with an index of names, listing nearly 50,000 accused persons. The entries include names, ages, occupations and charges, most described in detail. It is a remarkable record of criminal activity. Theft, bigamy, assault, fraud and homosexual acts (illegal until July 1967) are common offenses. The unbound calendars were stamped and bundled into paper wrappers by year. They were clearly intended to be bound, as were the calendars for the earlier sessions.

◆ OCLC locates a single 1922 calendar at Harvard Law School, but no extensive collections like ours.

#### A HANDSOME SET OF COKE'S REPORTS

32

**Coke, Sir Edward [1552-1643].** George Wilson, **Editor and Translator.** *The Reports of Sir Edward Coke, Knt. in English, in Thirteen Parts Complete; With References to All the Ancient and Modern Books of the Law. Exactly Translated and Compared with the First and Last Edition in French, And Printed Page for Page With the Same. To Which Are Now Added the Respective Pleadings, In English. The Whole Newly Revised and Carefully*

*Corrected and Translated, With Many Additional Notes and References.* Dublin: Printed for J. Moore, 1793. Seven volumes. Unpaginated, main text star-paged. General title page for each volume and special title page for each part. Octavo (8" x 5"; 20.3 x 12.7 cm). \$1,750.

Recent quarter calf over marbled boards, volume numbers and lettering pieces to spines, endpapers renewed. Negligible light rubbing to extremities, moderate toning to interior, occasional light foxing, soiling and faint spotting, small tears to edges of several leaves not affecting text except a small, neatly mended clean tear to Vol. VI leaf Bb3, creasing to upper outside corners of first few leaves of Vol. VI, small hole to leaf O1 of Vol. III not affecting legibility, early owner signatures (of Robert Swan) to title pages, two volumes with later institutional ink stamps to second leaves, early ink and pencil underlining and brief annotations to a few pages. A handsome set.

REPRINT OF THE 1776-77 LONDON EDITION, to which it is star-paged. Prefaces in Latin and English in parallel columns. First published in Law French in thirteen parts from 1601 to 1659, Coke's *Reports* are not reports in the conventional sense, but highly detailed anthologies of precedents organized by topic. Taken together, they form the most extensive and detailed treatment of common law pleading that had yet appeared. A work of immense authority, it was often cited as *The Reports*, there being no need to mention the author's name. The first edition in English, which did not include pleadings, was published in 1658.

◆ ESTC T121183.





Nº 33

**AN ATTRACTIVE, WIDE-MARGINED COPY OF THE RARE FIRST EDITION OF A CLASSIC STUDY OF CHURCH PATRONAGE**

33

**Curtius, Rochus (Corte, Rocco) [fl. 1470-1515].** *Tractatus Perutilis Et Quotidianus De Jure Patronatus...* [Lyon]: Vincentius de Portonariis, De Tridino Monte Ferrato, [1520]. 37 ff. Text in parallel columns. Folio (15-3/4" x 11"; 40 x 27.94 cm). \$4,000.

Recent three-quarter vellum over marbled boards, endpapers renewed. Negligible light shelfwear and soiling. Title page with large woodcut printer device, printed in red and black, large woodcut initial with (possibly) later coloring at head of text, woodcut decorated initials, text printed on wide-margined paper. Light toning, somewhat heavier in places, underlining and brief annotations in an early hand to a few leaves. An appealing copy of a rare, handsomely printed edition.

THE *IUS PATRONATUS* is the body of laws concerning patronage by members of the church, including the granting of privileges, lands and goods. First published in 1506, the commentary of Rochus Curtius was a standard work on this subject into the seventeenth century. Our edition is

remarkable for its magnificent typography and notably wide margins. The printer, Vincent de Portonariis, is not stated in the colophon; he is only identified by the printer device on the title page. As a result, this imprint is often misattributed.

◆ OCLC locates 2 copies of our 1520 imprint, both in Germany. Not in Adams or the USTC.

**HANDSOME FRENCH EDITION OF DAMHOUDER ON GUARDIAN AND WARD, A PRESENTATION COPY FROM A PRIME MINISTER OF BELGIUM**

34

**Damhouder (Damhoudere), Josse (Joost) de [1507-1581].** *Le Refuge et Garand des Pupilles, Orphelins, Et Prodiges: Traite Fort Utile et Necessaire a tous Legistes, Practiciens, Iusticiers & Officiers, Aorné de Figures Convenables a la Matiere.* Antwerp: Chez Iean Bellere, 1567. [xiv], 133, [19] ff. With two full-page armorial woodcuts and ten full-page illustrations. Quarto (7-1/4" x 5-1/4"; 18.4 x 13.3 cm). \$3,500.

Later signed binding by Gustave Schildknecht of Brussels, three-quarter morocco over marbled boards, gilt fillets to morocco edges, gilt-edged raised bands, gilt title and date

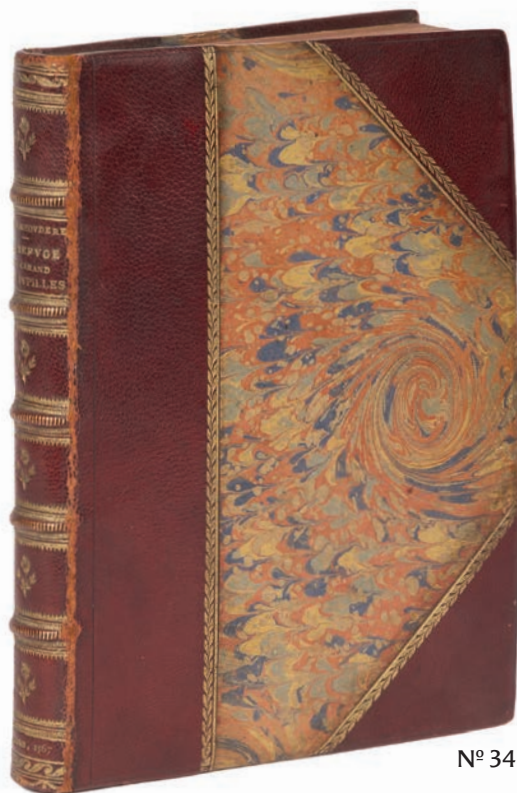




N° 34

to spine, gilt ornaments to compartments, edges rouged, marbled (renewed) endpapers, silk ribbon bookmark. Main text in two columns with a few woodcut tail-pieces and initials. Moderate rubbing to joints, light rubbing to board edges, armorial bookplate of Jules Vandenpeereboom to front pastedown, autograph letter, signed, from him dated 15

October 1880 and fragment of an additional autograph letter laid in. Light browning to interior, light foxing and soiling in a few places, occasional faint dampstaining to bottom margin from f. 45, just touching main text on a few pages without loss to legibility, trimming to bottom-edges of leaf \*\*\*3-4 (ff. [xi-xii]) with loss to catchwords but no loss to main text, early annotation ("Numen Trinitatis implora 1629") to head of title page, a few brief annotations and corrections in an early hand. A handsome copy of a scarce title.



N° 34

ONLY FRENCH EDITION. First published in 1544 in Latin as *Pupillorum Patrocinium*, this is a comprehensive treatise on the law of guardian and ward. Like Damhouder's works on civil and criminal law, it has woodcut illustrations, 10 in this case, that illustrate points in the text. One depicts three young orphans with their guardian, tutor, godfather, conservator and executor before a magistrate, facing preface. Other plates depict situations in later stages of life, such as a guardian introducing a child to a teacher, the guardian and child at a shoemaker's shop and the guardian making a record of his charge's assets with an accountant. The French edition includes an address to the reader in verse by Antoine Tiron.

Vandenpeereboom [1843-1917] was a politician who served as prime minister of Belgium in 1899. In 1880, he presented this copy to a friend along with a note addressed to "Mon cher Jean." This note is laid in to the volume along with a fragment of an 1884 letter that identifies the recipient as a Jean Bethune.

◆ OCLC locates 7 copies of the French edition in North America, 3 in law libraries (Harvard, George Washington University, John Jay College of Criminal Justice). Cockx-Indestege, *Belgica Typographica 1541-1600* 804. Dekkers 44.



**Damhouder (Damhoudere), Josse (Joost) de.** *Praxis Rerum Civilium: Praetoribus, Propraetoribus, Consulibus, Proconsulibus, Magistratibus, Reliquisque id Genus Iustitiariis ac Officialis, In Quacunque Republica Forensem Administrationem Assumentibus Apprime Utilis & Necessaria, Cum Nonnullis Iconibus Materiae Subiectae Conuenientibus.* Antwerp: Apud Ioannem Bellerum, 1567. [lxiv], 575 [i.e. 557], [37] pp. Leaf O2 (pp. 103-104) bound after leaf O3 (pp. 105-106), text complete. 14 full-page woodcut illustrations, 1 woodcut portrait of Damhouder, 3 full-page armorial woodcuts. **[Bound with]** **Damhouder (Damhoudere), Josse (Joost) de.** *Enchiridion Parium, Aut Similium Utriusque Iuris, Omnibus Praxeos Studiosis, Aut in Foro Publicum Rerum Administrationem, Assumentibus, Admodum Utile ac Necessarium.* Antwerp: Ioannem Bellerum, 1569. [xii], 222, [2] pp. 2 full-page woodcut illustrations, 3 full-page armorial woodcuts. \$4,000.

Quarto (8-1/2" x 6"; 21.6 x 15.2 cm). Near-contemporary (17th-century) calf, blind rules to boards, rebaked retaining existing spine with raised bands and blind fillets, leather and brass clasps to fore-edges (top catch lacking), endpapers renewed (with old paper), edges of text block rouged (over

earlier marbling). Light rubbing and a few shallow scratches and small wormholes to boards, light wear to board edges and corners, which are bumped. Light toning to interior, light foxing in a few places, upper corner of leaf T6 (pp. 299-300) lacking with loss to page number but not main text, early (illegible) owner signatures and brief annotations to first title page, early underlining and brief annotations to a few leaves. A handsome copy.

PRAXIS: FIRST EDITION; *Enchiridion*: second edition. Damhouder was an advisor to the Duke of Burgundy and a prolific author of legal and religious treatises. Published in Latin, Dutch and French, his treatises were standard authorities throughout the continent for many years. A companion to Damhouder's famous *Praxis Rerum Criminalium* (1554), *Praxis Rerum Civilium* is a manual of civil law and court procedure. Like its predecessor, it is a synthetic work drawn mostly from Roman-Dutch sources and based largely on Philip Wielant's *Practyke Civile* (c.1508) and other earlier treatises. The text is illustrated throughout with woodcuts depicting court scenes and legal proceedings. Eight of these were created for this work, while the others were reused from previous publications. First published separately in 1568 and reissued with the 1569 edition of *Praxis Rerum Civilis*, *Enchiridion* is an alphabetical digest of key civil and canon law terms for students.

◆ Widener and Weiner 1.09 (*Praxis*). Dekkers 44.



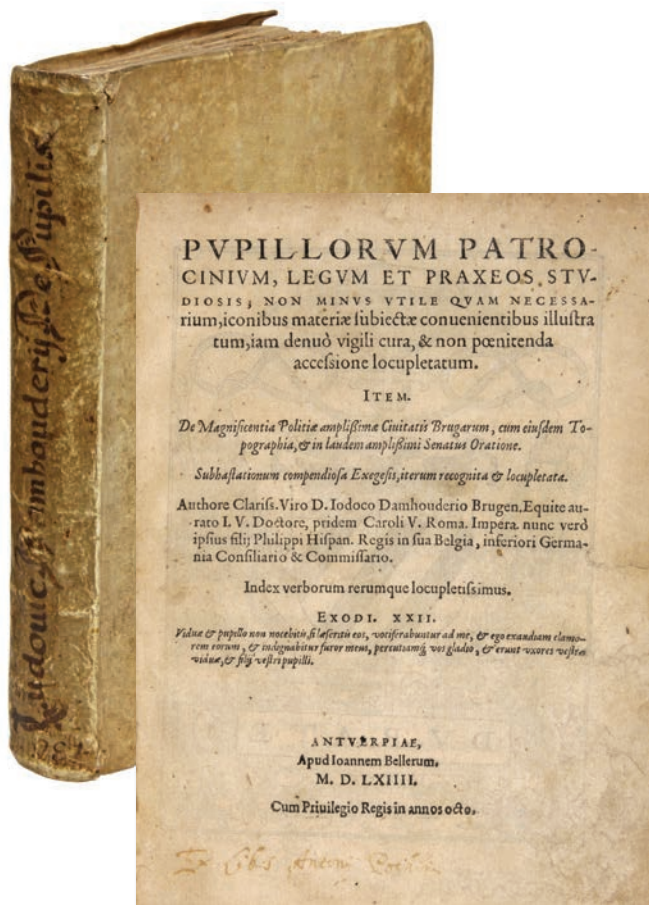


**CONTAINS THE FIRST TEXT  
ILLUSTRATION OF A BOOK AUCTION**

36

**Damhouder (Damhoudere), Josse (Joost) de.** *Pupillorum Patrocinium, Legum et Praxeos Studios; Non Minus Utile Quam Necessarium, Iconibus Materiae Subiectae Convenientibus Illustratum, Iam Denuo Vigili Cura, & Non Poenitenda Accessione Locupletatum. Item De Magnificentia Politiae Amplissimae Civitatis Brugarum, Cum Eiusdem Topographia, & In Laudem Amplissimi Senatus Oratione. Subhastationum Compendiosa Exegesis, Iterum Recognita & Locupletata. Index Verborum Rerumque Locupletissimus.* Antwerp: Apud Ioannem Bellerum, 1564. [xii], 180, [18] ff. Main text in parallel columns. 12 woodcut plates, 1 double-page. Quarto (7-1/2" x 6-1/4"; 19 x 15.9 cm). \$3,500.

Contemporary limp vellum, early hand-lettered title to spine, endpapers renewed. Moderate soiling, light rubbing to extremities, corners bumped and lightly worn. Moderate toning, light foxing and faint dampstaining to a few leaves, light edgewear, faint (and partially illegible) early owner signature and a few minor tears to title page, another minor tear to fol. 71., paper repairs to margins of title page, fol. 1 and fol. 71. An attractive copy of a scarce edition.



N° 36



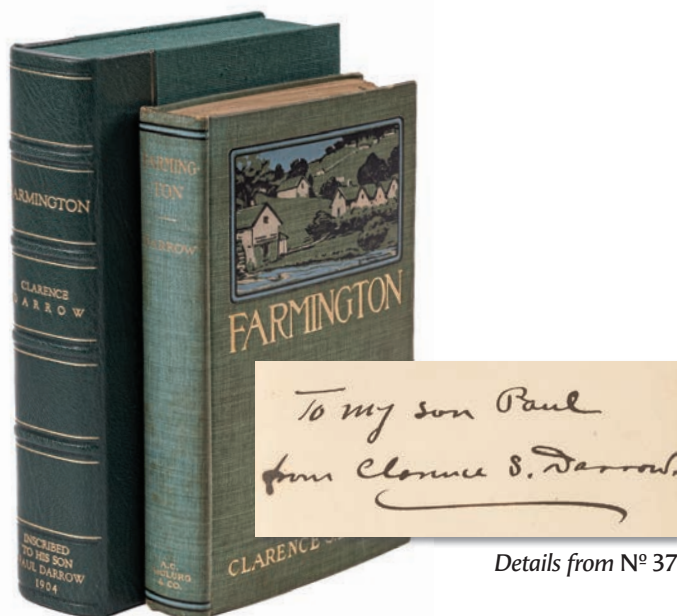
Detail from N° 36

THIRD EDITION. First published in 1544, this is a comprehensive treatise on the law of guardian and ward. Like Damhouder's works on civil and criminal law, *Pupillorum Patrocinium* has plates that illustrate points in the text. One depicts three young orphans with their guardian, tutor, godfather, conservator and executor before a magistrate, facing preface. Other plates depict situations in later stages of life, such as a guardian introducing a child to a teacher, the guardian and child at a shoemaker's shop and the guardian making a record of his charge's assets with an accountant.

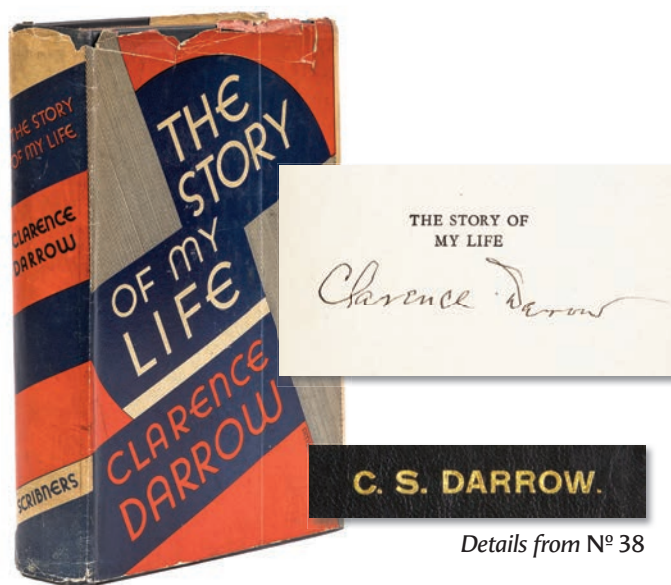
This edition incorporates two other works. *De Magnificentia Politiae Amplissimae Civitatis Brugarum*, first published in 1544, is a political and sociological study of Bruges. It is illustrated with a folding plan of the city. *Subhastationum Compendiosa Exegesis*, first published in 1546, is a brief treatise on public sales. It has what is believed to be the first text illustration of a book auction.

♦ OCLC locates 10 copies in North America, 5 in law libraries (Columbia, George Washington University, Harvard, Library of Congress, Yale). Widener and Weiner 5.00. Dekkers 44.





Details from N° 37



Details from N° 38

#### INSCRIBED BY DARROW TO HIS SON

37

**Darrow, Clarence [1857-1938].** *Farmington*. Chicago: A.C. McClurg & Co., 1904. vi, 277 pp. \$2,500.

Original cloth, arts-and-crafts style multi-color vignette and gilt title to front board, gilt title and black-stamped fillets to spine, top edge gilt, deckle fore and bottom edges. Light soiling to exterior, light rubbing to spine ends and corners, small ink "274" to rear free endpaper, later newspaper clippings (excerpts from *Farmington*), one with a small hole, laid in. Title page with large engraved vignette printed in red and black. Moderate toning, internally clean. Bold inscription "To my son Paul/ from Clarence S. Darrow" to front free endpaper. Housed in an attractive custom dark green clamshell box, quarter morocco over cloth with raised bands and gilt title to spine.

FIRST EDITION. *Farmington* is a fictionalized account of the author's youth in Ohio. Though it went through seven editions, it was never a critical or commercial success. This pained Darrow, who thought it was his finest book. Paul Darrow [1883-1956] was Darrow's only child and a businessman in Chicago for most of his adult life.

◆ Hunsberger, *Clarence Darrow: A Bibliography* 49.

#### WITH DARROW'S SIGNATURE AND UNCOMMON BOOK LABEL

38

**Darrow, Clarence.** *The Story of My Life*. New York: Charles Scribner's Sons, 1932. viii, [iv], 465 pp. 14 plates (with 16 illustrations). \$2,000.

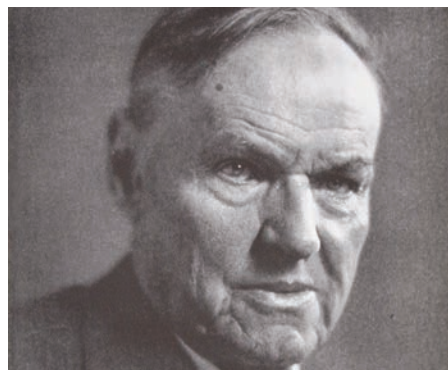
Cloth very good in edgeworn, creased and lightly soiled dust jacket. Leather 2-1/2" x 3/4" (6.35 x 2 cm) spine label reading

"C.S. Darrow" affixed to front pastedown, Darrow signature to half-title in bold hand.

FIRST EDITION (Scribner "A," blue cloth). A curious feature of this copy 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 was likely applied by Darrow himself: "Darrow's almost invariable practice was to affix his bookplate to the top left-hand corner of the book's front pastedown...Darrow also signed his books, sometimes in conjunction with his bookplate or bookstamp, sometimes not" (Luttrell). Darrow's label is less commonly seen than his bookplate or ownership stamps, and books with it are scarce.

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.

◆ Luttrell, "Clarence Darrow and the Books in His Life," *AB Bookman*, April 24, 1995.

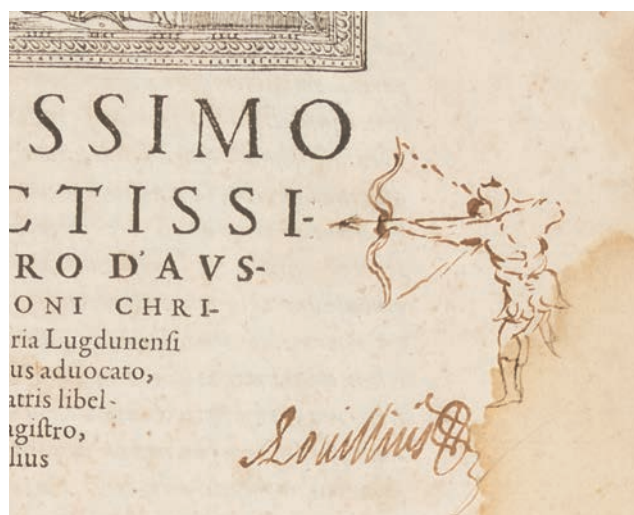


Detail from N° 38

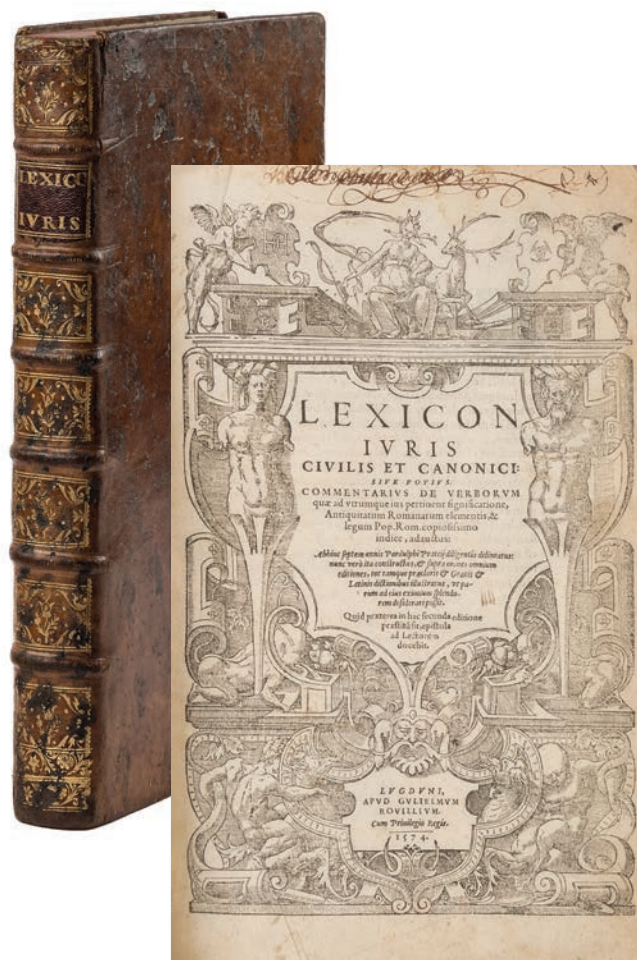


**Duprat, Pardoux [1520?-1570?], Compiler.** *Lexicon Iuris Civilis et Canonici: Sive Potius, Commentarius De Verborum Quae ad Utrumque Ius Pertinent Significatione, Antiquitatum Romanarum Elementis, & Legum Pop. Rom. Copiosissimo Indice, Adauctus: Abhinc Septem Annis Pardulphi Prateij Diligentia Delineatus: Nunc Vero Ita Constructus, & Supra Omnes Omnium Editiones, Tot Tamque Praeclaris & Graecis & Latinis Dictionibus Illustratus, Ut Parum ad Eius Eximium Splendorem Desiderari Possit. Quid Praeterea in hac Secunda Editione Praestitu[m] sit, Epistola ad Lectorem Docebit.* Lyon: Apud Gulielmum Rouillium, 1574. [xii], 638, [2] pp. Leaf v4 (pp. 235-236) bound before leaf v3 (pp. 234-235), text complete. Main text in parallel columns. Folio (13-1/2" x 8"; 34 x 20 cm). \$2,500.

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, blind tooling to inner board edges, edges of text block rouged. Light rubbing, some shallow scuffs to boards, chipping to head of spine, joints just starting at head, small hole near foot of rear joint, corners lightly bumped, upper corner of rear board somewhat worn, front hinge cracked, light creasing to pastedowns. Title printed within handsome woodcut architectural border, woodcut head-pieces, tail-pieces and decorated initials. Moderate toning and light foxing to interior, minor worming to bottom-edge of text block at lower right corner, text not affected, gradually diminishing faint dampstain to fore-edge of first 142 pp., small faint dampstains in a few other places, small hole to lower gutter of pp. 613-638 not affecting text, light creasing to final leaf, which has an illegible annotation (owner signature?) to its verso, struck-through owner signature to title page, underlining and brief marginal notations and doodles to a few pages.



Detail from N° 39



N° 39

**SECOND EDITION.** This is a concise but scholarly dictionary of terms from canon, civil, and Roman law that draws on the work of Ulrich Zasius and Francois Hotman. Some attention is given to classical Greek law as well. The entries, which range in length from a few sentences to several paragraphs, address lexicographical and philological issues and conclude with references and citations. A list of ancient and modern authorities, divided into the following categories, precedes the main text: *Lexicographi, Iuris Auctores, Interpretes, Ex Iure Pontificio, Alii Lexicographi, Ex Medicis, Ex Aliis Classicis.*

Little is known about Duprat, and the title page of this edition does not list any academic or professional distinctions. According to notes cited in Roberts, he was born in Aubusson and taught at the University of Lyon. His range of references, descriptive method, organizational style and facility with Latin and Greek demonstrates that he received a solid humanistic education. In addition to the present work, he published and edited treatises on French, Greek and Roman law. The *Lexicon Iuris* went through four editions, the first in 1567 and the last in 1584.

♦ All editions are scarce. OCLC locates 2 copies of the second in North America (Library of Congress, University of Alberta). Roberts, *South African Legal Bibliography* 246. USTC 154802.



40

**Dyer, Sir James [1512-1582]. Brograve, Sir John [d.1613]. Ridsen, Thomas.** *Three Learned Readings Made Upon Three Very Usefull Statutes: The First [...] Upon the Statute of 32.H.8.Chap.I. Of Wills, [...] The Second, [...] Upon the Statute of 27.H.8.Chap.10. Concerning Jointures. The Third, [...] Upon the Statute of 8.Hen.6. Chap.9. Of Forcible Entry.* London: Printed for W. Lee [et al.], 1648. [iv], 12 [i.e. 123], [1] pp. **[Bound with] Coke, Sir Edward [1552-1634].** *A Little Treatise of Baile and Maineprize.* London: Printed for William Cooke, 1637. [iv], 33, [1] pp. **[And] Bacon, Sir Francis [1561-1626].** *Cases of Treason.* London: Printed by the Assignes of John More, 1641. [iv], 35, [1] pp. **[And] [Real Property].** *A Briefe Declaration for What Manner of Speciall Nuisance Concerning Private Dwelling Houses, A Man May Have His Remedy [...] Unfolded in the Arguments, And Opinions of Foure Famous Sages of the Common Law...* London: Printed by Tho. Cotes, for William Cooke, 1639. [ii], 45, [1] pp. \$4,800.

Together 4 works in one volume. Quarto (7" x 5"; 17.8 x 12.7 cm). Contemporary speckled calf, blind rules to boards and board edges, blind fillets to spine. Very light rubbing to boards, which are slightly bowed, and board edges, moderate rubbing to joints, which are starting slightly at ends, minor crack across foot of spine, corners just bumped and lightly worn, hinges cracked, front pastedown loosening. Moderate toning to interior, light foxing and soiling in a few places, a few partial cracks to text block, all leaves secure, folded corners and small tears to edges of a few leaves not affecting text, fore and bottom edges of *A Little Treatise* untrimmed, brief later pencil annotation to p. 5 of first work. Later (c.1741) ink and pencil annotations to endleaves with later pencil annotation to p. 5 of first work, circular ink stamp (Cornwell House) of Francis Penyston to front endleaf. An appealing volume with an interesting provenance.

**ONLY EDITIONS.** A group of important treatises on a range of topics in the common law, including Coke's overview of the law of bail and Bacon on treason, felony and the king's prerogative. The first work focuses on property law, including Dyer on land inheritance, Brograve on jointures and Ridsen on landlord and tenant and forcible entry. The final work deals with public nuisance law. It also summarizes the 1633 assizes resolutions on the Elizabethan poor law.

The volume was owned by the Reverend Dr. Francis Astrey [1676-1766], an honorary canon and treasurer of St. Paul's Cathedral, and given to his cousin Francis Penyston in 1741. Astrey was active as a royal commissioner for his local community and would have found the works in this volume useful for their discussion of real property and the poor laws.

◆ ESTC R204745, S108453, R16590, S109444.



Details from N° 40



**A FEMINIST “MASTERSTROKE”: A CARD GAME USED TO PROMOTE THE CAUSE OF FEMALE SUFFRAGE**

41

[Female Suffrage]. [Great Britain]. Reed, E[dward] T[ennyson] [1860-1933], **Illustrator.** Panko, Or Votes for Women: The Great Card Game, Suffragists v. Anti-Suffragists. London: Peter Gurney, c.1909. \$2,500.

48 color 3-1/2" x 2-1/2" (9 x 6.5 cm) lithographed cards on heavy coated stock in 3-3/4" x 2-3/4"; (9.5 x 7 cm) slipcase, text on front, color illustration on rear, 6-3/4" x 4-3/4" (17 x 12.1 cm) instruction sheet enclosed. Complete as issued. Moderate rubbing and light soiling to slipcase, narrow bottom plane of inner slipcase lacking, small inkstain to front, tiny label to side. Toning to instruction sheet, light edgewear and a few tiny tears along fold lines. Light soiling and minor edgewear to cards. A very good set.

NAMED AFTER the English suffragist Emmeline Pankhurst [1858-1928], Panko was produced by the Women's Social and Political Union (WSPU) to raise funds for its activities and publicize its goals. "The translation of the mechanics of the women's suffrage campaign into board and card games was a masterstroke... Not only were funds raised, but the message of the cause was brought into domestic circles where more rabid propaganda might not have been welcomed. ... The advertisement for the game claimed, 'Not only is each picture in itself an interesting memento, but the game produces intense excitement without the slightest taint of bitterness'" (Crawford).



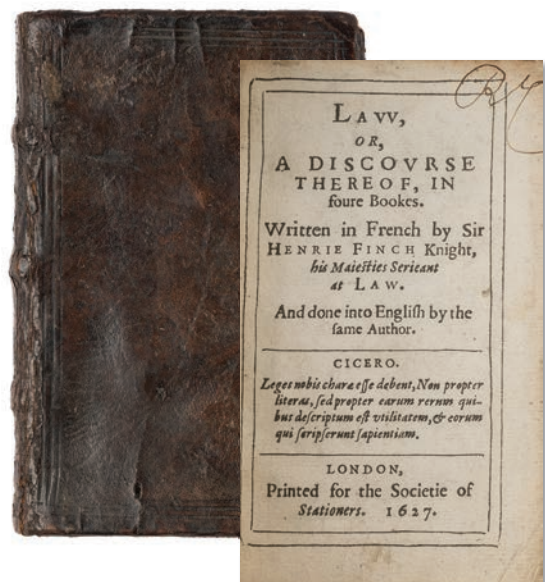
Detail from N° 41

The cards were illustrated by Edward Tennyson Reed, best-known for his illustrations for *Punch*. They reflect some of the key moments and characters in the Suffrage movement, such as Pankhurst wearing her WSPU sash, a Suffragist being escorted to a police station, a group of Suffragists trying to gain entry to the House of Commons, a Suffragist declaring a hunger strike in jail and an image of the attorney Christabel Pankhurst [1880-1958], Emmeline's daughter, addressing the viewer in her robes.

♣ Crawford, *The Women's Suffrage Movement: A Reference Guide 1866-1928* 235.







**FIRST ENGLISH-LANGUAGE EDITION  
OF A DISTINGUISHED PREDECESSOR TO  
BLACKSTONE'S COMMENTARIES**

42

**Finch, Sir Henry [1558-1625].** *Law, Or, A Discourse Thereof, In Foure Bookes.* Written in French by Sir Henrie Finch Knight, His Maiesties Serieant at Law. And Done Into English by the Same Author. London: Printed for the Societie of Stationers, 1627. [viii], 496, 499-506, [16] pp. First leaf, a blank, renewed with contemporary paper. Pagination irregular. Text complete. Octavo (5-1/2" x 3-3/4"; 13.4 x 9.5 cm). \$1,650.

Contemporary sheep, expertly restored by Philip Dusel, blind rules to boards, raised bands to spine, front endleaf renewed with old paper. A few nicks and scuffs to boards, some edgewear, light gatering and tiny fragment of shelf label to spine, pastedowns loose. Light toning to text, occasional faint dampstaining to upper margins, tiny stab-holes to margins of a few leaves, light soiling and small early owner initials to front endleaf and title page. A very nice copy in a handsome period binding.

**FIRST EDITION IN ENGLISH.** Originally published in Law-French in 1613 as *Nomotechnia: Un Description del Common Leyes D'Angleterre*, "Finch's Law, till the publication of Blackstone's Commentaries, was regarded as the best elementary book to be placed in the hands of the law students. It is one of the few attempts that have been made to reduce the common law into system...[Finch's] definitions were exact, his style concise and nervous, and his illustrations clear and authentic. Most of the valuable parts of Finch are incorporated in Blackstone's Commentaries" (Sweet & Maxwell). The first English-language edition was published in 1627. Holdsworth says the English version was the "pioneer book on the institutes of English law" and a model for several writers.

◆ Sweet & Maxwell 1:238 (10). HEL V:399-400. ESTC S122048.

**INTERLEAVED 1810 PRINTING OF THE FRENCH  
CODE OF CRIMINAL PROCEDURE WITH  
CONTEMPORARY ANNOTATIONS**

43

**[France]. [Criminal Law].** *Code d'Instruction Criminelle. Édition Originale et Seule Officielle.* Paris: De l'Imprimerie Impériale, 1810. [ii], 310 pp. Interleaved. Quarto (10" x 7-3/4"; 25.4 x 19.7 cm). \$1,500.

Contemporary quarter calf over marbled boards, gilt spine with lettering piece. Moderate rubbing with wear to spine ends and corners, joints starting at ends, hinges cracked, front free endpaper lacking. Light toning, somewhat heavier in places, light foxing in a few places, light edgewear to preliminaries and final leaves, light soiling to title page. Annotations to approximately thirty leaves of interleaves and text in neat contemporary hand.

**THIRD PRINTING.** The 1808 *Code d'Instruction Criminelle*, a code of criminal procedure, was one of the four codes of civil and criminal law issued under Napoleon's direction after the *Code Napoléon* (*Code Civil*, 1804). The annotations, the latest dated 1827, range from a few words to several interpretive paragraphs. Most of these note modifications to the articles by imperial decrees or court decisions. The most extensive annotations, which fill three full interleaves in a tiny hand, concern juries. They are interleaved with the first eleven articles of Chapter V, "Du Jury et la Manière de la Former" (pp. 133-136).

**A COLLECTION OF SCARCE DUBLIN PAMPHLETS  
IN A CONTEMPORARY BINDING**

44

**[Great Britain].** *[A Trial Bound with Five Pamphlets on Social and Political Topics]*. Dublin, 1740-1747. Together six titles. \$4,500.

Octavo (7-3/4" x 4-3/4"; 19.7 x 12.10 cm). Contemporary calf, raised bands and lettering piece to spine, blind tooling to board edges. Some minor nicks and light scuffs to boards, moderate rubbing to extremities, corners bumped, tiny chip to front joint near head of spine, front hinge cracked, front free endpaper partially detached. Light toning to text, light edgewear and creases to plates, which are in the third pamphlet, minor stains and smudges to a few leaves, light soiling to title pages, early owner signature (of William Acton) to title page of first pamphlet. An interesting collection.

The imprint locations and appearance of the binding suggest these pamphlets were bound together around 1750 in Ireland. The first pamphlet addresses a sensational case of fratricide, the third is an anti-Catholic tract. The other four, all with a strong anti-Catholic bias, discuss the war of Austrian Succession and the Jacobite Rising of 1745. Contents:

i. **[Goodere, Sir Samuel (1687-1741)].** *The Genuine Trial*



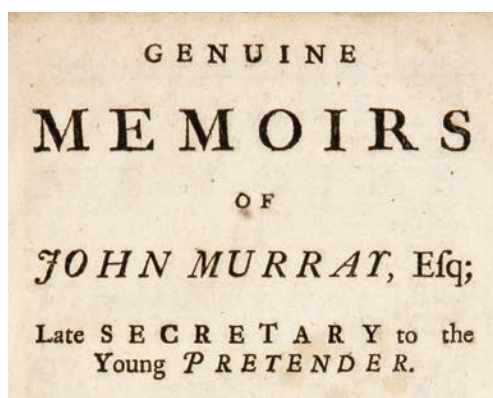
but that the more they  
more fervently laddled my  
man, six Weeks after, as to ex-  
another kind of Torture, more  
possible, than the former. They  
retch my Arms in such a Man-  
e Palms of my Hands were turn'd  
when by the Help of a Rope that  
together at the Wrist, and which  
by an Engine; they drew them  
er to one another behind, in such  
that the Back of each Hand touch'd,  
exactly parallel one to the other;  
both my Shoulders were dislocated,  
incredible Quantity of Blood issued  
Mouth. This Torture was repeated  
after which I was again taken to my  
n, and put into the Hands of Physi-  
d Surgeons, who, in setting my Bones,  
to exquisite Pain.  
Months after, being a little recover'd,  
again conveyed to the Torture-Room;  
ere made to undergo another Kind of  
ment twice. The Reader may judge,  
Horror from the following Description  
of.  
The Torturers turn'd twice round my Body,  
ack Iron Chain, which, crossing upon my  
nch, terminated afterwards at my Wrists.  
y next set my Back against a thick Board,  
each Extremity whereof was a Pulley,  
ough which there run a Rope, that catch'd  
Ends of the Chains at my Wrists. The  
mentors then stretching these Ropes, by



Nº 44

of Samuel Goodere, Esq; (Late Commander of the Ruby Man of War) Matthew Mahony, and Charles White, At the General Sessions of Oyer and Terminer for the City of Bristol, Held by Adjournment on Thursday the 26th of March, 1741 [sic], Before the Right Worshipful Henry Combe, Esq; Mayor, The Worshipful Mr. Serjeant Forster, Recorder, The Worshipful the Aldermen, And Justices Assigned to Keep the Peace, And Deliver the Goal; For the Murder of Sir John Dinely Goodere, Bt. On Board His Majesty's Ship the Ruby Man of War, Then Lying at King-Road, Within the Jurisdiction and Liberties of the Said City of Bristol. Taken in Short-Hand by Order and Direction of S. Foot, Of Worcester-College, Oxford, Esq; And Nephew to the Late Sir John Dinely Goodere, Bart. Dublin: Printed by and for George Faulkner, 1740. 24 pp. Only Dublin edition. The ESTC locates 7 copies, none in North America. OCLC adds a copy in North America at Georgetown Law School. ESTC T184968.

ii. [Murray, Sir John (1715-1777)]. *Genuine Memoirs of John Murray, Esq; Late Secretary to the Young Pretender. Together with Remarks on the Same: In a Letter to a Friend.* Dublin: Printed by James Esdall, 1747. 44 pp. First Dublin edition. ESTC locates 4 copies, none in North America. ESTC T91419.



Detail from Nº 44

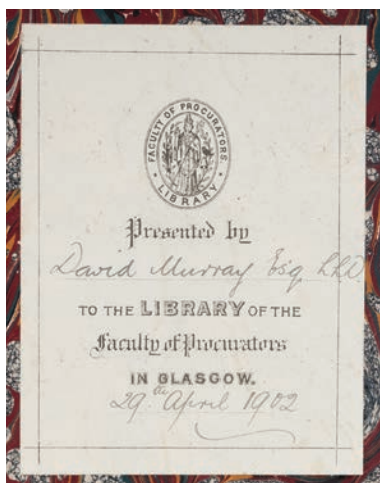
iii. [Coustos, John]. *The Sufferings of John Coustos, For Free-Masonry, And for His Refusing to Turn Roman Catholic, In the Inquisition at Lisbon; Where he was Sentenc'd, During Four Years, To the Galley; And Afterwards Releas'd from Thence by the Gracious Interposition of His Present Majesty King George II. Adorned with Cuts, Shewing the Various Tortures Exercis'd upon Him by Those Barbarians. With a Prefatory Discourse on Occasion of the Present Rebellion.* Dublin: Printed for William Powell, 1746. 72 pp. Copperplate portrait frontispiece. Three folding copperplate leaves. First Dublin edition. ESTC locates 6 copies, 1 in North America (Indiana University). ESTC T177898.

v. [War of the Austrian Succession]. *The Case of the Genoese Impartially Stated; Wherein the Conduct of that People, The Austrians and Piedmontese, During the Late Convulsions, Is Candidly Examined. To Which is Prefixed, A Letter from an Eye-Witness, Giving an Exact Account of the Insurrection at Genoa. In a Letter to a Member of Parliament.* Dublin: Printed by and for R. James, 1747. 52 pp. First Dublin edition. ESTC locates 4 copies, 2 in North America (Free Library of Philadelphia, University of Kansas). ESTC T189095.

v. [Squire, Samuel, Attributed]. *The Important Question Discussed; Or, a Serious and Impartial Enquiry into the True Interest of England with Respect to the Continent.* Dublin: Printed by G. Faulkner, 1746. 50, [2] pp. Only Dublin edition. ESTC locates 12 copies, 3 in North America (Columbia, Harvard, Library of Virginia). ESTC T128804.

vi. Herring, Thomas [1693-1757]. *A Sermon Preach'd at the Cathedral Church of York, September the 22d, 1745. On Occasion of the Present Rebellion in Scotland by Thomas, Lord Archbishop of York.* Dublin: Printed for G. and A. Ewing, 1746. 20 pp. Only Dublin edition. ESTC locates 11 copies, 3 in North America (Harvard, NY Public Library, UCLA). ESTC T66236.





**A REMARKABLE COLLECTION OF  
NINETEENTH-CENTURY WORKS ON LEGAL REFORM  
AND INTERNATIONAL LAW COMPILED BY  
A NOTABLE SCOTTISH LAWYER**

45

[Great Britain]. [Law Reform]. [Murray, David (1842-1928)]. [The David Murray Collection of Law Reform and International Law]. 16 volumes. 155 titles. Various paginations. Octavo (Vols. 1-15: 8-1/2" x 5," 21.6 x 12.7 cm; Vol. 16: 9-1/4" x 6," 23.5 x 15.25 cm). \$7,000.

Contemporary three-quarter calf over marbled boards, gilt-stamped insignia of the Royal Faculty of Procurators, Glasgow, to front boards, blind rules to joint edges and corners, raised bands and lettering piece to spines, marbled edges and endpapers, presentation bookplate from David Murray to the Faculty dated April 29, 1902 to front pastedown of first volume. Light rubbing to boards, light residue from leather treatment, occasional scuffs, nicks, scratches and spots to boards and extremities, which are more moderately rubbed with darkening in a few places, some lettering pieces loose but secure, cracking to spines of Volumes 14-16, boards of Volume 1 detached, front joint of Volume 2 starting at foot, joints of Volume 16 starting at ends. Volumes 1, 5, 6, 7, 9, 10 and 13 have descriptions of their contents in Murray's hand to their half-titles. A remarkable, handsomely bound collection.

THIS COLLECTION pertains chiefly to the subjects of law reform and international law. It was formed during the nineteenth century by the notable Scottish lawyer, bibliophile and antiquary, David Murray, who presented it to the Library of the Royal Faculty of Procurators in Glasgow in 1902. As indicated by the contents, which span almost the entire nineteenth century, Murray had long possessed a sustaining interest in law reform. Many titles touch upon the numerous areas of law that were dramatically reformed during the 1800s, including bankruptcy law, conveyancing and real property law, judicial administration, chancery and equity, and, to a lesser extent, codification, criminal law and jurisprudence.

Many of the works are presentation copies inscribed to other well-known international lawyers and reformers of the nineteenth century, among them Sir Travers Twiss, Sir John Connell, and Edwin Wilkins Field. Among the authors themselves are John Austin, Basil Montagu, Lords Brougham and Grenville, Edward Sugden and John Westlake. Most of the works appear to be quite rare. Preliminary searching indicates that among those checked about 50% are not located in OCLC, and over 80% are found in two locations or fewer.





**A UNIQUE CONTEMPORARY COMPILATION  
OF SCARCE PRIMARY SOURCES**

46

[Great Britain]. [Test and Corporation Acts]. [Pamphlets About the Unsuccessful Movement to Repeal the Test and Corporation Acts]. London, 1770-1790. Ten titles in one volume, various paginations. Octavo (8" x 5"; 20.32 x 12.7 cm). \$2,500.

Contemporary three-quarter calf over marbled boards, rebacked in period style, raised bands, gilt fillets and lettering piece to spine, endpapers renewed. Some rubbing to boards, somewhat heavier rubbing to board edges with wear to corners. Moderate toning to interior, light browning to a few pamphlets, light foxing, stains, marks and underlining in a few places, light dampstaining to top and fore-edges, neat cello tape repairs to a few leaves, first title preceded by contemporary manuscript table of contents. A unique volume, contents in very good condition.

INTENDED TO EXCLUDE Catholics and Protestant dissenters from public life, the Test and Corporation Acts (1673 and 1661) required all local and state officials to belong to the Church of England. Both were, for the most part, repealed in 1828; the remaining provisions against Catholics followed in 1829. (Jews were granted these rights between 1833 and 1890.)

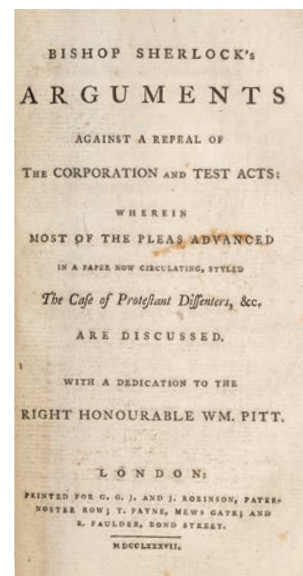
The pamphlets in this volume concern an effort to repeal the acts that began in the mid-eighteenth century and ended in an unsuccessful campaign to pass a repeal bill in 1790. They form a unique contemporary compilation of primary sources, all scarce with few copies listed in North American libraries. One is by Anna Letitia Barbauld, a poet, essayist, literary critic, editor, children's author and the leader of an important women's education movement, who was also a dissenter. The spine title reads "Priestley/ Etc." and the heading of the table of contents refers to "Dr. Priestley." Joseph Priestley [1733-1804], the prominent scientist, polymath and dissenter, played a leading role in the repeal campaign.

Contents:

**i. Horsley, Samuel (1733-1806).** *A Review of the Case of the Protestant Dissenters; With Reference to the Corporation and Test Acts....* London: Printed for J. Robson, 1790. [vi], iii, [2], viii-xviii, 63, [1] pp. Only edition. ESTC T44892.

**ii. [Heywood, Samuel (1753-1828)].** *The Right of Protestant Dissenters to a Compleat Toleration Asserted; Containing an Historical Account of the Test Laws, And Shewing the Injustice, Inexpediency, And Folly of the Sacramental Test....* London: Printed for J. Johnson and J. Debrett, 1789. vii, [1], 99, [1] pp. Second edition. ESTC T6475.

**iii. [Enfield, William (1741-1797)].** *Remarks on Several Late Publications Relative to the Dissenters; In a Letter to Dr. Priestley. By a Dissenter.* London: Printed for S. Bladon, 1770. 72 pp. Only edition. ESTC T150228.



Details from N° 46

**iv. Sherlock, Thomas [1678-1761].** *Bishop Sherlock's Arguments Against a Repeal of the Corporation and Test Acts: Wherein Most of the Pleas Advanced in a Paper Now Circulating, Styled The Case of Protestant Dissenters, &c. are Discussed.* London: Printed for G.G.J. and J. Robinson [et al.], 1787. iv, [2], 73, [1] pp. First edition. ESTC T4874.

**v. [Knowles, Thomas (1723-1802)].** *A Dialogue Between Bishop Hoadly and Bishop Sherlock, on the Corporation and Test Acts.* London: Printed for Lockyer Davis, 1790. [3]-46, [2] pp. Lacking half-title. Only edition. ESTC T21003.

**vi. A Country Freeholder.** *The Danger of Repealing the Test-Act.* London: Printed for W. Lowndes, 1790. [ii], 69, [1] pp. Only edition. ESTC T4876.

**vii. North, Frederick, Lord North [1732-1792].** *The Speeches of Lord North, on a Motion for a Repeal of the Corporation and Test Acts....* London: Printed at the Logographic Press and sold by J. Walter and W. Richardson, 1790. 30, [2] pp. Only edition. ESTC T108788.

**viii. Smith, J[oseph] [c.1755-1815].** *Some Remarks on the Resolutions, Which were Formed at a Meeting of the Archdeacons of Chester...With Some Observations On the Late Arguments of Mr. Pitt, And the Conduct of Mr. Burke, Relative to a Repeal of the Test Act.* Liverpool: Printed in the Year 1790. And sold by J. Johnson, London, 1790. [ii], 44 pp. Only edition. ESTC T160277.

**ix. Owen, Edward [1728-1807].** *The Dissenters' Present Claims Considered in a Sermon....* Warrington: Printed by W. Eyres, [1790]. 33, [1] pp. Lacking half-title. Only edition. ESTC T132012.

**x. [Barbauld, Anna Letitia (1743-1825)].** *An Address to the Opposers of the Repeal of the Corporation and Test Acts.* London: Printed for J. Johnson, 1790. 40 pp. First edition. ESTC T165130.





# 1486 VENETIAN IMPRINT OF THE DECRETALS OF GREGORY IX

47

**Gregory IX, Pope [1147?-1241]. [Bernardus Parmensis (Bottoni, Bernardo) (d. 1266), Glosses].** [*Decretales cum Glossa Bernardi Parmensis*]. [Venice: Thomas de Blavis, De Alexandria, 22 December 1486]. [420] ff. Collation: a-z8, [et]8, [con]8, [rum]8, A-Z8, aa-bb8, cc12. 53-line main text surrounded by 63-line gloss. Quarto (9-1/4" x 7"; 23.2 x 17.6 cm). \$10,000.

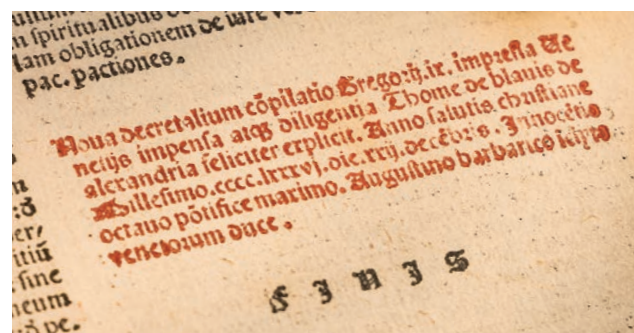
Later vellum, hand-lettered title to spine, initials "S.C." to top-edge of text block, endpapers renewed. Boards slightly bowed, some worming to spine, which is chipping and partially abraded, hinges cracked. Printed throughout in red and black in late-Gothic rounded type, most guide initials with contemporary rubrications in blue ink, large Blavis device printed in red at foot of register (cc12), early (sixteenth or seventeenth-century?) manuscript table of contents to first leaf and brief annotations (corresponding to headings in table of contents) to upper corners of most leaves, many slightly affected by trimming, early owner inscription to first page. Light toning to interior, somewhat more moderate in a few places, occasional, mostly non-obtrusive faint dampstaining, several cracks in text block, a few leaves loosening very slightly but secure, edges of several leaves skillfully mended with tissue, minor loss to a few letters of text and some loss to table of contents on first leaf. Item housed in handsome quarter morocco over cloth clamshell case, raised bands and gilt fillets, title and publication place and date to spine.

"DECRETALS ARE LETTERS containing a papal ruling, particularly one relating to canonical discipline, and most precisely a papal prescript in response to an appeal... the *Decretals* of Gregory IX are the first authentic general

collection of papal decretals and constitutions, compiled by Raymond of Penaforte at the request of Pope Gregory IX in 1230-34 and promulgated in 1234. (...) It gave rise to a vast amount of commentaries and literature" (Walker). The most important of these commentaries, included in our copy, is the gloss of Bernard of Botone, also known as Bernard of Parma (Bernardus Parmensis). Composed shortly before 1263, it is known as the "Ordinary Gloss," or *Glossa Ordinaria*.

Gregory's *Decretales* is one of the four works known collectively as the *Corpus Juris Canonici*, a collection of papal decisions concerning ecclesiastical hierarchy, procedure, the functions and duties of clerks, family law, crime and vast areas of what are now called "private law." The *Corpus* was revised in 1580-82 to reflect changes ordered by the Council of Trent. In this form it remained in force until the enactment of the *Code of Canon Law* (*Codex Iuris Canonici*) in 1918.

According to the *Catalogue of Books Printed in the XVth Century Now in the British Museum*, this imprint takes its type from the 1482 edition of the *Decretales* by Venetian printer Andreas Torresanus. The only change noted is the substitution of de Blavis's name in the colophon. de Blavis established his second press in 1481, "the same year in which Torresanus and Bartholomaeus de Blavis began printing...it



Detail from N° 47



is quite likely that Thomas, even from 1481, was dependent upon these partners. For this reason it is even possible that the initials under the crowned book in the mark [on the final leaf] represent not ‘Thomas (de Blavis) de Alexandria’ but ‘Thomas (de Blavis) and Andreas (Torresanus)’” (Willoughby).

♣ The ISTC locates 6 copies in North America, 2 in law libraries (UC-Berkeley, Harvard). Walker, *The Oxford Companion to Law 177-179. Catalogue of Books Printed in the XVth Century Now in the British Museum* 5:318. Willoughby, “The Cover Design” in *The Library Quarterly* 3, no. 1 (1933): 423. ISTC ig00463000.

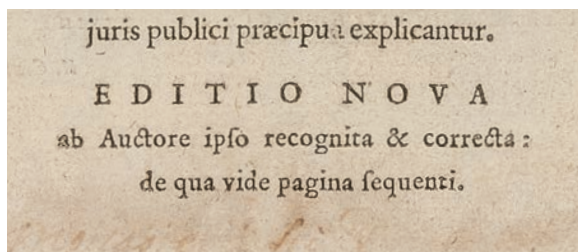
#### 1632 BLAEU EDITION OF *DE IURE BELLI AC PACIS* ENDORSED BY GROTIUS

48

**Grotius, Hugo [1583-1645].** *De Iure Belli ac Pacis Libri Tres. In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Editio Nova ab Auctore ipso Recognita & Correcta: De qua Vide Pagina Frequenti.* Amsterdam: Apud Guilielmum Blaeu, 1632. [xx], 421, [27] pp. P. 406 misnumbered 407. [Bound with] **Grotius, Hugo.** *Mare Liberum, Sive De Jure, Quod Batavis Competit ad Indicana Commercia, Dissertatio. Editio Nova, Prioribus Longe Emendatio.* Amsterdam: Apud Guilielmum Blaeuw, 1633. [viii], 26, [2] pp. \$5,000.

Octavo (6-1/4" x 3-3/4"; 15.9 x 9.5 cm). Near-contemporary gilt-paneled calf, central gilt arms and corner monogram initials, raised bands, gilt fillets and lettering piece to spine, gilt monograms to compartments, edges rouged. Light rubbing and a few tiny scuffs and scratches to boards, moderate rubbing to extremities, front joint cracked, rear joint starting, spine ends chipped, fragments of label to foot of spine, corners bumped and lightly worn, front hinge starting, light edgewear to endleaves, rear pastedown loosening, owner signature to front endleaf. Light toning to interior, very light foxing in a few places, faint dampstains to edges of first few leaves, faded annotations and later owner signature (J.G. Willien) to title page. Another previous owner's name to blank front free endpaper, “J Le Febure/ 30 assibus/ emptus est.” A handsome volume.

*DE IURE BELLI AC PACIS*: third edition, a reissue of the second edition, 1631, which includes corrections by Grotius;



Detail from N° 48



N° 48

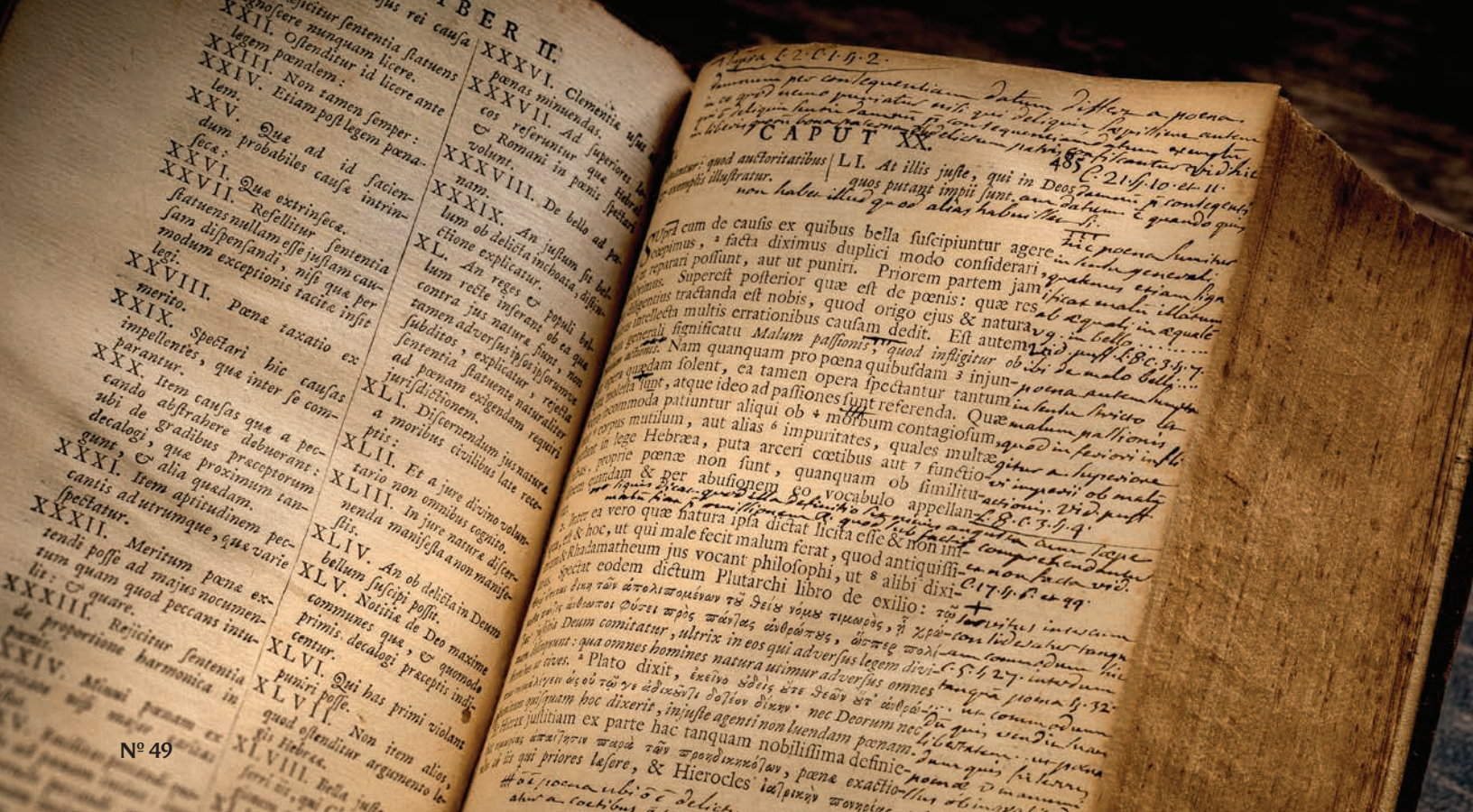
*Mare Liberum*: later edition. First published in Paris in 1625, *De Iure Belli Ac Pacis* established the system of modern public international law, based on the concept of *droit naturel*, a morality-based law that superseded the laws of individuals or nations. Despite the work's basis in Christian natural law, it advanced the novel argument that its system would still be valid without a divine basis. In this regard Grotius moved international law in a secular direction.

First published in 1609, *Mare Liberum* was frequently appended to editions of *De Iure Belli Ac Pacis*. In general terms, it argued for the free navigation of the seas. More specifically, it defended Dutch fishermen who were attempting to operate near the English coast and the Dutch East India Company, which was engaged in a territorial dispute in the Caribbean with Portuguese traders.

Another edition of *De Iure Belli*, designated the third, was issued in 1632 by rival publisher Johannes Jansson. (Jansson also published an edition of *Mare Liberum* that year.) A low-priced reissue of the second edition, it was not authorized by Grotius, who denounced it as inaccurate in a notice on the verso of the title page of the Blaeu edition. The notice also states that Blaeu's is the correct version of his work, which resulted in his edition being treated as definitive.

♣ Dauchy 50. Ter Muelen and Diermanse 569, 547. Somos, et al., *The Unseen History of International Law: A Census Bibliography of Hugo Grotius' De Iure Belli Ac Pacis (1625-1650 Editions)* 515.





N° 49

**1712 EDITION OF DE JURE BELLI AC PACIS  
WITH EXTENSIVE CONTEMPORARY ANNOTATIONS  
BY A FRENCH LAW PROFESSOR**

49

**Grotius, Hugo. Gronov (Gronow), Johannes, Editor.** *De Jure Belli ac Pacis Libri Tres, In Quibus Jus Naturae & Gentium, Item Juris Publici Praecipua Explicantur. Cum Annotatis Auctoris, Ex Postrema Ejus Ante Obitum Cura. Accesserunt Ejusdem Dissertatio de Mari Libero, & Libellus Singularis de Aequitate, Indulgentia, & Facilitate. Nec non Joann. Frid. Gronovii v.c. Notae in Totum Opus De Jure Belli ac Pacis.* Amsterdam: Ex Officina Wetsteniana, 1712. [xiv], xxxiv, 946, [94] pp. Copperplate allegorical title page, copperplate portrait of Grotius. Octavo (7-3/4" x 4-3/4"; 19.7 x 12.1 cm). \$7,500.

Contemporary calf, raised bands and lettering piece to spine. Shallow scuffing to boards, moderate rubbing to boards and extremities, small chips to ends of rear joint, corners bumped and somewhat worn, front joint starting, bit of bookplate residue to front pastedown. Main title page printed in red and black. Moderate toning to interior, light foxing in a few places, extensive contemporary annotations to large sections of text, struck-through owner name (?) and inscription to front free endpaper, another struck-through inscription and a note dated 1735 identifying the annotator as Jean-Baptiste Boucher de Bégnicourt to its verso, owner inscription dated 1843 of Charles Gourand [1823-1876], the historian and economist, to verso of portrait frontispiece, small (unidentified) hand-drawn coat of arms to foot of title page.



Detail from N° 49

**LATER GRONOV EDITION.** With *Mare Liberum* (1609), Grotius's influential treatise on maritime law and the right of free navigation. Boucher de Bégnicourt, the annotator of our copy, was a professor of law at the University of Utrecht when he annotated this copy. He was formerly a law professor at University of Pont-à-Mousson and an advisor to Leopold "The Good" Duke of Lorraine [1679-1729]. Little else is known about him, but he was clearly a high-level jurist.

His notes, in Latin, show a deep engagement with Grotius's text. He is deeply concerned with the implications of Grotius's ideas. This is especially evident in his remarks on Book I, Chapter XX, which is devoted to penalties. He confronts the question of legitimate judicial power that is not given by God, but from the fact that people form hierarchical



social units: "If someone objects that no one punishes or governs himself, therefore no one could have given this power to a prince. Answer: when men assembled in cities they submitted their will to the will of the prince for the public good, and endeavored to see law-breakers punished. Thus the prince has the power to punish, even if he didn't have it originally. This right comes from the process of forming a community" (p. 485).

In some cases, our annotator opposes Grotius. One example is his rejection of a remark on a passage in Samuel (1 Samuel 8:2), where Grotius says royal dignity is based on an abstract right (p. 130). He also questions Grotius's reliance on juristic authorities when discussing theological subjects. We see this in a few places, such as his remark on a passage in Book I, Chapter IV, regarding the resistance of subjects to political authority in such cases as the Maccabees against the Seleucids (p. 143). Other notes clarify or expound general terms or remarks. Where Grotius says "German peoples," our annotator notes specific nations, such as Goths, Vandals, Saxons and Burgundians.

On a general level, this copy is a fascinating document of the reception of *De Jure Belli ac Pacis* in the early eighteenth century. More specifically, it connects the contemporary reader with the thoughts of a perceptive French jurist when he was associated with one of Europe's leading Protestant universities.

♣ Carter and Muir, *Printing and the Mind of Man* 125. Dauchy 50. Ter Meulen and Diermanse 596.

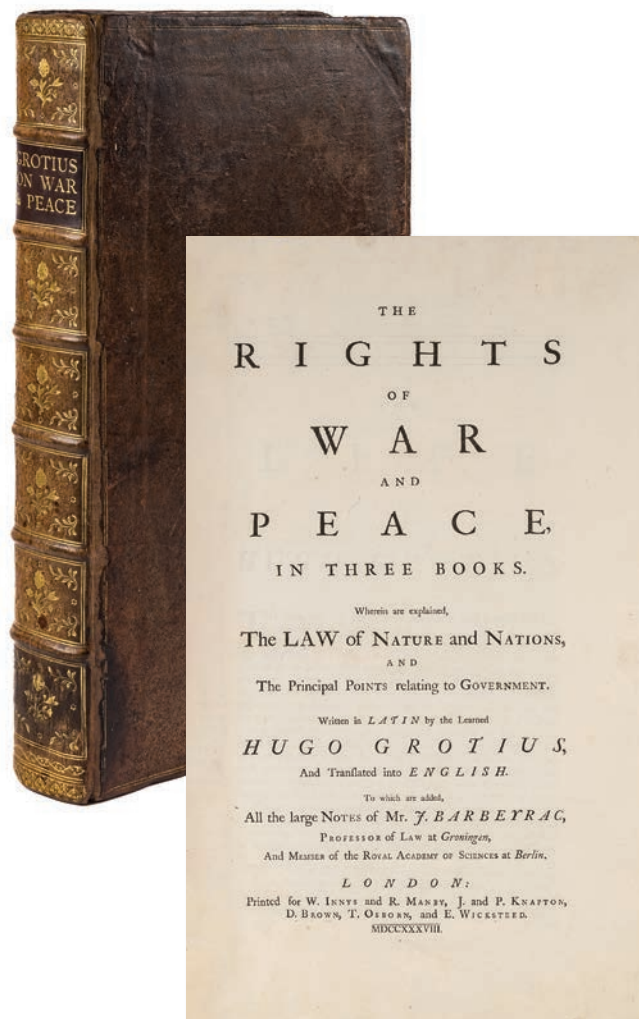
#### THE "BEST EDITION" OF GROTIUS, WITH "EXCELLENT" NOTES

50

**Grotius, Hugo. [Morrice, John (1685-1740), Translator and Editor].** *The Rights of War and Peace, In Three Books. Wherein are Explained, The Law of Nature and Nations, And the Principal Points Relating to Government. Written in Latin by the Learned Hugo Grotius, And Translated into English. To Which are Added, All the Large Notes of Mr. J. Barbeyrac.* London: Printed for W. Innys [et al.], 1738. [iv], xxxvi, 817 pp. Notes in parallel columns beneath single-column main text. Folio (15" x 9-1/4"; 38 x 23.5 cm). \$2,500.

Contemporary speckled calf, gilt rules to boards, rebaced in period-style calf with raised bands, extra gilt spine and lettering piece, gilt tooling to board edges, portions of board edges and corners mended with calf, hinges mended with tissue, armorial bookplate (of Philip Langdale) to front pastedown. Very light toning to text, unobtrusive light soiling and faint dampstaining to edges of a few leaves, internally clean. A very attractive copy.

FIRST ENGLISH EDITION with Barbeyrac's notes. Lowndes describes this as the "best edition;" Marvin says



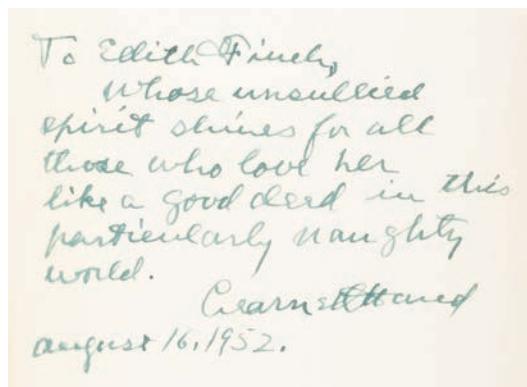
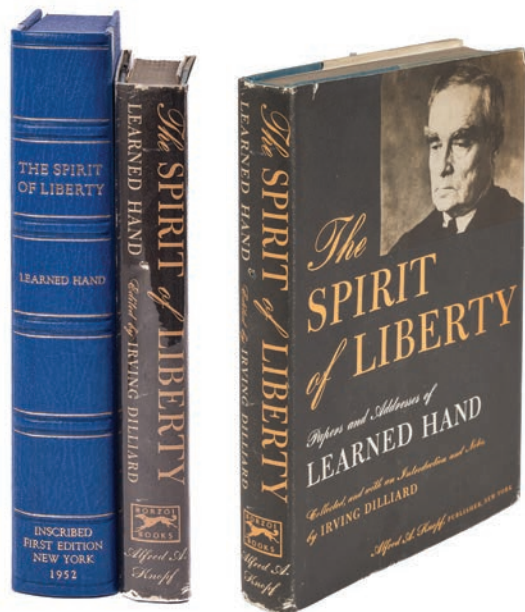
Detail from N° 50

Barbeyrac's notes are excellent. First published in Paris in 1625, *The Rights of War and Peace* established the system of modern public international law, based on the concept of "droit naturel," a morality-based law that superseded the personalities of individuals or nations. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction.

First published in 1715, Morrice's edition and translation was produced with the assistance of Edward Littlehales [1690-1724] and John Spavan [1685-1718]. Our copy of the 1738 edition was owned by a member of the Langdale family, an important landowning family seated at Houghton Hall in Yorkshire. It may have been owned by Philip Langdale [1725-1814].

♣ Lowndes, *Bibliographer's Manual of English Literature* (rev. ed.) III:950. Marvin 353. ESTC T110924.





Details from N° 51

**INSCRIBED BY LEARNED HAND TO EDITH FINCH,  
FUTURE WIFE OF BERTRAND RUSSELL**

51

**Hand, Learned [1872-1961].** *The Spirit of Liberty: Papers and Addresses of Learned Hand Collected, And With an Introduction and Notes, By Irving Dilliard.* New York: Alfred A. Knopf, 1952. xxx, 262, [2] pp. \$1,750.

Cloth in lightly edgeworn dust jacket, light soiling to rear panel. Author inscription to Edith Finch to front free endpaper, light toning to interior. Housed in an attractive custom royal blue clamshell box, quarter morocco over cloth with raised bands and gilt title to spine.

FIRST EDITION. The inscription, dated August 16, 1952, reads: "To Edith Finch/ Whose unsullied/ spirit shines for all/ those who love her/ like a good deed in this/ particularly naughty/ world." One of the most significant American jurists of the twentieth century, Hand was a judge of the U.S. Southern District of New York from 1904-1924 and a judge of the Court of Appeals, Second Circuit, from 1924 to 1956. His judgments were renowned for their lucidity and elegance.

Edith Finch [1900-1978] was an American academic, writer and biographer specializing in English literature. Shortly after the date of this inscription, she became the fourth and last wife of renowned public intellectual Bertrand Russell [1872-1970].

**IN A REMARKABLE BINDING  
FROM HÉMARD'S PUBLISHER**

52

**Hémard, Joseph [1880-1961], Illustrator.** *Code Civil: Livre Premier, Des Personnes: Titres V. Du Mariage. VI. Du Divorce. VII. De la Paternite. VIII. De l'Adoption. IX. De la Puissance Paternelle. X. De la Minorite. XI. De la Majorite.* Paris: René Kieffer, [1925]. [vi], 126, [4] pp. Pochoir color text illustrations. \$1,950.

Original publisher stiff wrappers bound into a stunning red and grey checkerboard calf binding, front board features a large gilt vignette depicting a nude women dangling from the scales of justice below an elaborate laurel band, the rear a gilt crutch upon a laurel wreath, raised bands, gilt ornaments, depicting mirrors surrounded by laurel, and gilt title to spine, patterned endpapers, top-edge gilt, deckle fore and bottom edges, spine from wrappers tipped-in to rear endleaves. Light rubbing to extremities, small bookseller ticket (René Kieffer, Reliures d'Art) to verso of front free endpaper. Very light toning to text, somewhat heavier along fore-edges, vivid



Details from N° 52



illustrations, internally clean. A remarkably well preserved and desirable copy.

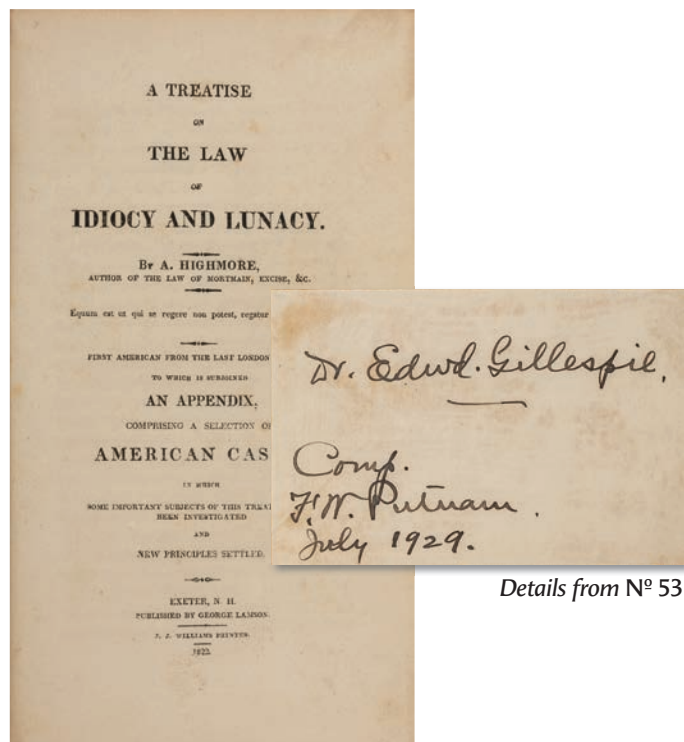
FROM AN EDITION limited to 800 copies, this is number 343. Hémard presents the official text of the sections of the French civil code dealing with family law with witty, and often mildly erotic, color pochoir illustrations. He applied this treatment to two other legal works, *Code Penal* (1940) and *Code Général des Impôts Directs et Taxes Assimilées* (1944). Hémard, a prolific artist, illustrator, designer and author, is best-known for his humorously illustrated editions of serious non-fiction books. Kieffer [1875-1965] was a leading Parisian art bookbinder and publisher. He was known for his elaborately bound editions of classic works with original illustrations and collaborated frequently with Hémard.

#### AMERICAN EDITION OF ONE OF THE FIRST BOOKS ON THE LAW OF "IDIOCY AND LUNACY"

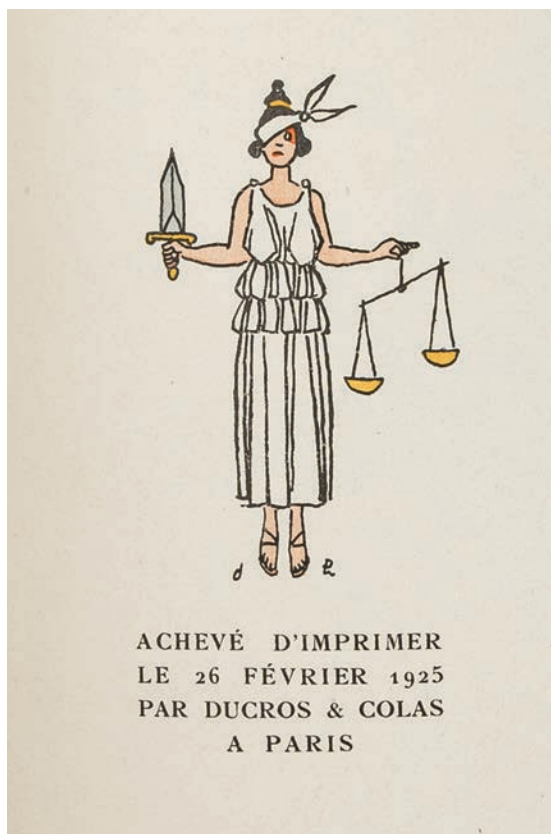
53

**Highmore, A[nthony] [1758-1829].** *A Treatise on the Law of Idiocy and Lunacy. To Which is Subjoined an Appendix, Comprising a Selection of American Cases; In Which Some Important Subjects of This Treatise Have Been Investigated and New Principles Settled.* Exeter, NH: Published by George Lamson, 1822. x, [2], 194 pp. Octavo (8-1/2" x 5"; 21.6 x 12.7 cm). \$1,500.

Contemporary three-quarter sheep over paper boards, green lettering piece and blind fillets to spine. Light rubbing and a few ink spots to boards, moderate rubbing to extremities, minor scuffing to spine, corners bumped and somewhat worn,



Details from N° 53



Detail from N° 52

front joint and hinge just starting at head, faint early owner signature in pencil (of H. Stephens) and clipped inscription ("Dr. Edwd Gillespie./ Comp./ F.W. Putnam./ July 1929") to front pastedown. Moderate toning, light foxing to some leaves, a few leaves have early marks to margins. A very good copy.

ONLY AMERICAN EDITION, based on the first London edition, 1807. Highmore, a British legal writer and solicitor, was secretary to the London Lying-In Hospital. One of the very first books on the topic, this treatise examines precedents concerning the insane and their treatment under the law. It discusses the meaning of "ideot," *non compos mentis* and lunacy, as well as the custody of lunatics, commission of the insane to hospitals or asylums, *habeas corpus*, disability and recovery of the insane, regulations of asylums and criminal cases involving the insane. Our American edition has a 27-page Appendix with valuable information on the insanity plea and the American criminal justice system at the time. It replaces that of the 1807 English edition, which relates only to English courts.

Dr. Edward Gillespie [1872-1949], a later owner of this copy, worked as a psychiatrist at the Binghamton State Hospital in New York from 1896 until his retirement in 1937. Formerly the New York State Inebriate Asylum, Binghamton was the first American institution designed to treat alcoholism as a mental disorder. Frederick Wallace Putnam [b.1856] was a fellow Binghamton physician and enthusiastic antiquarian collector.

♣ Cohen 8818.



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

54

**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. \$5,000.

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*.

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*: fourth edition, inscribed: "To Harlan F. Stone from his associate and friend Oliver Wendell Holmes. May 23, 1928." It is the final compilation of 19 speeches containing: "Memorial Day" (1884), "Harvard College in the War" (1885), "The Puritan" (1886), "The Profession of the Law" (1886), "On Receiving the Degree of Doctor of Laws" (1886), "The Use of Law Schools" (1886), "Sidney Bartlett" (1889), "Daniel S. Richardson" (1890), "The Use of Colleges" (1891), "William Allen" (1891), "The Soldier's Faith" (1895), "Learning and Science" (1895), "George Otis Shattuck" (1897), "Walbridge Abner Field" (1899), "At a Dinner Given by the Bar Association of Boston" (1900), "John Marshall" (1901), "Ipswich" (1902), "The Class of '61" (1911) and "Law and the Court" (1913).

*Mr. Justice Holmes*: first edition, 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.





IN A HANDSOME CLAMSHELL BOX WITH  
A SECTION OF ENVELOPE INSCRIBED BY HOLMES

55

**Holmes, Oliver Wendell, Jr.** *Speeches*. Boston: Little, Brown, and Company, 1891. [v], 55 pp. Octavo (8-1/4" x 5-1/2"; 21 x 14 cm). \$1,250.

Original cream cloth, bright gilt title to front board, top-edge gilt, deckle fore and bottom-edges. A few small marks to binding, larger dark spot to spine, light toning to interior, section of paper shipping envelope inscribed "From the Author" in Holmes's hand laid in. Housed in an attractive custom navy clamshell box, quarter morocco over cloth with raised bands and gilt title to spine.

FIRST EDITION. Holmes published two subsequent editions of this work, adding later speeches, but the 1891 version is the most elegantly printed of the three. This volume includes several of Holmes's memorable addresses, such as his 1886 lecture at Harvard on "The Profession of Law" and his 1895 Memorial Day address at Harvard, "A Soldier's Faith," as well as speeches on John Marshall and "The Puritan."

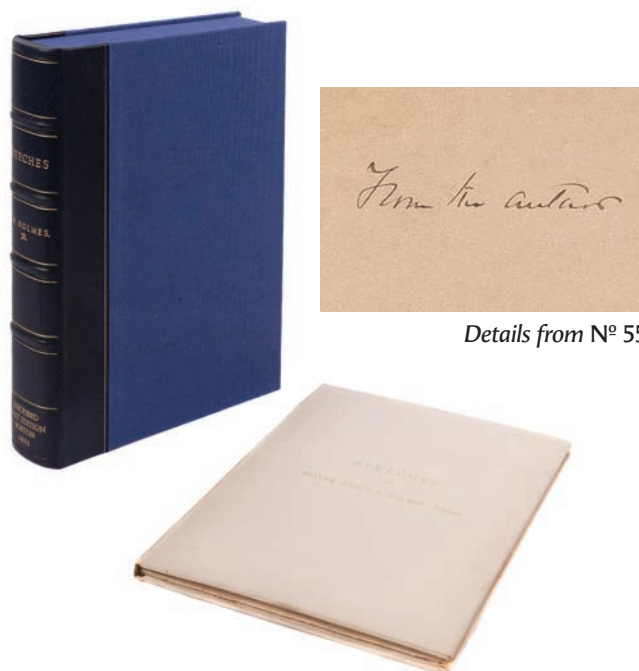
WITH A TITLE PAGE FEATURING A MAN  
GETTING HARASSED BY LAWYERS AND JUDGES

56

**Holtermann, Arnold Moriz** [1627-1681]. *De Nequitia Advocatorum, Von Tücken und Bubenstücken der Advocaten und deren Gebet. Cum Judicio Defensivo Francisci Clientis, Dicto Virgae! Virgae!* [Germany]: S.n., [c.1682]. 210 pp. Added double folded copperplate title page. [Bound with] **Wiederholdt, Johann Ludwig** [1679-1760]. [Fritsch, Ahasver (1629-1701)]. *Repraesentatio Judicis Muneribus Ac Donis Corrupti, Das Ist: Kurtze Abbildung Eines durch Gaben und Geschenke*



Detail from N° 56



Details from N° 55

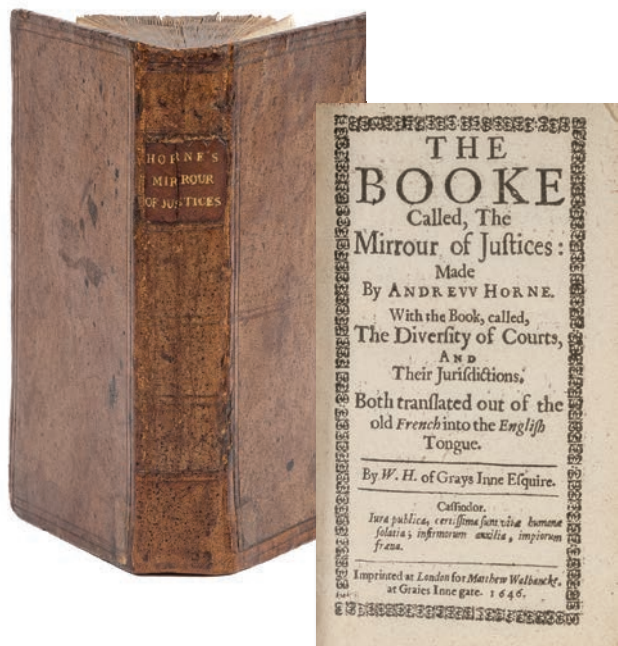
*Bestochenen Richters, Darinnen gezeigt Wird: 1. Ob und wie weit einem Richter Geschenke Zunehmen erlaubt sey oder Nicht. 2. Wie sich ein Richter des Criminis Baratariae Verdächtig Mache. 3. Wie dieses Laster Zubestrafen, Und 4. Wie sich eine Hohe Landes-Herrschaft vor Solchen Geschenck-Fressern Hüten Könne.* Wetzlar: Verlegts Georg Ernst Winckler, [c.1725]. [48, (iii), 14, 17-28; 29-123] pp. Text complete, but contents bound out of order: [iii], 14, 17-28, a reprint of the complete text of Fritsch's *Der Beschämte Geschenck-Fresser: Nebst einer Treuherzigen Warnung*, which has a double folding title page with the imprint Jena: Bey Johann Bielcke, 1684, bound before the second part of Wiederholdt's text, pp. 29-132, which also has a double folding title page. This is followed by the first part, pp. 1-48, which has a divisional title page. \$1,850.

Octavo (6-1/2" x 3-3/4"; 16.5 x 9.5 cm). Contemporary vellum, front endleaves and rear pastedown renewed. Light soiling and a few minor stains, spine ends bumped, some wear to corners, hinges cracked, bookplate residue to front pastedown. Light browning to text, faint dampstaining to head of text block.

THIS VOLUME collects later editions of three German satirical titles about legal practice in the German states. The best-known of these is Holtermann's *Nequitia Advocatorum*, which features an allegorical title page depicting a young man getting harassed by lawyers and judges, along with other images captioned in humorous verse. As indicated by their titles, the other pieces address the corrupt nature of lawyers and judges.

◆ VD17 23:653515W. VD18 10453814.





Nº 57

**FIRST ENGLISH-LANGUAGE EDITION  
OF HORNE'S MIRROUR OF JUSTICES**

57

**Horne, Andrew [d.1328]. H[ughes], W[illiam], Translator. [Fitzherbert, Anthony (1470-1538)].** *The Booke Called, The Mirrour of Justices: Made by Andrew Horne. With the Book, Called, The Diversity of Courts, And Their Jurisdictions. Both Translated Out of the Old French into the English Tongue.* London: Matthew Walbancke, 1646. [xxxii], 288, 287-325, [9] pp. First leaf blank. Octavo (5-1/4" x 3-1/4"; 13.33 x 8.25 cm). \$1,500.

Contemporary speckled sheep, blind rules to boards, blind fillets and (later?) lettering piece to spine, blind rules to board edges, edges of text block rouged, hand-lettered annotation ("Lawe") to its fore-edge. Faint staining and a few shallow scuffs to boards, light rubbing to extremities, foot of spine and bottom-edge of front board repaired, chipping to head of spine, vertical crack to lettering piece, corners bumped and lightly worn, front hinge mended with tissue, rear hinge starting before free endpaper, later bookplate (of Dr. and Mrs. H.R. Knohl) to front pastedown. Light toning to interior, small spots to a few leaves.

FIRST EDITION IN ENGLISH and the second edition overall. Written in about 1290, *The Mirrour of Justices* became an authority in the latter part of the sixteenth century when English lawyers began to look to Glanville, Bracton, and Britton as guides to put the common law into a more logical arrangement. It was not a reliable source, however. As Maitland observed, it is "the work of one profoundly dissatisfied with the administration of the law by the king's judges. As against this he appeals to myths and legends about the law of King Alfred's day and the like, some of which

myths and legends were perhaps traditional, while others were deliberately concocted. Intelligently read it is very instructive; but the intelligent reader will often infer that the law is exactly the opposite of what the writer represents it to be." *Mirrour* was first published in Law-French in 1642. The *Diversity of Courts* is by Fitzherbert.

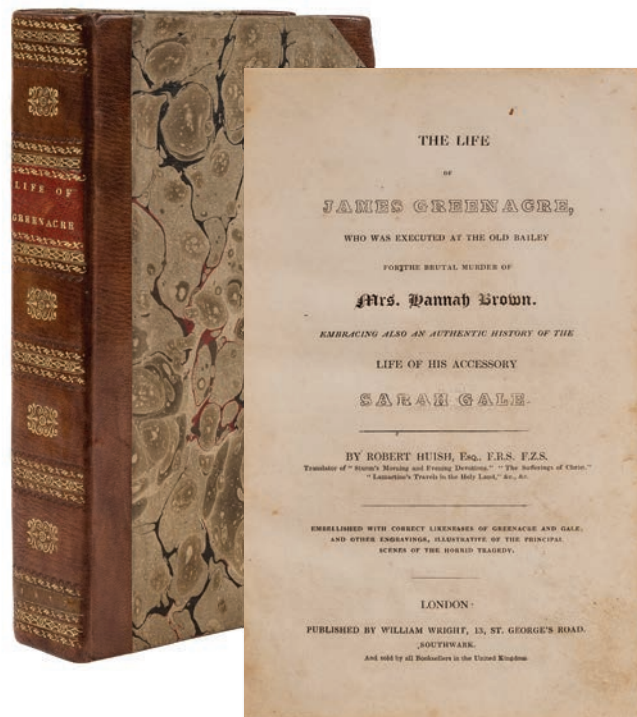
♦ Maitland, *Collected Papers* II:46. ESTC R23979.

**A RARE ACCOUNT, ISSUED IN PARTS, OF THE  
"EDGEWEAR ROAD MURDERER"**

58

**Huish, Robert [1777-1850].** *The Life of James Greenacre, Who Was Executed at the Old Bailey for the Brutal Murder of Mrs. Hannah Brown. Embracing also an Authentic History of the Life of His Accessory Sarah Gale. Embellished with Correct Likenesses of Greenacre and Gale, And Other Engravings, Illustrative of the Principal Scenes of the Horrid Tragedy.* London: Published by William Wright, 13, St. George's Road, Southwark, [1837]. iv, 476 pp. Lithograph frontispiece, 4 etched copperplates. Plate marks indicate this was issued in 21 parts. Complete. Octavo (8-1/4" x 5"; 20.9 x 12.7 cm). \$1,250.

Superb period style three-quarter calf over marbled boards by Philip Dusel, lettering piece and gilt fillets, ornaments and publication date to spine. Corners of binding lightly bumped, moderate toning to interior, faint dampspotting in places, light soiling to title page and a few other leaves, early owner inscription, "John Court/ Nether Wallop/ 1840," to front endleaf. A handsome copy.



Nº 58





Details from N° 58

ONLY EDITION. Known as the “Edgeware Road Murderer,” Greenacre [1785-1837], a London grocer, planned to marry Hannah Brown for her money. However, his mistress, Sarah Gale [d.1888], convinced him to kill Brown, dismember her and hide her body parts in various places. They would then take her money and escape to America. This plan fell apart after police found Brown's head in Regent's Canal, London. Convicted soon afterwards, Greenacre was hanged and Gale was transported to New South Wales.

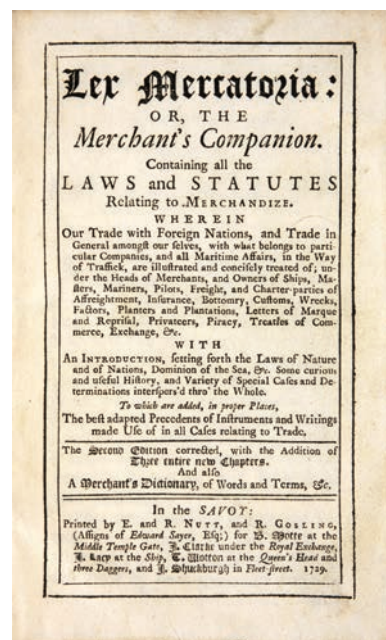
Likely due to its lurid nature, this case generated a great deal of popular interest and a correspondingly large number of books, pamphlets and prints. Huish, a prolific author of novels, historical and miscellaneous works, many with a moralistic tone, was among the many authors attracted to this subject.

◆ This is a rare title. OCLC locates 7 copies, 2 in law libraries (Harvard, Jenkins). Library Hub does not add other locations.

#### WITH A “MERCHANTS'S DICTIONARY OF WORDS AND TERMS”

59

[Jacob, Giles (1686-1744)]. *Lex Mercatoria: Or, The Merchant's Companion. Containing all the Laws and Statutes Relating to Merchandize. Wherein Our Trade with Foreign Nations, and Trade in General Amongst Our Selves, With What Belongs to Particular Companies, And all Maritime Affairs, In the Way of Traffick, Are Illustrated and Concisely Treated of; Under the Heads of Merchants, And Owners of Ships, Masters, Mariners, Pilots, Freight, And Charter-Parties of Affreightment, Insurance, Bottomry, Customs, Wrecks, Factors, Planters and Plantations, Letters*



N° 59

of Marque and Reprisal, Privateers, Piracy, Treaties of Commerce, Exchange, &c. With an Introduction, Setting Forth the Laws of Nature and of Nations, Dominion of the Sea, &c. Some Curious and Useful History, And Variety of Special Cases and Determinations Interspers'd Thro' the Whole. To Which are Added, In Proper Places, The Best Adapted Precedents of Instruments and Writings Made Use of in All Cases Relating to Trade. [London]: Printed by E. and R. Nutt [et al.] for B. Motte [et al.], 1729. [xii], 404, [12] pp. Octavo (7-1/2" x 5"; 19 x 12.7 cm). \$950.

Contemporary calf, blind fillets and rules to boards, raised bands to spine, gilt dentelles to board edges. Light rubbing to boards, moderate rubbing to extremities, joints and hinges starting. Light toning to text, negligible foxing to a few leaves, internally clean. A handsome copy.

SECOND AND FINAL EDITION, “Corrected, with the Addition of Three Entire New Chapters, And Also A Merchant's Dictionary, of Words and Terms, &c.” Both a treatise and a handbook, it provides information ranging from a form for “An Assignment of Negroes” (pp. 170-171) to a discussion of the South Sea Company (pp. 288-295). Its first edition was published in 1718.

Known for his *New Law-Dictionary*, Jacob was the most prolific English legal writer of the eighteenth century. Although he was interested in boosting sales by attracting the widest audience possible, Jacob was also an idealist who believed that widespread knowledge of the law would help create a more just society. This is the goal of *Lex Mercatoria* (1718) and several other publications, such as *Every Man His Own Lawyer* (1736) and *Treatise of Laws* (1721).

◆ ESTC T137820.







**HANDSOME 1496 EDITION  
OF AN IMPORTANT LEGAL DICTIONARY**

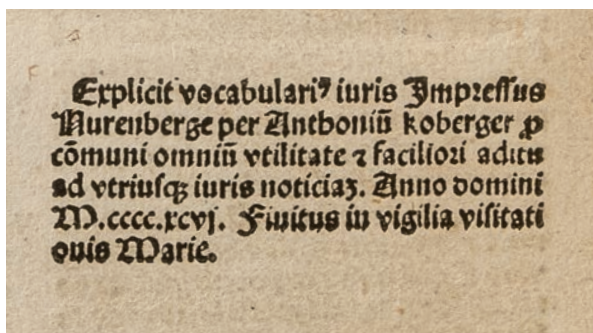
60

[Jodocus of Erfurt, Attributed]. [*Vocabularius Utriusque Iuris*]. [Nuremberg: Anton Koberger, 1 July 1496]. [152] ff. Text in parallel columns. Collation: a-t8. Calf thumb tabs. Quarto (9" x 7"; 23 x 18 cm). \$15,000.

Nineteenth-century period-style binding, quarter morocco over wooden boards, blind rules along board edges, raised bands and blind fillets forming crosses and rules to spine, hasps and buckles, with fragments of leather straps, to fore-edges, pastedowns, which are facsimiles of early printed leaves, added. Light rubbing to boards, spine ends worn, a few chips and vertical cracks to spine, minor worming to front and rear pastedowns at head of gutter, which continues, gradually diminishing, through a few adjacent leaves. Text printed in 47-line gothic type (plus headline), initial spaces blank. Moderate toning and light foxing to interior, light dampstaining to gutter near center of text block, which has a partial crack between k8 and l1, chips to corners and brief early annotations and underlining in two hands to a few leaves. An appealing copy in an attractive binding.

A WORK OF GREAT AUTHORITY, the *Vocabularius*, as it is popularly known, was published anonymously and is usually attributed to a jurist associated with the University of Erfurt named Jodocus. First published around 1474 in Basel, it went through more than seventy editions over the following 150 years. (It had a second life as a section of the 1559 and subsequent editions of Elio Antonio de Nebrija's *Lexicon Juris Civilis*.) A useful and highly respected reference work, the *Vocabularius* is a collection of terms dealing with the *Ius Commune* taken from such late-scholastic texts as the *Vocabularius Stuttgardiensis* (1432), the *Collectio Terminorum Legalium* (c.1400), and the *Introductorium pro Studio Sacrorum Canonum* of Hermann von Schildesch (c.1330).

◆ The ISTC locates 7 copies of this imprint in North America, 3 in law libraries (Social Law, Library of Congress, Yale). ISTC iv00355000.



Detail from N° 60



N° 61

**A HANDSOME, COPIOUSLY ILLUSTRATED  
CHRONICLE OF AMERICAN LAW, 1889-1901**

61

[Journal]. Fuller, Horace W., Editor, Volumes I-XI. Baldwin, Thomas. Tileston, Editor, Volume XIII. *The Green Bag: A Useless but Entertaining Magazine for Lawyers*. Boston: The Boston Book Company. Volume I-XIII (1889-1901). 13 volumes. Indexed, Volume X has a cumulative index. Illustrated throughout with plates, photographs and engravings. Quarto (10-1/2" x 8"; 26.7 x 20.3 cm). \$1,500.

Volume I: Contemporary three-quarter calf over marbled boards, raised bands and gilt title to spine. Others: contemporary three-quarter pebbled cloth over marbled boards, gilt fillets and titles to spines. (All volumes have similar appearance.) Some rubbing with minor wear, chip to head of Volume I, minor scuff to spine of Volume X, some hinges starting, one cracked but secure, internally clean. A handsome set.

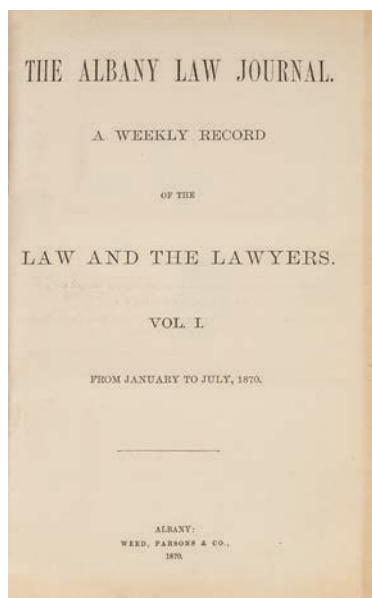
THESE are the first thirteen volumes of an important legal periodical that was published in 26 volumes from 1889 and 1914. As its subtitle suggests, *The Green Bag* is full of colorful anecdotes, humorous verse, curious cases and other diversions. It is also a useful resource for the legal historian, one that offers book notices and reviews, biographies of contemporary legal figures based on first-hand accounts, obituaries, studies of current events, professional notices, profiles of law schools throughout the United States and other important source materials. F.W. Maitland, Louis Brandeis and Theodore Dwight are among the many important jurists who contributed to this journal. Well designed and handsomely produced, it is a pleasure to read and handle these volumes.

◆ Marke 1160.





Detail from N° 62



N° 62

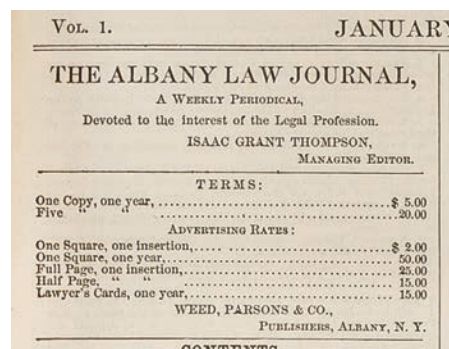
**COMPLETE RUN OF A NOTABLE  
NINETEENTH-CENTURY JOURNAL WITH  
SEVERAL ARTICLES OF ENDURING VALUE**

62

[Journal]. [Thompson, Isaac Brent, Editor]. [Brown, Irving, Editor]. *The Albany Law Journal. A Weekly Record of the Law and the Lawyers.* Albany: Weed, Parsons & Co., January 1870-January 1909 (Imprint date December 1908). 70 volumes, each with index, text printed in double columns. All issued. Octavo (11" x 7-1/2"; 27.9 x 19 cm). \$1,500.

Later library buckram, lettering pieces and black-stamped volume numbers, dates and library name (Rochester Appellate Division) to spine, endpapers renewed. Light shelfwear, library markings to endleaves. Moderate toning, some leaves have minor stains and marks to leaves, some volumes have cracks to text blocks.

AS SURRENCY NOTES, many articles in this journal "have an enduring quality which makes them enjoyable reading even today. Several historical articles are invaluable as a source of legal history of New York. Generally each issue began with a page or two of current topics reporting on amusing and human tragedies as revealed in the court room. It is only in the pages of such journals that bizarre behaviors are found. For example, the defendant who invited the jury



Detail from N° 62

over for a meal after being acquitted in Des Moines, Iowa, would never be recorded in any other legal literature. Full texts of decisions as well as digest are printed from many of the state courts. The book review shows a perception of legal literature that subsequent reviewers have not shown.... One can only admire the work of the editor who kept this publication going for those years. Certainly, the two editors should receive greater recognition in legal literature for their contributions. Isaac B. Thompson and Irving Browne were authors with literary flair rarely found in the legal profession. Their articles were vigorous, graceful and often elegant."

One of the most important periodical legal publications of the post-Civil War period, the Albany Law Journal was also an outspoken supporter of David Dudley Field's efforts at codification and law reform.

◆ Surrency, *A History of American Law Publishing* 192-193. HLC I:26.

**1501 VENETIAN EDITION OF THE INSTITUTES  
IN A CONTEMPORARY BINDING**

63

[Justinian I (485-565 CE), Emperor of the East]. [Accursius (Accorso, Francisco) (c.1182-c.1260), Glossator]. [Gradibus, Johannes de (active 15th-16th c)]. *Instituta cum Summariis*. [Venice: Per Paganinum de Paganinis, May 25, 1501]. 152 [i.e. 140] ff. Text in parallel columns with linear gloss. Octavo (6-3/4" x 4-3/4"; 17.2 x 12.1 cm). \$6,500.

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





N° 63

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.

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 *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). Dauchy 3 (Accursius). *Censimento Nazionale delle Edizioni Italiane del XVI Secolo* CNCE 14113.





**A HANDSOME COPY OF THE  
FIRST HALOANDER EDITION OF THE CODE  
FROM THE LIBRARY OF CHARLES SPENCER,  
3<sup>RD</sup> EARL OF SUNDERLAND**

64

**Justinian I [483-565 CE], Emperor of the East.  
Haloander, Gregor [1501-1531], Editor.** *Codicis Dn.  
Iustiniani Sacratiss. Principis ex Repetita Praelectione Libri  
XII. Ex Fide Antiq. Exemplarium, Quoad Fieri Potuit, à  
Greg. Haloandro Diligentissime Purgati Recognitiq[ue].*  
Nuremberg: Apud Io. Petreium, 1530. [xiv], 593, [54] pp.  
Folio (12" x 8"; 30.48 x 20.32 cm). \$6,500.

Late 16<sup>th</sup> or early 17<sup>th</sup>-century red morocco, gilt rules, corner fleurons and central gilt ornament to boards, gilt fillets and title to spine, gilt tooling to board edges, marbled endpapers, edges of text block gilt, 1881 bookplate identifying the purchase of this volume from the Sunderland House library by Bernard Quaritch to front pastedown, ink and pencil shelfmarks to verso of front free endpaper. Some scuffs, nicks and scratches to boards, moderate rubbing to extremities, corners lightly bumped and worn. Woodcut historiated initials. Moderate toning to interior, occasional very faint staining/heavier toning, light foxing and soiling in a few places, small repaired hole to head of title page not affecting text, early ink underlining and brief annotations (citations and cross-references) to several leaves. A handsome copy with an interesting provenance.

FIRST EDITION BY HALOANDER. Along with the *Institutes*, *Digest* and *Novels*, the *Code* is one of the writings known collectively as the *Corpus Juris Civilis*. The first three books were commissioned by Justinian I in 528 CE. The *Code* is the restated code of law, the *Digest* is a compilation of legal

opinions and the *Institutes* is an introductory textbook on the *Code*. The *Novels* is a compilation of laws enacted after the publication of the *Code*. The subsequent influence of these books on European jurisprudence is difficult to overestimate.

Despite his short life, Haloander was one of the great sixteenth-century authorities on Roman law. Supported by a number of wealthy patrons and a grant from the council of Nuremberg, he began work on a complete edition of the *Corpus Juris Civilis* in 1527. Each of the four components were first issued separately by Johannes Petreius, who also received support from the city, beginning with the *Digest* in 1529 and concluding with the *Novels* in 1531. Haloander's plans for subsequent editions were cut short by his death, but his work remained highly regarded for many years and was reprinted and supplemented well into the seventeenth century.

Our copy once belonged to the library of Charles Spencer [1675-1722], 3rd Earl of Sunderland. Educated at the University of Leiden, he was a dedicated bibliophile with a particular interest in early printed books. He built a vast private library of over 20,000 volumes, kept at Sunderland House in London, and was a key influence in several book collecting trends of the early 18th century, such as acquiring incunabula. After his death a large portion of his library was acquired by the branch of the Spencer family who resided in Blenheim Palace, later the birthplace of a famous descendant: Winston Churchill [1874-1965]. Most of the Blenheim library was sold at auction in the early 1880s. Our copy was acquired by the venerable London bookseller Bernard Quaritch at one of these sales.

◆ VD16 C5254. Stintzing, "Haloander, Gregor" in *Allgemeine Deutsche Biographie* X:449-451. Puttick and Simpson, *Bibliotheca Sunderlandiana: Sale Catalogue...* (1881) 541 (lot 6902).



**A RARE EDITION OF JUSTINIAN  
BY THE DISTINGUISHED FEMALE PRINTER  
CHARLOTTE GUILLARD**

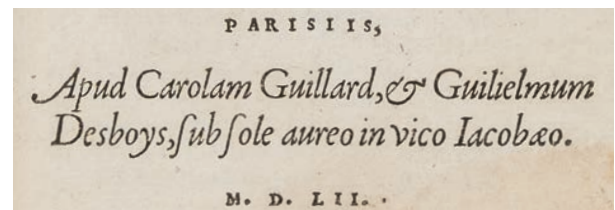
65

**Justinian I, Emperor of the East. Haloander, Gregor [1501-1531], Editor.** [*Corpus Juris Civilis*]. Paris: Charlotte Guillard and Guillaume Desboys, 1552-1553, except 1 book, Paris: [Guillaume Merlin], 1562. 12 unnumbered volumes in 9 unnumbered books. Complete set. Octavo (6-1/4" x 4"; 15.9 x 10.2 cm). \$7,500.

Uniform eighteenth-century calf, gilt rules to boards, gilt spines with raised bands and red and black lettering pieces, all edges gilt, gilt tooling to board edges, marbled endpapers, ribbon markers. Light rubbing, minor nicks, scratches and spots to boards, moderate rubbing to extremities with some loss to gilding of board edges, chipping to spine ends, mostly to spine heads, corners bumped and lightly worn, front joints of most volumes starting. Light toning to interiors, faint dampstaining in places, minor water damage, confined to bottom edges of two books, underlining and brief annotations in a few places, most volumes appear unread. A handsome set.

IN 528 CE Emperor Justinian I commissioned a panel of jurists to revise and organize existing Roman law. It produced a reformed legal system, the *Code*; an anthology of commentary by notable jurists, the *Digest* (or *Pandects*); an introductory textbook, the *Institutes*; and a collection of laws issued by Justinian after the completion of the *Code*, the *Novels*. Enacted between 529 and 534 CE, the subsequent influence of these books on European jurisprudence is difficult to overestimate. Beginning with the edition by Jacques Godefroy, first published in 1583, they have been grouped under the collective title *Corpus Juris Civilis*.

Haloander was one of the great sixteenth-century authorities on Roman law and his editions of Justinian, first published between 1529 to 1531, were highly regarded for many years and reprinted and supplemented well into the

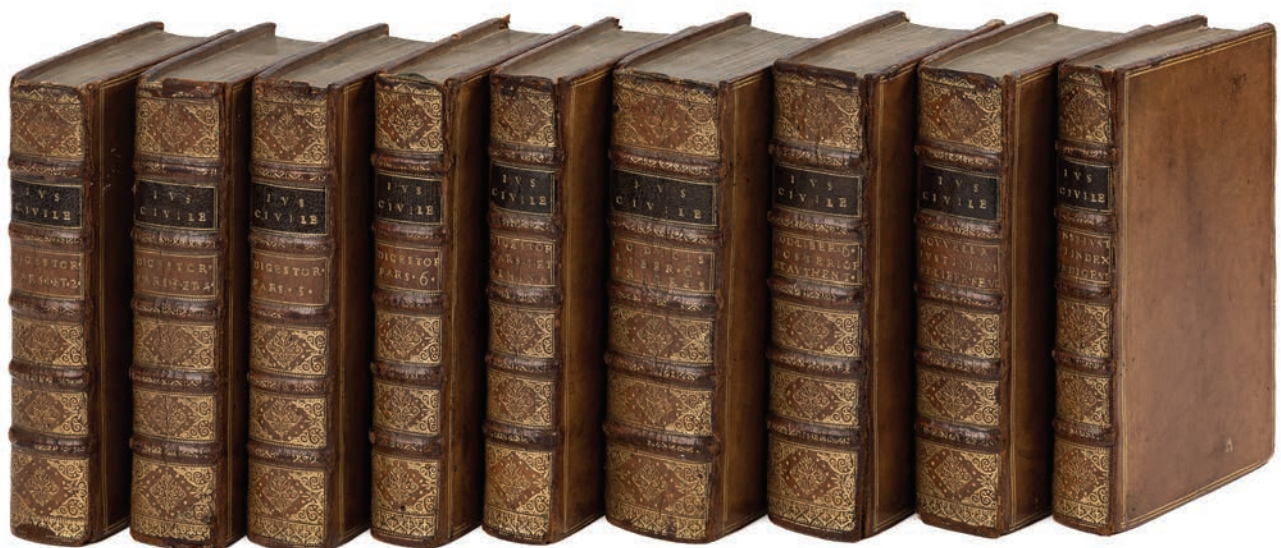


Detail from N° 65

seventeenth century. They are typical of the books issued by Guillard [c.1485-1557], a Parisian printer who specialized in high-quality works in law and theology. She was one of the first female printers and the first to attain great success in the field. She began her career while married to Berthold Rembolt, a printer who collaborated with Ulrich Gering, the owner of the *Soleil d'Or*, a distinguished Parisian printing house. Guillard became its proprietor after Gering's retirement and Rembolt's death. She later married another important printer Claude Chevallon and worked with him until his death. (As shown by some imprints in our set, she was known afterwards as "the widow of Claude Chevallon.") She continued as a printer and was quite successful; she owned five, possibly six, printing presses with around 30 employees and published about 200 titles.

Our set was produced with a frequent collaborator during the later years of her career, Guillaume Des Bois (Desbois). The volume containing Books 37-45 of the *Digest*, printed by Guillaume Merlin in 1562, was a replacement for the Guillard volume, which has identical content. In all, this is an attractively produced and significant collection by an important female printer.

♦ Although they comprise a set, the parts of the *Corpus* were issued individually and are bibliographically distinct. All of these are rare; complete sets are especially rare. OCLC locates few copies of each part and no sets in North America. Beech, "Charlotte Guillard: A Sixteenth Century Business Woman," *Renaissance Quarterly* 36, No.3 (1983): 345-367. Jimenes, *Charlotte Guillard* 149, 151, 152, 153, 157. *USTC* 151096, 151240, 151169, 196553, 153276.







Nº 66

**FIRST EDITION BY GODEFROY,  
INSCRIBED BY TWO DISTINGUISHED EARLY JURISTS**

66

**Justinian I [483-565 CE], Emperor of the East. Theophilus, Antecessor [6th-7th C. CE], Editor. Godefroy, Denis [1549-1622], Editor and Translator.** INSTITUTA THEOPHILOU ANTIKENSOROS. Institutiones Theophilo Antecessore, Graeco Interprete. Imper. Iustiniani Institutionum Libri IIII. Paratitla & Notae ad Eundem Theophilum Graecum, Latinumque Ipsi Institutionibus Latinis ek Parallelou Coniunctum Commissumque. Graeca Titulorum de Verborum Significatione, Et de Regulis Iuris Fragmenta Hinc & Inde Collecta. [Geneva]: Apud Guillelmum Laemarium, 1587. [viii], 308, 329, [7] pp. Final leaf blank. Main text in Greek with parallel Latin translation and side-notes. Octavo (10" x 6-1/2"; 25.4 x 16.5 cm). \$1,950.

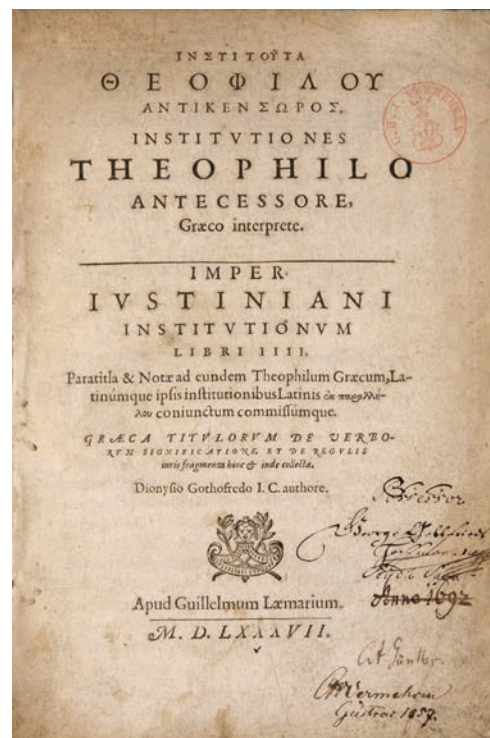
Especially attractive contemporary vellum, blind and black-stamped fillets, rules and corner fleurons to boards, black-stamped image of Lady Justice, "M M E T" and "1587" to center of front board, black-stamped image of Lucretia to center of rear board, blind fillets and early hand-lettered title to spine, edges rouged, early hand-lettered title to fore-edge of text block. Moderate soiling, spine darkened, corners and spine ends bumped and lightly worn, faint early manuscript annotations to front board, front joint cracked with some worming, front free endpaper lacking. Moderate toning to text, light soiling, later owner signatures to title page, among them those of Christian August Günther and Carl Heinrich Johann Vermehren, along with his stamp.

FIRST EDITION BY GODEFROY, one of two issues from 1587. Compiled around 161 CE, the *Institutes* is an elementary treatise on Roman private law that served as a standard text for 300 years. After its rediscovery during the medieval era it became a staple of European legal education. Along with the *Code*, *Novels* and *Digest*, it is one of the four works known collectively as the *Corpus Juris Civilis*, a title coined by Godefroy. Theophilus's important Greek paraphrase of the *Institutes* was first issued in 533 CE and was the standard edition in the East. His phrasing and notes made it a valuable edition for Western jurists as well. Indeed, several passages in the Latin text of the *Institutes* are difficult to understand unless they are compared to his version. Also published in Geneva in 1587 by Eusthatius Vignon, Godefroy's translation with commentary went through later editions in 1598, 1608 and 1620.

Theophilus was a professor of law in Constantinople who contributed to Justinian's codifications and the writing of the *Institutes*. Godefroy was a humanist jurist, historian and professor in Geneva and Heidelberg. His landmark 1583 *Corpus Juris Civilis* was the standard edition into the twentieth century.

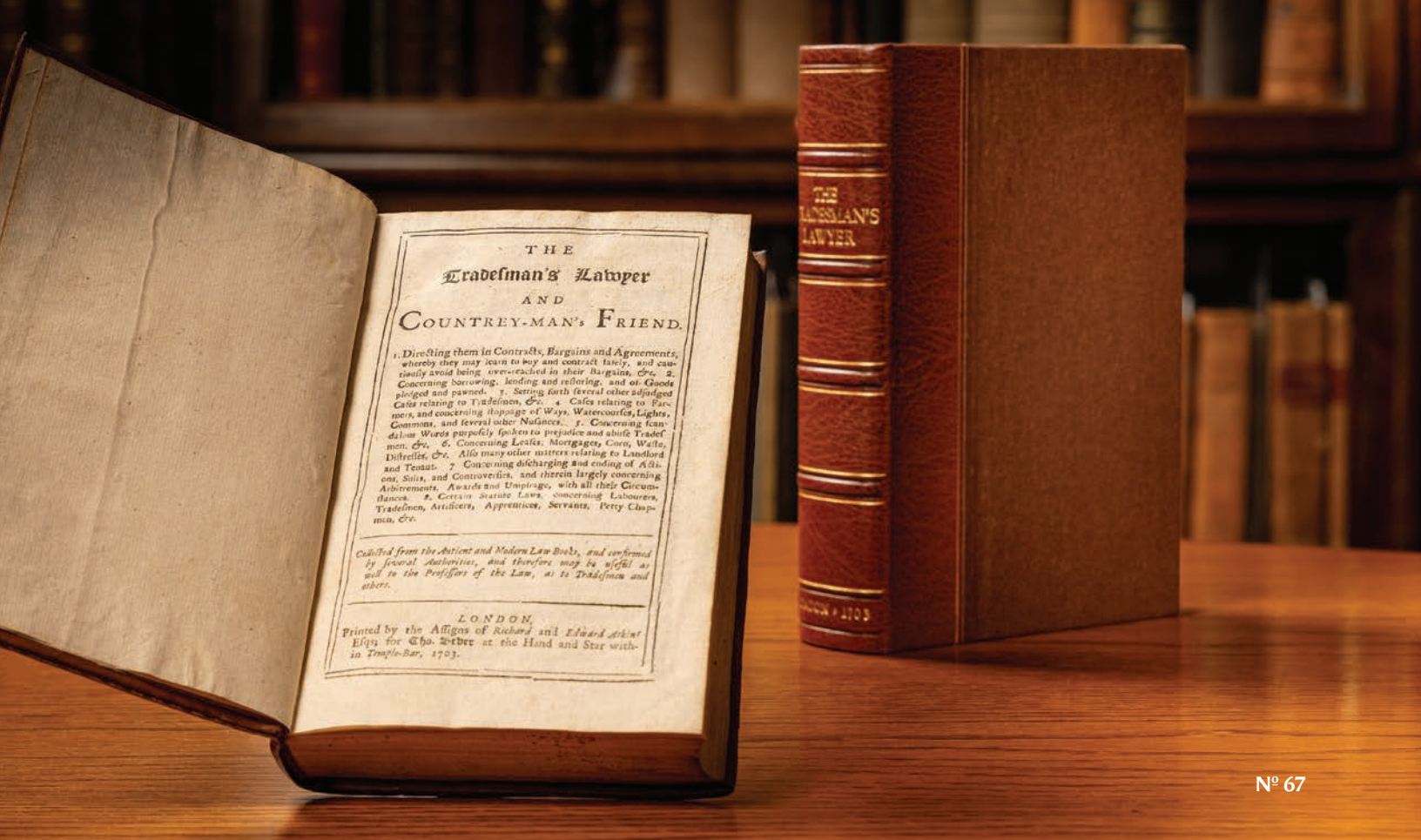
Günther [1758-1839] was a notable scholar of Roman law who taught at the University of Helmstedt. Carl Heinrich Johann Vermehren [1816-1892], one of this volume's former owners, was a German lawyer and important collector of early printed books.

◆ OCLC locates 4 copies of this edition in North American law libraries (Northwestern, UC-Berkeley, University of Minnesota, UT-Austin). USTC 451110.



Nº 66





Nº 67

**A SUPERB COPY OF THE FIRST EDITION  
OF THE TRADESMAN'S LAWYER**

67

**[Layman's Guide].** *The Tradesman's Lawyer and Country-Man's Friend.* 1. Directing Them in Contracts, Bargains and Agreements, Whereby They May Learn to Buy and Contract Safely, And Cautiously Avoid Being Over-Reached in Their Bargains, &c. 2. Concerning Borrowing, Lending and Restoring, And of Goods Pledged and Pawned. 3. Setting Forth Several Other Adjudged Cases Relating to Tradesmen, &c. 4. Cases Relating to Farmers, And Concerning Stoppage of Ways, Watercourses, Lights, Commons, and Several Other Nuisances. 5. Concerning Scandalous Words Purposely Spoken to Prejudice and Abuse Tradesmen, &c. 6. Concerning Leases, Mortgages, Corn, Waste, Distresses, &c. Also Many Other Matters Relating to Landlord and Tenant. 7. Concerning Discharging and Ending of Actions, Suits, and Controversies, And Therein Largely Concerning Arbitrements, Awards and Umpirage, With All Their Circumstances. 8. Certain Statute Laws, Concerning Labourers, Tradesmen, Artificers, Apprentices, Servants, Petty Chapmen, &c. Collected from the Antient and Modern Law Books, And Confirmed by Several Authorities, And Therefore May be Useful as Well to the Professors of the Law, As to Tradesmen and Others. London: Printed by the Assigns of Richard and Edward Atkins Esqs., 1703. [viii], 424 pp. Octavo (6-1/2" x 4-1/4"; 16.5 x 10.8 cm). \$5,000.

Contemporary calf, blind rules to boards, blind fillets along joints, raised bands and early hand-lettered title to spine, gilt tooling to board edges. Negligible light rubbing and a few minor nicks to boards, corners lightly bumped, rear hinge cracked. Light toning to text, slightly heavier in places, tiny worm track near upper corners of final four text leaves, rear free endpaper and rear pastedown, early owner annotation to pp. 10 and 34 and rear free endpaper. Book housed in a custom clamshell box, quarter morocco over cloth, gilt title and gilt-edged raised bands to spine. A notably well-preserved copy of a rare title.

**FIRST EDITION.** An early form of "consumer protection," this book was written to protect members of the middle ranks of English society from the "cunning" of "persons of a higher Rank," who always enjoyed the "Learning and Leisure to read the Law." Two later editions were published in 1709 and 1720 with the title *Gentleman's Assistant, Tradesman's Lawyer and Country-Man's Friend*.

◆ The ESTC and OCLC locate 7 copies worldwide, 1 in a law library (Library of Congress). ESTC T111090.





Nº 68

# A RARE PRINT OF AN ACTOR ON TRIAL FOR DESECRATING SHAKESPEARE

68

[Legal Humor]. [Shakespeare, William (1564-1616)]. *Indictment: Theatre Royal Adelphi*. [London?, c.1875]. \$1,950.

7-1/2" x 13-1/2" (19 x 34.3 cm) mezzotint mounted to 11-1/4" x 16-3/4" (28.6 x 41.5 cm) scrapbook leaf, 5 unrelated etched cartoons to verso, 3 hand-colored. Light toning, faint dampstaining to lower corners, edges trimmed closely, soiling, chips and edgewear to leaf, which is numbered "74" and "75" in early hand, moderate toning and foxing to images affixed to verso.

DURING the second half of the nineteenth century, London's Adelphi Theatre was known for featuring humorous adaptations of Shakespeare's plays, which were frequently targeted by critics and other arbiters of "good taste." In this mezzotint the theatre is on trial for its desecration of Shakespeare.

The judges and lawyers are women dressed in legal garb with witch's hats. The defendant is a contrite male actor in a classic Shakespearean costume, possibly that of Macbeth, his head bowed. Before him is a large book on a lectern, most likely Shakespeare's collected works. The three judges presiding over the trial are likely an allusion to the witches from Macbeth. The jury consists of a series of characters from children's literature, including Cinderella, Little Red Riding Hood and Jack and the Beanstalk. Observing the proceedings

are two groups of people, one sitting in a "Commentators Box," the other in a "Critics Box." Below is a passageway to "The Cells"; a jail-keeper is standing between the entrance and the defendant. (The letter C in "Cell" looks a bit like an S. This could be an example of a poorly executed letter or a pun on "what sells.")

The five cartoons on the verso are from the early 1800s. Similar in style to the works of James Gillray and Thomas Rowlandson, but with voice bubbles, they are titled "A Fit of Coffin," "A Subscriber to the Penny Magazine," "Taking a Room to Avoid the Gripes" and "A Fit of the Gripes."

◆ No copies located on OCLC or Library Hub or at the Folger Shakespeare Library. We located a copy, however, at the Victoria and Albert Museum.



Detail from Nº 68



69

**Littleton, Sir Thomas [1402-1481].** *Littletons Tenures in English, Lately Perused and Amended.* London: Printed for the Companie of Stationers, 1621. 142, [2] ff. Octavo (5-1/2" x 3-1/2"; 14 x 8.9 cm). \$750.

Recent period-style calf, blind rules to boards, raised bands, blind ornaments and lettering piece to spine, edges rouged, endpapers renewed. Moderate toning, light browning to margins, early inkstains and annotations to margins of a few leaves, soiling, some edgewear and owner signature ("John Blome/ 2 August 1644") to title page.

LATER EDITION. Written during the reign of Edward IV [1442-1483] and first published around 1481, Littleton's *Tenures* is probably the most revered treatise in the history of the common law. Much admired for its learning and style, it is concerned with tenures and other issues relating to real property. This venerable work, which Coke called "the ornament of the Common Law, and the most perfect and absolute work that ever was written in any humane science," is considered a landmark because it renounced the principles of Roman law (and Latin) in favor of guidelines and doctrines drawn from the Year Books and, when necessary, hypothetical cases. The first dated English translation was published in 1538.

◆ OCLC locates 6 copies worldwide of the 1621 edition, 3 in law libraries (Yale, University of Pennsylvania, University of Texas). HEL II:573. ESTC S895.

**ESSAYS ON JUSTINIAN ANNOTATED THROUGHOUT  
BY A CONTEMPORARY LAW STUDENT  
FROM GENEVA**

70

**Ludwell, Wilhelm [1589-1663].** *Exercitationes XVIII. Ad IV. Libros Institutionum Imperialium In Universitate Altdorffina (...) Adjecta est Disputatio Inauguralis de Quinquaginta Justiniani Decisionibus.* Altdorf: Typis & Sumtibus Georgi Hagen, Universitatis Typographi, 1663. [xiv], 353 (i.e. 361), [38] pp. Main title page preceded by added copperplate pictorial title page. Quarto (7-3/4" x 6-1/2"; 20 x 16.5 cm). \$3,500.

Contemporary calf front board and spine, later quarter calf over marbled paper rear board, endpapers renewed (using paper apparently from a ledger). Light rubbing to boards, light gatoring to calf sections, moderate rubbing to extremities, front hinge split, rear hinge starting, minor worming to endleaves. Light browning to interior, faint dampstaining to margins in a few places, minor loss to fore-edges of final three leaves, annotations and underlining throughout in a neat contemporary hand, signature of annotator, "Andrion," to foot of pictorial title page, later



Nº 70

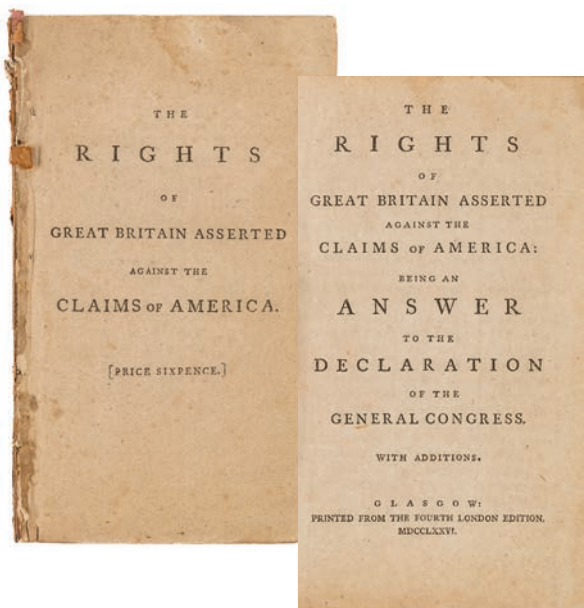
annotation, "Huncce librum inter caeteros JNG Bibliothecae dono dedit Joh. Baptista d'Andrion Genevensis Anno 1670 (Jean Baptiste d'Andrion of Geneva gave this and his other books to the JNG Library in the year 1670)" to verso. A good copy with interesting contemporary annotations.

FOURTH (STATED) EDITION, one of two issues from 1663. Ludwell was a professor of law at the University of Altdorf. *Exercitationes* is a collection of essays on the *Institutes*. Its final section, the *Disputatio Inauguralis*, discusses a selection of the *Novels*. The book was first published in 1628; its second edition, mislabeled the third, in 1658; its final edition, the "sixth," in 1695.

Andrion [1646-1670] studied law at the University of Geneva and completed his degree at the University of Orléans. The later inscription suggests his books were left to a library in his will. His annotations show he was a careful, astute and curious scholar. Among them are a definition of marital property based on the status of wives, prostitutes and concubines (p. 20), an analysis of the fraudulent alienation of property (p. 278) and an analysis of a law prohibiting adoption by castrated men (p. 31).

◆ All editions of this work are scarce. Counting both issues, OCLC locates 1 copy of the "fourth" edition in North America (Harvard Law School). Stelling-Michaud, *Livre du Recteur de l'Académie de Genève* I:1959. Ridderikhoff and Ridder-Simoens, *Registre-Matricules de la Nation Germanique de l'Ancienne Université d'Orléans* 2023. VD17 1:013242A.





Nº 71

**A RESPONSE  
TO THE SECOND  
CONTINENTAL CONGRESS**

71

[MacPherson, James (1736-1796), Attributed]. *The Rights of Great Britain Asserted Against the Claims of America: Being an Answer to the Declaration of the General Congress. With Additions.* Glasgow: Printed From The Fourth London Edition, 1776. [ii], 78 pp. With a half-title and folding table. Octavo (6-1/2" x 3-3/4"; 16.5 x 9.5 cm). \$950.

Disbound stab-stitched pamphlet. Moderate toning, light foxing to a few leaves, lower outside corner of half-title lacking, light edgewear to folding table, last few leaves starting at foot but secure.

PUBLISHED IN RESPONSE to the Second Continental Congress's Declaration of the Causes and Necessity of Taking Up Arms, which is reprinted on pp. 69-78. The work, which sets forth Great Britain's position on America's complaints, was written "with access to original papers, accurate estimates, and authentic dispatches" as well as Parliamentary records (Advertisement). It was disseminated widely and went through 20 editions in Great Britain, Ireland, America and France.

Its authorship is disputed. Cohen writes that "Adams makes a persuasive [sic] case for attributing it to James MacPherson (1736-1796), a Scottish poet and translator who also served as a political writer for Lord North. It has also been attributed to Sir John Dalrymple (1726-1810) and to Henry MacKenzie and Lord George Germaine" (internal citation omitted). MacPherson is perhaps best known as the author of the Ossian Poems.

• See Cohen 6636. Adams, *American Independence* 220p. Adams, *The American Controversy* 75-95q. ESTC N12887.

**INVENTORY OF THE ESTATE OF A PROMINENT  
FREDERICK COUNTY, MARYLAND  
LANDOWNER AND JUDGE**

72

[Manuscript]. [Beall, William Murdock (1742-1823)]. *Inventory and Appraisal of the Estate of Judge William Beall*. Frederick County, MD, 1823-1825. 66 pp. Main text preceded by 2-pp. index. Folio (13-1/2" x 8-1/4"; 34.3 x 20.9 cm). SOLD

Thick pressed-paper side-sewn ledger, untrimmed edges. Light soiling and a few stains to covers, rubbing to extremities with some wear to spine ends and corners, spine beginning to split at ends, "William M Beall Senr./ Died the 5th Nov: 1823" to inside front cover. Moderate toning, content in neat hand to rectos and versos of 37 pages.

WILLIAM MURDOCK BEALL, a prominent landowner (and owner of many slaves), sat as a judge in Frederick County in several capacities, fought in the French and Indian War and was a member of the Frederick County Committee of Safety. Rich in legal, social and genealogical content, this inventory is probably one of a few fair copies, executed for the files of heirs and executors. (We have not been able to locate any others.) The first section is titled, "Inventory of the Personal Estate of William M. Beall, late of Frederick County, deceased, appraised in Dollars and cents, by us the subscribers (being thereto lawfully authorized and sworn) this 11th day of December 1823."

The contents are set out ledger-style on blank sheets, with appropriate lines and columns drawn in ink. It begins with a list of "Negroes over the age of 45 years willed by said deceased free at his death Viz." followed by the names of 7 male and female slaves, their place of residence on his various properties and their approximate or actual ages. A few additional

13.			
Beall Wm M.	Invy Pers Propy.	1.	9.
Beall George M.	Propy Willed.	1.	
Beall Elisha	Bitto	1.	
Beall Wm M.	Invy money.	8.	
Same	General acct.	118.	
Same	List of claims	511.	
Same	Funeral Expenses	53.	
Same	Inventory Stocks	8.	
Beall Wm M.	Acct.	60.	
Beall Wm M.	List of debts	8.	
Beall Wm M.	Exors Acct.	62.	
Beall Wm M.	List of sales	9.	
Beall Wm M.	Final Account	114.	

Detail from Nº 72



<p>2. <i>Agnes Beardsley, Baltimore, furniture, books, plate, jewelry, etc. deceased to his grand daughter Mary Beardsley, late of Keene Willson, Jr.</i></p>		<p>Amount brought forward \$ 467.47</p>		<p>3. <i>Amount brought forward \$ 477.66</i></p>	
<p>1. <i>Carriage, the carriage of Mary, born 22d November 1827 to serve till 1st January 1850</i></p>	120.00	<p>1. <i>Large, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>2. <i>Carriage, horse</i></p>	80.00	<p>2. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>3. <i>Carriage, horse</i></p>	80.00	<p>3. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>4. <i>Carriage, horse</i></p>	80.00	<p>4. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>5. <i>Carriage, horse</i></p>	80.00	<p>5. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>6. <i>Carriage, horse</i></p>	80.00	<p>6. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>7. <i>Carriage, horse</i></p>	80.00	<p>7. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>8. <i>Carriage, horse</i></p>	80.00	<p>8. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>9. <i>Carriage, horse</i></p>	80.00	<p>9. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>10. <i>Carriage, horse</i></p>	80.00	<p>10. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>11. <i>Carriage, horse</i></p>	80.00	<p>11. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>12. <i>Carriage, horse</i></p>	80.00	<p>12. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>13. <i>Carriage, horse</i></p>	80.00	<p>13. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>14. <i>Carriage, horse</i></p>	80.00	<p>14. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>15. <i>Carriage, horse</i></p>	80.00	<p>15. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>16. <i>Carriage, horse</i></p>	80.00	<p>16. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>17. <i>Carriage, horse</i></p>	80.00	<p>17. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>18. <i>Carriage, horse</i></p>	80.00	<p>18. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>19. <i>Carriage, horse</i></p>	80.00	<p>19. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>20. <i>Carriage, horse</i></p>	80.00	<p>20. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>21. <i>Carriage, horse</i></p>	80.00	<p>21. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>22. <i>Carriage, horse</i></p>	80.00	<p>22. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>23. <i>Carriage, horse</i></p>	80.00	<p>23. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>24. <i>Carriage, horse</i></p>	80.00	<p>24. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>25. <i>Carriage, horse</i></p>	80.00	<p>25. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>26. <i>Carriage, horse</i></p>	80.00	<p>26. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>27. <i>Carriage, horse</i></p>	80.00	<p>27. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>28. <i>Carriage, horse</i></p>	80.00	<p>28. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>29. <i>Carriage, horse</i></p>	80.00	<p>29. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>30. <i>Carriage, horse</i></p>	80.00	<p>30. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>31. <i>Carriage, horse</i></p>	80.00	<p>31. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>32. <i>Carriage, horse</i></p>	80.00	<p>32. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>33. <i>Carriage, horse</i></p>	80.00	<p>33. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>34. <i>Carriage, horse</i></p>	80.00	<p>34. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>35. <i>Carriage, horse</i></p>	80.00	<p>35. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>36. <i>Carriage, horse</i></p>	80.00	<p>36. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>37. <i>Carriage, horse</i></p>	80.00	<p>37. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>38. <i>Carriage, horse</i></p>	80.00	<p>38. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>39. <i>Carriage, horse</i></p>	80.00	<p>39. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>40. <i>Carriage, horse</i></p>	80.00	<p>40. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>41. <i>Carriage, horse</i></p>	80.00	<p>41. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>42. <i>Carriage, horse</i></p>	80.00	<p>42. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>43. <i>Carriage, horse</i></p>	80.00	<p>43. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>44. <i>Carriage, horse</i></p>	80.00	<p>44. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>45. <i>Carriage, horse</i></p>	80.00	<p>45. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>46. <i>Carriage, horse</i></p>	80.00	<p>46. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>47. <i>Carriage, horse</i></p>	80.00	<p>47. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>48. <i>Carriage, horse</i></p>	80.00	<p>48. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>49. <i>Carriage, horse</i></p>	80.00	<p>49. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>50. <i>Carriage, horse</i></p>	80.00	<p>50. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>51. <i>Carriage, horse</i></p>	80.00	<p>51. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>52. <i>Carriage, horse</i></p>	80.00	<p>52. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>53. <i>Carriage, horse</i></p>	80.00	<p>53. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>54. <i>Carriage, horse</i></p>	80.00	<p>54. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>55. <i>Carriage, horse</i></p>	80.00	<p>55. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>56. <i>Carriage, horse</i></p>	80.00	<p>56. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>57. <i>Carriage, horse</i></p>	80.00	<p>57. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>58. <i>Carriage, horse</i></p>	80.00	<p>58. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>59. <i>Carriage, horse</i></p>	80.00	<p>59. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>60. <i>Carriage, horse</i></p>	80.00	<p>60. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>61. <i>Carriage, horse</i></p>	80.00	<p>61. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>62. <i>Carriage, horse</i></p>	80.00	<p>62. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>63. <i>Carriage, horse</i></p>	80.00	<p>63. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>64. <i>Carriage, horse</i></p>	80.00	<p>64. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>65. <i>Carriage, horse</i></p>	80.00	<p>65. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>66. <i>Carriage, horse</i></p>	80.00	<p>66. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>67. <i>Carriage, horse</i></p>	80.00	<p>67. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>68. <i>Carriage, horse</i></p>	80.00	<p>68. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>69. <i>Carriage, horse</i></p>	80.00	<p>69. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>70. <i>Carriage, horse</i></p>	80.00	<p>70. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>71. <i>Carriage, horse</i></p>	80.00	<p>71. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>72. <i>Carriage, horse</i></p>	80.00	<p>72. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>73. <i>Carriage, horse</i></p>	80.00	<p>73. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>74. <i>Carriage, horse</i></p>	80.00	<p>74. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>75. <i>Carriage, horse</i></p>	80.00	<p>75. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>76. <i>Carriage, horse</i></p>	80.00	<p>76. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>77. <i>Carriage, horse</i></p>	80.00	<p>77. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>78. <i>Carriage, horse</i></p>	80.00	<p>78. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>79. <i>Carriage, horse</i></p>	80.00	<p>79. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>80. <i>Carriage, horse</i></p>	80.00	<p>80. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>81. <i>Carriage, horse</i></p>	80.00	<p>81. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>82. <i>Carriage, horse</i></p>	80.00	<p>82. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>83. <i>Carriage, horse</i></p>	80.00	<p>83. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>84. <i>Carriage, horse</i></p>	80.00	<p>84. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>85. <i>Carriage, horse</i></p>	80.00	<p>85. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>86. <i>Carriage, horse</i></p>	80.00	<p>86. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>87. <i>Carriage, horse</i></p>	80.00	<p>87. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>88. <i>Carriage, horse</i></p>	80.00	<p>88. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>89. <i>Carriage, horse</i></p>	80.00	<p>89. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>90. <i>Carriage, horse</i></p>	80.00	<p>90. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>91. <i>Carriage, horse</i></p>	80.00	<p>91. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>92. <i>Carriage, horse</i></p>	80.00	<p>92. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>93. <i>Carriage, horse</i></p>	80.00	<p>93. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>94. <i>Carriage, horse</i></p>	80.00	<p>94. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>95. <i>Carriage, horse</i></p>	80.00	<p>95. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>96. <i>Carriage, horse</i></p>	80.00	<p>96. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>97. <i>Carriage, horse</i></p>	80.00	<p>97. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>98. <i>Carriage, horse</i></p>	80.00	<p>98. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>99. <i>Carriage, horse</i></p>	80.00	<p>99. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66
<p>100. <i>Carriage, horse</i></p>	80.00	<p>100. <i>Small, double bed</i></p>	1.00	<p>1. <i>Amount brought forward</i></p>	477.66

Nº 72

younger slaves are also listed as free. The remaining slaves are willed to various named heirs. Their values in dollars and the lengths of time of their servitude are noted. Occasionally, the names of the parents of the bequeathed slaves are also listed.

This section is followed by a double-columned listing of other goods with short descriptions and assigned values, which are carried forward as totals in each column. These items include silver, carriages, horses, bedding, farm equipment, cooking utensils, dishes, a varied group of furniture, crockery, china, mirrors, carpets, various fabric items and an eight-day clock. A separate section of slaves and farming equipment is bequeathed to his grandson William M.B. Willson and listed in the same manner: another 6 slaves and over 100 items, mostly relating to farming, along with poultry, pigs, sheep, cattle and meats, stored barreled crops, fodder, office equipment and crops valued in planted acreage. Noted also are a copy of "Marshall's Life of Washington 5 vols with Atlas" and a "Lot of books in dwelling house." Approximately two columns' worth of materials are willed to his executors, similarly listed: various boxes & barrels, barrels of foodstuffs, glassware, various scales & weights, "sundries in pigeon holes opposite office front door," contents of the office drawers, "2 maps and old wrapping paper in office," furniture, saddlery and garden crops. Listed separately are a female slave Mary "in the country, daughter

of Ned & Eliza born 10th September 1823, to serve till 25 years of age" and "2 pews in the Episcopal church designated by numbers 4 & 5."

The document at this point is noted as witnessed by John L. Harding and John Bruegel and followed by a recapitulation of sums and totals of inventory. Below this is noted: "Proved by Wm. Beall Jr. & Wm. B. Willson, two of the Executors on the 2d February 1824." On page 8 is listed a separate section, with the same witnesses, titled "Inventory of money left by William Murdock Beall." This includes an "Inventory of Stocks left including Government or United States 6 percent stocks; par value, per certificates" with significant investment amounts in the Baltimore and Frederick Town Turnpike Road, the Union Bank of Maryland, the Farmers Bank, the Bank of Columbia and other companies. Listed below this are the debts due the estate, some dating back to 1816. Later columns of listings are of sales of materials and properties from the estate, all tallied in detail. This section ends with a final "Balance due the Estate," which lists with the five named heirs splitting the significant amount of \$59,843.14. The final pages list the general accounting lists, carrying forward to 1825 of the dissolution of the assets by date, persons involved and amounts paid.





N° 73

#### RESTORING DISCIPLINE IN THE AUGUSTINIAN COMMUNITY OF GRAND-SAINT-BERNARD

73

[Manuscript]. **Boniface, Louis**. [Hospice de Grand-Saint-Bernard]. *Opuscula Nonnulla R. Ludovici Bonifacii Canonici Regularis Coadiutoris ad Salutiferam Regularis Disciplinae Restitutionem. Sparsim Adiunctis Postea Latis à Sacra Episcoporum & Regularium Congregatione Decretis* 1718. [Grand-St.-Bernard, c.1718]. 304 ff. Quarto (9-1/2" x 7"; 24 x 17.75 cm). \$4,500.

Later morocco with decorative blind stamping, stitched down center of spine, which has an early hand-lettered title panel, fragments of thong ties, untrimmed edges. Light rubbing to boards, somewhat heavier rubbing to extremities, early repair to foot of spine. Light toning to interior, text in neat hand, a few laid-in notes. A handsome item.

THIS IS A COLLECTION of canon law writings by Louis Boniface, intended (so the title page states) to restore discipline at the famous Augustinian community of Grand-Saint-Bernard in the Swiss Alps, where the author was coadjutor and provost. We understand it to be an official report, later distributed as manuscript copies, which was presented at a synodical meeting of 1718. Much of the study concerns money and property. Other subjects include the officers of the community and a ban on women servants. Showing its high status as a report, other copies are found in the Grand-

Saint-Bernard archives. It has a remarkable binding featuring blind-stamped floral designs with red-painted inlay. It was probably made from a wall hanging or wallpaper. The archive of Grand-Saint-Bernard has a copy of Boniface's baptism certificate (1664) and several of his papers, which include works on cosmography, geography and history, and a thirty-year travel diary.

✦ The archives of Grand-Saint-Bernard record four other manuscripts with the same author, title and date (AGSB 5056, 5057, 5058, 4049). We located no other copies. (On Boniface in the archives see <http://www.aasm.ch/fonds/agsb/static/5314.html> and <http://www.aasm.ch/fonds/agsb/static/5040.html>).

#### ACCOUNT BOOK AND CLIENT LEDGER OF TWO NORTH-ENGLISH LAWYERS WITH ENTRIES FROM 1778 TO 1846

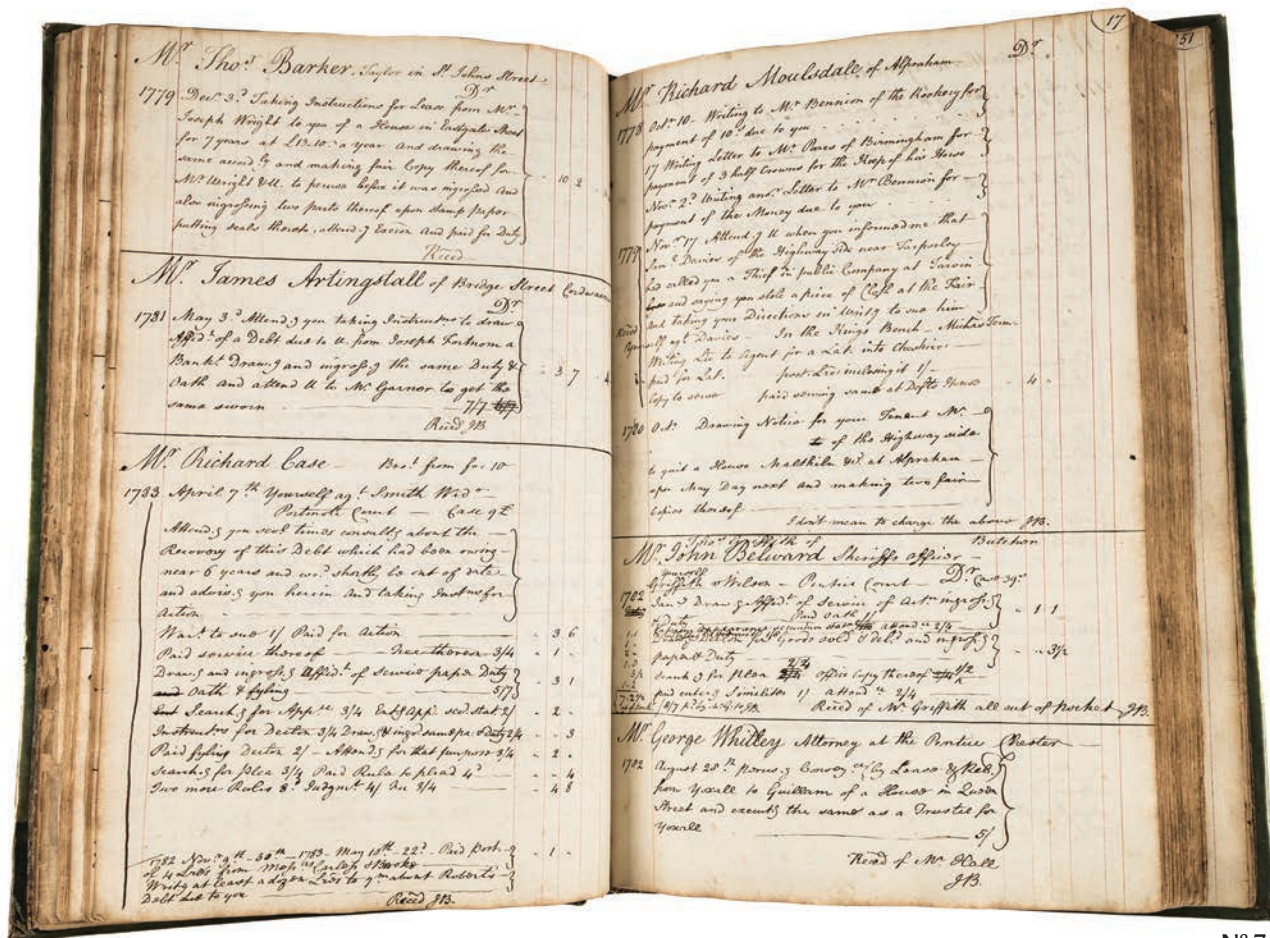
74

[Manuscript]. [Burgess, Joseph]. [Burgess, William]. [Account Book of Joseph and William Burgess]. Chester, UK, 1778-1846. [xiii], 151, [1] ff. Final leaf numbered 251, 100 ff. neatly removed after fol. 151. With an index. Folio (12-3/4" x 8"; 32.4 x 20.3 cm). \$3,500.



N° 74





Nº 74

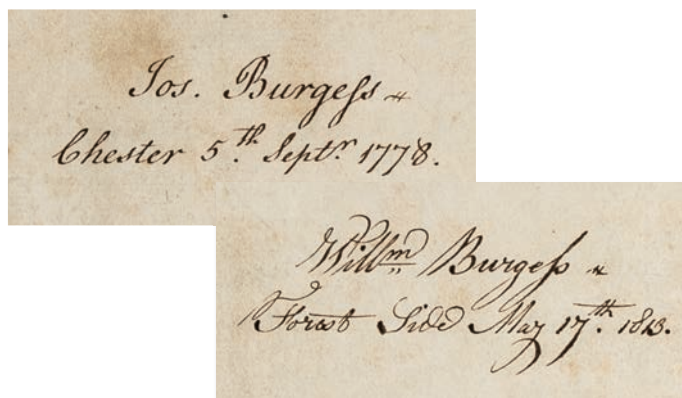
Contemporary green laced vellum, blind rules to boards, marbled endpapers. Light rubbing and soiling and a few small scuffs to boards, which are slightly bowed, lace missing from head of front joint. Moderate toning to interior, occasional very light foxing, lower portion of f. 132 lacking, a few leaves neatly removed. Eighteenth-century content in a single neat hand, nineteenth-century content in multiple hands.

THIS MANUSCRIPT began its life as a ledger of clients served by Joseph Burgess from approximately 1778-1784. Each entry is highly detailed and lists the client's name, occupation and details of their case along with the steps taken by Burgess and the expenses incurred. Many of his clients

were tradespeople or servants and his charges appear to have been accordingly modest. In several cases, Burgess did not charge his clients at all, particularly (though not exclusively) when he noted they were in difficult circumstances. Despite this generosity, at least one client, an innkeeper seeking to claim a tenant's goods in lieu of unpaid rent, absconded.

The entries provide a fascinating look into legal practice and daily life in the area. In addition to more prosaic matters such as wills and contracts, Burgess also dealt with libel, assault and verbal abuse. One client, a grocer, was accused of calling another woman "a Whore and an Old Bawd" by a witness who demanded payment and "an undertaking never to molest [the woman] again." Another client asked Burgess to assist his sons with obtaining prize money from the ships *Mannon* and *Thetis*.

The ledger was then passed to William Burgess, likely Joseph Burgess's son, who noted on the first page that he was practicing in Forest Side in 1813. It is unclear which entries are William's, though some entries from the early nineteenth century appear on blank portions of leaves with Joseph Burgess's records. His entries may also have appeared on the excised leaves. The ledger concludes with entries in several hands spanning approximately 1818-1846 and dealing with the household expenses and estate of John Burgess. Taken as a whole, the volume is both a thorough record of everyday legal practice in the eighteenth century and an interesting window onto the use and reuse of manuscripts by later owners.



Details from Nº 74





Nº 75

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

75

[Manuscript]. **Elsynge, Henry (The Elder)**. *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. [London?, c.1626-c.1660]. 82 pp. Folio (13-1/4" x 8-1/2"; 33.5 x 21.5 cm). \$4,000.

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.

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 Elsynge, 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.

**COMMONPLACE BOOK ON LAND AND ESTATE LAW**

76

[Manuscript]. [Great Britain]. [Commonplace Book]. Great Britain, 17th century. 455 ff [with intermittent blanks]. Quarto (8" x 5-3/4"; 20.3 x 14.6 cm). \$3,500.

Contemporary reversed calf, blind rules to boards, rebacked retaining existing spine with raised bands and hand-lettered title ("IRSTVW"?), blind tooling to board edges, metal clasps to fore-edges, one lacking, edges untrimmed. Light rubbing to boards, moderate rubbing to extremities, joints just starting at ends, a few slight cracks to spine, three of four



corners mended (the other bumped and lightly worn), hinges cracked, pastedowns loose, later bookseller's description tipped onto inner front board. Text in Law French in one, possibly two neat hands in two columns within red-ruled borders, headings in English and Law French. Light toning to interior, light soiling in a few places, a few (mostly partial) cracks to text block, all leaves secure.

ORGANIZED BY SUBJECT, this interesting and extensive commonplace book includes extracts on a wide range of topics in land and estate law such as annuity, suspension, remainder, tenure, legacy and legatee, chivalry, charitable uses, usury, homage and fealty. It appears to cite both authors, such as Bracton and Croke, and relevant cases and statutes.

### ITALIAN MANUSCRIPT FORMBOOK IN A WALLET BINDING

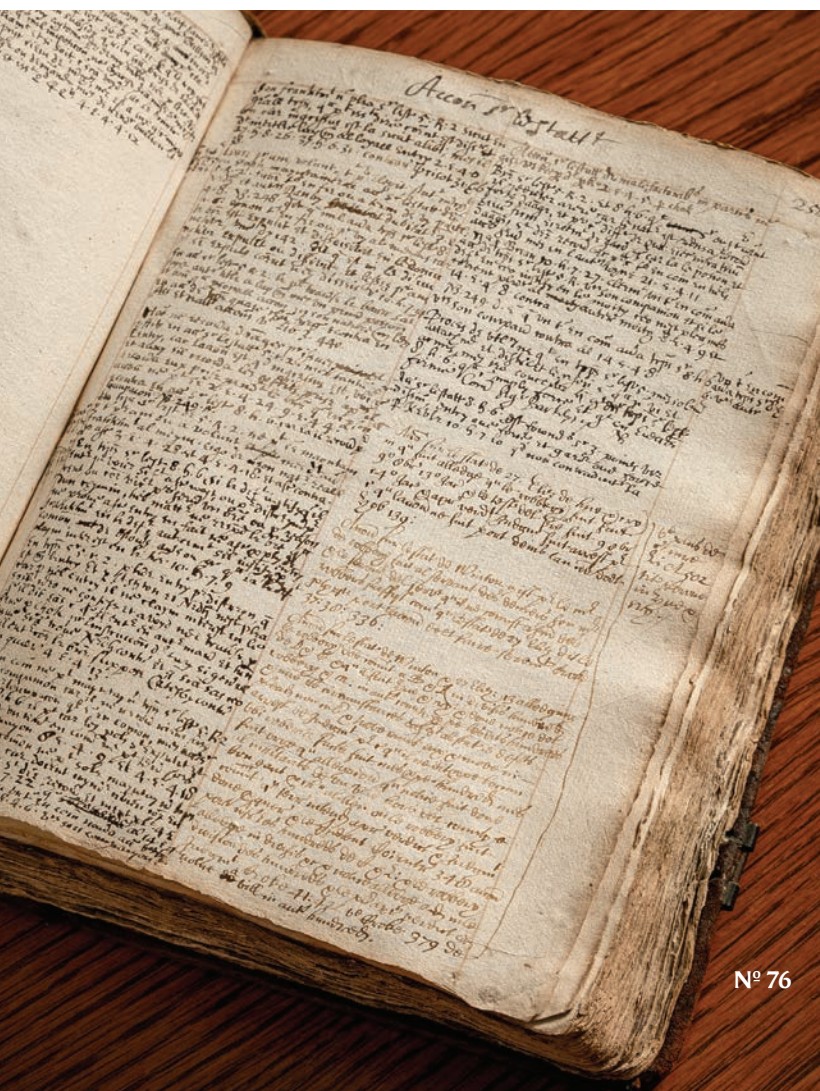
77

[Manuscript]. [Italy]. [Formulary]. Genoa [Chiavari?], Italy, c.1797. 250 ff., 18 ff. thumb-tabbed index, 25 blank leaves. Octavo (6" x 4-1/4"; 15.2 x 10.8 cm). \$6,500.

Contemporary Italian tacketed wallet binding of limp vellum, remnants of thong-and-toggle fastener, untrimmed edges. Light soiling and shelfwear, "Formularium Instrorum" to front cover in later hand, along with lists of years 1801-1806



Nº 77



Nº 76

and some other, illegible marks, "1797" to head of spine. Light toning to interior, light soiling to a few leaves, text in neat legible hand.

THE FRONT PASTEDOWN is signed "Advocato Jo: [Giovanni] Bap[tis]ta Bonta," who was probably the compiler of this manuscript. Its small format, wallet binding, topical organization and index suggest it was a portable reference work. The portions in Latin, many with book and chapter citations, primarily appear to be paraphrased excerpts from the civil statutes of the Republic of Genoa. Others are in question-and-answer format and appear to deal with topics in Roman law. Many, if not most, of the Latin passages are followed by forms in Italian dealing with the area of law cited in the previous passage; some of the statutory material appears in Italian as well. The manuscript generally deals with practical topics, such as notaries, wills, contracts and some procedural matters, and likely served as a portable manual of everyday practice for a working lawyer. One of the forms appears to be dated April 13, 1797, almost precisely two months before Genoa became the Ligurian Republic under Napoleon, suggesting that the manuscript may also provide insights into late Genoese legal tradition and practice within a system on the brink of transformation.



78

[Manuscript]. [Massachusetts]. [Plymouth Colony]. [Deed for a Land Sale between Thomas Cushman and John Allyn]. Plymouth, Plymouth Colony, December 18, 1689. 1 pp. \$6,500.

12" x 7-3/4" (30.8 x 20 cm) sheet, text to recto in John Cotton's neat clerical hand. Autograph signature of Thomas Cushman, autograph signatures of witnesses John and Rowland Cotton, autograph note and signature of William Bradford with remnants of wax seal, and autograph note and signature of Samuel Sprague (dated 1693) at foot. Docketed twice on verso ("Elder Cushman to John Allyn" and "Tho: Cushman Deed to John Allyn"). Toning, light foxing, horizontal fold lines with small holes and a few clean tears starting along them, all text legible. Typed transcript included.

THIS DOCUMENT is an interesting testament to both the legal process in Plymouth and the colony's tight social networks. Signed by William Bradford [1624-1703] in his capacity as the deputy governor of Plymouth Colony, this document records a land sale between Thomas Cushman [1607/8-1691] and John Allyn [bap. 1646-1715]. Cushman, who arrived in Plymouth on the *Fortune* in 1621, was William Brewster's successor as Ruling Elder of the colony. He sold Allyn, who had moved to the area six or seven years earlier, a parcel of land bordering the Nemasket River. The land was "the Eleventh Lott as appears in the Booke of Plimouth Records," "bounded with a white wood stump at the foote, and at the head with a white oake marked."

The sale was witnessed by John Cotton, Jr. [1639-1699], who also wrote out the deed, and his son Rowland Cotton [1667-1722]. John Cotton was minister of the Plymouth Church from 1669-1697; Thomas Cushman had given the charge at his ordination. Rowland Cotton followed his father into the ministry.

A note at the bottom attests that the document was recorded in the official Plymouth County deed book (on page 112) by Samuel Sprague [bap. 1640-1709] on June 14, 1693. Sprague, who held a number of positions of trust in the colony, was the colony's third and final recorder, a job he carried out until Plymouth's union with Massachusetts.

#### A RARE, INTIMATE GLIMPSE INTO THE LIFE OF A SEVENTEENTH-CENTURY ENGLISH JUDGE

79

[Manuscript]. Rokeby, Sir Thomas [1631-1699]. [Autograph Diary]. England, c.1687/8-August 1697. [iv], 180 pp. (pp. 175-180 blank, in addition to a few intermittent blank pages). Index to first 20 pp. Octavo (6-1/4" x 4"; 15.8 x 10.1 cm).

Contemporary gilt-paneled calf, "1688" and "A A" blindstamped on central panel, rebacked retaining existing backstrip with gilt-edged raised bands and gilt fillets, blind

Present shall come, Thomas Cushman of the County of  
New Plymouth in New England, sendeth greeting,  
and Thomas Cushman for & in consideration of ten  
pounds money to me in hand paid by John Allyn of  
the Colony aforesaid, with which said ten pounds, said  
th hereby acknowledge himselfe fully satisfied, contented  
every part & partell thereof doth acquit, exonerate &  
Allyn & his heires & executors for ever, Have granted,  
sold & confirmed, & doe by these Presents for me &  
grant, bargain, sell & confirme to the abovenamed  
& Assignes for ever, a certaine tract of land  
Township of Middlebury aforesaid, being the Eleventh  
of the Booke of Plimouth Records, commonly called  
of the Purchase of twenty foure men on the  
Nemasket River, which said Eleventh Lott is bounded with  
at the foote, and at the head with a white oake marked,  
land being the Eleventh Lott purchased by twenty  
west side of Nemasket river & bounded as aforesaid,  
divided land & common age belonging to said Lott, said  
Thomas Cushman doe absolutely by these Presents sell &  
John Allyn, his heires & Assignes for ever, to his & their  
heirs for ever, to be holden of our Sovereigne Lord the  
of East Greenwich in the County of Kent in the Realme  
common socage & not in capite nor by knight service  
dues thereof & hereby due & of right accustomed, And  
man doth hereby declare & engage that at the time of  
these Presents, that he is the lawfull & sole Proprietor  
& of said Premises, & that he hath full right & power  
make sale of said land & priviledges thereof abovenamed  
& cleare & clearely acquitted of & from all other  
bargaines, sales, borrowes, power of thirds, engagements,  
demerits, whatsoever, hereby also giving & granting  
Allyn to record or enroll or cause to be recorded or  
of sale in any of his majesties Courts according as the  
provided, In witness whereof I the said Thomas  
my hand & seal this eighteenth day of December  
reed eight & nine, and in the first yeare of the  
iam & Queens Mary.

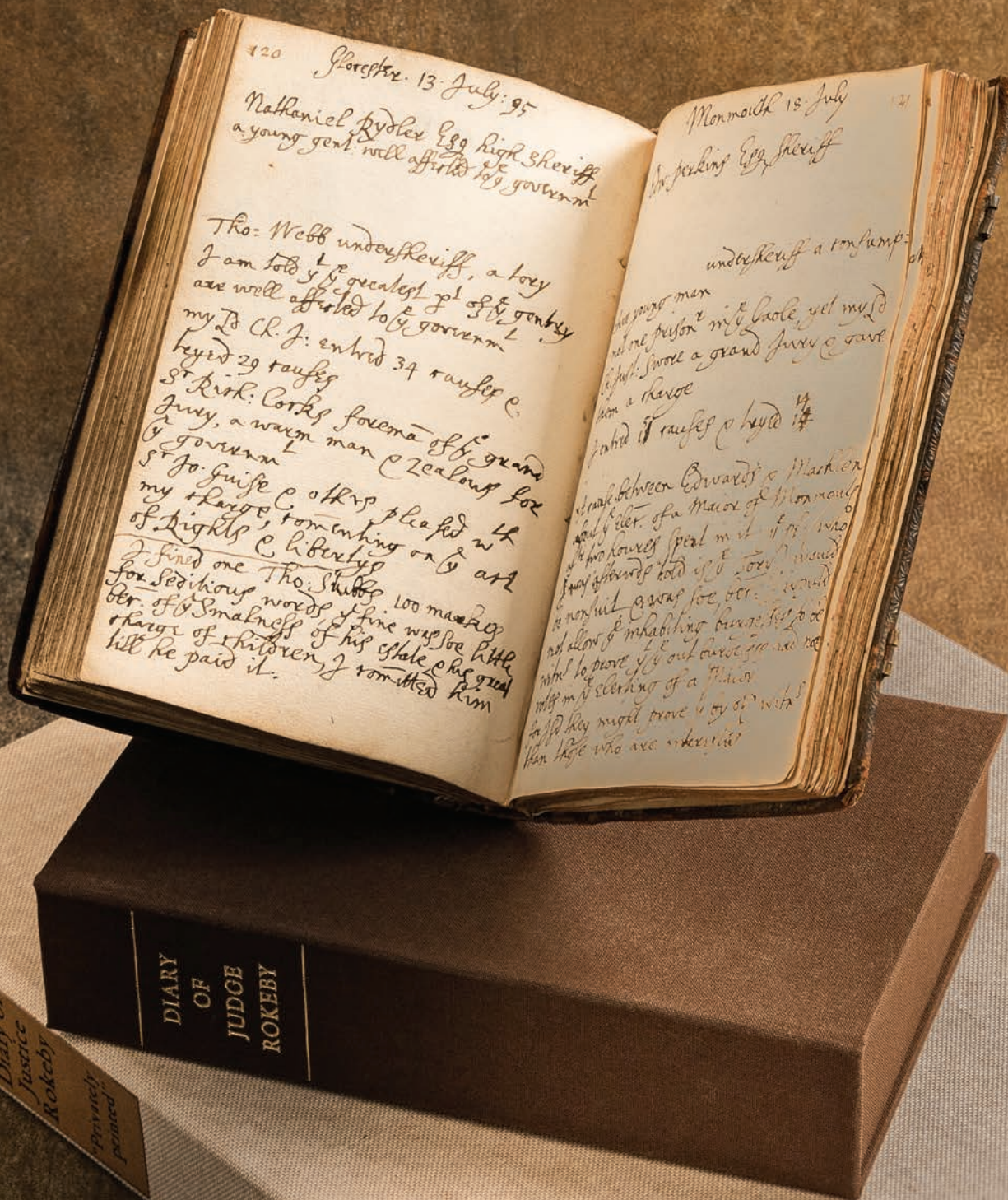
Thos Cushman

Thomas Cushman personally  
before me the 18 of December  
1689 did say and shew  
= being the deed above written to  
be his free act & deed

William Bradford  
Doct Goudwin

Nº 78



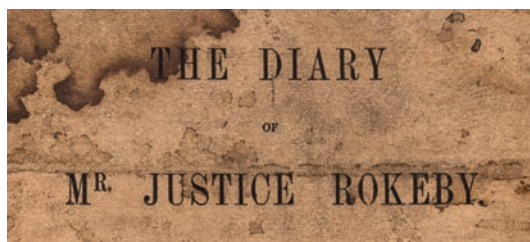


Nº 79

tooling to board edges, metal catches (from former clasps) at fore-edges, pastedowns retained, free endpapers renewed. Moderate rubbing, some gatering to outer panel where former mottling has worn away, light wear to board edges and corners, which are bumped. Manuscript text in single neat hand, autograph signature of Rokeby and annotation to front pastedown. Light toning to interior, negligible light soiling or smudges in a few places, internally fresh and well-preserved.

[With] Rokeby, Sir Thomas. Boyd, William, Editor. *The Diary of Mr. Justice Rokeby*. Printed from a MS. in the Possession of Sir Henry Peek, Bart. [London]: Privately Printed [by Wyman and Sons, Printers], [1887]. iv, 58, [1] pp. Folio (10-1/2" x 8-3/4"; 27 x 22 cm). \$17,500.





*Details from N° 79*

Publisher's vellum-covered thick cardstock boards, printed title to front board, edges untrimmed. Externally worn, some soiling and faint dampstaining, wear to extremities, vellum splitting along spine, which has a small vertical crack at its foot. Light toning to interior, negligible light foxing and soiling to a few leaves, internally clean.

Together two items, each housed in individual cloth clamshell boxes.

THIS FASCINATING MANUSCRIPT provides a rare glimpse into the intimate details of judicial life in seventeenth-century England. We could find no comparable manuscripts sold at auction on Rare Book Hub. More than a docket or account book (although at times serving those functions), it reveals the mechanics of the judicial process at a higher level than many other surviving manuscripts of its kind and provides many interesting personal insights into its compiler. It is a compelling artifact of a judge's work at an eventful time in English history.

Rokeby, a barrister of Gray's Inn, had a successful career as a lawyer and was appointed to several local offices in Yorkshire. After the Glorious Revolution of 1688, he was made a serjeant-at-law and then elevated to the bench as a judge of common pleas on May 8, 1689.

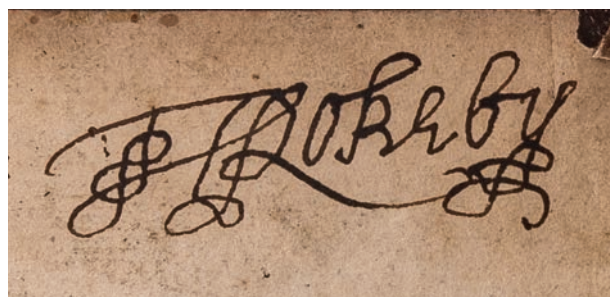
The life of a judge on circuit was not always a romantic one, as the diary makes clear. Rokeby was often "out of purse" by significant amounts. Sometimes, he reveals acid judgments of the local officials, and at Launceston in August 1693, his

frustration comes through strongly: "Tho: Hele, Esq., Sworn J: of P: but acts against the Interest of the Governm, a Jacobite, & one who never observes the fasts. Rowl: Whiddon, debauched & unfitt. The Grand Jury, maior pt. of them not freinds [sic] to the Government, they publikely complaind of Mr. Trout, & some of them said that severall persons would not act if he were continued in commission. I demanded a list of the names of those who would not act, but they gave me none" (84).

"In his religious opinions Rokeby was strongly tinged with Puritanism...It is not too much to say that Rokeby became the chief and most confidential adviser of the Nonconformists in the North of England" (Memoir). It is clear from the manuscript that he carried these views into his judicial work during a time of heightened tensions around religious freedom. Local officials are often noted as friendly to Protestant dissenters. He comments several times on the quality and content of the assize sermons, including one that "reflected upon the indulgence by act of parl: to protestant dissenters, & sd, the wisdom of the nation had givn every man liberty to spit in the face of the Church...I tooke notice of the offensiveness of this passage, both to the grand Jury in my charge, & in my discourse with the Sheriff, who afterwards told me, he was much troubled about it" (93). In April 1694, he writes: "...one Mr. Berisford, a young Lawyer, told me that some dissenters...were much troubled att some expressions of mine in a cause there...the defendant was a poor Townsman, ruined in Mounmouth's [sic] insurrection & I expressed my dislike of the persecution, & they told me it was done by some great traders, who were dissenters, & I said the persecution was worse in them, than in other men, bec. they had been sufferers under the severe persecution of rigorous penall lawes" (100).

His sympathy was not given exclusively to religious dissenters. In the cases of Benjamin Cranmer, convicted "1st, for drinking the late K. Ja:': health; the 2d for words, that they can never make K: Wm. lawfull heire of the crown," and Thomas Stubbs, also convicted "for seditious words," he imposed smaller fines because of their poverty (48, 120). He notes several instances where he disagreed with a verdict or commuted a sentence.

Rokeby sat in king's bench until his death in 1699 and it is almost certain that he continued his diaries, but this volume is the only one known to survive. It was transcribed



*Detail from N° 79*



and published for private circulation in 1887, when it was owned by Sir Henry Peek. It was sold from Peek's collection at Sotheby's in 1987 to William C. Nesheim, who "discovered a love for rare historic books and manuscripts during his time as a graduate student at the University of Missouri. Over 60 years, he built an exceptional collection, focused on rare books of superb condition and completeness" (Bonhams).

❖ "A Brief Memoir of Mr. Justice Rokeby," in *Miscellanea* (The Publications of the Surtees Society Vol. XXXVII), 3-4. Bonhams, "Colonial America: The Collection of William C. Nesheim" (accessed online).

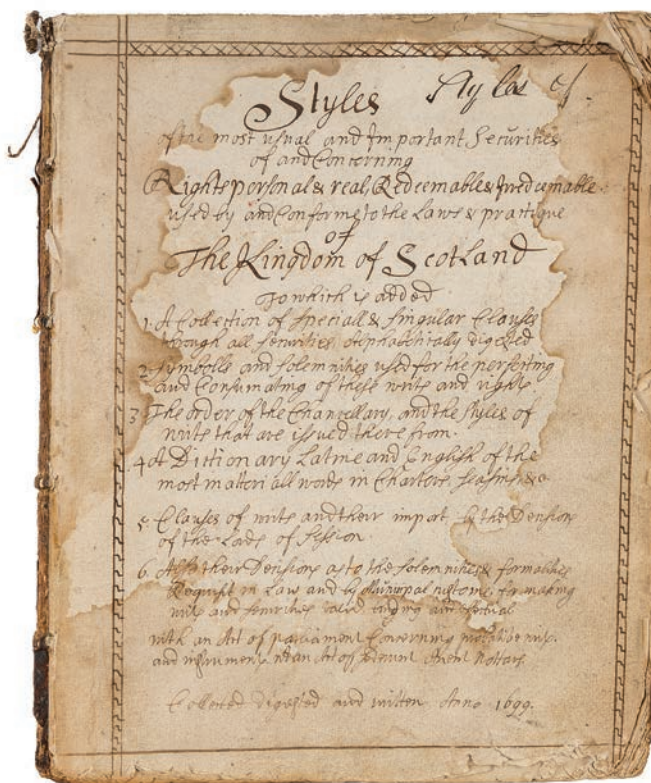
## A SCHOLARLY SCOTTISH MANUSCRIPT STYLE BOOK

80

**[Manuscript]. [Scotland].** *Styles of the Most Usual and Important Securities of and Concerning Rights Personal and Real, Redeemable & Irredeemable, Used by and Conforme to the Laws & Practique of The Kingdom of Scotland.* [Scotland]: Collected, Digested and Written Anno 1699. [xviii], 248 pp. Quarto (8" x 6-1/4"; 20.3 x 15.9 cm). \$4,500.

Disbound, moderate toning, dampstaining and wear to edges of text block, which is split between pp. 208 and 209, charring to fore-edges of pp. 203-248 with minor loss to text, but not meaning, repairs to a few burned leaves. Title page and text within ruled borders. Text in neat hand, later owner inscription, "Liber Davidson, Esq." to foot of p. 248. Item housed in custom cardboard archival box.

THIS FAIR-COPY MANUSCRIPT appears to have been the work of a practitioner with an interest in scholarship. It has a title page that simulates a printed example, a table of contents, an 18-page glossary of Latin terms with English translations,

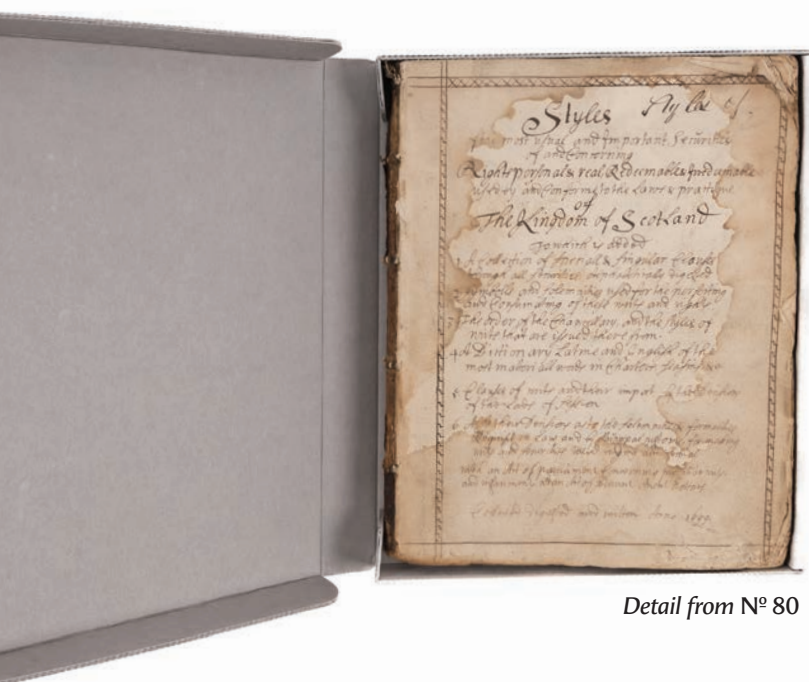


Nº 80

which is called a dictionary, and an 18-page preface that traces the evolution of agreements from the verbal promises of "the first Ages of the World" to "written, Evident, Chirography, hand writing" and the practice of "our nation of Scotland." The preface draws an interesting connection between secular education and the promotion of "subtly" and "deceit" and presents the subsequent collection of styles as a corrective.

The contents are summarized on the title page: "1. A Collection of Speciall & Singular Clauses through all securities, Alphabetically digested. 2. Symbolls and Solemnities used for the perfecting and Consumating of these writs and rights. 3. The order of the Chancellary, and the styles of writs that are issued therefrom. 4. A Dictionary Latine and English of the most matteriall words in Charters, Leasing &c. 5. Clauses of writs and their import by the Decisions of the Lords of Session. 6. Also their Decisions as to the Solemnities & formalities Requisite in Law and by Municipal custome, for making writs and securities valid, binding and effectual. With an Act of Parliament Concerning probative writs and instruments & an Act of Sederunt Anent Nottars."

Pre-Union style books are scarce. The earliest known example is that compiled by Oliver Colt, c. 1600, which is held by the National Archives of Scotland. Written eight years before the Act of Union with England, this manuscript offers a notably thorough summary of purely Scottish practice in its final phase. The compiler demonstrates a belief in the systematic organization of law and correct legal practice, as well as a keen sense of Scottish identity.



Detail from Nº 80





**FOUR GENERATIONS OF RECORDS  
FROM A RECUSANT ESTATE ATTAINED  
AFTER THE 1717 JACOBITE RISING**

81

[Manuscript]. [Tempest, Sir Francis, 5th Baronet (1678-1698)]. [Widdrington, Jane Tempest (c.1679-1714)]. [Widdrington, William, 4th Baron Widdrington (1678-1743)]. [Widdrington, Henry Francis (d.1774)]. Silvertop, Albert [1667-1738], Steward & Compiler. [Stella Hall Ledger and Account Book]. Blaydon-on-Thyne, County Durham, 1692-1750. [x], 69 [i.e. 68], [71], [4 blank], [21], [5 blank] ff. Folio (12-1/4" x 7-3/4"; 31 x 20 cm). \$3,500.

Contemporary reverse calf, blind rules to boards, blind fillets along joints, raised bands and blind fillets to spine, blind tooling to board edges, cotton twill ties to fore-edges, edges of text block rouged. Rubbing, early lettering (ownership markings made largely illegible by rubbing) to boards, a few nicks to rear board, front joint cracked, rear joint starting, corners bumped, hinges cracked, annotations to front pastedown. Text in single neat hand with 10-ff. thumb-tabbed index at front. Moderate toning, negligible light foxing or soiling in places, internally very good.

THIS LEDGER details accounts for the English manor Stella Hall, kept primarily by the estate's steward Albert Silvertop. (The earliest records may have been kept by a member of the Dunn family.) Originally a seat of the Tempest baronets, the estate passed into the Widdrington family upon the marriage of Jane Tempest to William Widdrington, 4th Baron Widdrington in 1700. Both families were staunch Catholic recusants and many of their members were Northumbrian

Jacobites. Along with several of his neighbors and family members, Widdrington participated in the 1715 Jacobite rising, an ill-fated attempt to restore James Edward Stuart to the throne. He was convicted of high treason after the Battle of Preston. He managed to escape with his life (thanks largely to the intervention of his second wife, Catherine Graham), but his title and estates were attained. His son reclaimed the title and land after his death, but they passed out of the family when the son died without an heir. This is reflected in the account book, which ceases abruptly in 1715 and resumes with an inventory of the estate as claimed by Henry Widdrington in 1750.

The ledger provides interesting insights into the close-knit, largely Catholic community surrounding Stella. "For the Catholic landlord it was clearly better to employ a Catholic steward, who would be more discreet about the Catholic practices he saw on the estate, and lease to Catholic tenants who were, perhaps, more loyal and easier to direct than their Anglican counterparts" (Lock). Silvertop was indeed Catholic; though he remained neutral during the rising, he maintained deep loyalty to the family he served and did everything he could to prevent the estate's capture by Protestant industrial interests. Silvertop died in 1738 "having laid the foundations of his family's fortune. He had started as a steward and viewer, typical of those trusted servants upon whom the English landed gentry relied to a very large extent for honest and efficient management of their estates. He had become a power in the coal trade, both as agent for Widdrington and then on his own account, carving out for himself an enviable estate in the face of considerable opposition" (Gooch). Our ledger is a physical artifact of the legacy he tried to preserve and the foundations of his family's future.

♣ Lock, *Catholicism, Identity and Politics in the Age of Enlightenment* 192. Gooch, "Incarnate Rogues' and 'Vile Jacobites': Silvertop v. Cotesworth, 1718-1723," *Recusant History* 18, no. 3 (1987) 287.

**ANTEBELLUM VIRGINIA DOCKET BOOK**

82

[Manuscript]. [Virginia]. [Justice's Docket Book, Amherst County, Virginia, 1850-1859]. Two books. [200]; [212] pp. Folio (13-1/2" x 8-1/4" and 12-3/4" x 8"; 34.3 x 20.9 and 32.4 x 20.3 cm). \$1,850.

Quarter and three-quarter sheep over marbled boards, one book has lettering piece reading "Justice's Docket." Bindings lightly cocked, moderate rubbing to boards and board edges with light wear to corners, spine of one book abraded, its boards partially detached. Light toning, light foxing in places, staining to leaves at beginning and end of each book. Text in legible hands to approximately 80 pp., a few leaves removed, torn or partially lacking with some loss to content, one book has additional annotations to pastedowns and adjacent endleaves.



THIS LEDGER records appearances at a Virginia Justice's Court, most likely in Amherst, the county seat of Amherst County, Virginia. (This location is indicated by the names of several parties from Amherst and nearby locations, among them Dr. William S. Dillard, a member of a prominent Amherst family. We acquired this item from one of Dillard's descendants.) The entries are organized in columns under the following headings: "Parties Names," "Date of Judgment," "Amount of Judgment," "Interest from Costs," "Exon. When Delivered," "To Whom Delivered," "When Returnable" and "Return." Most of the cases date from 1850 to 1859. There are also some notes recording sales transactions dated 1880 to 1889 at the rear of one book, along with a set of recipes for foxgrape wine dated 1881.

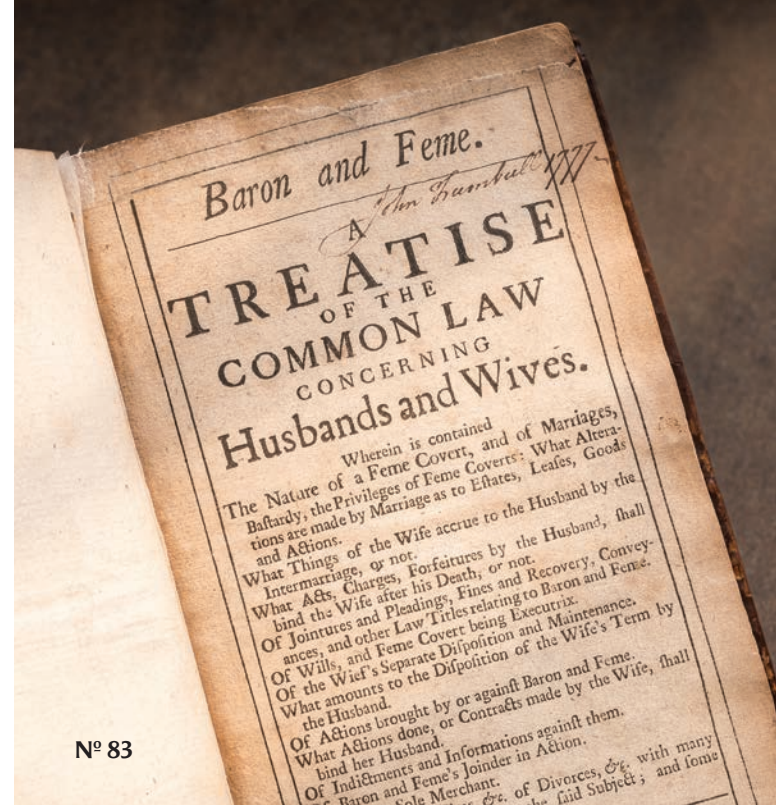
**A COPY OF THE FIRST ENGLISH TREATISE  
ON MARRIAGE LAW OWNED BY AN EARLY  
CONNECTICUT LAWYER, POLITICIAN AND POET**

83

**[Marriage Law]. [Great Britain].** *Baron and Feme. A Treatise of the Common Law Concerning Husbands and Wives. Wherein is Contained the Nature of a Feme Covert, And of Marriages, Bastardy, The Privileges of Feme Coverts...With Many Other Matters Relating to the Said Subject; And Some Useful Precedents.* London: Printed by the Assigns of Richard and Edward Atkyns Esquires, for John Walthoe, and are to be sold in his Shop in Vine-Court, Middle-Temple, 1700. [xxx], 380, [36] pp. Lacking advertisement leaves (1 facing title page and 4 following text). Octavo (7" x 4-1/4"; 18.3 x 11 cm). \$7,500.

Contemporary sheep, rebaked retaining existing spine with raised bands and lettering piece, blind tooling to board edges, hinges mended. Some light scuffing and faint staining to boards, which are darkened near edges, light rubbing to extremities, corners bumped and worn, front free endpaper and title page rehinged. Moderate toning to interior, somewhat lighter or heavier in places, occasional faint dampstaining to second half of text block, light foxing in a few places, small tear to fore-edge of leaf L4 (pp. 151-152) with minor loss to side-note on p. 152, small strip lacking at top-edge of title page, which is reinforced with tissue. Owner signatures of John Trumbull [1750-1831], dated 1777, to head of title page and following leaf. A good copy with an interesting provenance.

FIRST EDITION. Passing through subsequent editions in 1719 and 1738, this was the first English treatise devoted exclusively to the law of husband and wife. Our copy was owned by John Trumbull, a Connecticut poet, lawyer, politician and man of letters. (He is the cousin of the painter of the same name.) Trumbull, a graduate of Yale College, studied law at the university and remained there for two years as a tutor, writing his first verse satire there. He is best known for his satirical poem *M'Fingal*, a political mock-epic. He turned from poetry to politics in 1789, beginning as State's



Attorney for Hartford County and concluding as a member of the Connecticut Supreme Court from 1808-1819.

*Baron and Feme* appeared against a backdrop of other works, "solitary and isolated perhaps, but impassionate and intelligent, [that] raised for public consideration the contradictions and inequities of women's social, domestic, legal, cultural, and economic status" (Glover). These included *The Lawes Resolution of Womens Rights* (1632), which addressed the legal status of women in the common law, and *Some Reflections Upon Marriage* (1700), Mary Astell's strident critique of coverture and marriage law. A broadly conceived work, it covers ground "from the solemnization of marriage to the divorce" and considers "baron and feme in all the circumstances of life," including such "collateral byblows" as bastardy (To the Reader). Despite its publication in English, rather than Latin or Law French, it was intended for students and practitioners, unlike similar treatises of the era that claimed to be written at least in part for the benefit of women.

"The treatise's value lies in its clear enunciation of rules of law and legal principles...The fact that the treatise was reprinted twice and both times with substantial additions...strongly suggests that it was an important and authoritative reference in the period. Its influence on other legal treatises of the period, in particular *A Treatise of Feme Coverts* [1732], likewise offers proof of its value to legal practitioners" (Greenberg). It is also interesting for its considerable discussion of the alternative property arrangements by which a feme covert could circumvent some of coverture's restrictions, including trusts, marriage settlements and separate maintenance agreements.

◆ Glover, *Engendering Legitimacy: Law, Property, and Early Eighteenth-Century Fiction* 74. Greenberg, "Introductory Note" in *Legal Treatises (Essential Works for the Study of Early Modern Women: Part 1)*, Volume 3. ESTC R6177.





Nº 84

**THE MURDER OF PRESIDENT MCKINLEY'S  
BROTHER-IN-LAW: MCDADE 334**

84

[Murder]. [Albaugh, Thurlow K. (1868-1937)]. George, Annie E. [b.1859]. Saxton, George D. [1848-1898]. *Canton's Great Tragedy: The Murder of George D. Saxton, Together with a History of the Arrest and Trial of Annie E. George, Charged with the Murder. With Biographical Sketches of George D. Saxton and Annie E. George. With Illustrations.* [Wooster, OH: Press of Clapper Printing Co., 1899]. [ii], 308 pp. 14 leaves of plates. Illustrations. Octavo (7-1/2" x 5-1/4"; 19 x 13 cm).

\$950.

Softbound book in pictorial wrappers. Moderate soiling, rubbing to extremities with wear to spine ends and corners, small hole to front wrapper, moderate browning to text, faint dampstaining to fore-edges of a few leaves near rear of text. Housed in an attractive custom green cloth clamshell box, with a morocco gilt title to spine.

ONLY EDITION. "Saxton, who was shot on October 7, 1898, was the brother of Mrs. William McKinley, wife of the President. Mrs. George was acquitted" (McDade). The title page ascribes this book to "Coe," which was the pen name of Albaugh K. Thurlow, a notable Ohio theater owner and manager.

◆ OCLC locates 2 copies in law libraries (Harvard, University of Minnesota). McDade 334.

**RARE EDITION OF AN IMPORTANT  
SIXTEENTH-CENTURY LAW DICTIONARY,  
ONE KNOWN COPY IN NORTH AMERICA**

85

Nebrija, Antonio de [c.1444-1522], Compiler. Gromors, Pierre [d.1645?]. Scot, Alexander [fl. 1599-1622]. Caccialupi, Giovanni Battista [c.1420-1496]. [Jodocus of Erfurt, Presumed Compiler of *Vocabularius*]. *Novum Lexicon Iuris Utriusque Variorum Autorum Antonii Nebrissenis, Petri Gromoroi, Alexandri*

Scoti. &c. *Ex Omnibus Iuris Lexicis in hunc Usque diem Editis Summa Diligentia & Succincto Tenore Collectum; Ut Locupletissimi Iuris Thesaurus Vicem Merito Obtineat. Addita Legum Romanor. Recensione ex Divers Autoribus. Accesit Jo. Bapt. de Caccialupi Tractat. De Modo Studendi in Utroque Iure, Una cum Historia, Iuris, & Quibusdam Accursii Erroribus. Omnia ad Commodiorem Lectorum usum Varietate Charocterum Distincta.* Cologne: Apud Ionnem Gymnicum sub Monocerote, 1597. [xvi], 957 pp. Main text in double columns. Octavo (7" x 4-1/2"; 18 x 11.5 cm). \$1,750.

Contemporary vellum with yapp-style fore-edges, faint early hand-lettered title to spine, front pastedown and free endpaper renewed. Spotting and light rubbing to boards, moderate rubbing to extremities, short tear near center of fore-edge of rear board, rear hinge cracked, rear free endpaper lacking, 1/2" strip removed from head of title page, text not affected. Light browning and spotting to interior, tiny spark burns and ink spots to a few leaves, minor worming to sections of text block, mostly to margins, with minor loss to text, but not legibility, underlining and brief annotations in a few places, early markings, a struck-through annotation and two struck-through signatures to title page.

LATER EDITION. A work of great authority, this popular dictionary was first published in 1559. It went through more than twenty-five editions, with several variations in content, during the sixteenth and seventeenth centuries. All editions have two principal parts: the fifteenth-century *Vocabularius* attributed to Jodocus of Erfurt and Nebrija's *Lexicon Iuris Civilis*. It is a curious hybrid of late-medieval and renaissance scholarship; the former work is a typical scholastic compilation, the latter is a humanistic work grounded in philology and historical commentary.

Nebrija was an important Spanish scholar and educator. Educated at the universities of Salamanca and Bologna, he read widely in law, medicine and theology. His philological



Nº 85



work, which included the first Spanish grammar and dictionary, led to the standardization of the language. In 1502 he was a member of a group of scholars gathered by Cardinal Ximenes de Cisneros at Alcala to produce the Complutensian Polyglot Bible.

♣ OCLC locates 3 copies of this edition worldwide with 1 copy in North America (at UT-Austin Law School). VD16 N1933.

**A NOTABLY HANDSOME PRESENTATION COPY OF THE MANUAL OF THE FIRST FORMAL POLICE FORCE OF BUFFALO, TONAWANDA AND WHEATFIELD**

86

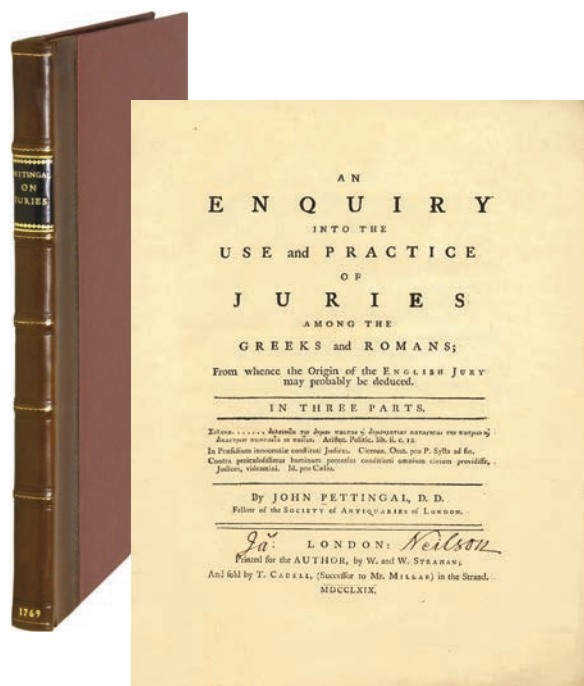
**Niagara Frontier Police District.** *Manual of the Niagara Frontier Police Force of the State of New York.* Buffalo: Thomas, Howard & Johnson, 1867. 181 pp. 12mo. (6-1/4" x 3-3/4"; 15.9 x 9.5 cm). **SOLD**

Contemporary morocco, expertly rebacked, gilt frames to boards, gilt title to front board, gilt edges, hinges mended, "O.J. Green" gilt-stamped below title. Moderate rubbing to extremities with some wear to corners, printed presentation inscription ("To [O.J. Green Esq.] with Compliments of Police Commissioners," "O.J. Green Esq." completed in manuscript) to front pastedown. Light toning to text, slightly heavier in places, light toning to a few leaves. A handsome presentation copy of a rare work.

ESTABLISHED BY the N.Y. State Legislature in 1866, the Niagara Frontier Police Department was the first formal police force in the region. Its jurisdiction encompassed the entire Niagara Frontier, which at the time consisted of Buffalo, Tonawanda and Wheatfield. This manual of rules and regulations was issued to policemen and other officers. It offers an excellent overview of the force and its mission, along with a good deal of information about Buffalo and its neighboring areas in the 1860s. Our copy, probably one of



Nº 86



Nº 87

several bound ornately for presentation, belonged to Obadiah J. Green [1810-1887], a prominent local attorney, politician and member of the Board of Police Commissioners.

♣ OCLC locates 3 copies (Buffalo and Erie County Public Library, Buffalo History Museum, Cornell University).

**THE CLASSICAL ROOTS OF THE ENGLISH JURY**

87

**Pettingal, John [1708-1781].** *An Enquiry Into the Use and Practice of Juries among the Greeks and Romans; From whence the Origin of the English Jury May Probably be Deduced.* London: Printed for the Author, by W. and W. Strahan, 1769. xv, [1], 200 pp. Quarto (10-3/4" x 8-1/4"; 27 x 21 cm). **\$950.**

Modern period-style quarter calf over cloth, raised bands and lettering piece to spine, endpapers renewed. Light browning to text, faint dampstaining to margins in a few places. Early owner signature (of Jas. Neilson) to foot of title page, interior otherwise clean.

ONLY EDITION. This early history of juries is enriched with numerous citations from Greek and Latin authors. "[T]he Reader (...) will be pleased to find the glorious Characteristic of this Nation, a Jury, to be originally founded in the Liberty of Greece, and handed down to us Through the Channel of the Commonwealth of Rome, and the Colonies Planted in their conquests." Preface xiii. Pettingal, a Doctor of Divinity and a Fellow of the Society of Antiquaries, was a prebendary of Lincoln Cathedral.

♣ ESTC T32774.





IN A HANDSOME CONTEMPORARY  
CHIPPENDALE BINDING

N° 88

88

**Prujean, John.** *A Treatise Upon the Laws of England Now in Force for the Recovery of Debt, Pointing Out the Many Abuses of Them; Together with a Plan for Administering More Speedy and Equitable Justice to Creditors and to Debtors.* By John Prujean, Esq. of Gray's-Inn; And Dedicated, With Permission, To His Grace the Duke of Norfolk. London: Printed for the Author: And Sold by J. Sewell [et al.], 1791. xix, [1], 135, [1] pp. With a half-title. Octavo (8-1/4" x 4-3/4"; 20.9 x 12.1 cm). \$1,500.

Contemporary Chippendale-style gilt-paneled tree calf, gilt ornaments to corners, gilt spine with lettering piece, gilt tooling to outer and inner board edges, marbled endpapers, silk ribbon bookmark. Light rubbing and a few small, shallow nicks and scratches to boards, moderate rubbing to extremities, joints starting at ends, chipping to spine ends, corners bumped and worn. Light toning to interior, negligible light foxing to a few leaves, internally clean. A handsome copy.

ONLY LONDON EDITION, published in Dublin the same year. Bankruptcy reform was a major economic and political issue in eighteenth and nineteenth-century Britain. This treatise sharply criticizes the existing laws on debt, recovery and bankruptcy and calls for their repeal. The author argues that the existing punishments (debtor's prison or exile) are unjust and do little to serve as a deterrent. He also points out that the existing law incentivizes predatory, frivolous or even false claims, and calls for the appointment of commissioners to help determine the legitimacy of bankruptcy suits.

Popular in the 1780s and 1790s, Chippendale-style bindings like our example were influenced by the "elegant neoclassicism" of the period and feature gilt ornaments with classically inspired designs (Bennett).

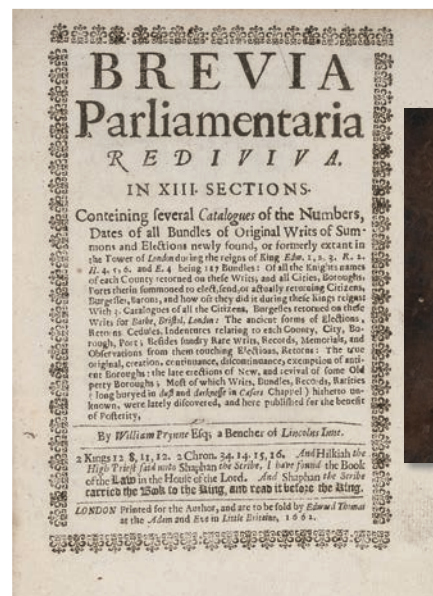
Both the London and Dublin editions are rare. OCLC and the ESTC locate 9 copies of the London edition, 2 in North America (University of Alberta, Harvard Law School). Bennett, *Trade Bookbinding in the British Isles, 1660-1800* 54. ESTC T90690.

#### A COPY IN AN ENGLISH ROYAL BINDING WITH CONTEMPORARY ANNOTATIONS

89

**Prynne, William [1600-1669].** *Brevia Parliamentaria Rediviva.* In XIII Sections Containing Several Catalogues of the Numbers, Dates of All Bundles of Original Writs of Summons and Elections Newly Found, Or Formerly Extant in the Tower of London [...] Most of Which Writs, Bundles, Records, Rarities (Long Buryed in Dust and Darknesse in Caesars Chappel) Hitherto Unknown, Were Lately Discovered, And Here Published for the Benefit of Posterity. London: Printed for the Author, 1662. [xxiv], 232 pp., 233-248 ff., [4], 249-384, 369-376, 393-398, [2] pp. Pagination irregular, text complete. Quarto (7-1/2" x 5-1/2"; 19 x 14 cm). \$2,500.

Contemporary calf, gilt royal arms (dated 1602, i.e. 1662) and gilt frames with corner fleurs de lis to boards, raised bands lettering piece and gilt ornaments to spine. Moderate rubbing to boards and extremities, some scratches to rear board, corners bumped and somewhat worn, boards beginning to separate, but still secure, early shelf mark, shelf label and armorial bookplate of Charles Pratt, 1st Earl Camden, to front pastedown, front free endpaper partially detached. Moderate



Details from N° 89

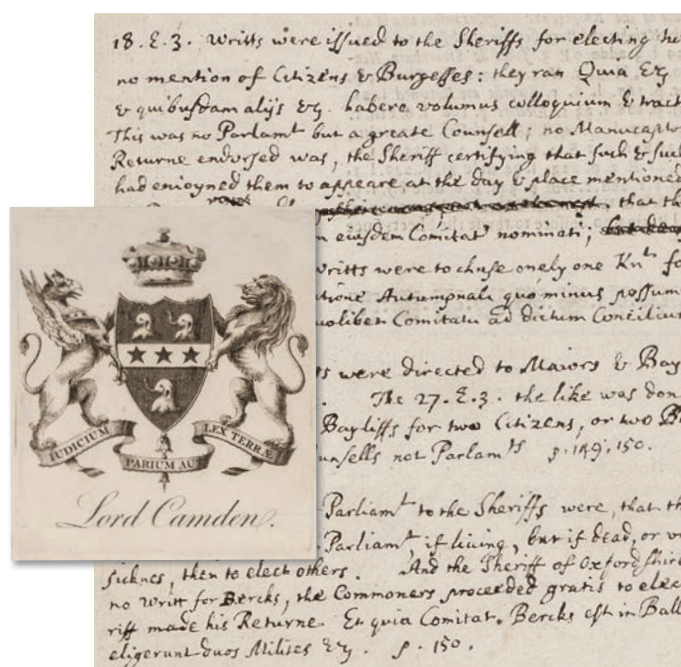


toning to text, light soiling and a few finger smudges to title page, early owner signature, and one blotted-out signature (John Cottam) to front free endpaper, extensive early annotations, most likely by Camden, to rear endleaves.

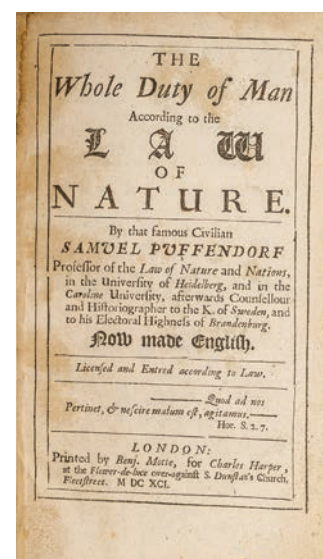
ONLY EDITION. Complete in itself, this is the third part of a four-volume collection issued from 1659 to 1664 and known collectively as the *Brief Register*. Our 1662 volume contains material from the reigns of King Edward I through King Edward IV. Other volumes collect material from different periods. Prynne was a contentious and erudite Puritan attorney and legal antiquarian who wrote several books and pamphlets about legal history, religion and politics. He had an unrivalled ability to antagonize others. His personality and choice of targets eventually led to his disbarment, imprisonment, and mutilation (loss of ears) by Star Chamber. After the Restoration Prynne was appointed Royal Archivist in the Tower of London. It was during this period that he compiled the latter volumes of the *Brief Register*.

Camden [1714-1794], an important lawyer, judge and Whig politician, was a leading proponent of civil liberties, jury rights and the limitation of state power. The annotations discuss passages in the book concerning writs and returns for knights (i.e. substantial landowners) and writs concerning the election of knights of shires (Members of Parliament representing a county). We were not able to determine the identity of John Cottam. The presence of the English royal arms on the binding suggests this book belonged to one of the royal libraries. The date 1662 above the royal arms, with a zero stamped in error instead of a second six, shows this book was added during the reign of Charles II in its year of publication. Prynne dedicated the book to him.

◆ ESTC R14426.



Details from N° 89



N° 90

# THE FIRST ENGLISH TRANSLATION OF PUFENDORF'S DE OFFICIO HOMINIS ET CIVIS

90

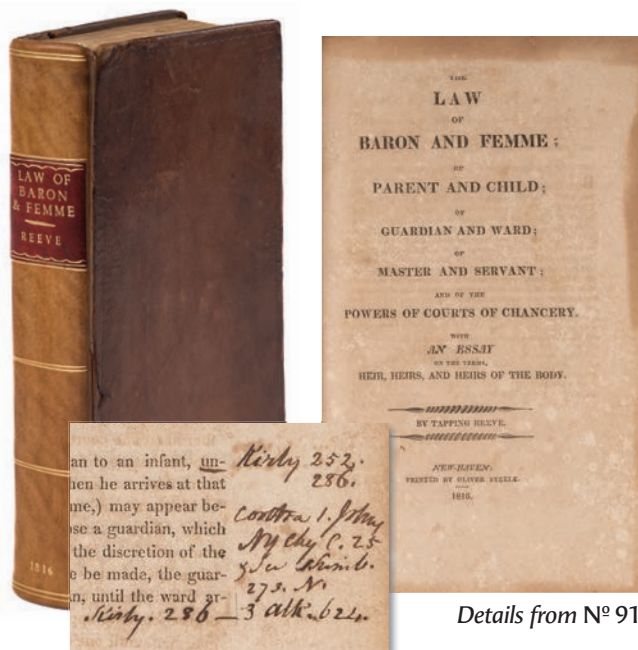
**Pufendorf, Samuel von [1632-1694]. Motte, Benjamin [d.1710], Translator.** *The Whole Duty of Man According to the Law of Nature.* By that Famous Civilian Samuel Puffendorf, Professor of the Law of Nature and Nations, In the University of Heidelberg, And in the Caroline University, Afterwards Counsellour and Historiographer to the K. of Sweden, And to his Electoral Highness of Brandenburg. Now Made English. London: Printed by Benj. Motte, for Charles Harper, at the Flower-de-Luce over-against S. Dunstan's Church, Fleetstreet, 1691. [xxxvi], 338, [2] pp. Final leaf is a bookseller catalogue. Octavo (7" x 4-1/4"; 17.75 x 10.75 cm). \$1,950.

Recent period-style quarter calf over marbled boards, lettering piece, gilt-edged raised bands and blind fillets to spine, endpapers renewed. Moderate toning to interior, light foxing to margins in a few places, folds to corners of a few leaves, tiny inkspot to head of leaf A3 (pp. [5-6]). A handsome copy.

FIRST ENGLISH-LANGUAGE EDITION. Originally published in 1672 in Latin as *De Officio Hominis et Civis*, this is a synopsis of Pufendorf's *De Jure Naturae et Gentium*, a landmark work that proposed a thorough system of private, public, and international law based on natural law. Beginning with a consideration of fundamental legal ideas and their various divisions, Pufendorf proceeds to a discussion of the validity of customs, the doctrines of necessity and innate human reason. It is significant in part because it develops principles introduced by Grotius and Hobbes. Unlike Hobbes, Pufendorf argued that peace, not war, was the state of nature, and he proposed that international law was not restricted to Christendom.

◆ ESTC R17921.





**OWNED AND ANNOTATED BY ATTORNEY AND SOCIAL ACTIVIST THOMAS S. GRIMKÉ**

91

**Reeve, Tapping [1744-1823].** *The Law of Baron and Femme; Of Parent and Child; Of Guardian and Ward; Of Master and Servant; And of the Powers of Courts of Chancery. With an Essay on the Terms, Heir, Heirs, And Heirs of the Body.* New Haven: Printed by Oliver Steele, 1816. [iv], 494, [12] pp. With a final errata leaf. Octavo (8-1/2" x 5"; 21.8 x 13 cm). \$1,500.

Contemporary calf, blind fillets to boards, rebacked in calf with gilt fillets and lettering piece to spine, endpapers retained, hinges mended. Light rubbing and a few shallow scuffs to boards, which are slightly bowed, light rubbing to board edges, corners bumped. Browning and foxing to interior, somewhat lighter or heavier in places. Owner signature of Thomas S. Grimké, dated October 5, 1816 and noting price paid, to front pastedown, 77 annotations and markings in the same hand to text. A good copy with an interesting provenance.

**FIRST EDITION.** The first American treatise on family law, Reeve's *Law of Baron and Femme* is a restatement of Blackstone's *Commentaries*, Book I, Chapters XIV-XVII. It rejects some of the fundamental doctrines of the common law, most notably coverture. As Blackstone puts it, "the husband and wife are one person in law; that is, the very being or legal existence of the woman is suspended during marriage." Reeve says the opposite. A prescriptive work, *Baron and Femme* aimed to liberalize the American law of domestic relations, arguing, for example, that married women were permitted to make wills, a point contradicted by the contemporary statute and case law of Connecticut and several other states.

Fittingly, perhaps, this copy was owned by Thomas Smith Grimké [1786-1834], an American attorney, politician

and social activist. (He was the brother of antislavery and women's rights activists Sarah and Angelina Grimké and the son of jurist John Faucheraud Grimké). After being admitted to the bar in 1809, Grimké established a successful practice in Charleston, South Carolina. Perhaps attracted to the reforming spirit of the work as well as its utility, he bought this copy of *The Law of Baron and Femme* the year it was published. His notes, 7 of them substantial, include case citations, cross-references, glosses and comments. They indicate his deep interest in this important text.

♣ Cohen 4745.

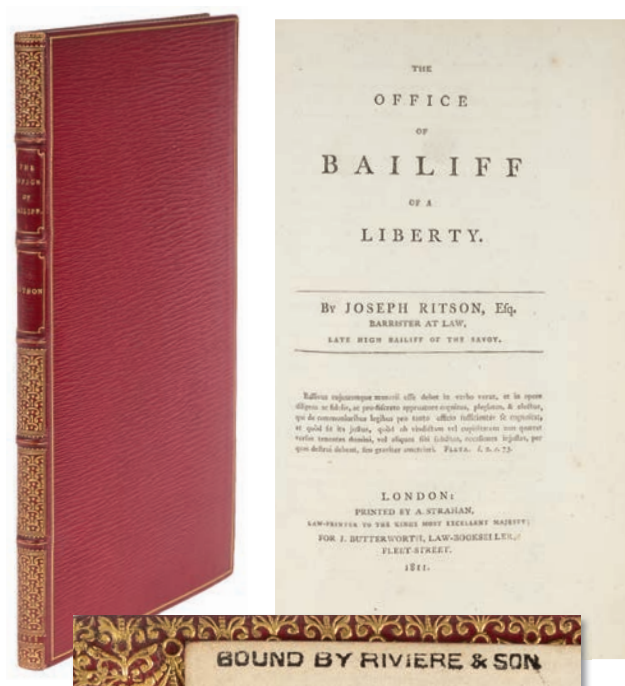
**SCARCE ENGLISH TREATISE ON BAILIFFS IN A HANDSOME RIVIERE BINDING**

92

**Ritson, J[oseph] [1752-1803]. [Frank, Joseph, Editor].** *The Office of Bailiff of a Liberty.* London: Printed by A. Strahan, 1811. [xv], 80 pp. Octavo (9" x 5-1/2"; 22.9 x 14 cm). \$750.

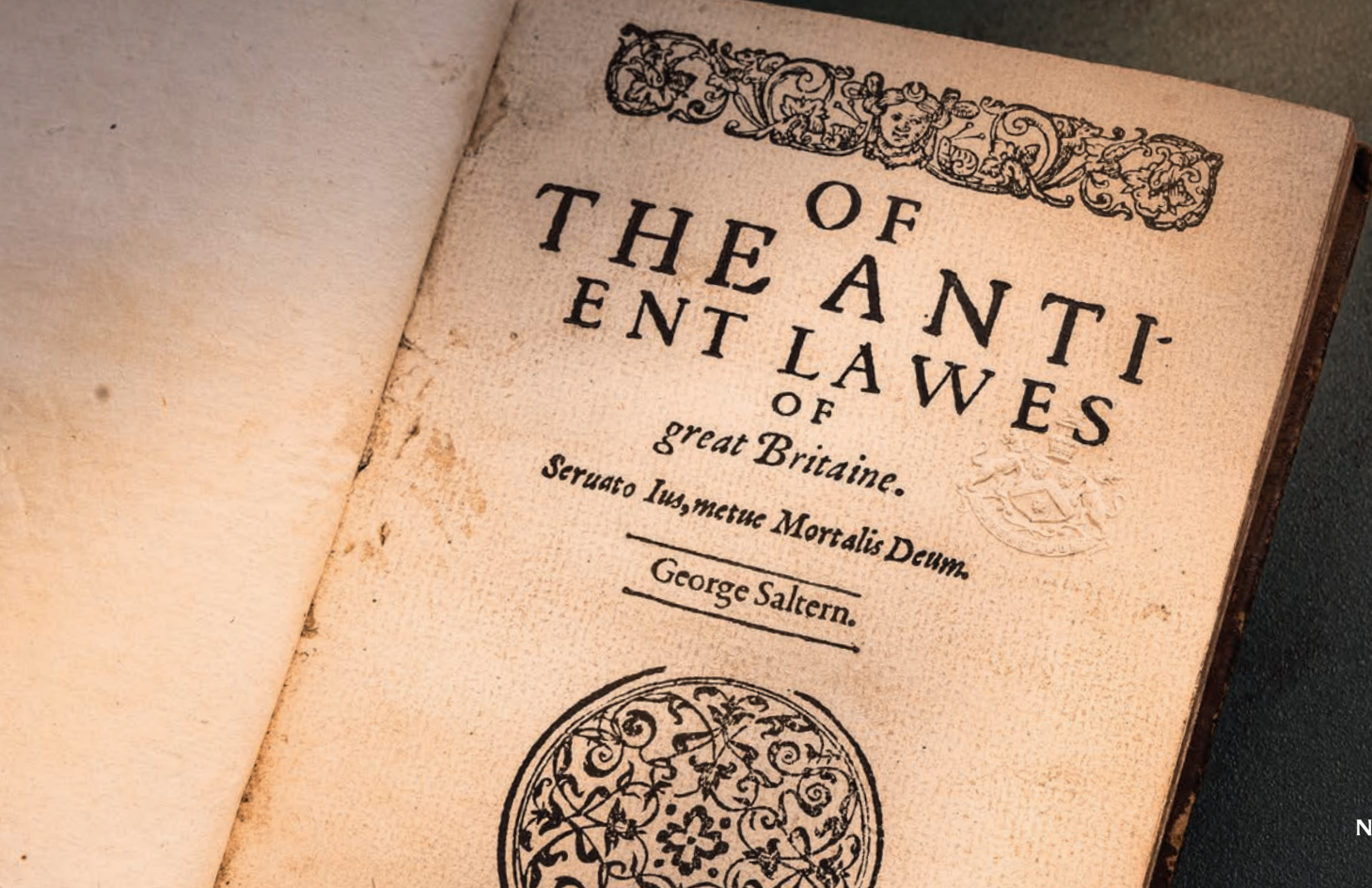
Later nineteenth-century straight-grain morocco signed binding by Riviere & Son, gilt frames to boards, gilt spine with raised bands, gilt rules to board edges, gilt inside dentelles, marbled endpapers, all edges gilt. Negligible light rubbing and a few minor nicks to extremities, armorial bookplate of John Crichton-Stuart, 3rd Marquess of Bute, to front pastedown. Moderate toning to text, light foxing to a few leaves. A very handsome copy.

**FIRST EDITION.** Ritson, a former bailiff, was a member of Gray's Inn and the author of several practical and historical works on legal subjects. Holdsworth says his study of bailiffs



Details from N° 92





Nº 93

of a liberty, that is, a court officer who executes process, is a "learned antiquarian tract based mainly on the Year Books and mediaeval statutes, with notes of such later statutes as referred to these bailiffs." Crichton-Smith [1847-1900], an extremely wealthy member of the landed gentry who made an additional fortune as an industrialist, was a notable antiquarian, scholar, bibliophile, philanthropist and architectural patron.

♦ HEL XII:337. Sweet & Maxwell 1:236.

#### "ANTI-ENT LAWES" SUPPORTING THE UNION OF ENGLAND AND SCOTLAND

93

**Saltern (Salteren), George.** *Of the Anti-ent Lawes of Great Britaine.* London: Printed for Iohn Iaggard, and are to bee solde at his Shop in Fleetestreete, at the Signe of the hand [and starre, 1605]. [86] pp. Lacking initial leaf [A1], a blank. Text complete. Quarto (6-3/4" x 5"; 17.2 x 12.7 cm). \$5,000.

Later paneled calf, raised bands and lettering piece to spine, gilt tooling to board edges. Light rubbing and a few minor scuffs to boards, moderate rubbing to extremities, front board detached, corners bumped and moderately worn, shelf number and armorial library bookplate of the Earls of Macclesfield to front pastedown. Moderate toning to interior, faint dampstaining and light soiling in places, edges trimmed with loss to signature marks, catch-words and imprint on

title page, underlining, page numbers and brief annotations in an early hand in places, a few annotations affected by trimming, small embossed Macclesfield stamps to title page and following leaf. Rare in commerce.

ONLY EDITION. An imaginative work of propaganda, this book was written to support the unsuccessful campaign of King James I & VI to unite the political and legal systems of England and Scotland. (The kingdoms would eventually be united under Queen Anne in 1707.) Unique among Unionist authors, Saltern addresses fears that a union would damage existing English and Scottish rights and liberties by showing that both kingdoms share a common legal heritage. Drawing on myth and history, Saltern outlines a common legal tradition from the pre-Roman era to the present.

Our copy of this title belonged to the library of the Earls of Macclesfield. Housed in Shirburn Castle, near Watlington, Oxfordshire, it was one of the finest private libraries in Great Britain.

♦ This title is rare in commerce. Its last recorded sale was a 1993 auction at Sotheby's. OCLC locates 9 copies in law libraries (Georgetown, Harvard, Library of Congress, NYU, San Francisco Law Library, University of Michigan, University of Washington, William & Mary, Yale). The ESTC adds 1 more (Columbia). ESTC S116514.





#### THE OFFICE OF LORD HIGH STEWARD

94

**S[aunder], Ed[mond] [d.1683].** *Summus Angliae Seneschallus: Or, A Survey of the Lord High-Steward of England, His Office, Dignity, And Jurisdiction; Particularly the Manner of Arraigning a Peer Indicted of Treason or Felony. In a Letter to the Lords in the Tower; With Resolutions to Certain Queries Made by their Lordships, Relating to Traiterous and Seditious Practices. Written at Their Lordships Request, By Ed. S. of the Temple, Esquire.* London: Re-Printed and sold by M. Cooper, 1746. [ii], 49, [1] pp. Octavo (7-1/4" x 4-3/4"; 18.4 x 12.1 cm). \$750.

Recent period-style calf by Philip Dusel, blind rules with corner fleurons to boards, raised bands and gilt title to spine, endpapers renewed. Moderate toning, light foxing to a few leaves and title page, which is lightly soiled, fragment of number at head. An attractive copy.

**SECOND AND FINAL EDITION.** The Lord High Steward ranked above the Lord Chancellor and the Prime Minister. One of the office's most important powers was the sole legal power to preside over impeachment trials of peers. Since 1421 the office has generally remained vacant. (For trials of peers, the Lord Chancellor was deputized to act as Lord High Steward.) Today, it is a ceremonial office that is filled for

coronation ceremonies. Saunder's essay on the powers of this office was first printed in 1680. Both editions are scarce.

◆ OCLC locates 6 copies of the second edition in North America, 1 in a law library (Library of Congress). ESTC T105685.

#### 675 MUG SHOTS OF CONVICTED CRIMINALS

95

**[Scrapbook]. [Criminals]. [Mug Shot Book].** California, c.1889. 76 pp. Folio (11-3/4" x 9-1/2"; 29.7 x 24.5 cm). SOLD

Contemporary green black-paneled cloth, gilt title to front board covered with hand-lettered paper label ("From 13670 to 13894 Inclusive"), white ink lettering and fragments of label to spine. Moderate rubbing to boards, heavier rubbing and some wear to extremities, spine ends and corners bumped and worn, hinges cracked. Moderate toning, clean tears to many leaves, some leaves loosening, faint dampstaining to last 10 or so leaves, mostly minor fading to photos. A fascinating item.

**THIS ALBUM** collects prison intake photographs for 228 convicted criminals, including four women and one fourteen-year-old boy. Except for the four women, who receive one photo each, and a man who was returned from



an insane asylum, who has two photos, each man has three photos included in the album: one in street clothing and a hat, one at an angle without a hat, and one shaved and in prison clothing. In the final photos, a blackboard on the left gives measurements and a blackboard on the right gives the prisoner's number, first initial and last name, crime, length of sentence, age, and birthplace, as well as the prison to which he was assigned. All of the crimes are serious felony charges. Most are larceny or burglary; others include rape, murder, perjury and assault.

**A 1477 AUGSBURG IMPRINT WITH  
A HERALDIC FORE-EDGE PAINTING**

96

**Segusio, Henricus de (Hostiensis) [c.1200-1271].** [*Summa Super Titulis Decretalium*]. [(Augsburg): Ex officina et ductu Ludovici Hohenwang, (1477)]. Parts III and IV, 2 volumes bound in one. [459] ff. Collation: [aa2, a-[et]A-E10, F8, G-Y10, Z9]. Lacking final blank leaf in second part; text complete. Folio (12-1/8" x 8-1/2"; 30.8 x 21.4 cm). \$15,000.

Contemporary South German blind-paneled calf over wooden boards with tiled pelican stamps to central panel, six round Agnus Dei stamps to middle panel, and floral stamps to outer panel, raised bands and blind tooling to spine, brass clasps (c.16th-century?) and catches (15th-century) to fore-edges, c.16th-century fore-edge painting of two escutcheons. Some rubbing, scuffing and tiny wormholes to boards, later (19th/20th-century) repairs to spine ends, clasps and small portion of rear board, light wear to board edges, pastedowns and rear free endpaper renewed, hinges mended.



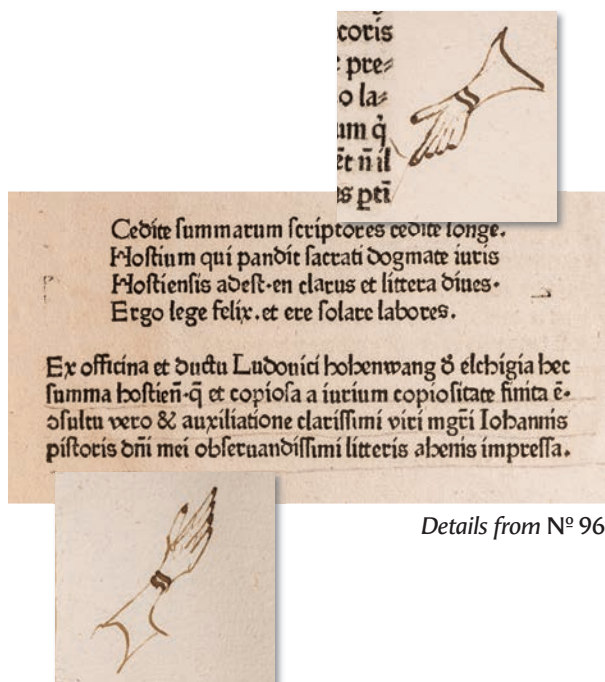
Nº 96

Text printed in 33-line single column in Gothic Rotunda type, numerous unrubricated 2 or 3-line capital spaces, fine 10-line Maiblumen woodcut initials on the opening leaves of each volume. Light toning to interior, occasional, mostly unobtrusive dampstaining to top margin in Part III, minor worming to margins in a few places (not affecting text), light soiling to a few leaves, small clean tear to top of f. [210], mended on recto and affecting a few lines of text without loss, small clean tear to gutter of final leaf. Later annotation and owner signature (of Baron Per Hieta, dated 1898) to front



Nº 96





Details from N° 96

free endpaper, penciled folio numbers to upper right corners, pencil underlining to Part IV colophon, brief annotations and manicules in contemporary hand to several pages in Part III. An impressive and appealing volume.

**SECOND EDITION.** Composed around 1253 and first printed in Rome in 1473, the *Summa Super Titulis Decretalium* is a groundbreaking synthesis of Roman and canon law by one of the greatest legal minds of the Middle Ages. Henricus de Segusio, or Hostiensis, received JUD training (i.e. in canon and civil law) at Bologna and taught canon law for a time in Paris. He went on to hold a number of key ecclesiastical and diplomatic positions, culminating in a post as cardinal-bishop of Ostia in 1261. The *Summa* is his best-known work. As a testament to its reputation, it is also known as the *Summa Aurea*. It was “the first book in which Canon Law was based on...both Ecclesiastical and Civil Law traditions...This blend of canon and civil law has been the main contribution of the *Summa Aurea* to legal history. For centuries, the *Summa* has been considered the best introduction into Canon Law, due to its clear structure, good synthesis and appeal to both Canon and Roman legal principles...The works of Hostiensis, and especially the *Summa Aurea*, have an important part to play in the historiography of civil law. They are the best sources to discover the evolution of civil law in the middle of the 13th century” (Waelkens).

The *Summa* is comprised of five books, inspired by the organization of the Decretals of Gregory IX. Parts I-III concern clerical matters and Parts IV-V discuss lay issues. Part III deals with the regulations governing clerical and monastic life, including benefices, dress and meals as well as regulations for contracts and disputes. Part IV addresses marital issues and family law, including betrothal of minors, accusations of adultery, consanguinity and affinity, bastardy and impotence (including that caused by witchcraft).

The five parts were issued together but seem to have often circulated separately. Our 1477 edition is one of only ten known productions of Ludwig Hohenwang's Augsburg press. Hohenwang printed in Augsburg from 1476-1477 before moving to Basel. He is known for his use of elegant Maiblumen-style woodcut initials; they were admired by William Morris, who remarked that they “would seem to have been drawn by the designer with a twelfth century MS before him, though, as a matter of course, the fifteenth century betrays itself in certain details...There is a great deal of beautiful design in these letters.” Two appear in our volume.

The heraldic fore-edge painting is an interesting and suggestive feature of this copy. The stamps on the binding are characteristic of a South German workshop, but the escutcheons of the fore-edge painting evoke northeastern England. The crest on the right resembles that of the Cutte or Clarkson families of Yorkshire, while the maiden head may be intended to represent Catherine Parr. The note on the front free endpaper indicates that this copy was once part of the library of renowned Swedish book collector Baron Per Hierta [1864-1924].

♣ The ISTC locates 6 copies of any part in North America, 3 of Parts III and/or IV (Harvard, New York Society Library (IV), private collection of Harry A. Walton, Jr.). Waelkens, “*Summa Aurea* (A Golden Summary)” in Dauchy 36. Morris, *Some Notes on Early Woodcut Books* 5. ISTC ih00043000.

#### AN IMPORTANT ANALYSIS OF SPANISH COLONIAL LAW

97

**Solorzano Pereira, Juan de [1575-1655].** *De Indiarum Jure. Sive de Justa Indiarum Occidentalium Inquisitione, Acquisitione, & Retentione. Cum Duplici Indice, Primo Librorum & Caputum; Altero Rerum Notabilium Absolutissimo. Editio Novissima ab Innumeris, Quibus Priores Deformatae Erant, Mendis Emaculata, opera et Studio.* Madrid: In Typographia Regia, vulgo de la Gazeta, 1777. Two volumes. [xviii], 431, [73]; [xii], 272, 275-896, 128 pp. Main text in parallel columns. Folio (11” x 8”; 27.9 x 20.3 cm). \$1,950.

Contemporary mottled sheep, gilt spine with raised bands and lettering piece, marbled endpapers, edges rouged. Moderate rubbing to extremities with wear to board edges and corners, some shallow scuffs to boards, chipping to spine ends of Volume II, hinges starting. Light toning to text, cellotape repair to upper corner of pp. 255-56 of Volume II. Early owner signature (of Angel Salgado) to half-title of Volume I and title page of Volume II, interiors otherwise clean. Ex-library. Location labels to spine, small inkstamps to title pages, a few other markings in faint pencil. An attractive copy.

**FINAL EDITION.** First published in 1629, with a second volume in 1639, this important analysis of Spanish colonial law was written by a Spanish jurist who served as a judge



of the high court at Lima. Married to the Creole daughter of the governor of Cuzco and resident in Peru for eighteen years, he acquired an unparalleled knowledge of the law and history of the Indies. According to Gongora, his treatise is the "most systematic juridical formulation of the problems of legitimisation of dominion in the seventeenth century [and] enjoyed an unrivalled prestige in the official and legal circles of the Indies for a century and a half." It went through several editions in Latin and Spanish.

♣ OCLC locates 9 copies of our 1777 Latin edition in North America, 3 in law libraries (Columbia, Harvard, UT-Austin). Gongora, *Studies in the Colonial History of Spanish America* 62. Medina, *Bibliotheca Hispano-Americana* 4830. 86529.

**AN IMPORTANT HUMANISTIC LAW DICTIONARY  
WITH A HANDSOME TITLE PAGE, NO COPIES  
OF THIS EDITION IN NORTH AMERICA**

98

[Spiegel, Jakob (1483-c.1547)]. [Oldendorp, Johannes (1487-1567), And Others]. *Lexicon Iuris Civilis, Per C.U.D. Iac. Spiegelium, Postremò Auctum & Recognitum*. Basel: Apud Ioan. Hervagium, 1564. Main text printed in double columns. [275] ff., 344 cols., [3] ff. [Bound with] Vigelius, Nikolaus [1529-1600]. *Iuris Civilis Universi Absolutissima Methodus: In Qua, Bone Lector, Non Solum Omnes Universi Iuris Civilis Titulos, Sed & Singulas Singulorum Titulorum Leges...* Basel: Per Ioannem Oporinum, [1565]. Main text printed in double columns. 473, [1] pp. \$2,500.

Folio (12-1/2" x 7-1/2"; 32 x 19 cm). Contemporary paneled pigskin, raised bands to spine, brass catches and remnants of



Nº 97

clasps to fore-edges. Some soiling to exterior, boards slightly bowed, faint staining and minor worming to rear board, light rubbing to extremities, spine ends bumped, corners lightly worn. Light toning to interior, occasional light soiling, faint marginal dampstaining in a few places, light foxing to a few leaves, light edgewear and tiny worm hole to first four leaves of *Lexicon*, which has an early ink owner inscription to its title page and occasional brief annotations in the same hand.

*LEXICON*: later edition; *Methodus*: first edition. Spiegel was a lawyer, a privy counselor to Holy Roman Emperor Charles V and a notable humanist scholar who corresponded with Erasmus. The *Lexicon Iuris Civilis*, a dictionary of terms in Roman and canon law, is his best and most successful work. It went through twelve editions, the first in 1538, the last in 1577. The entries are rather brief, ranging from a sentence to a few paragraphs, and they contain references to examples in the Roman juristic literature. The second part of the work, *Quae Lexico Huic Postrema Editione Recens Accessere*, contains additional texts and a comprehensive addendum with texts by Oldendorp and other eminent authors. The unusual borderless woodcut title page first appeared in the 1549 edition.

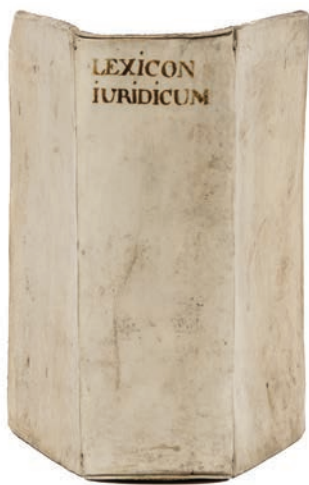
*Iuris Civilis Universi Absolutissima Methodus* is a series of proposals for the reorganization of Roman law based on the needs of modern courts. Its final edition was published in 1628. Vigelius, a professor at Marburg, was one of the leading legal methodists of the late sixteenth century.

♣ Both titles are scarce. OCLC locates no copies of the 1564 edition of *Lexicon* in North America, 3 copies of the 1565 edition of *Methodus* (UCLA, University of Indiana, University of Georgia Law School). VD16 S8314, V1138.



Detail from Nº 98





Nº 99

**NOTABLE DICTIONARY OF ROMAN AND  
CANON LAW OWNED BY A HUGUENOT  
CONTROVERSIALIST**

99

**[Stoer, Jacob (1542-1610), Attributed].** *Lexicon Iuridicum: Hoc Est, Iuris Civilis et Canonici in Schola Atque Soro Vsitatarum Vocum Penus. Ex Antiquis & Recentioribus Iurisconsultis ac Lexicographis, Praecipue ex Brissonii, Hotmani, & Prateii Lexicis, Item ex Cuiacii Observationibus & Commentariis ita Constructum, Vi ei Nihil Demi, Nihil Addi, Quod sit Necessarium, Posse Videatur. Accessit Legum Populi Romani Copiosus Index.* Geneva: Excudebat Iacobus Stoer, 1607. [xvi], 1121 (i.e. 1117), [3] pp. Final leaf blank. Main text in parallel columns. Octavo (7" x 4-1/4"; 17.75 x 10 cm). \$3,000.

Contemporary vellum, hand-lettered title to spine, edges rouged. Light soiling to exterior, light rubbing to extremities, spine ends and corners bumped, front pastedown loosening, rear pastedown loose. Title page printed in red and black. Attractive woodcut printer device, head-piece and initials. Light toning, internally clean, small tear to top-edge of leaf r2 (pp. 259-260) affecting headline and first line of text without loss to legibility, early annotations and owner signature "Ex Libris Carol[i] / Le Cesne 1666," to title page. An attractive copy of a scarce and important title.

**THIRD EDITION.** This useful dictionary was issued in 1594 and reprinted in 1599, 1607 and 1615. Attributed sometimes to Barnabe Brisson, it was probably compiled by the publisher, Jacob Stoer. It is a carefully edited text with a critical introduction and notes. The compiler also lists the primary and secondary sources he consulted while compiling this work. It includes such authors as Alciati, Aristotle, Bartolus, Brisson, Gaius, Gratian, Hotman, Plato and Ulpian and such texts as the Twelve Tables, the *Code*, *Digest* and *Novels* of Justinian and the *Decretals* of Gregory IX.

Le Cène [c.1647-1703], or Le Cesne, was a controversial French Protestant minister and scholar. He fled the country

with other Huguenot refugees in 1685 after the revocation of the Edict of Nantes and settled in England, where he also found himself unpopular.

♣ All editions are scarce. OCLC locates 5 copies of the 1607 edition in North America (Harvard Law School, UC-Berkeley Law School, University of Chicago, University of Madison-Wisconsin, University of Texas Law School). USTC 6700320.

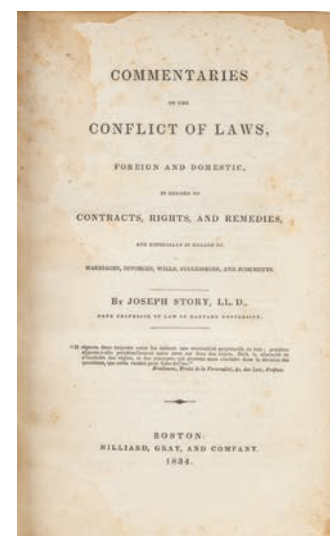
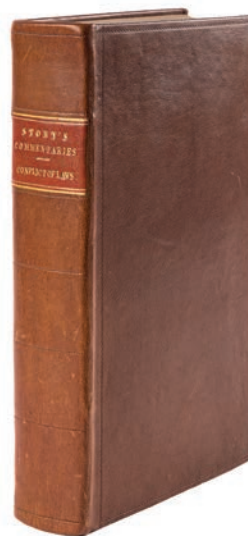
**FIRST EDITION OF ONE OF STORY'S MOST  
IMPORTANT TREATISES IN A NOTABLY HANDSOME  
PERIOD-STYLE BINDING**

100

**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.* Boston: Hilliard, Gray, and Company, 1834. xxv, [1], 557 pp. Octavo (8-1/2" x 5-1/2"; 21.6 x 14 cm). \$1,500.

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 notably handsome copy.

**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



Nº 100





impressed English lawyers with the highest respect for [Story's] extensive learning."

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

#### A PORTRAIT OF THE U.S. SUPREME COURT JUSTICES IN 1882

101

[Supreme Court, United States]. Bell, C[harles] M[ilton] [1848-1893], Photographer. [Group Portrait of the Waite Court (1874-1888)]. Washington, DC: C.M. Bell, 1882. \$1,000.

15" x 20-1/2" (38 x 52 cm) albumen silver print mounted on illustration board with border and printed caption, tipped onto 27-1/2" x 24" (70 x 61 cm) matte. Light toning and soiling to board, a few tiny spots to image, some chipping to edges, upper corners lacking (not visible behind matte), clean crack near upper-right corner above image.

THIS WAS THE FOURTH PORTRAIT taken of the Court. (The first was in 1867.) Morrison Waite was chief justice from 1874 to 1888. The associate justices pictured here are Samuel Blatchford [1820-1893], Joseph P. Bradley [1813-1892], Stephen J. Field [1816-1899], Horace Gray [1828-1902], John Marshall Harlan [1833-1911], Stanley Mathews [1824-1889], Samuel F. Miller [1816-1890] and William Burnham Woods [1824-1887]. The youngest member of a family of photographers based in Washington, DC, Charles Milton Bell [1848-1893] was one of the Capitol's leading portrait photographers during the last quarter of the nineteenth century.

#### AN INFLUENTIAL CONTRIBUTION TO POLITICAL SCIENCE

102

**Taylor, John, Of Caroline [1753-1824].** *An Inquiry into the Principles and Policy of the Government of the United States. Comprising Nine Sections, Under the Following Heads: I. Aristocracy; II. The Principles of the Policy of the United States, And of the English Policy; III. The Evil Moral Principles of the Government of the United States; IV. Funding; V. Banking; VI. The Good Moral Principles of the Government of the United States; VII. Authority; VIII. The Mode of Infusing Aristocracy into the Policy of the United States; IX. The Legal Policy of the United States.* Fredericksburg, [VA]: Green and Cady, 1814. viii, 656, [1] pp. Octavo (8" x 5"; 20.3 x 12.7 cm). \$1,850.

Recent period-style quarter morocco over marbled boards, gilt fillets and calf lettering piece to spine, endpapers renewed. Light browning to interior, unobtrusive light foxing and dampspotting in places. A handsome copy.

ONLY EDITION. A reply to John Adams's *Defence of the Constitutions*, this book rejects the concept of "a natural aristocracy" of "paper and patronage" and a powerful federal government based on a system of debt and taxes. Also opposed to the extent of power awarded to the executive office, it calls for shorter terms for the president and all elected officers. It was a deeply influential work among antebellum Southern proponents of states' rights and decentralized government. A later assessment by Charles Beard says it "deserves to rank among the two or three really historic contributions to political science which have been produced in the United States."

♣ *Dictionary of American Biography* IX:331. Cohen 5823.





Nº 103

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

103

[Tengler, Ulrich (c.1447-1511)]. [Brant, Sebastian (1458-1521)]. [Locher, Jakob (1471-1528)]. [Tengler, Christoph, Editor]. *Laienspiegel. Von Rechtmässigen Ordnungen inn Burgerlichen und Peinlichen Regimenten / Mit Addition Ursprünglicher Rechtsprüchen. Auch der Guldin Bulla / Königlicher Reformation / Landtfriden, &c. Sampt Bewärungen Gemeiner Rechten / und Anderm Anzeygen Newlich Getruckt.* Strassbourg: In Knobloch's 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, Wie man Setzen unnd Formieren Sol nach Ordnung der Rechten ein Yede Clag, Antwort, und Aussprechene Urteilen. Gezogen auss Geistlichen vnd Weltlichen Rechten. Dadurch Sich ein Yeder, Er sey Clager, Antworter, Oder Richter, In Recht Geschickt Machen, Das selb üben, Brauchen und Dargegen vor Unrechter That, Anfechtung- unnd Fürnemen Verhüten Mag.* [Strassbourg: 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, Sendbrief, Anlaß, Compas, Testament &c. Un[d] Dergleichen Andere Schrifften, In und Ausserhalb Gericht Zubrauchen, In Fürsten Cantzleien und Sunst üblich Belangend. Vorhin im Truck nie Außgangen. Allen und Ieden, So sich Schreibens Gebrauchen, Fast Nutzlich vnd Dienlich. Mit Einem Vorgehenden Gutten

*und Unterschiedlichen Register.* Frankfurt: Bei Christian Engenoff, [1545]. [iv], 165 ff. Woodcut pictorial title page. \$7,500.

Folio (12" x 7-1/2"; 30.48 x 19.05 cm). 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 owner bookplates (of Robert Carl and Marion Oak Sticht, dated 1909, and of John Hadmar Sticht, dated 1947) to front endleaves, another bookplate (of John Hadmar Sticht) 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.

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.

Robert Carl Sticht [1856-1922] and his wife Marion were important collectors of books and art based in Australia. Much of their large collection resides at the State Library of Victoria and the National Gallery of Victoria. John Hadmar Sticht [1905-1966] was their son.

◆ VD16 T350, B8092, F1879.

**IMPORTANT EARLY WORK ON WRITS  
THOROUGHLY ANNOTATED BY AN EARLY OWNER**

104

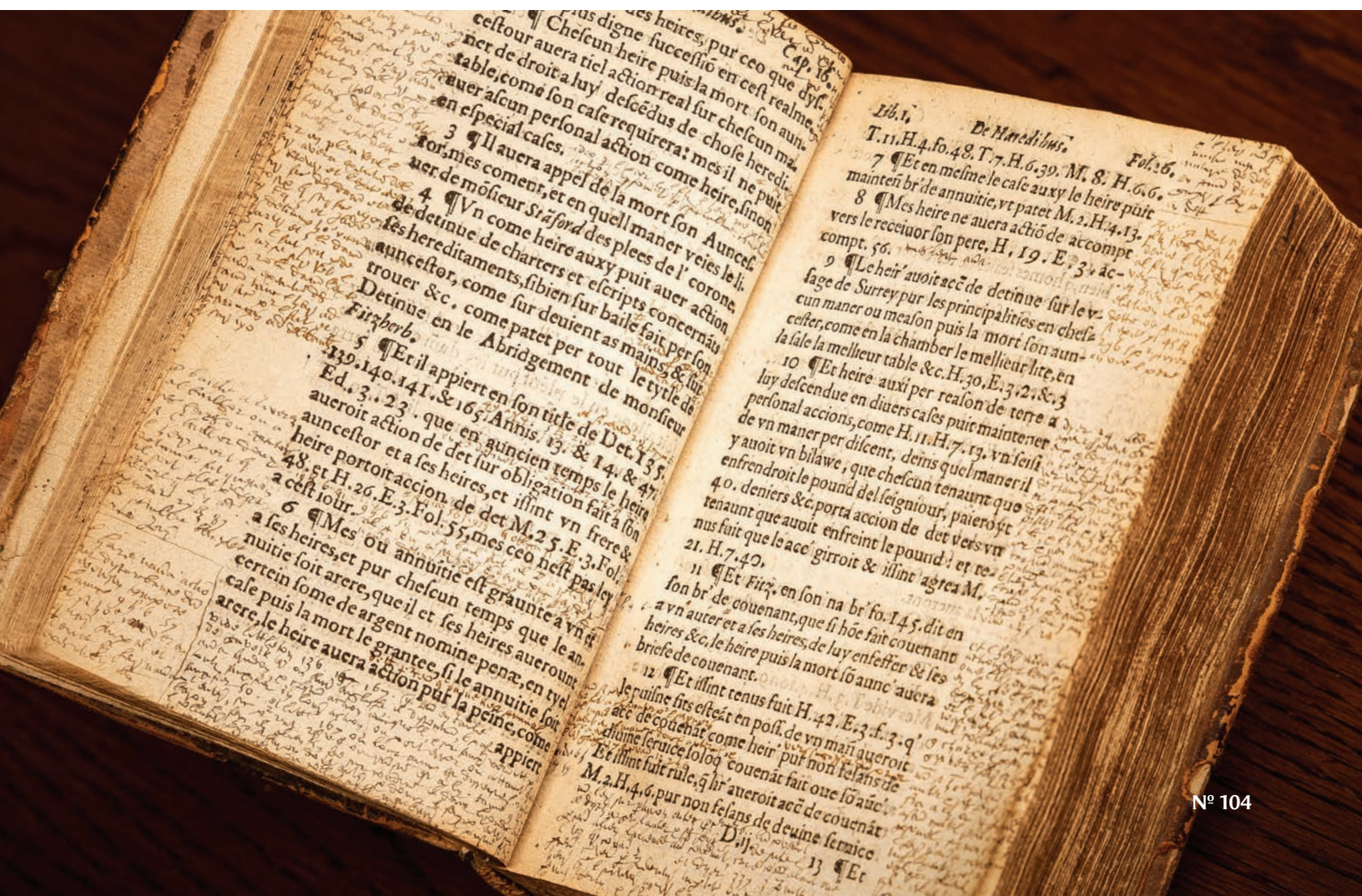
**Theloall, Simon.** *Le Digest des Briefes Originals, Et des Choses Concernants Eux.* London: In Aedibus Richardi Tottelli, 1579. [viii], 424 ff. Octavo (5-3/4" x 3-3/4"; 14.6 x 9.5 cm). \$5,000.

Seventeenth-century calf, blind rules to boards, raised bands to spine, boards reattached. Moderate rubbing to boards, heavier rubbing to extremities with wear to spine ends and corners, small section lacking from center of spine, a few

partial cracks to text block, signature G (ff. 49-56) trimmed a little shorter than other signatures. Thoroughly annotated by a contemporary owner in Law French in a small, neat chancery hand, notes affected in places by trimming. Contemporary owner inscription to title page ("Robbart"), along with a few brief contemporary annotations, purchase date to verso of final leaf: "25 May 1580." Preserved in a custom cloth clamshell box with printed paper title label.

FIRST EDITION. Theloall's *Digest* was the accepted register of correctly drafted writs. It owes its origin to the suggestion of Staunford that it would be a good idea if lawyers would write treatises on the other titles of the abridgments similar to his study of the title "Prerogative." Staunford illustrated his meaning by showing how the title "Brief" might be treated. Theloall chose this title, and wrote a treatise on it for his own use. The manuscript, having been lent, eventually found its way to a printer. "It deserved to be printed, as it is the most orderly treatise on procedure, founded on the Year Books, that had yet appeared... Historically, it comes between the older commentaries upon writs and the modern books on procedure" (Holdsworth). A second edition was published in 1678. The work of a seasoned practitioner, the annotations in our copy are a collection of case references, cross references and glosses.

◆ HEL V:381. ESTC S118369. Beale, *A Bibliography of Early English Law Books* T499.







N° 105

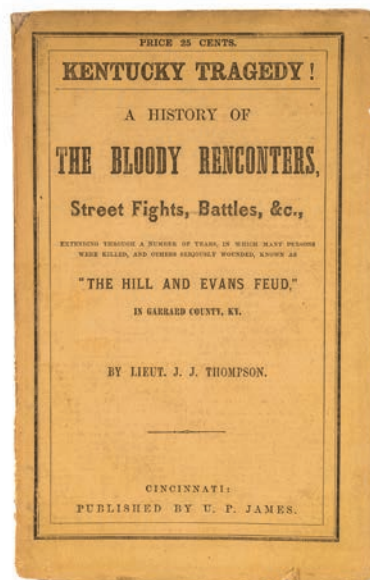
**A SCARCE CRITICAL EDITION OF  
THE CODEX THEODOSIANUS**

105

**Theodosius II [401-450 CE], Emperor of the East. Du Tillet, Jean [d. 1570], Editor.** *E Libris Constitutionum Theodosii A. Libri Priores Octo Longè Meliores Quàm Adhuc Circunferebantur: Sed ab Alarico Rege Gothorum ita Deminuti, Ut Vix Decima Pars in his Hodie Appareat Eoru[m], Quae in Theodosiano Codice Continebantur. Posteriores Octo Integri, Nunc Primùm post M. Annos in Lucem Revocati à Io. Tilio Engolism.* Paris: Apud Carolam Guillard sub sole aureo, & Gulielmum Desboys sub cruce alba, 1550. [xii], 123, [12], 580 pp. Octavo (6-3/4" x 4-1/4"; 17.14 x 10.79 cm). \$1,250.

Contemporary vellum, blind frames and large arabesques to boards, raised bands, early hand-lettered title to spine, blind tooling to spine ends. Light soiling to spine, corners bumped and lightly worn, front joints and front and rear hinges starting, early owner signatures (one dated 1710) and annotations (including a quotation from a commentary on Justinian by François Baudouin) in an elegant hand to front endleaves, early manuscript index inserted into rear endleaves, which contain part of index, a few cracks to text block. Moderate toning, occasional light dampstaining, light soiling to title page, light soiling and some edgewear to other preliminaries. A notably handsome copy.

ONLY EDITION. Commissioned by the Emperor Theodosius II in 429 CE, the *Codex* is an official compilation of all laws enacted since the reign of Constantine. Completed in 438 CE and ratified that year by the Senate, it was the standard legal text of the empire, one that superseded all earlier codes. It would later exert enormous influence on the legal systems of the Barbarians who conquered the Western Empire. The first part, Books 1-8, was lost after the



N° 106

fall of the empire and it was reconstructed by later scholars from sections preserved in later sources, most notably the Visigothic Code (*Lex Romana Visigothorum*).

The first part in Du Tillet's edition presents the pieces of Books 1-8 in the Visigothic Code. The second part, which has its own title page, contains the rest of the *Codex*, Books 9-16. A French humanist jurist and associate of Cujas, Du Tillet was also the Bishop of Briec, later Meaux. He edited Ulpian's *Regulae* and assisted Cujas with his edition of the *Codex Theodosianus*.

Charlotte Guillard [c.1485-1557], the printer of this edition, specialized in high-quality works in law and theology. She was one of the first female printers and the first to attain great success in the field. At her peak, she owned five, possibly six, printing presses with around 30 employees and published around 200 titles.

◆ OCLC locates 3 copies in North American libraries (Library of Congress, Smith College, UC-Berkeley Law School). USTC 196283.

**A RARE ACCOUNT OF A FAMOUS KENTUCKY FEUD  
BASED ON INFORMATION PROVIDED BY  
ONE OF ITS MAIN PARTICIPANTS,  
OCLC LOCATES 3 COPIES**

106

**Thompson, J[ames] J.** *History of the Feud Between the Hill and Evans Parties of Garrard County, KY. The Most Exciting Tragedy Ever Enacted on the Bloody Grounds of Kentucky.* [Cover title begins: *Kentucky Tragedy!*]. Cincinnati: Published by U.P. James, [1854]. xiii, [1], [15]-112 pp. Octavo (9" x 6"; 22.8 x 15.2 cm). \$950.

Stab-stitched pamphlet in printed wrappers, untrimmed edges, publisher advertisements to rear wrapper and verso of front. Light soiling and some edgewear to wrappers, front



wrapper detached, moderate rubbing to spine with wear to ends. Moderate toning to interior, light foxing to most of text. A good copy of a rare title.

ONLY EDITION, one of two issues, both in 1854. The Hill-Evans feud began around 1800 after a dispute between John Hill, Sr., and Dr. Hezekiah Evans over land and money. It led to several deaths and other violent actions to life and property before it subsided, without a clear resolution, around 1850.

Thompson's is the only extensive account of this feud. A U.S. Army officer from a Mississippi plantation family, he based it on information provided by Evans, who befriended him. Anticipating charges of bias, he ended his preface with an offer to produce a second edition if any members of the Hill family wished to provide him with "facts to place them more favorably before the world" (v). Thompson seemed to have had an attraction to family violence; he was lynched in 1866 after he brutally murdered his mother, sister and brother. (His motivation has never been determined.)

◆ The other issue of our pamphlet was published, with the publication date 1854, in Louisville, Kentucky by C. Hagan & Co. Both are rare. OCLC locates 3 copies of the Cincinnati issue (Appalachian State University, Transylvania University, University of Michigan), 6 of the Louisville issue (Berea College, Harvard, UC-Berkeley, University of Virginia, Wisconsin Historical Society, Yale). Not in Sabin. Howes T-198.

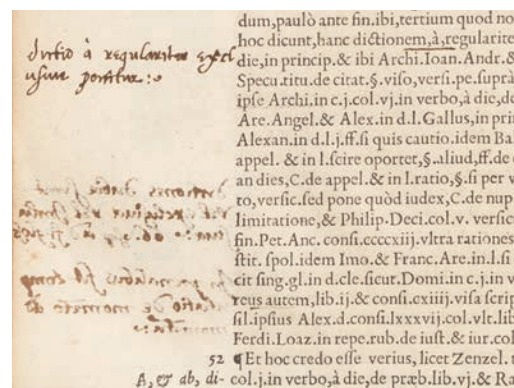
#### WELL-ANNOTATED COPY OF TIRAQUEAU'S STUDY OF FRENCH CIVIL LAW AND THE CUSTOMARY LAW OF POITOU

107

**Tiraqueau, André [1480?-1558].** *De Utrouque Retractu, Municipali, Et Conventionali, Commentarii Duo, Iam Tertio, Sed Multo Felicius, Quàm Antea, Renati, & Amendis Propemodum Innumeris, Quae Insuperiori Editione Resederat, Ipsius Denuo Autoris Opera Quàm Accuratissimè Repurgati.* Lyon: Apud Guliel. Rouillium, 1555. [lvi], 16, [1], 353 ff. Folio (13-1/4" x 8-3/4"; 33.7 x 22.2 cm). \$3,500.

Contemporary quarter calf over paper-covered boards, raised bands, gilt fillets and lettering piece to spine. Moderate rubbing and scuffing to boards, heavier rubbing to extremities with wear to spine ends and corners, boards beginning to separate but secure. Copperplate frontispiece with architectural border, woodcut image of author to verso. Moderate toning and light foxing to interior, faint dampstaining to foot of text block in a few places. Partially struck-through name ("Gavroux?") to title page, check marks, underlining and annotations to several leaves, a few somewhat illegible, in somewhat later hand.

LATER EDITION. André Tiraqueau, a lawyer at the Parliament of Paris from 1541, was an authority on civil law and a leading legal humanist. First published in 1543,



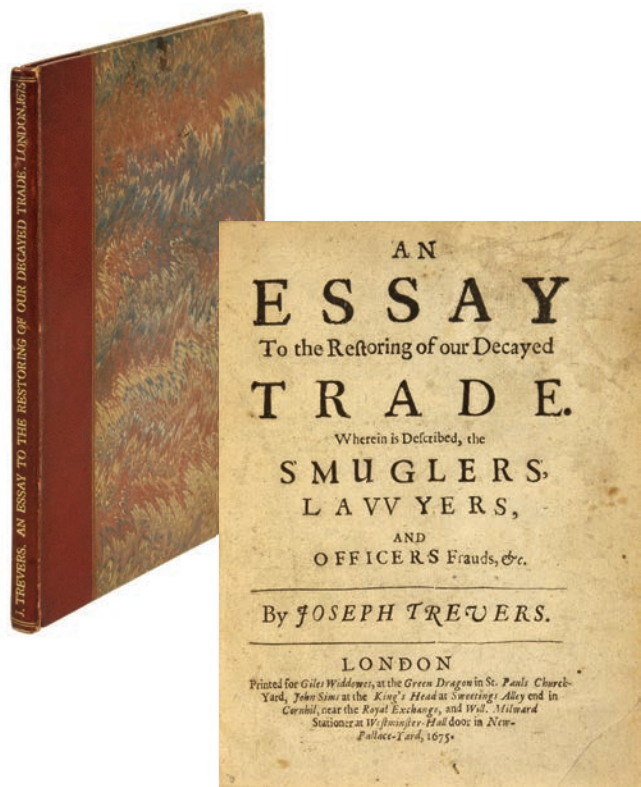
Details from N° 107

*De Utrouque Retractu* is a comparative work on the civil law and the customary law of Poitou. A well-received work, it went through several later editions and issues into the seventeenth century.

Based on the handwriting style and content, our copy appears to have been annotated in the late sixteenth or early seventeenth centuries. Several notes relate to inheritance and succession. Others indicate penalties (p. 86) and prohibitions of alienation of the goods of others (p. 200). Throughout, the annotator quotes judgments of the Parliament and does not, in several places, hesitate to contradict Tiraqueau.

◆ Baudrier, *Bibliographie Lyonnaise* IX:311.





Nº 108

**PROTECTING "OUR DECAYED TRADE"  
FROM SMUGGLERS AND LAWYERS**

108

**Trevers, Joseph.** *An Essay to the Restoring of Our Decayed Trade. Wherein is Described, The Smuglers, Lawyers, And Officers Frauds, &c.* London: Printed for Giles Widdowes, John Sims, and Will. Milward, 1675. [x], 24, 33-59, [5] pp. Complete; text and register continuous despite pagination. Quarto (7" x 5-3/4"; 17.8 x 14.6 cm). \$1,950.

Stab-stitched pamphlet bound into nineteenth-century signed binding by Morley of Oxford, quarter-morocco over marbled boards, gilt title to spine. Some rubbing to extremities, front hinge starting. Negligible light browning, to text, light foxing to a few leaves, recent repair to corner of leaf at (pp. [vii]-[viii]), light soiling and staining to title page. A handsome copy.

FIRST EDITION. With two laudatory poems addressed to the author. Trevers was a customs officer who was formerly a clothier. His essay proposes legislation to combat trade policies, taxes and abuses by government officials and middlemen that affect the manufacture and trade of wool and woolen cloth. Most of his ideas are stridently protectionist; several reflect a keen hostility toward lawyers. Later editions were published in 1677 and 1678.

♦ All editions are scarce. OCLC locates 7 copies of the first edition in North America, none in law libraries. *Kress Library of Business and Economics Catalogue* 1390. ESTC R222765.

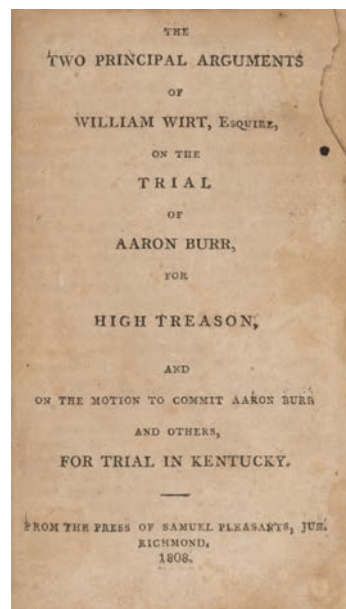
**STREETER 1693: THE PROSECUTION'S ARGUMENTS  
AT THE BURR TREASON TRIAL**

109

**[Trial]. Burr, Aaron [1756-1836], Defendant. Wirt, William [1772-1834].** *The Two Principal Arguments of William Wirt, Esquire, On the Trial of Aaron Burr, For High Treason, And on the Motion to Commit Aaron Burr and Others, For Trial in Kentucky.* Richmond: From the Press of Samuel Pleasants, Jun., 1808. [iv], 221 pp. Advertisement leaf follows title page. Not issued with the portrait frontispiece (of Aaron Burr), which was issued with only a few copies. 12mo. (5-3/4" x 3-1/2"; 14.6 x 8.9 cm). \$2,500.

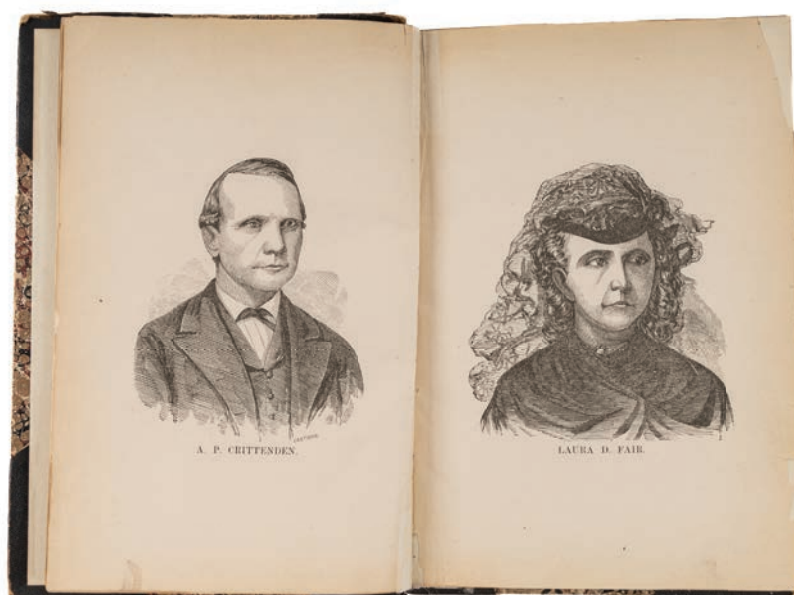
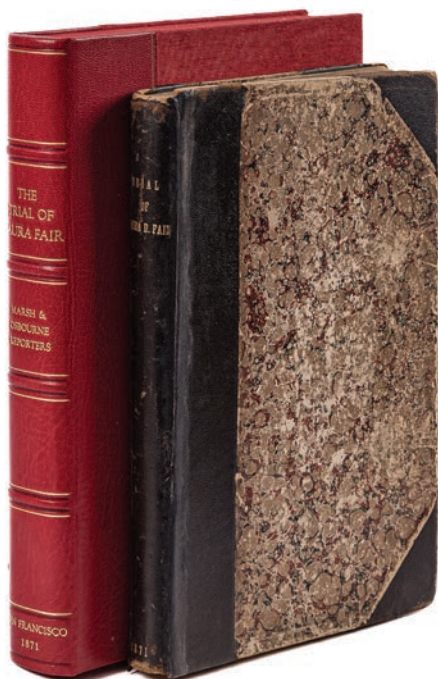
Contemporary tree calf, gilt title and ornaments to spine, endpapers renewed with marbled paper. Light rubbing, nicks and scratches to boards, moderate rubbing to extremities, front hinge cracked, chips to spine ends and front board at foot of joint and lower outside corner, corners bumped and somewhat worn. Moderate toning to interior, light browning, light foxing and faint dampstaining in places, chips to fore-edges of front endleaf and title page. A very good copy overall.

ONLY EDITION. Burr was implicated in a plot to steal land from Mexico and the Louisiana Purchase in order to establish an independent country. Arrested and tried in 1807 on charges of treason, he was acquitted due to a lack of specific evidence. Wirt, his prosecutor, was United States Attorney for the District of Virginia. His famous principal speech in the trial of Aaron Burr lasted nearly four hours. Characterized by considerable eloquence, wit and logic, it enhanced his national standing. Wirt went on to serve as United States Attorney General under Presidents Monroe and John Quincy Adams, where he did much to define the office and enhance its stature.



Nº 109





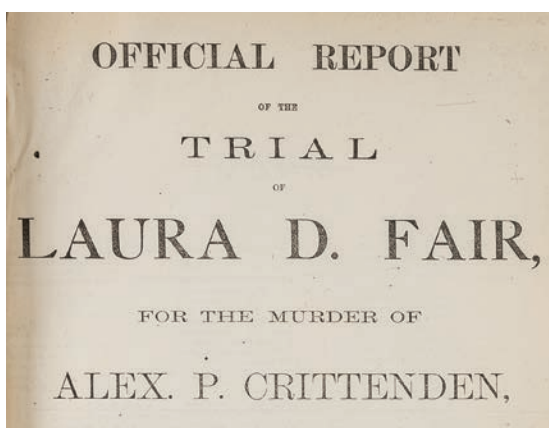
Nº 110

♦ The last copy at auction was sold at Sotheby's in 2021. Like ours, it does not have a frontispiece. Streeter, *The Celebrated Collection of Americana Formed by the Late Thomas Winthrop Streeter* 1693 (with frontispiece). Identical to our copy: Cohen 14120. Howes, *USLana* W-587. Sabin 104883.

**MCDADÉ 291: DRIVEN INSANE  
BY HER MENSTRUAL CYCLE?**

110

[Trial]. Fair, Laura D., Defendant. Marsh, [Andrew Jackson], Reporter. Osbourne, [Samuel], Reporter. *Official Report of the Trial of Laura D. Fair, For the Murder of Alex. P. Crittenden, Including the Testimony, The Arguments of Counsel, And the Charge of the Court, Reported Verbatim, And the Entire Correspondence of the Parties, With Portraits of the Defendant and the Deceased. From the Short-Hand Notes of Marsh & Osbourne, Official Reporters of the Courts.* San Francisco: Printed by the



Detail from Nº 110

San Francisco Co-Operative Printing Co., 1871. 4, 325, xvii pp. With two full-page woodcut portraits of Fair and Crittenden as a double frontispiece. Octavo (9-3/4" x 6-1/2"; 24.8 x 16.5 cm). \$1,500.

Stab-stitched book bound in later (twentieth-century?) three-quarter sheep over marbled boards, gilt title to spine. Rubbing, light wear to extremities, front joint starting, chipping to spine ends, corners bumped and worn, hinges cracked (front hinge reinforced with archival tissue), library bookplate (with deaccession stamp) to front pastedown. Moderate toning to interior, light edgewear and a few chips to portrait leaves, light foxing to last few leaves, tear to head of gutter of title page, internally clean. Housed in attractive custom crimson clamshell box, quarter morocco over cloth with raised bands and gilt title to spine.

ONLY EDITION. When Laura Fair found out that the married lawyer who had courted her had no intention of actually leaving his wife, she shot him on the San Francisco ferry. The trial quickly became a national sensation, "calling into question fundamental assumptions about the sanctity of the family, the value of reputation, and the range of acceptable expressions of femininity" (Krist). The prosecution sought to paint Fair as a mercenary, promiscuous woman who seduced Crittenden for his money. The defense countered by arguing that Fair's painful menstrual cycles "and great prostration of the nervous system" had driven her insane. Fair's cause was taken up by local suffragists, who saw her as the victim of a legal system run by and prejudiced in favor of men. Despite their efforts, she was convicted and sentenced to hang. A second trial was ordered on appeal and resulted in acquittal.

♦ No copy of this title has appeared at auction in the last 45 years, and only three copies have appeared since 1948. Krist, *Trespassers at the Golden Gate* (2025) 5. McDade 291.





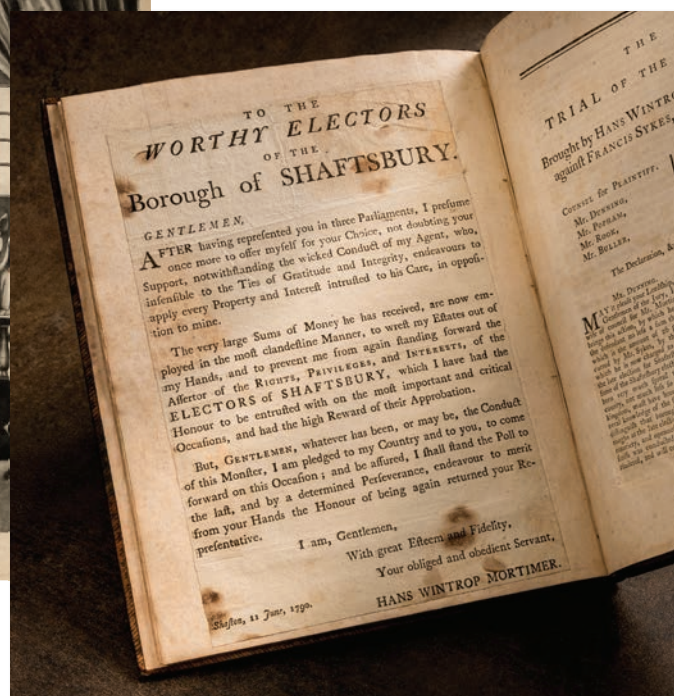
Details from N° 111

**AN ACCOUNT OF A NOTORIOUS CASE  
OF ELECTION BRIBERY BOUND WITH A  
RELATED UNRECORDED BROADSIDE**

111

[Trial]. Sykes, Francis [1730-1804], Defendant. Mortimer, Hans Winthrop, Plaintiff. *The Trial of the Cause on the Action Brought by Hans Winthrop Mortimer, Esq; Member for the Borough of Shaftesbury, Against Francis Sykes, Esq; For Bribery Committed at Shaftesbury, Previous to the General Election, In October, 1774. Tried by a Special Jury, On Saturday the 27th of July, 1776. At the Assize Held at Dorchester for the County of Dorset, Before The Honourable Sir James Eyre, One of the Barons of His Majesty's Court of Exchequer.* [London?]: [S.n.], 1776. 19, [1] pp. Main text in parallel columns. Quarto (9-3/4" x 7-1/2"; 24.8 x 19 cm). [Bound with Text] Two later tipped-in leaves of notes. Affixed to one of these leaves are a contemporary account of the trial and a section of a letter in Mortimer's hand. [And] Tipped-in contemporary 14" x 21" (35.5 x 53.3 cm) mezzotint by an unknown artist, *The Shaftsbury Election or the Humours of Punch* (1775). Additional annotations about the mezzotint to front endleaves, one followed by two ownership inscriptions (one of Henry White). Affixed to one of these is a small clipping about the Mortimer family. [And] [Broadside]. [Mortimer, Hans Winthrop]. *To the Worthy Electors of the Borough of Shaftsbury.* Shafton: [s.l.], 11 June 1790. Trimmed to 9" x 6" (22.8 x 15.2 cm) and affixed to verso of title page. \$3,500.

Nineteenth-century calf, rebacked in period style, gilt rules to boards, gilt fillets and retained nineteenth-century lettering



piece to spine, hinges mended, marbled endleaves. Moderate rubbing to boards and toning to text, occasional early underlining and brief notes in pencil.

THE SHAFTESBURY ELECTION of 1774 was perhaps the most notorious English example of a rigged election. "At the election of Sir Thomas Rumbold and Sir Francis Sykes, the two ministerial candidates for Shaftesbury in 1774, several thousand pounds were distributed to the voters.... The defeated candidate, Hans Mortimer, petitioned against the return on the ground of gross and notorious bribery by the members and their agents... The House of Commons resolved that Sykes, Rumbold and six members of the corporation of Shaftesbury should be prosecuted for subornation of perjury; a bill was brought in for disfranchising Shaftesbury. These proceedings were eventually shelved, but while they were pending Mortimer brought actions... against Sykes for twenty-six acts of bribery, obtaining a verdict for twenty-two penalties amounting to £11,000" (*BM Satires*).

Our copy of *The Trial* belonged to two of Mortimer's descendants: J.W. Mortimer, who notes that he received this book and the mezzotint in 1821 from a Henry White, whose owner inscription is above, and Mark Mortimer, who wrote the tipped-in leaves of notes, one of which is dated 1856.

OCLC locates 8 copies of *The Trial* in North America, 3 in law libraries (Harvard, Library of Congress, Yale) and 3 copies of the mezzotint, 1 in North America (Yale). The tipped-in broadside appears to be unrecorded, with no copies listed on OCLC or Library Hub.

◆ BMC 24:746. Stephens and George, *Catalogue of Political and Personal Satires in the Department of Prints and Drawings in the British Museum (BM Satires)* 5341.



**A RARE ACCOUNT OF LIBEL CHARGES  
BROUGHT BY A CONVICTED LIBELER**

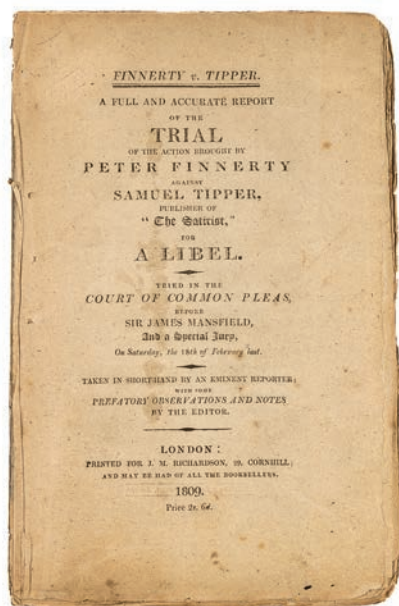
112

[Trial]. **Tipper, Samuel, Defendant. Finnerty, Peter [c.1766-1822], Plaintiff.** *Finnerty v. Tipper. A Full and Accurate Report of the Trial of the Action Brought by Peter Finnerty Against Samuel Tipper, Publisher of "The Satirist," For a Libel. Tried in the Court of Common Pleas, Before Sir James Mansfield, And a Special Jury, On Saturday, The 18th of February Last. Taken in Shorthand by an Eminent Reporter; With Some Prefatory Observations and Notes by the Editor.* London: Printed for J.M. Richardson, 1809. vii, 80 pp. Octavo (8-3/4" x 5-1/2"; 22.2 x 14 cm). \$1,500.

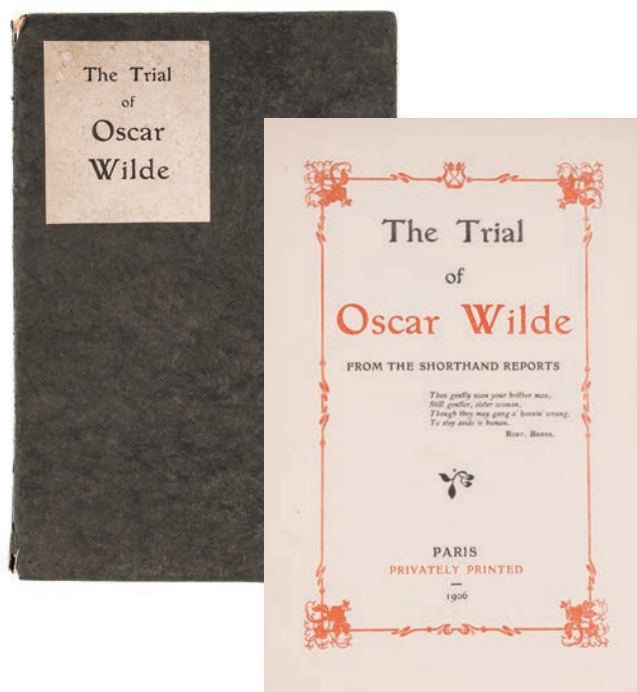
Disbound stab-stitched pamphlet, edges untrimmed. Moderate toning, light foxing and soiling in a few places, leaves separating at head but secure.

ONLY EDITION. Finnerty was a radical Irish journalist and publisher convicted of seditious libel in 1797. (Writer Percy Bysshe Shelley was among his supporters and raised money for his legal fees.) Again charged with libel, this time against the Duke of York for publishing a pamphlet critical of his sale of military promotions, he was attacked in the Tory magazine *The Satirist* while his libel charges were pending. He quickly brought his own libel proceedings against the publisher in civil court. Though Mansfield reluctantly concluded that the attacks in *The Satirist* did constitute libel, he also concluded that Finnerty's already less-than-sterling character made extensive damages impossible. The jury agreed. Finnerty was awarded one shilling in damages and forced to pay court costs.

◆ OCLC and Library Hub locate 1 copy of this title (British Library). Not in McCoy. BMC 9:308.



Nº 112



Nº 113

**THE FIRST PUBLISHED REPORT  
OF THE TRIALS OF OSCAR WILDE,  
A PRIVATELY PRINTED LIMITED EDITION**

113

[Trial]. **Wilde, Oscar [1854-1900], Defendant. [Grolleau, Charles (1867-1940)]. [Douglas, Lord Alfred (1870-1945)].** *The Trial of Oscar Wilde from the Shorthand Reports.* Paris: Privately Printed [by Charles Carrington], 1906. [iv], 1, 134, [14] pp. Main text followed by a 14 pp. publisher catalogue. \$650.

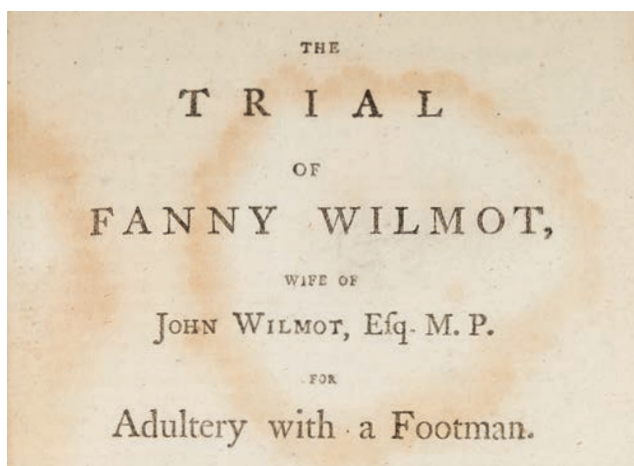
Thick-paper wrappers, printed title panel to front wrapper, deckle edges. A few tiny spots, light soiling to title panel, moderate wear to spine ends, minor wear to corners of wrappers. Title page printed in red and black. Negligible light toning to interior, first signature detached, a few cracks to text block, light foxing and negligible tiny chips and tears to a fore-edges few leaves.

ONLY EDITION, limited to 500 copies on handmade paper, this number 231, and 50 copies on Japanese vellum. With a preface by Grolleau and two essays by Douglas, "His Last Book and Last Years in Paris" and "De Profundis. A Criticism").

This is the first published report of Wilde's trials. Its publisher, Carrington, dealt mostly in fine-press editions of erotica. As Bristow notes, this account suffers from editorial shortcomings. However, it "offers glimpses of major incidents in the courtroom exchanges" and "draws attention to one feature of the trials that some later studies downplay. The Trial of Oscar Wilde makes it clear that at least two of the witnesses testified that Wilde had committed sodomy with them."

◆ Bristow, *Oscar Wilde on Trial* xix.





Detail from N° 114

**"THIS SINGULAR AND LAMENTABLE AMOUR"**

114

[Trial]. **Wilmot, Fanny, Defendant.** *The Trial of Fanny Wilmot, Wife of John Wilmot, Esq. M.P. for Adultery with a Footman. Containing the Whole of the Curious Depositions of the Servants, And Others, Who Described this Singular and Lamentable Amour from its Rise and Progress in the Drawing-Room, To its Very Extraordinary and Affecting Disclosure at Washborn's Lodgings.* London: Printed for J. Dawson, 1792. [3]-65 [i.e.69] pp. Lacking half-title and final leaf, a printer advertisement. Octavo (8-1/4" x 5"; 20.9 x 12.7 cm). \$1,500.

Stab-stitched pamphlet bound into recent period-style three-quarter calf over marbled boards, lettering piece, and gilt ornaments to spine, which has light fading. Light toning to interior, faint dampspotting to a few leaves, faint stain to title page.

ONLY EDITION. Intended to titillate, this is a set of depositions, many from servants, detailing the Fanny Wilmot's affair with her footman, Edward Washborn. This affair attracted notice because the cuckolded husband was John Eardley Wilmot [1748-1815] was a well-known lawyer, author and politician from a distinguished family who sat in the House of Commons from 1776 to 1796. A divorce was granted.

◆ OCLC locates 5 copies, 3 in North America, 1 in a law library (Harvard). ESTC T2972.

**RARE ACCOUNTS OF "MODERN GALLANTRY AND DIVORCES," ONE OVERLOOKED BY THE ESTC**

115

[Trials]. [Adultery]. **A Civilian of Doctor's Commons.** *A New Collection of Trials for Adultery: Or, General History of Modern Gallantry and Divorces. Containing a Variety of the Most Remarkable Trials... From the Year 1780, To the Present Time. [...]* Embellished

with an Elegant Set of Plates, Representing the Most Striking Scenes Described in the Work, Whether Humorous, Ridiculous, Whimsical or Amorous. London: Printed, for the Proprietors, and sold by J. Gill, 1799. [544] pp. Irregularly paginated. With 11 copperplate illustrations and a copperplate frontispiece. [Bound with] **Campbell, Harriet, Defendant.** *Summary of the Proceedings in Doctors' Commons, In a Cause Instituted by Charles Colin Campbell, Esq. Against Harriet His Wife, For Adultery.* London: Printed for Allen and West, 1796. With a half-title. [vi], 42 pp. [and] **Hope (Biscoe), Susanna Harriot [1768-1839], Defendant.** *The Trial of Mrs. Biscoe, For Adultery with Robert Gordon, Esq.* London: Printed for Allen and West, 1794. With a half-title. [ii], 74, [2] pp. With a half-title; final leaf blank. [and] **Newton, Catherine [b.1756], Defendant.** *The Trial of the Hon. Mrs. Catherine Newton, Wife of John Newton, Esq;...Upon a Libel and Allegations, Charging Her with the Crime of Adultery.* London: Printed for the Proprietors, and Sold by C. Etherington [et al.], 1782. [ii], 112 pp. Part I only. \$3,500.



Detail from N° 115



Together 4 titles in 1 volume. Octavo (8-1/4" x 4-3/4"; 21 x 12.5 cm).

Contemporary mottled calf, gilt frames to boards, lettering piece and gilt ornaments to spine, gilt rules to board edges, edges of text block speckled, marbled endpapers, silk ribbon bookmark. Light rubbing to exterior, front joint cracked, corners lightly bumped. Moderate toning to interior, occasional light foxing, faint offsetting from plates in first work. A handsome volume.

COMPILED BY A CONTEMPORARY READER, this volume gathers four scarce works providing accounts of trials for adultery. Primarily intended to amuse and titillate, these accounts are still of value to legal scholars and historians for their accurate reports and vivid background histories. Together, they constitute a fascinating document of English attitudes toward adultery and divorce at the end of the early modern period.

The *New Collection of Trials for Adultery* was first issued in four volumes in 1796 as *A New and Complete Collection of Trials for Adultery*. A second volume was added to the 1799 edition in 1802 and the ESTC considers it a two-volume work, but the 1799 volume is complete in itself and considered bibliographically distinct in other records. It is unclear how many plates the 1799 edition had, and it may have been issued in parts or in variant states. We found records of copies with as few as three and as many as fifteen plates (our copy has twelve).

The Newton trial had a second part published later in 1782, which is advertised as forthcoming at the end of our copy.

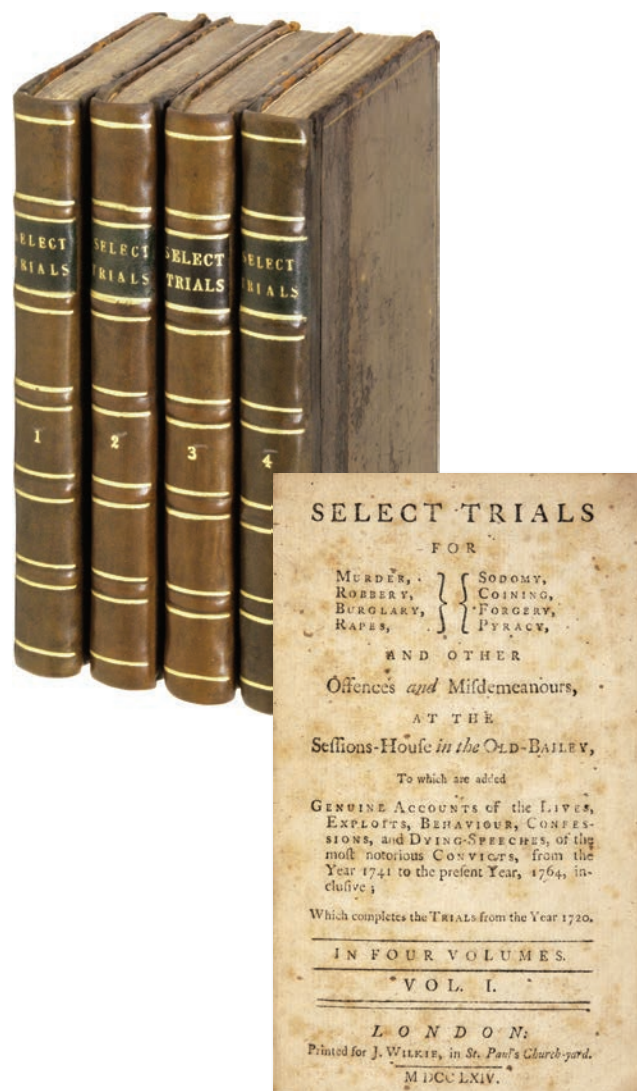
◆ *New Collection*: ESTC T106036. Campbell: Not in the ESTC or BMC. OCLC locates 2 copies (University of Minnesota Law School, University of Virginia Law School). Biscoe: OCLC and the ESTC locate 7 copies, 4 in North America (University of Texas, Social Law Library, 2 at Harvard Law School). ESTC T2986. Newton: ESTC T53446.

#### TRIALS AT OLD BAILEY, INDEXED BY CRIME

116

[Trials]. [Great Britain]. *Select Trials for Murder, Robbery, Burglary, Rapes, Sodomy, Coining, Forgery, Piracy, And Other Offences and Misdemeanours, At the Sessions-House in the Old-Bailey, To Which are Added, Genuine Accounts of the Lives, Exploits, Behaviour, Confessions, And Dying Speeches, Of the Most Notorious Convicts, From the Year 1741 to the Present Year, 1764, Inclusive; Which Completes the Trials from the Year 1720.* London: Printed for J. Wilkie, 1764. Four volumes. 12mo. (6" x 4"; 15.2 x 10.2 cm). \$1,500.

Contemporary calf with recent rebacking, gilt fillets to boards, lettering pieces and gilt-edged raised bands to spines, endpapers retained, hinges mended. Moderate rubbing to extremities with some wear to spine ends and corners,



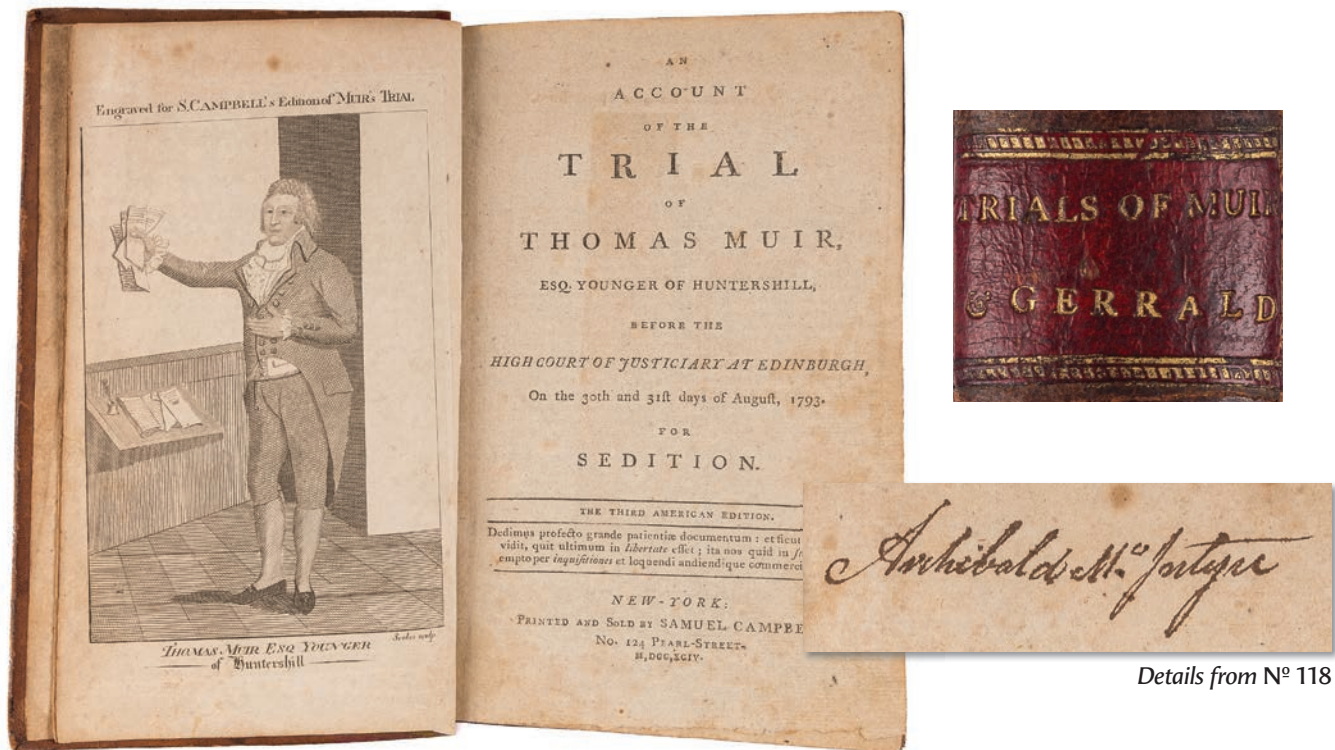
Nº 116

light scuffing and some minor gatering to boards, boards of Volume I just beginning to separate, but secure, a few joints and hinges starting. Some toning to text, light foxing in places, lower corner lacking from pp. 119-120 in Volume I with loss to catchword. Pages 217-165 of this volume have misprinted page numbers corrected in early pencil, interior otherwise clean. A nice set.

INDEXED BY CRIME, this set presents reports of trials held at the "Court of Oyer and Terminer and Gaol Delivery for London and Middlesex," better known as Old Bailey. Contents are arranged chronologically from 1740 to 1764. These accounts were published to amuse, titillate and perhaps instruct, and they are interesting today for their insights into the legal and cultural history of the early Georgian period. This title is the third and final set in a series of multi-volume trial collections, one published in 1734-35, another in 1742. Although these titles were issued by different publishers they have a uniform format and were later re-published as a five-volume work in 1764.

◆ ESTC T82548.





Details from N° 118

#### SCARCE COMPLETE BRITISH EDITION OF THE NUREMBERG TRIALS

117

[Trials]. [International Military Tribunal, Nuremberg]. *The Trial of German Major War Criminals: Proceedings of the International Military Tribunal Sitting at Nuremberg Germany*. London: His Majesty's Stationary Office, 1946-1951. Complete set; 23 parts in 23 books, Part 23 an index. [With] *Opening Speeches of the Chief Prosecutors for the United States of America, The French Republic, The United Kingdom of Great Britain and Northern Ireland, And the Union of Soviet Socialist Republics*. London: His Majesty's Stationary Office, 1946. [ii], 173 pp. [And] *Speeches of the Chief Prosecutors for the United States of America, the French Republic, The United Kingdom of Great Britain and Northern Ireland, And the Union of Soviet Socialist Republics at the Close of the Case Against the Individual Defendants*. London: His Majesty's Stationary Office, 1946. [ii], 200 pp. [And] *Speeches of the Prosecutors for the United States of America, the French Republic, The United Kingdom of Great Britain and Northern Ireland, And the Union of Soviet Socialist Republics at the Close of the Case Against the Indicted Organisations*. London: His Majesty's Stationary Office, 1946. [iv], 142, [1] pp. \$1,000.

Original wrappers, moderate shelfwear, soiling and dampspotting, faint dampstaining to wrappers of a few volumes, gouge to head of spine of Part 11, light toning to interiors.

FIRST BRITISH EDITION. Because this report was issued over a period of four years, it is often difficult to find a complete set intact. Held at Nuremberg in 1945 and 1946, this famous tribunal indicted several Nazi leaders for war crimes. Twelve defendants were sentenced to death, three to life imprisonment and four to twenty-year prison terms. Three were acquitted. The tribunal was significant because it affirmed the principle that both individuals and states could be held accountable for war crimes. The actual text of the proceedings contains a wealth of information on the crimes of the Nazi leadership, as well as insight into the political and social background that facilitated the Nazi takeover of power. Added to our set are three of the six supplemental volumes issued by the HM Stationary office. (The other three record the agreement to prosecute, the indictments and the sentences.)

♣ Marke 1045-1049.

#### TRIALS OF TWO "SCOTTISH MARTYRS"

118

[Trials]. Muir, Thomas [1765-1798], Defendant. *An Account of the Trial of Thomas Muir, Esq. Younger of Huntershill, Before the High Court of Justiciary at Edinburgh, On the 30th and 31st Days of August, 1793. For Sedition*. New York: Printed and Sold by Samuel Campbell, No. 124 Pearl-Street, 1794. [iv], 110 pp. With an engraved frontispiece of Muir. [Bound with] Gerrald, Joseph [1763-1796], Defendant. *The Trial of Joseph Gerrald, Delegate from the London Corresponding Society, To the British Convention. Before the High Court*



of Justiciary at Edinburgh, On the 3d, 10th, 13th, And 14th of March, 1794. For Sedition. Taken in Short-Hand by Mr. Ramsey. New York: Printed and Sold by Samuel Campbell, No. 124, Pearl-Street, 1794. 207, [1] pp. With a frontispiece portrait of Gerrald. \$1,500.

Together 2 titles in 1 volume. Octavo (8-1/4" x 5"; 20.8 x 12.5 cm). Contemporary sheep treated to resemble tree-calf, gilt fillets and lettering piece to spine, blind tooling to board edges. Moderate rubbing to exterior, slight chipping to spine ends, corners bumped, later bookplate of Duncan McMartin to front pastedown, early owner signature of Archibald McIntyre to front free endpaper. Moderate toning to interior, occasional light foxing. A very good copy in a well-preserved, unsophisticated binding.

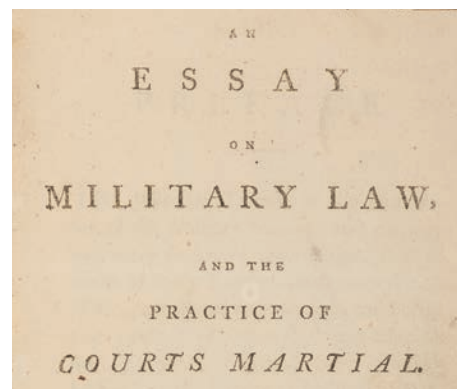
THIRD AND FIRST American editions, respectively. Scotsmen Thomas Muir, an advocate, and Joseph Gerrald, a political activist, were ardent supporters of the American and French Revolutions and a proponent of comprehensive parliamentary reform in Great Britain. Both men were involved with the London Corresponding Society, which was targeted alongside other groups during a wave of prosecutions by Pitt's government after the French Revolution. In 1793, five men were tried for sedition in highly politicized proceedings, among them Muir and Gerrald. The trials predictably resulted in guilty verdicts. Muir and Gerrald were both sentenced to fourteen years' transportation to the Australian penal colony of Botany Bay. Gerrald died there in 1796; Muir managed to escape, but his health was ruined as a result and he died in 1798. The five activists tried between 1793 and 1794 are often referred to as the "Scottish Martyrs."

One of the owners of our copy was likely Archibald McIntyre [1772-1858], a Scottish immigrant to New York who became a successful businessman and an important figure in state politics. He served as an assemblyman, deputy secretary of state, and ultimately state comptroller from 1806-1821.

♣ Muir: Cohen 13353. Ferguson, *Bibliography of Australia* 190. Gerrald: Not in Cohen. See Ferguson 179 (Edinburgh edition).



Detail from N° 118



Detail from N° 119

**COPY OF A TREATISE ON MILITARY LAW  
OWNED BY AN OFFICER WHO WAS PART OF  
THE HONOR GUARD THAT ESCORTED  
LINCOLN'S FUNERAL TRAIN TO SPRINGFIELD, IL**

119

**Tytler, Alexander Fraser, Lord Woodhouselee** [1747-1813]. *An Essay on Military Law, And the Practice of Courts Martial*. Edinburgh: Printed by Murray & Cochrane, Craig's Close; For T. Egerton, at the Military Library, near Whitehall, London, 1800. [iii], vi-xi, [3], 428 pp. Octavo (8-1/4" x 5-1/4"; 20.9 x 13.3 cm). \$1,500.

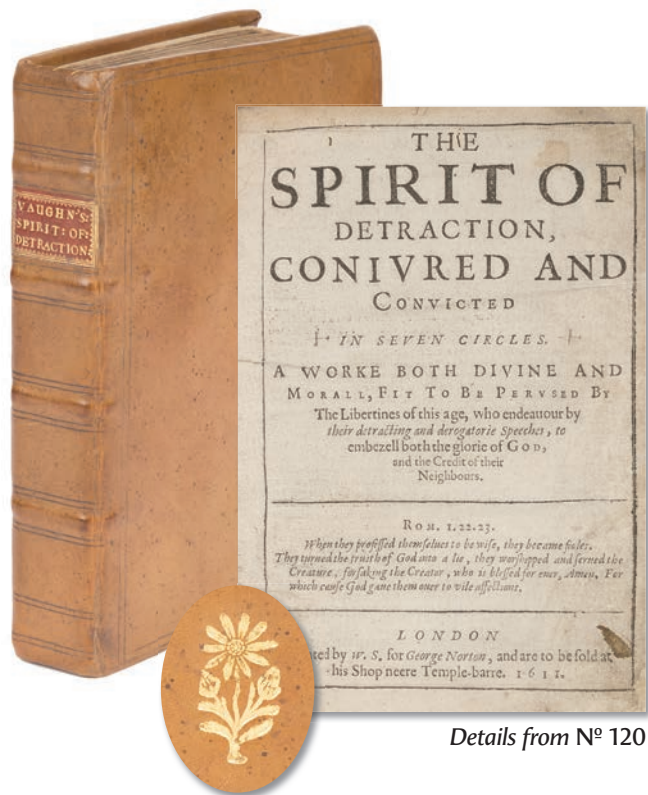
Contemporary three-quarter calf over marbled boards, gilt-edged raised bands, gilt ornaments and lettering piece to spine. Light rubbing to boards, moderate rubbing to extremities, chipping to head of spine and lettering piece, gilding mostly rubbed away from spine, joints starting at head, corners bumped and somewhat worn, front hinge cracked, rear hinge starting. Moderate toning, light foxing in a few places, a few upper corners dog-eared. Early owner signature ("Williams?") to head of title page, later owner stamp (of "T[homas] Y. Field U.S.M.C") to front free endpaper and p. 287, early marks and underlining in pencil to a few passages.

FIRST EDITION. In addition to his legal career, Tytler, later Lord Woodhouselee, was a highly respected teacher and polymath. "The following Treatise is the joint result of the Author's reading, and enquiry into every source of information, relative to the Military Law of the country, and of his professional experience in the Forms and Practice of General Courts-Martial, during a period of several years, in which he has had the honour of holding his Majesty's commission of Judge-Advocate for this part of the United Kingdom" (Preface). An important and well-received treatise, it went through fifteen editions and issues between 1800 and 1814.

Thomas Y. Field, who is also identified by a laid-in note, had a lengthy and distinguished career with the Marines and would have found this text useful during his several stints as a judge advocate. Commissioned a second lieutenant in 1847, he later attained the rank of colonel and was part of the honor guard that escorted Lincoln's body from Washington, DC to Springfield, Illinois.

♣ ESTC T130384.





Details from N° 120

**"FIT TO BE PERUSED BY THE  
LIBERTINES OF THIS AGE"**

120

[Vaughan, Sir William (1577-1641)]. *The Spirit of Detraction, Coniured and Convicted in Seven Circles. A Worke Both Divine and Morall, Fit to be Perused by the Libertines of this Age, Who Endeavour by Their Detracting and Derogatorie Speeches, To Embezell Both the Glorie of God, And the Credit of Their Neighbours.* London: Printed by W.S. for George Norton, 1611. [xxxii], 248, 245-351, [21] pp. Title page and text enclosed in ruled borders. Quarto (7" x 5-1/2"; 17.8 x 14 cm). \$2,500.

Handsome period-style calf, blind rules and small central gilt ornaments to boards, raised bands, blind fillets and lettering piece to spine, gilt rules to board edges, endpapers renewed (using old paper). Light browning to text, light soiling and a few small early pen marks to title page, repairs to lower corners of front free endpaper and title page. An appealing copy in a notably attractive binding.

ONLY EDITION, one of two issues, both from 1611. This is a treatise on slander and libel. As indicated by its title, its argument has a strongly theological cast. Vaughan, who held an LL.D. from Oxford, is known today for his moralistic writings and efforts to establish an English colony in Newfoundland.

◆ Both issues are rare. OCLC locates 6 copies of our issue, none in North America. The ESTC locates 7 more, 4 of them in North America (Boston Public Library, Folger Shakespeare Library, Harvard, New York Public Library). ESTC S2939.

**ILLUSTRATED ACCOUNTS OF  
"THE MOST NOTORIOUS MALEFACTORS"  
OF EIGHTEENTH-CENTURY BRITAIN**

121

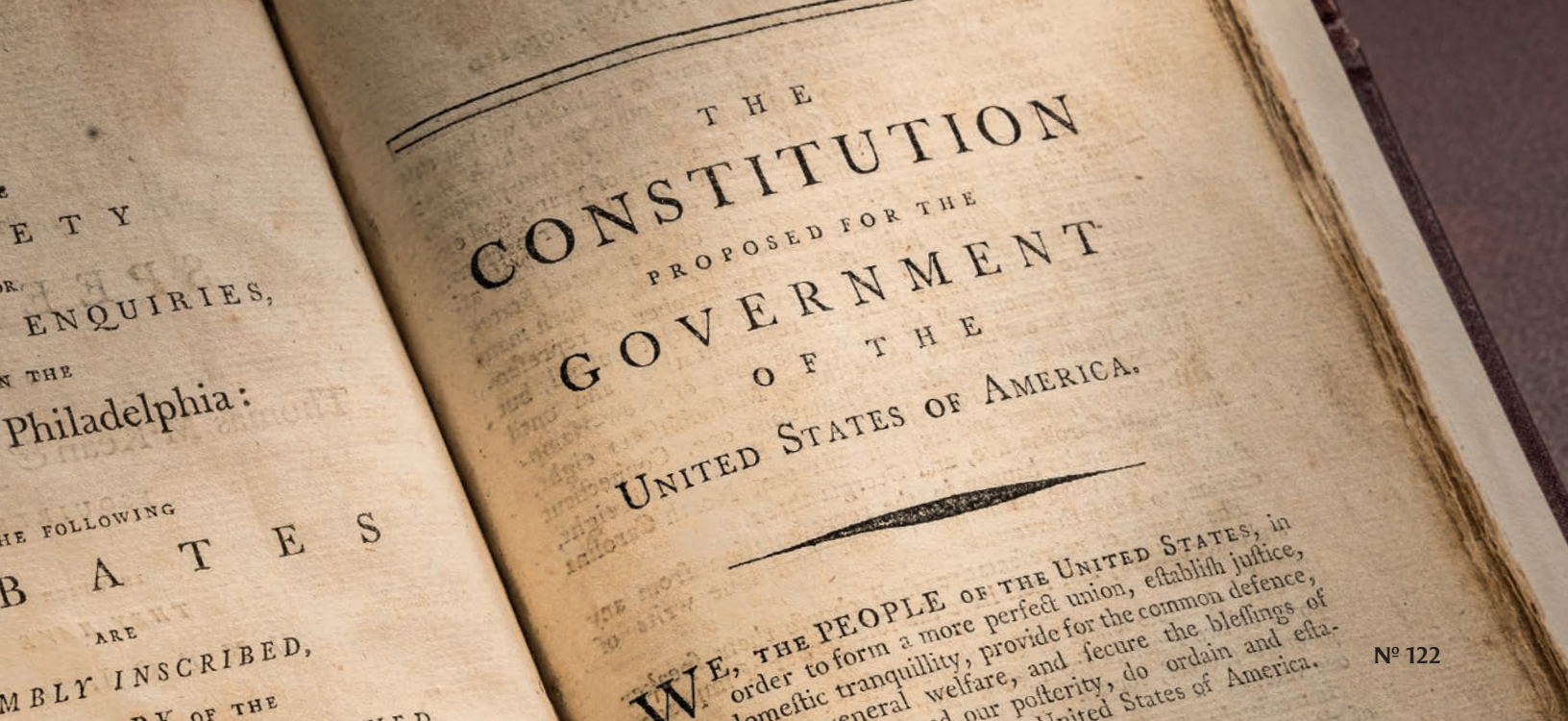
Villette, John, Primary Author. *The Annals of Newgate; Or, Malefactors Register. Containing a Particular and Circumstantial Account of the Lives, Transactions, And Trials of the Most Notorious Malefactors, Who Have Suffered an Ignominious Death for Their Offences, viz. for Parricide, Murder, Treason, Robbery, Burglary, Piracy, Coining, Forgery, And Rapes: From the Commitment of the Celebrated John Sheppard, To the Acquittal of the Equally Celebrated Margaret Caroline Rudd. Including a Period of Fifty Years and Upwards, Both in Town and Country. Calculated To Expose the Deformity of Vice, The Infamy and Punishments Naturally Attending Those who Deviate from the Paths of Virtue; And Intended as a Beacon to Warn the Rising Generation Against the Temptations, The Allurements, And the Dangers of Bad Company. The Former Part Extracted from Records; And the Histories and Transactions of the Modern Convicts, Communicated by the Unhappy Sufferers Themselves, Since the Author has Been Appointed to His Present Office. By the Rev. Mr. Villette, Ordinary of Newgate, And Others.* London: Printed for J. Wenman, 1776. Four volumes. 37 copperplates, 3 are frontispieces in Volumes I-III. One plate in Volume I misbound (it faces p. 396, not p. 395). All plates present, text complete. Octavo (8-1/4" x 5-1/4"; 21 x 13.3 cm). \$2,500.

Contemporary tree-calf, gilt fillets to boards, rebaced with raised bands, notably attractive renewed lettering pieces and gilt ornaments to spines, gilt tooling to board edges, marbled endpapers. Light rubbing and a few minor nicks and scratches to boards, somewhat heavier rubbing to extremities, hinges cracked or starting. Moderate toning, light foxing in a few places, some offsetting from plates, leaves B1-B2 (pp. 1-4) in Volume III just beginning to detach, but secure. A handsome set.

ONLY EDITION. Presented as a "beacon to warn the rising generation," Villette's chronicle provides accounts of some of the most infamous criminals of eighteenth-century England, such as Sarah Malcolm, Eugene Aram, Elizabeth Brownrigg and Richard Turpin. The plates, some of them quite lurid, depict criminals, crimes and execution. Didactic and salacious in equal measure, this kind of gallows literature was tremendously popular—and tremendously profitable. Villette served as the Ordinary from 1774 to 1799 and published many "autobiographies" of prisoners in addition to *The Annals*.

◆ OCLC locates 6 copies in North American law libraries (Case Western Reserve University, Harvard, Library of Congress, University of Cincinnati, University of Michigan, Yale). ESTC T117296.





**THE FIRST SUBSTANTIAL COMMENTARY ON  
THE U.S. CONSTITUTION PUBLISHED IN  
GREAT BRITAIN, RARE IN COMMERCE,  
ONLY THREE COPIES HAVE APPEARED  
AT AUCTION SINCE 1921**

122

**Wilson, James [1742-1798]. McKean, Thomas [1734-1817]. Lloyd, T[homas] [1756-1827], Reporter.** *Commentaries on the Constitution of the United States of America, With that Constitution Prefixed, In Which are Unfolded, The Principles of Free Government, And the Superior Advantages of Republicanism Demonstrated.* By James Wilson, L.L.D., Professor of Laws in the College and University of the Commonwealth of Pennsylvania, One of the Associate Judges of the Supreme Court of the United States, And Appointed by the Legislature of Pennsylvania to Form a Digest of the Laws of that State; And by Thomas M'Kean, L.L.D. Chief Justice of the Commonwealth of Pennsylvania. The Whole Extracted from Debates, Published in Philadelphia by T. Lloyd. London: Printed for J. Debrett, opposite Burlington House, Piccadilly; J. Johnson, St. Paul's Church Yard; and J.S. Jordan, No. 166, Fleet Street, 1792. [ii], [5]-19, [1], 20-23, 25-56, 65-147, [4] pp. Pagination irregular. Lacking half-title and signature H (pp. 57-64). Octavo (8-1/2" x 5"; 21.59 x 12.7 cm). \$7,500.

Twentieth-century three-quarter morocco over cloth, raised bands, gilt fillets and calf lettering piece to spine, endpapers renewed, untrimmed edges. Moderate toning and light foxing to interior, repairs to edges of a few leaves and title page, some loss to text of errata leaf, which has a repair. Light marks in pencil to margins of a few leaves, brief contemporary annotation to p. 122, early owner signature "Dooright" and, in a different hand, "693-D" to head of title page.

FIRST EDITION, with the often-lacking index and errata leaf. The first substantial commentary on the U.S. Constitution published in Great Britain, *Commentaries* is a reissue, with additional material, of *Debates of the Convention of the State of Pennsylvania on the Constitution of the United States* (1788). The *Debates* were recorded in shorthand by Lloyd, the distinguished stenographer who established the use of shorthand in America. There were two issues by Debrett, both in 1792. It was issued a third and final time without a date, most likely in 1793, by J.S. Jordan.

Wilson and McKean were signers of the Declaration of Independence and members of Pennsylvania's ratification convention. Wilson, a framer and signer of the Constitution, was a leader of the pro-ratification members. McKean was a leader of the opposition and one of the lead authors of the convention's minority report, which laid out several concerns about the Constitution that were later addressed by the Bill of Rights.

With the exception of the half-title, title page, and pp. 20-23, an original overview of the convention, *Commentaries* is made up of sheets from *Debates* printed in Philadelphia. Due perhaps to this method of production, there are a number of variations among the existing copies. Adams describes four, none identical to ours. Ours is almost identical to one of the issues listed in the *ESTC*, but it also has the title page and following leaf (a divisional title page with dedication to verso) from *Debates*.

◆ All versions are rare in commerce; copies have appeared at auction only three times since 1921. Adams, "Descriptive Bibliography of Works of and Relating to James Wilson 1742-1798" in *Selected Political Essays of James Wilson* 349-351. *ESTC* T138356. Cohen 2966. Sabin 104627.



Nº 123

**INCLUDES EARLY COMMENTARIES ON THE  
U.S. CONSTITUTION BY ONE OF ITS FRAMERS**

123

**Wilson, James. Wilson, Bird [1777-1859], Editor.**

*The Works of the Honourable James Wilson, L.L.D. Published Under the Direction of Bird Wilson, Esquire.* Philadelphia: At the Lorenzo Press, 1804. Three volumes. xvi, 467; vi, 497; iv, 439 pp. Volume I has a copperplate engraved portrait of James Wilson with a tissue guard. Octavo (8-1/4" x 5"; 21 x 12.7 cm). \$8,500.

Contemporary sheep, blind fillets and red and black morocco gilt lettering pieces to spine, small embossed owner stamp, "D.A. Smalley," to centers of front boards. Light rubbing, a few faint stains and minor scuffs to boards, moderate rubbing to extremities, corners bumped and somewhat worn, front joint of Volume I just starting at head, owner signature ("T.C. Aylwin," dated 1856) to front pastedowns, foxing and dampstaining to frontispiece, foxing and offsetting to title-pages. Moderate toning, light foxing and offsetting to text throughout set, light dampstaining in top corner of most leaves in second volume, wear and toning along edges of pp. (67)-70 in third volume, "D.A. Smalley" to title pages. An appealing set.



*Detail from Nº 123*

FIRST EDITION. Wilson was one of the most influential delegates to the Federal Constitutional Convention and one of the six founders who signed both the Declaration of Independence and the U.S. Constitution. He was also the principal author of the Pennsylvania Constitution, a professor of law and an associate justice of the United States Supreme Court.



Compiled and edited by his son, the *Works* consist mostly of lectures on American law delivered at the College of Philadelphia in 1790 and 1791. Wilson intended to revise them and publish them as a treatise, but death intervened. As published, 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. Other lectures are some of the earliest commentaries on the U.S. Constitution. The texts of several important speeches, including several concerning the Constitution, are also included.

One of the owners of this set was Thomas Cushing Aylwin [1806-1871], a renowned Canadian trial lawyer, judge and politician. "D.A. Smalley," another owner, is probably David Allen Smalley [1809-1877], a Vermont lawyer, judge and politician who was chairman of the Democratic National Committee from 1856 to 1860 and a judge of the United States District Court for the District of Vermont from 1857 to 1877.

♣ Cohen 2309. Sabin 104632.

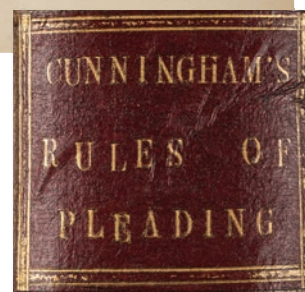
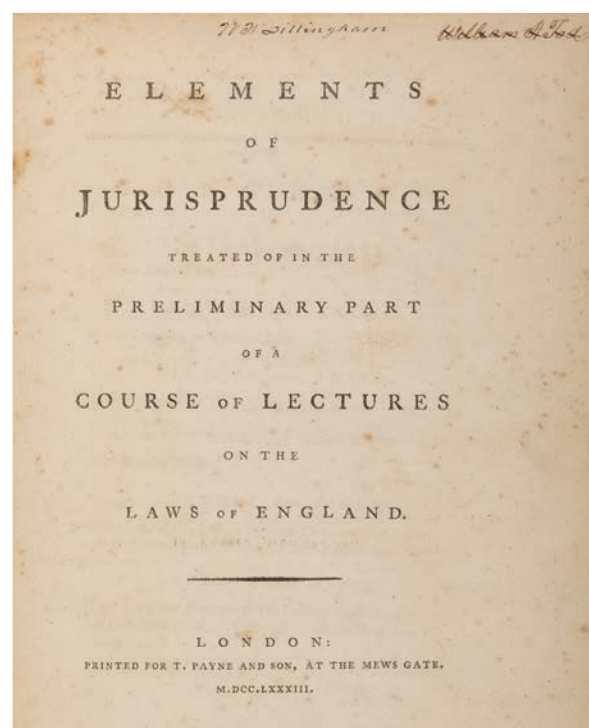
**"THE COMPLEMENT OF SIR W. BLACKSTONE'S COMMENTARIES" BOUND WITH "A WORK OF GREAT AUTHORITY" FOR SPECIAL PLEADERS**

124

**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 [...]* First Published in Octavo, in the Year 1694, From the Manuscript of Sir Robert Heath. Now Re-Published in Quarto, With Notes, Observations, And Additions of New Matter to Every Title, From All the Late Reports and Abridgments, By T. Cunningham, Esq. London: Printed by His Majesty's Law Printers, 1771. x, 252, [8] pp. Quarto (10" x 8"; 25.4 x 20.3 cm). \$2,000.

Contemporary calf, rebaked 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 (possibly of Philadelphia lawyer William H. Tod [1772-1833]) struck through. A very good copy.

*ELEMENTS*: FIRST EDITION; *Maxims*: second and final edition, one of two issues from 1771. Wooddeson was elected a Vinerian Scholar in 1766, became a Vinerian Fellow in 1776 and was Vinerian Professor from 1777 to 1793. He was steeped



Details from N° 124

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. Though of acknowledged merit, as to learning, method of arrangement, and accuracy of rules, they do not seem to have attained so great a reputation as their real worth entitles them to. In point of style, and beauty of narration, they follow the *Commentaries*, *haud non passibus auquis*" (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 745, 379. *HEL* XII:428f. *ESTC* T32600, N34974.





Nº 125

**"THE BOOK THAT JEFFERSON DID NOT WRITE,  
BUT SHOULD HAVE"**

125

**Wortman, Tunis [d.1822].** *A Treatise Concerning Political Enquiry, And the Liberty of the Press.* New York: Printed by George Forman for the Author, 1800. xii, [1], 14-296 pp. Octavo (8-1/4" x 4-3/4"; 21 x 12.1 cm). \$7,500.

Contemporary tree sheep, gilt fillets to spine. Light rubbing, exterior lightly varnished, later mends to extremities, vertical crack starting at head of spine, rear joint starting, front hinge mended, edgewear, faint dampstaining and tears to endleaves. Toning to interior, occasional light soiling and faint dampstaining, light foxing in a few places, crack in text block between pp. 288-289, all leaves secure, clean tear to bottom-edge of final leaf crudely mended with cellotape affecting three words of text without loss, early owner signatures ("Tim. Gardiner"?) to head of first page of Preface and p. 19. Item housed in handsome quarter morocco over cloth clamshell case, raised bands and gilt fillets, title and publication place and date to spine.

FIRST EDITION. This important work is acclaimed as a notable early libertarian exposition of free speech. A

response to the then-recent First Amendment (adopted 1791) and Alien and Sedition Acts (1798), it can be seen as an early response to their implications. As Leonard Levy notes, Wortman "contributed pre-eminently to the emergence of American libertarianism in his book...It is, in a sense, the book that Jefferson did not write, but should have. Devoid of party polemics and of the characteristically American preoccupation with legal and constitutional problems, it is a work of political philosophy that systematically presents the case for freedom of expression...Wortman's treatise is surely the pre-eminent American classic, because of its scope, fullness, philosophical approach, masterful marshalling of the facts, and uncompromisingly radical view."

Wortman was a New York lawyer, author, newspaper publisher and politician. He is also known for his political tracts, one of which, *A Solemn Address to Christians and Patriots*, defended Jefferson against charges of atheism prior to the election of 1800.

♦ Levy, *Legacy of Suppression: Freedom of Speech and Press in Early American History* 283-289. Reese, *The Federal Hundred* 85. Sabin 105514. McCoy W398. Cohen 3603.



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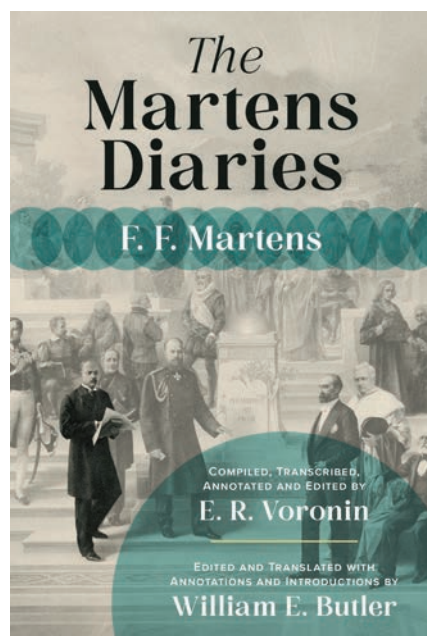
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Detail from N° 93





## The Martens Diaries

**F. F. Martens**

**Compiled, Transcribed, Annotated and Edited by  
E. R. Voronin**

**Edited and Translated with  
Annotations and Introductions by  
William E. Butler**

xliv, 507 pp.  
ISBN 978-1-61619-702-5  
Hardcover with Dust Jacket 2025  
\$150.

WRITTEN AT INTERVALS BETWEEN 1883 AND 1909 by the pre-eminent Russian international lawyer, diplomat, arbitrator, legal scholar, and legal advisor to the Russian Ministry of Foreign Affairs,

Emperor, and Government, these diaries provide a remarkable backstory to Russian foreign policy with particular reference to the two Hague peace conferences, the Portsmouth treaty negotiations ending the Russo-Japanese War, and the celebrated international arbitrations that gave him the title “Lord Chief Justice of the Civilized World.”

Long buried in Soviet archives and unknown to international legal scholarship, the existence of these diaries was disclosed under perestroika. In 2023 the text was transcribed and published in Moscow. It is now presented here in English translation, along with extensive annotations identifying personalities, events, diplomatic undertakings and commentary on perceived successes and failures of Russian diplomacy.

---

**Fedor Fedorovich Martens** [1845–1909] was Professor of International Law at St. Petersburg University and a member of the Institut de Droit International.

**Evgeny R. Voronin** is Professor, Chair of International Law, Moscow State Institute of International Relations, Ministry of Foreign Affairs of the Russian Federation.

**William E. Butler** is The John Edward Fowler Distinguished Professor of Law, Penn State Dickinson Law. He is also Professor Emeritus of Comparative Law in the University of London (University College London) and Foreign Member, Russian Academy of Natural Sciences, National Academy of Sciences of Ukraine and National Academy of Legal Sciences of Ukraine. He has written extensively on the history of international law. His works include, as the editor and translator, V. E. Grabar, *The History of International Law in Russia 1647–1917* (Oxford, 1990) and F. F. Martens, *Contemporary International Law of Civilized Peoples* (Talbot, 2021–2022); as author, *Grotius on War and Peace in English Translation* (Talbot, 2021); and, as co-author with V. S. Ivanenko, *The Saint Petersburg School of International Law* (Talbot, 2024). He is the founding editor of *Jus Gentium: Journal of International Legal History* (2016–).

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